

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

| | | |
|---------------------------------------|---|--------------------------------|
| LESLIE RAMSEY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO.: _____ |
| |) | |
| LIMESTONE COUNTY, |) | |
| ALABAMA, THE COUNTY |) | |
| COMMISSION OF LIMESTONE |) | |
| COUNTY, ALABAMA, SHERIFF |) | |
| MIKE BLAKELY, and FRED |) | |
| SLOSS, in their individual and |) | |
| official capacities. |) | |
| |) | |
| Defendants. |) | |

COMPLAINT

Plaintiff, Leslie Ramsey, alleges as follows:

JURISDICTION

1. This Court has federal question jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343 and under 28 U.S.C. § 2201 as to any declaratory judgments. This Court also retains supplemental jurisdiction over Plaintiff’s state law claims.¹

¹ Plaintiff also has a charge of discrimination pending with the Equal Employment Opportunity Commission (“EEOC”). However, the EEOC has not issued Plaintiff a right to sue letter, and, therefore, she cannot presently assert her discrimination and retaliation claims pursuant to Title

2. This Court maintains subject matter jurisdiction under 28 U.S.C. § 1331, and 28 U.S.C. § 1343, *et seq.*

3. Venue is appropriate in the Northern District of Alabama pursuant to 28 U.S.C. §§ 1391(a) and (b), as the unlawful conduct alleged herein was committed within the Northern District of Alabama.

PARTIES

4. Plaintiff is a female citizen of the United States and a resident of Limestone County, Alabama, including at all times relevant to this Complaint.

5. Defendant, Limestone County, Alabama (“Limestone County”), is a body corporate, with power to sue or be sued in any court of record.

6. Defendant, the Limestone County Commission (the “Commission”) is the official governing body of Limestone County. Limestone County acts by and through the Commission. The Commission has the statutory authority to direct, control, and maintain all property owned by Limestone County, including operation of the Limestone County Sheriff’s Department (the “Sheriff’s Department”).

7. Defendant, Mike Blakely, the Sheriff of Limestone County (“Sheriff Blakely”), is a citizen of the United States and a resident of Limestone County, including at all times relevant to this Complaint.

VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e-2000e-17 (“Title VII”), and the Civil Rights Act of 1991 and 42 U.S.C. § 1981a.

8. Defendant, Fred Sloss (“Sloss”), is a citizen of the United States and a resident of Limestone County, including at all times relevant to this Complaint.

FACTUAL ALLEGATIONS

9. From September, 2007, to the present date, Plaintiff worked for the Sheriff’s Department as an Investigator.

10. Limestone County, the Commission, Sheriff Mike Blakely, and/or the Sheriff’s Department were Plaintiff’s employer or joint employers.

11. Plaintiff’s direct supervisor during the course of her employment, Captain Stanley McNatt (“McNatt”), retired on October 1, 2016; therefore, she primarily reported to Sheriff Blakely and Sloss after McNatt’s retirement.

12. On or about November 3, 2016, Sheriff Blakely promoted Sloss from Captain to Chief Deputy, the highest ranking position under Sheriff Blakely.

Sexual Assault

13. On the evening of January 14, 2017, Plaintiff and Bobby Joe Ruf (“Ruf”), her boyfriend at the time, decided to visit Sloss at his residence.

14. Ruf knew Sloss from a long standing personal friendship.

15. Plaintiff only knew Sloss through her work at the Sheriff’s Department.

16. Plaintiff went outside to smoke a cigarette in Sloss’s driveway, and Sloss followed her outside.

17. While Plaintiff and Sloss were alone in his driveway, Sloss swiped his hand several times between Plaintiff's legs, across her chest and crotch, and along the outside of her clothes.

18. After Plaintiff attempted to push Sloss away, he pushed her against a vehicle in the driveway, put his lips close to hers and asked, "does [Ruf] ever tell you how beautiful you are?"

19. After Plaintiff tried to push Sloss away a second time, Sloss pushed her against the car again and told Plaintiff, "I'll make you Captain," if Plaintiff consented to his sexual advances, which she refused.

20. Sloss then told Plaintiff to "Show me your tit[s], [my wife] would do it."

21. Plaintiff left Sloss's residence with Ruf and told him about the incident during their car ride home.

Discrimination and Retaliation Against Plaintiff

22. After the January 14, 2017, assault, Sloss put Plaintiff under increased scrutiny, including, but not limited to, having her followed after she left Sheriff Blakely's May 19 and 20, 2017, fundraising rodeo (the "Rodeo").

23. Sloss did not put other male officers under surveillance regarding their involvement in the Rodeo.

24. On May 22, 2017, Sheriff Blakely called Plaintiff into his office, along with Sloss, to reprimand Plaintiff regarding her involvement with the Rodeo. During this meeting, Sheriff Blakely:

- (a) called Plaintiff a “bad apple;”
- (b) told her she needed to see a psychiatrist;
- (c) told her that he could “do any God damn thing [he] wanted”;
- (d) threatened to demote plaintiff; and
- (e) threatened to terminated plaintiff’s employment.

25. Later in the day on May 22, 2017, Plaintiff’s father, Jim Ramsey, called Sheriff Blakely and reported Sloss’s January 14, 2017, assault, including that Ruf was present at Sloss’s residence that night.

26. On May 24, 2017, Sheriff Blakely called Ruf to the Sheriff’s Department to discuss Plaintiff’s sexual assault.

27. After Sheriff Blakely’s meeting with Ruf, Ruf told Plaintiff that he and Sheriff Blakely discussed the January 14, 2017, incident at Sloss’s residence for at least forty minutes.

28. Sheriff Blakely refused to speak with Plaintiff after learning about the sexual assault, and he did not discipline Sloss.

29. On or about January 27, 2017, Sheriff Blakely promoted a male officer, Lance Royals (“Royals”), to Captain, who then became Plaintiff’s direct supervisor.

30. On or about May 24, 2017, Plaintiff submitted a grievance to Sheriff Blakely concerning the sexual assault and the rodeo reprimand.

31. On May 25, 2017, Royals responded to Plaintiff's grievance in writing stating, in pertinent part, that after speaking with Sheriff Blakely and Sloss, Sheriff Blakely was entitled to threaten Plaintiff with termination and that revocation of her vehicle privileges was justified.

32. On May 26, 2017, Sheriff Blakely demoted Plaintiff from Investigator to patrol duty. Sheriff Blakely further ordered Plaintiff to vacate her office and assigned her to second shift patrol for approximately one week.

33. On or about June 2, 2018, Captain Guy Simmons told Plaintiff that she was being further demoted to third shift patrol and also gave her a letter of reprimand, dated May 30, 2016, for allegedly losing her Sheriff's Department issued cell phone and insubordination, which Plaintiff disputed.

34. Sheriff Blakely promoted Chris Frazier ("Frazier")—who was a third shift, male patrol officer with one year of experience—to first shift patrol and simultaneously demoted Plaintiff to third shift patrol.

35. Sheriff Blakely did not reprimand other male investigators and patrol deputies for similar conduct alleged against Plaintiff, including, but not limited to, where they lost firearms, cell phones, and seized property.

36. On June 6, 2017, Plaintiff filed a grievance and reinstatement request with the Commission regarding the sexual assault, her demotion, and other harassing and retaliatory conduct experienced during her employment with the Sheriff's Department.

37. On or about June 20, 2017, after Plaintiff arrested a suspect for possession of a controlled substance, Sheriff Blakely arbitrarily issued Plaintiff a letter of reprimand for allegedly violating the proper procedure to sign the suspect's arrest warrant, which Plaintiff disputed.

38. Due to the ongoing harassment and retaliation relating to Plaintiff and her grievances with the Sheriff's Department, she requested leave on or about June 26, 2017. Plaintiff was required to use her accrued paid leave, and then she was on unpaid leave for approximately three pay periods.

39. On August 7, 2017, the Commission held a hearing regarding Plaintiff's June 6, 2017, grievance; however, it has never issued Plaintiff a ruling.

40. Plaintiff received back pay on September 14, 2017, and was then placed back on paid leave.

41. As of September 12, 2017, no proper law enforcement investigation was undertaken regarding the sexual assault of Plaintiff.

42. Plaintiff filed a charge of discrimination with the EEOC on November 7, 2017, and she was reinstated to her Investigator position on February 29, 2018.

Additional Disparate Treatment

43. On or about January, 2017, Sheriff Blakely promoted male officer, Jay Stinnett, to Assistant Chief Investigator.

44. On or about January 27, 2017, Sheriff Blakely promoted male officer, Johnny Morrell, to Lieutenant of Operations.

45. Plaintiff was qualified and passed over for the Chief Deputy, Captain, Assistant Chief Investigator, Lieutenant of Operations, and Patrol Lieutenant positions filled by equal or less qualified male officers.

46. Plaintiff had more education, training, and experience as an investigator compared to the male officers promoted to the Chief Deputy, Captain, Assistant Chief Investigator, and Lieutenant of Operations positions.

47. On or about October 2, 2011, a male Investigator, Randy Burroughs, was arrested for assault and was never disciplined by the Sheriff's Department.

48. Between January 3, 2012 and May 1, 2012, a male Investigator, Jonathan Hinton ("Hinton"), lost a pistol seized from a suicide case; however, he was never disciplined by the Sheriff's Department.

49. Rather than discipline Hinton for losing the pistol, Sheriff Blakely ordered that a new pistol be purchased and given to the victim's father on or about August 22, 2014.

50. After losing the pistol, Hinton was never reprimanded and was promoted to Patrol Lieutenant.

51. On or about June 25, 2015, Hinton, as a Patrol Lieutenant, performed an unauthorized “PIT” maneuver in the city limits of Huntsville, Alabama. The unarmed suspect fled on foot, and Hinton shot at the suspect Hinton was not reprimanded for this incident.

52. On or about November 25, 2016, a Special Response Team van was stolen after Sloss left the keys inside the vehicle. The vehicle was recovered two weeks later in Tennessee; however, Sloss was never disciplined for this incident.

53. On or about February 18, 2015, officers from the Sheriff’s Department found a murdered female, which presently remains unsolved. In December, 2016, Plaintiff learned that the victim’s cell phone was lost. No one was reprimanded for this incident.

54. Sheriff Blakely has received complaints regarding a male Investigator observed to be intoxicated on duty; however, he has never been disciplined or investigated.

COUNT I
Fourteenth Amendment
Sex Discrimination (42 U.S.C. § 1983)

55. Count I arises from the allegations contained *supra* at ¶¶ 9 - 54.

56. Count I is alleged against Limestone County and the Commission, as well as against Sheriff Blakely and Sloss, in their individual and official capacities.

57. Limestone County, the Commission, Sheriff Blakely, and Sloss were state actors acting under the color of state law.

58. Limestone County, the Commission, Sheriff Blakely, and Sloss engaged in a pattern and/or practice of intentional discrimination against female officers, including Plaintiff, through official policies, representations of official policies, customs, and/or practices.

59. Limestone County, the Commission, Sheriff Blakely, and Sloss engaged in actions that are discriminatory and therefore deprived Plaintiff of her clearly established equal protection rights guaranteed by the Fourteenth Amendment by:

- (a) demoting Plaintiff after she reported a sexual assault from her superior (Compl. at ¶¶ 25 - 28, 32 - 34);
- (b) arbitrarily reprimanding and disciplining Plaintiff for reporting a sexual assault from her superior and disagreeing with subsequent reprimands (*id.* at ¶¶ 33, 36 - 37);
- (c) failing to promote Plaintiff, and promoting less qualified male officers to open Chief Deputy, Captain, Assistant Chief Investigator, Lieutenant of Operations, and Patrol Lieutenant positions (*id.* at ¶¶ 12, 29, 34, 43, 44, 46);
- (d) failing to properly investigate Sloss's misconduct (*id.* at ¶¶ 28, 39, 41);

- (e) failing to appropriately discipline Sloss for his misconduct (*id.* at ¶ 28);
- (f) treating similarly situated male officers more favorably as to the conditions of their employment with the Sheriff's Department (*id.* at ¶¶ 34 – 35, 43 - 54);
- (g) more severely disciplining Plaintiff compared to male officers charged with similar and/or more egregious allegations of misconduct (*id.* at ¶¶ 35 - 36);
- (h) subjecting Plaintiff to threats, verbal abuse, and ridicule by male officers (*id.* at ¶¶ 24, 31); and
- (i) manifesting deliberate indifference to Plaintiff's sexual assault and ongoing harassment of Plaintiff by her superiors at the Sheriff's Department (*id.* at ¶¶ 22 - 54).

60. The actions of Limestone County, the Commission, Sheriff Blakely, and Sloss constituted disparate treatment of female employees, including Plaintiff, compared to similarly situated male employees.

61. The actions of Limestone County, the Commission, Sheriff Blakely, and Sloss created an abusive, hostile, and intimidating work environment for Plaintiff and other female employees.

62. The discriminatory actions of Limestone County, the Commission, Sheriff Blakely, and Sloss violated Plaintiff's clearly established legal rights protecting her against sex discrimination and were performed with malice and/or done with reckless disregard to Plaintiff's federally protected civil rights.

63. As a result of the actions of Limestone County, the Commission, Sheriff Blakely, and Sloss, Plaintiff suffered, and continues to suffer, economic injury and irreparable harm, including, intense emotional distress, embarrassment, humiliation, anxiety, and concern.

64. The actions of Limestone County, the Commission, Sheriff Blakely, and Sloss were willful, intentional, and malicious, and caused Plaintiff to suffer great harm including economic injury and irreparable harm, including, intense emotional distress, embarrassment, humiliation, anxiety, and concern.

65. Plaintiff, therefore, is entitled to an award of monetary damages, including compensatory and equitable relief, against Limestone County, the Commission, Sheriff Blakely, and Sloss.

66. The conduct of Sheriff Blakely and Sloss was intentional, willful, wanton, and/or sufficiently egregious and improper to a degree that it would require or otherwise substantiate the allowance of punitive damages in an amount to be determined by a jury.

WHEREFORE, Plaintiff prays that this Court:

- (a) award Plaintiff compensatory damages for lost wages, benefits, overtime, and off-duty compensation, mental anguish, humiliation, and loss of reputation;

- (b) award Plaintiff judgment of punitive damages against Sheriff Blakely and Sloss;
- (c) grant a preliminary and permanent injunction and declaratory relief against Limestone County, the Commission, and Sheriff Blakely, finding that they discriminated against Plaintiff, and prohibit them from discriminating against Plaintiff, based on her gender;
- (d) award Plaintiff reasonable attorneys' fees and costs;
- (e) retain jurisdiction to ensure compliance with any order issued by this Court; and
- (f) award Plaintiff such further relief as this Court deems just under the circumstances.

COUNT II
Conspiracy to Violate Plaintiff's
Fourteenth Amendment Rights

67. Count II arises from the allegations contained *supra* at ¶¶ 9 - 54.

68. Count II is alleged against Limestone County and the Commission, as well as against Sheriff Blakely and Sloss, in their individual and official capacities.

69. During all times relevant to this Complaint, Limestone County, the Commission, Sheriff Blakely, and Sloss, and their agents, conspired to deprive Plaintiff of equal protection of the laws, based on her gender and in retaliation for

her complaint to supervisory authority, the EEOC, and others. Such claims are actionable pursuant to 42 U.S.C. § 1985.

70. The actions of Limestone County, the Commission, Sheriff Blakely, and Sloss were willful, intentional, and malicious, and caused Plaintiff to suffer great harm including economic injury and irreparable harm, including, intense emotional distress, embarrassment, humiliation, anxiety, and concern.

71. Plaintiff, therefore, is entitled to an award of monetary damages in an amount to be determined by the evidence and this Court and the reasonable costs of this lawsuit, including her reasonable attorneys' fees.

72. The conduct of Sheriff Blakely and Sloss was intentional, willful, wanton, and/or sufficiently egregious and improper to a degree that it would require or otherwise substantiate the allowance of punitive damages in an amount to be determined by a jury.

WHEREFORE, Plaintiff prays that this Court:

- (a) award Plaintiff compensatory damages for lost wages, benefits, overtime, and off-duty compensation, mental anguish, humiliation, and loss of reputation;
- (b) award Plaintiff judgment of punitive damages against Sheriff Blakely and Sloss;

- (c) grant a preliminary and permanent injunction and declaratory relief against Limestone County, the Commission, and Sheriff Blakely, finding that they discriminated against Plaintiff, and prohibit them from discriminating against Plaintiff, based on her gender;
- (d) award Plaintiff reasonable attorneys' fees and costs;
- (e) retain jurisdiction to ensure compliance with any order issued by this Court; and
- (f) award Plaintiff such further relief as this Court deems just under the circumstances.

COUNT III
Assault and Battery (State Law)

73. Count III arises from the allegations contained *supra* at ¶¶ 13 - 21.

74. Count III is alleged against Sloss in his individual capacity.

75. On January 14, 2017, Sloss wrongfully brought about harmful and offensive contact to Plaintiff's person.

76. As a direct and proximate result of Sloss's assault on Plaintiff, Plaintiff suffered intense emotional distress, embarrassment, humiliation, anxiety, and concern, for which she is entitled to recover from Sloss actual, compensatory, and consequential damages.

77. Sloss's conduct was intentional, willful, wanton, and/or sufficiently egregious and improper to a degree that it would require or otherwise substantiate the allowance of punitive damages in an amount to be determined by a jury.

WHEREFORE, Plaintiff prays that this Court:

- (a) award Plaintiff compensatory damages for lost wages, benefits, overtime, and off-duty compensation, mental anguish, humiliation, and loss of reputation;
- (b) award Plaintiff judgment of punitive damages against Sloss;
- (c) award Plaintiff reasonable attorneys' fees and costs;
- (d) retain jurisdiction to ensure compliance with any order issued by this Court; and
- (e) award Plaintiff such further relief as this Court deems just under the circumstances.

COUNT IV
Outrage (State Law)

78. Count IV arises from the allegations contained *supra* at ¶¶ 13 - 31.

79. Count IV is alleged against Sloss in his individual capacity.

80. Sloss intended to inflict emotional distress upon Plaintiff in subjecting her to his unwarranted and unwelcome sexually offensive conduct.

81. Sloss should have known that his unwarranted and unwelcome sexually offensive conduct would have inflicted emotional distress upon Plaintiff.

82. Sloss's unwarranted and unwelcome sexually offensive conduct against Plaintiff was extreme.

83. Sloss's unwarranted and unwelcome sexually offensive conduct was outrageous.

84. Sloss's unwarranted and unwelcome sexually offensive conduct against Plaintiff directly and proximately caused Plaintiff distress.

85. Sloss's unwarranted and unwelcome sexually offensive conduct was so outrageous in character, and so extreme in degree, that it crossed all possible bounds of decency.

86. Sloss's unwarranted and unwelcome sexually offensive conduct amounted to atrocious and utterly intolerable conduct to be accepted in a civilized society.

87. Sloss's conduct was outrageous and sufficiently egregious and improper to a degree that it would require or substantiate the allowance of actual, consequential, compensatory, and punitive damages in an amount to be determined by a jury.

WHEREFORE, Plaintiff prays that this Court:

- (a) award Plaintiff compensatory damages for lost wages, benefits, overtime, and off-duty compensation, mental anguish, humiliation, and loss of reputation;

- (b) award Plaintiff judgment of punitive damages against Sloss;
- (c) award Plaintiff reasonable attorneys' fees and costs;
- (d) retain jurisdiction to ensure compliance with any order issued by this Court; and
- (e) award Plaintiff such further relief as this Court deems just under the circumstances.

COUNT V
Invasion of Privacy (State Law)

88. Count V arises from the allegations contained *supra* at ¶¶ 13 - 31.

89. Count V is alleged against Sloss in his individual capacity.

90. The January 14, 2017, actions of Sloss violated Plaintiff's right to privacy and right to be free from wrongful intrusion into her private activities in such a manner as to outrage or cause mental suffering, shame, and/or humiliation.

91. As a direct and/or proximate result of Sloss's violation of Plaintiff's right to privacy, Plaintiff was injured and damaged in that she suffered emotional distress, embarrassment, humiliation, anxiety, and concern for which she is entitled to recover from Sloss actual, compensatory, punitive, and consequential damages.

92. Sloss's January 14, 2017, conduct was intentional, willful, wanton, and/or sufficiently egregious and improper to a degree that it would require or otherwise substantiate the allowance of punitive damages in an amount to be determined by a jury.

WHEREFORE, Plaintiff prays that this Court:

- (a) award Plaintiff compensatory damages for lost wages, benefits, overtime, and off-duty compensation, mental anguish, humiliation, and loss of reputation;
- (b) award Plaintiff judgment of punitive damages against Sloss;
- (c) award Plaintiff reasonable attorneys' fees and costs;
- (d) retain jurisdiction to ensure compliance with any order issued by this Court; and
- (e) award Plaintiff such further relief as this Court deems just under the circumstances.

Respectfully submitted this the 11th day of January, 2019.

/s/ Rebekah McKinney
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JURY DEMAND

PLAINTIFF DEMANDS TRIAL BY STRUCK JURY.

/s/ Rebekah Keith McKinney
Rebekah Keith McKinney

DEFENDANTS TO BE SERVED BY CERTIFIED MAIL:

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