

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.:

ALEXIS STEVENS, an Individual,

Plaintiff,

vs.

CITY OF MIAMI, a political subdivision
of the State of Florida,

,

Defendant.

_____ /

COMPLAINT

Plaintiff, ALEXIS STEVENS (“Stevens”), sues Defendant, CITY OF MIAMI, and alleges as follows:

1. This is an action to recover damages, including interest, costs, and attorney’s fees, for race discrimination and retaliation under the Florida Civil Rights Act of 1992, *Fla. Stat. §760.10, et seq.*, and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§2000e, *et seq.*
2. At all times material hereto, Plaintiff is a natural person, is *sui juris*, resides within Miami-Dade County, Florida and is a covered employee under Florida’s anti-discrimination law and Title VII.
3. At all times material hereto, Defendant, the City of Miami, is a municipality and political subdivision of the State of Florida.

4. At all times material hereto, the City of Miami provides, inter alia, professional law enforcement services for the residents and constituency of the City of Miami through the Miami Police Department.
5. The Miami Police Department's principal place of business and headquarters is in Miami-Dade County, Florida. All of the allegations giving rise to this lawsuit arose in Miami-Dade County, Florida.
6. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1367.
7. Venue is proper in this judicial district under 28 U.S.C. §1391(b) because all of the acts giving rise to the claims herein occurred in Miami-Dade County.
8. All conditions precedent to bringing this action, if any, have occurred or have been excused or waived.

GENERAL ALLEGATIONS

9. Stevens began working for the City of Miami in the Miami Police Department as a probationary police officer on February 25, 2014.
10. Stevens was following in the footsteps of her father and brother, who are also police officers with the City of Miami.
11. As a probationary police officer, Stevens had to complete the Field Training Program, during which time she was under the command of several sergeants.
12. Each of the sergeants gave Stevens good evaluations.

13. Stevens successfully completed each phase of the Field Training Program and was released from the program with no deficiencies noted.
14. Upon completion of the program, Stevens began reporting to Sergeant Kevin Harrison, a white male, on or around January 4, 2015.
15. Harrison began scrutinizing Stevens work and issued her unwarranted discipline because of her race, black.
16. For instance, Harrison harassed Stevens about the use of her cellphone during meetings, while other non-black officers were allowed to use their cellphones.
17. Harrison also followed Stevens when she was called to the scene of a crime, which was not done to other non-black officers.
18. Harrison also made racially charged, anti-black comments towards Stevens.
19. Harrison also sent Stevens on dangerous assignments alone, in violation of the norms, practices and policies of the Police Department.
20. As a result of Harrison's discriminatory behavior, Stevens filed a formal complaint of race discrimination with the City's Office of Equal Opportunity and Diversity Programs on or around February 2, 2015.
21. Just a week later, Stevens was placed on a "90-day action plan" and was restricted to a forty (40) hour a week schedule, preventing her from earning overtime pay.

22. On February 10, 2015, after having filed the formal complaint, Stevens received a poor evaluation from Harrison. This was the first and only poor evaluation Stevens received at the City.
23. Following the formal complaint, on February 11, 2015, Stevens was also reprimanded by Commander Lazaro Ferro.
24. During this time, Stevens had also requested that she be transferred out of Harrison's crew.
25. During the "90-day action plan," Stevens was placed under the supervision of Sergeant Maximiliano Valdes.
26. During this time, Sergeant Valdes consistently rated Stevens' performance as high satisfactory or above average.
27. Despite her high performance evaluations, on February 24, 2015, Stevens was disciplined and her probation was extended by Commander Ferro.
28. Upon completion of the "90-day action plan," on or about April 26, 2015, Stevens was again placed under the supervision of Harrison.
29. On or about June 2, 2015, Harrison and Ferro harassed and disciplined Stevens by directing her to write a "red-line memo" to Lieutenant Chiquita Thomas-Butler explaining her actions at an incident she was dispatched to, and explaining why she had taken her lunch break at a certain time.
30. On June 9, 2015, Steven was terminated.

COUNT I

Race Discrimination under Title VII

31. Stevens re-alleges and re-states paragraphs 1 through 30 as alleged herein and further states as follows:
32. Stevens is black.
33. Stevens was subjected to adverse employment actions, including poor evaluations, the extension of her probationary period, restrictions on earning overtime, and unlawful termination.
34. Stevens was only subjected to this because she is black in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e *et seq.*
35. As a result of the City's actions, Stevens suffered damages.

WHEREFORE, Stevens demands judgment against the City of Miami for damages, including back pay, front pay, compensatory damages, special damages, punitive damages, attorney's fees and costs, pre and post-judgment interest, and all other further relief that this Court deems necessary and proper.

COUNT II

Race Discrimination under Florida Civil Rights Act

36. Stevens re-alleges and re-states paragraphs 1 through 30 as alleged herein and further states as follows:
37. Stevens is black.

38. Stevens was subjected to adverse employment actions, including poor evaluations, the extension of her probationary period, restrictions on earning overtime, and unlawful termination.

39. Stevens was only subjected to this because she is black in violation of Florida Statutes §§760.10, *et seq.*

40. As a result of the City's actions, Stevens suffered damages.

WHEREFORE, Stevens demands judgment against the City of Miami for damages, including back pay, front pay, compensatory damages, special damages, punitive damages, attorney's fees and costs, pre and post-judgment interest, and all other further relief that this Court deems necessary and proper.

COUNT III
Retaliation under Title VII

41. Stevens re-alleges and re-states paragraphs 1 through 30 as alleged herein and further states as follows:

42. Stevens filed a formal complaint of race discrimination with the City on February 2, 2015.

43. On February 10, 2015, she received her first poor evaluation.

44. Also on February 10, 2015, Stevens was placed on a 90 day action plan, restricting her ability to earn overtime pay.

45. After successful completion of the action plan, Stevens was terminated in retaliation for her complaints of discrimination, in direct violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e *et seq.*

46. As a result of the City's actions, Stevens suffered damages.

WHEREFORE, Stevens demands judgment against the City of Miami for damages, including back pay, front pay, compensatory damages, special damages, punitive damages, attorney's fees and costs, pre and post-judgment interest, and all other further relief that this Court deems necessary and proper.

COUNT IV
Retaliation under the Florida Civil Rights Act

47. Stevens re-alleges and re-states paragraphs 1 through 30 as alleged herein and further states as follows:

48. Stevens filed a formal complaint of race discrimination with the City on February 2, 2015.

49. On February 10, 2015, she received her first poor evaluation.

50. Also on February 10, 2015, Stevens was placed on a 90 day action plan, restricting her ability to earn overtime pay.

51. After successful completion of the action plan, Stevens was terminated in retaliation for her complaints of discrimination, in direct violation of Florida Statutes §§760.10, *et seq.*

52. As a result of the City's actions, Stevens suffered damages.

WHEREFORE, Stevens demands judgment against the City of Miami for damages, including back pay, front pay, compensatory damages, special damages, punitive damages, attorney's fees and costs, pre and post-judgment interest, and all other further relief that this Court deems necessary and proper.

Demand for Jury Trial

Plaintiff, Alexis Stevens, demands a trial by Jury for each issue so triable herein.

Respectfully Submitted,

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