

CITY OF MILWAUKEE
NOTICE OF INJURY/CLAIM

§893.80 Stats.

02 JUL 24 PM 4:03

OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
02 JUL 24 PM 3:40
RONALD D. LEONHARDT
CITY CLERK

TO: Clerk, City of Milwaukee
Room 205
200 East Wells Street
Milwaukee, WI 53202

CLAIMANT: Linda Haynes
749 West State Street
Milwaukee, WI 53233

RE: Monetary relief claimed on behalf of Linda Haynes: Pain, suffering and disability -- \$250,000.00 in money damages. For specific directives, see Notice of Injury/Claim filed concurrently herewith.

You are hereby notified that, on or about March 26, 2002, while acting in her capacity as a member of the Milwaukee Police Department ("MPD") Command Staff, Captain Linda Haynes ("Captain Haynes") was subject to demeaning, intimidating, improper and harassing treatment by Chief of Police Arthur Jones ("Chief Jones"), in front of numerous other members of the MPD, based upon her gender.

In an effort to stop such inappropriate behavior by Chief Jones against her and others, Captain Haynes discussed the method and manner by which Chief Jones treated her in front of her peers and subordinates with a member of the City of Milwaukee Fire & Police Commission ("FPC") on March 27, 2002.

On March 28, 2002, after an unsuccessful attempt to resolve the matter with Chief Jones short of a formal FPC complaint, Chief Jones removed Captain Haynes from her command at the Community Services division of the MPD and transferred her to the Criminal Investigative Bureau ("CIB"). As Captain Haynes had risen through the ranks solely in the Patrol Bureau, without any detective experience, training or prior assignment to CIB, her transfer can only be interpreted as retaliation for her having complained to the FPC about Chief Jones' actions (i.e., as a result of her complaint, Chief Jones transferred her to a location where she had absolutely no experience, with the intent that she would fail and thereby provide him with an opportunity to discipline and/or terminate her employment). Such actions were in violation of 42 USC §§2000e-2(a)-3(a).

On April 2, 2002, Captain Haynes made her formal written complaint to the FPC -- the only municipal body having oversight authority over Chief Jones -- in an effort to publicize Chief Jones' inappropriate and unlawful actions so as to identify the method and manner in which Chief Jones had breached the public trust.



Thereafter, Chief Jones initiated 3 separate internal investigations against Captain Haynes, none of which have any merit and at least one of which had previously been cleared as "baseless." As Captain Haynes has received no discipline greater than a reprimand and has been the subject of only a single internal rules investigation which was cleared as baseless during her 21 year career with the MPD, Chief Jones' initiating such investigations can only be interpreted as retaliation for her having complained to the FPC about his demeaning, derogatory and harassing actions as a means to continue his harassment and sully her otherwise unblemished employment record. Such actions were in violation of 42 USC §§2000e-2(a)-3(a).

Furthermore, Chief Jones actions were in direct violation of the requirement for all members of the MPD, including himself, to:

- Act with courtesy and civility (MPD Rule 4, §2/060.00);
- Refrain from injuring or discrediting those under their authority by tyrannical conduct or abusive language (MPD Rule 4, §2/340.00);
- Refrain from discriminating, harassing or improperly treating other members of the MPD based upon a protected characteristic as defined by Federal, State and/or local regulations (MPD Rule 4, §3/520.00 -- EEO policy), and;
- Refrain from retaliating against a member who files such a complaint (MPD Rule 4, §3/520.10).

Violation of these work rules -- for which Chief Jones has disciplined numerous MPD officers -- constitutes a breach of the public trust. It was exactly because of that breach, and her concern that the public would not otherwise become aware of his continuous and repeated rule violations against her and other members of the MPD, that Captain Haynes initially contacted a member of the FPC and eventually filed her written formal FPC complaint.

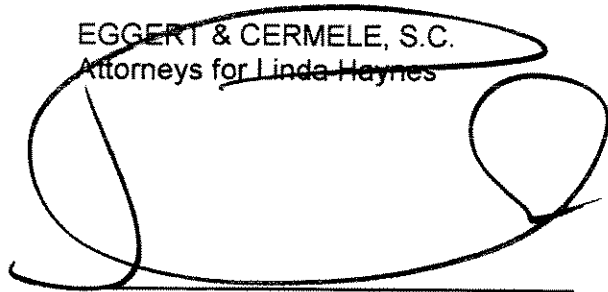
As a result of Chief Jones' discrimination and retaliation, Captain Haynes has suffered significant emotional, psychological and physical injury which has resulted in her losing time from work and interfering with her ability to perform her duties with the MPD.

The City of Milwaukee is hereby notified that Captain Haynes claims satisfaction and damages from the City due to such unjust intimidation, harassment, discrimination and retaliation, as well as the injuries sustained thereby.

Claimant is represented by the law firm of Eggert & Cermele, S.C., by Attorney Jonathan Cermele. It is requested that all notices of any scheduling or action on this claim be served upon the claimant, in care of her legal counsel at 1840 North Farwell Avenue, Suite 303, Milwaukee, WI 53202.

Dated this 21st day of July, 2002.

EGGERT & CERMELE, S.C.
Attorneys for Linda Haynes

A large, stylized handwritten signature in black ink, appearing to be 'Jonathan Cermele', written over a horizontal line.

Jonathan Cermele, on behalf of
Linda Haynes

Mailing Address:

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
(414) 276-8906 (facsimile)

CLAIM FOR RELIEF

CITY OF MILWAUKEE
REGISTERED

'02 JUL 24 PM 4: 03

OFFICE OF
CITY ATTORNEY

To: The City of Milwaukee

Claim is hereby made against the City of Milwaukee, by Linda Haynes ("Captain Haynes") of 749 West State Street, City and County of Milwaukee, Wisconsin, for injuries sustained at the hands of Arthur Jones, Chief of Police, City of Milwaukee Police Department ("Chief Jones"), as a result of:

- Chief Jones having creating a hostile work environment beginning March 27, 2002 and continuing through the date of this Claim, as set forth more particularly in the Notice of Injury/Claim filed concurrently herewith;
- Chief Jones having retaliated against Captain Haynes for her voicing her concerns as to such inappropriate conduct (i.e., his violating numerous MPD Rules when dealing with Captain Haynes and other members of the MPD) and how such conduct was a matter of public concern (i.e., unlawful behavior and rule violations equate to a breach of the public trust) to the Milwaukee Board of Fire & Police Commissioners ("FPC").

Captain Haynes' claim is as follows:

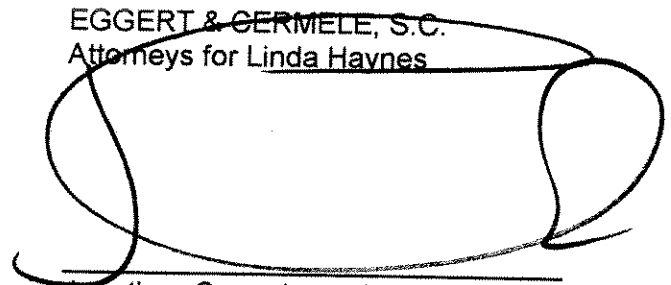
- Pain, suffering and disability -- \$250,000.00 in money damages
- That Chief Jones be directed to terminate his continued intimidating, abusive, demeaning and harassing behavior towards her and other member of the MPD;
- That Chief Jones be directed to provide Captain Haynes with reasonable and appropriate training similar to that afforded to others at the MPD's Criminal Investigative Bureau;
- That the MPD close the 3 active and baseless internal investigations of Captain Haynes;
- That Chief Jones be directed to halt the initiation of baseless internal investigations against other members of the MPD;
- That the MPD purge the Internal Affairs Division's files of such investigations;
- That any further internal investigations of Captain Haynes be conducted by the FPC, and not the MPD's Internal Affairs Division, over which Chief Jones has direct control.

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Claimant is represented by the law firm of Eggert & Cermele, S.C., by Attorney Jonathan Cermele. It is requested that all notices of any scheduling or action on this claim be served upon the claimant, in care of her legal counsel at 1840 North Farwell Avenue, Suite 303, Milwaukee, WI 53202.

Dated this 27th day of July, 2002.

EGGERT & CERMELE, S.C.
Attorneys for Linda Haynes

A large, stylized handwritten signature in black ink, appearing to be 'Jonathan Cermele', written over the printed name of the law firm.

Jonathan Cermele, on behalf of
Linda Haynes

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