

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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EMILIO ANDINO

Plaintiff,

SUMMONS

-against-

Index No.:

JURY DEMAND

THE CITY OF NEW YORK; JEFFREY B. MADDREY, as Chief of Department; ELIZABETH M. LABOY, as Instructor, Recruit Training School; JOSE L. CARABALLO, as Instructor, Recruit Training School; BRIAN T. HENRY, as PBA Delegate, Recruit Training School; BAHRON ASLIEV, as Recruit, NYPD Police Academy; JOHN DOES 1-5, as members of the initial response and investigative team, and JOHN DOE 6, as the supervising Chief assigned to Internal Affairs, each sued in their official and individual capacities as employees, representatives, or agents of the CITY OF NEW YORK.

Defendants

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To the Defendant named above:

You are hereby summoned and required to serve a written answer to the attached Verified Complaint upon the Plaintiff's attorney at the address below.

If this Summons is personally delivered to you within the State of New York, you must serve your answer within twenty (20) days after such service, exclusive of the service date.

If this Summons is served upon you in any other manner authorized by law, you must serve your answer within thirty (30) days after service is complete, as provided by the New York Civil Practice Law and Rules.

Should you fail to appear or answer within the applicable period stated above, judgment may be entered against you by default for the relief demanded in the Verified Complaint, without further notice.

This action is venued in the Supreme Court of the State of New York, County of New York, located at 60 Centre Street, New York, New York 10007.

Dated: April 20, 2025  
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders\_\_\_\_\_  
Eric Sanders

Eric Sanders, Esq.  
**THE SANDERS FIRM, P.C.**  
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DEFENDANT ADDRESSES

Defendant THE CITY OF NEW YORK  
c/o New York City Law Department  
100 Church Street  
New York, N.Y. 10007

Defendant JEFFREY B. MADDREY  
c/o NYPD Legal Bureau  
One Police Plaza  
New York, N.Y. 10038

Defendant ELIZABETH M. LABOY  
Instructor, Recruit Training School  
NYPD Police Academy  
130-30 28th Avenue  
Flushing, New York 11354

Defendant JOSE L. CARABALLO  
Instructor, Recruit Training School  
NYPD Police Academy  
130-30 28th Avenue  
Flushing, New York 11354

Defendant BRIAN T. HENRY  
PBA Delegate, Recruit Training School  
NYPD Police Academy  
130-30 28th Avenue  
Flushing, New York 11354

Defendant BAHRON ASLIEV  
Recruit (at time of events),  
NYPD Police Academy  
130-30 28th Avenue  
Flushing, New York 11354

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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EMILIO ANDINO

Plaintiff,

Verified Complaint

-against-

Index No.:

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Defendants

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Plaintiff EMILIO ANDINO, through his attorneys, THE SANDERS FIRM, P.C., files this Verified Complaint against Defendants THE CITY OF NEW YORK, JEFFREY B. MADDREY, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, BAHRON ASLIEV, JOHN DOES 1 through 5, and JOHN DOE 6, respectfully allege as follows:

### INTRODUCTORY SUMMARY

This civil action arises from a deliberate campaign of retaliation, racial and gender-based hostility, and constructive discharge orchestrated and condoned by high-ranking officials within the New York City Police Department (“NYPD”), targeting Plaintiff EMILIO ANDINO, a Black male recruit assigned to the NYPD Police Academy. Plaintiff was not disciplined for

misconduct—he was punished for his family ties to a whistleblower, former NYPD Lieutenant Quatisha Epps, who on December 21, 2024, filed a formal EEOC Charge of Discrimination accusing then—Chief of Department Defendant JEFFREY B. MADDREY of quid pro quo sexual harassment, while publicly exposing systemic corruption and executive abuse of power at the highest levels of the NYPD.

Rather than confront the substance of Epps’s protected disclosures, the NYPD responded by enforcing silence through coercion and retaliatory fear. That same day, a climate of institutional hostility engulfed Plaintiff, who was known throughout the Police Academy as Epps’s nephew and had been assigned to Hook Company 24-56. Plaintiff immediately became the target of sexualized rumors, character assassination, and escalating racial abuse, particularly at the hands of Defendant BAHRON ASLIEV, a white recruit who hurled racist epithets, made sexually explicit remarks about Plaintiff’s minor son, and provoked a staged confrontation during a training scenario.

What followed was not an impartial investigation, but a coordinated cover-up by NYPD Academy personnel and PBA union representatives, including Defendants ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, and unidentified supervisory officials (JOHN DOES 1–6). Instead of reviewing surveillance footage or interviewing witnesses, they isolated Plaintiff, ignored policy-mandated reporting obligations, and preemptively suspended him without pay. Defendant ASLIEV faced no consequences. Defendant HENRY, serving as Plaintiff’s union delegate, even urged him to resign, warning that failure to do so would result in permanent blacklisting from City employment.

The evidence demonstrates that Plaintiff was not disciplined because of objective wrongdoing—he was targeted as an extension of Epps, whose allegations had shaken the

Department's power structure. This was associational retaliation and institutional message-sending, enforced through discriminatory double standards and fear-based silence.

The hostile work environment, the differential treatment based on race and gender, and the pressure to resign under threat of civil service exclusion constitute clear violations of the New York State Human Rights Law (NYSHRL) and New York City Human Rights Law (NYCHRL). Moreover, Defendant JEFFREY B. MADDREY, while still serving as Chief of Department, knowingly allowed a retaliatory command culture to take hold and failed to mitigate the foreseeable harm that befell Plaintiff as a direct consequence of his aunt's protected activity.

This Verified Complaint seeks to hold all Defendants individually liable for aiding and abetting discrimination and retaliation, and to expose the NYPD's systemic weaponization of internal investigative mechanisms not to uncover misconduct, but to enforce institutional loyalty, suppress dissent, and punish proximity to truth-telling. What happened to Plaintiff was not merely a personnel decision—it was an act of institutional violence, signaling that in the NYPD, the cost of whistleblowing extends beyond the truth-teller to anyone who dares to stand beside them.

### **JURISDICTION AND VENUE**

1. Plaintiff EMILIO ANDINO brings this action under the New York State Human Rights Law (NYSHRL), Executive Law § 296, and the New York City Human Rights Law (NYCHRL), New York City Administrative Code § 8-107, which confer jurisdiction upon this Court to hear and determine claims involving unlawful discriminatory practices, including but not limited to race discrimination, gender-based harassment, hostile work environment, and retaliation.

2. Plaintiff asserts claims arising under state and local laws prohibiting such unlawful conduct in public employment, thereby invoking this Court's jurisdiction to adjudicate the claims herein under the NYSHRL and NYCHRL.

3. The unlawful employment practices and violations of Plaintiff's civil rights complained of herein occurred within the County of Queens, where the NYPD Police Academy is located, and within the County of New York, where the Office of Equity and Inclusion and NYPD executive leadership—including disciplinary decision-makers—are headquartered.

4. The employment actions relating to Plaintiff's suspension, proposed constructive discharge, and threats of civil service ineligibility were authorized, ratified, or permitted to proceed under the authority of NYPD Commissioner Jessica S. Tisch, acting in her official capacity as the appointing and final disciplinary authority for uniformed personnel within the Department.

### **PROCEDURAL REQUIREMENTS**

5. Plaintiff EMILIO ANDINO has commenced this action within the applicable statute of limitations prescribed by the New York State Human Rights Law (Executive Law § 296) and the New York City Human Rights Law (Administrative Code § 8-107).

6. Plaintiff brings his claims for race discrimination, gender-based harassment, hostile work environment, and retaliation exclusively under the NYSHRL and NYCHRL.

7. Filing with the United States Equal Employment Opportunity Commission (EEOC) is not a prerequisite to filing claims under the NYSHRL or NYCHRL.

8. Plaintiff is not required to exhaust any administrative remedies before commencing this action in court, and no such exhaustion has been pursued or is necessary.

## **THE PARTIES**

9. Plaintiff Emilio Andino is an African American resident of the State of New York. At all relevant times, Plaintiff was a recruit in the Recruit Training School of the New York City Police Department (NYPD), commonly called the Police Academy, located at 130-30 28th Avenue, Flushing, Queens, New York 11354.

10. Defendant the City of New York is a municipal corporation organized under the laws of the State of New York. The City maintains and operates the NYPD and is responsible for its employees' policies, practices, supervision, training, hiring, retention, discipline, and conduct, including those named individually.

11. Defendant JEFFREY B. MADDREY was, upon information and belief, the Chief of Department of the NYPD at the time Plaintiff's aunt, retired Lieutenant Quatisha Epps, filed a formal Charge of Discrimination and publicly disclosed allegations of quid pro quo sexual harassment and systemic misconduct involving NYPD executive leadership. Defendant MADDREY is sued in his capacity under the NYSHRL and NYCHRL for aiding and abetting unlawful retaliation and for fostering a discriminatory and retaliatory institutional culture that directly impacted Plaintiff.

12. Defendant ELIZABETH M. LABOY is, upon information and belief, employed by the NYPD as an Instructor assigned to the Police Academy. She is sued in both her individual and official capacities.

13. Defendant JOSE L. CARABALLO is, upon information and belief, employed by the NYPD as an Instructor assigned to the Police Academy. He is sued in both his individual and official capacities.



14. Defendant BRIAN T. HENRY is, upon information and belief, employed by the NYPD and served as a Police Benevolent Association (PBA) Delegate during the relevant events. He is sued in both his individual and official capacities.

15. Defendant BAHRON ASLIEV is, upon information and belief, a former or current recruit assigned to the Police Academy during the relevant period. He is sued in both his individual and official capacities.

16. Defendants JOHN DOES 1 through 5 are, upon information and belief, unidentified NYPD officers or personnel who participated in or failed to intervene in the investigation and disciplinary actions involving Plaintiff on or about April 1–2, 2025. They are sued in their individual and official capacities.

17. Defendant JOHN DOE 6 is, upon information and belief, a Chief or high-ranking supervisory officer in the NYPD who oversaw or directed the investigative process leading to Plaintiff's suspension and retaliatory treatment. He is sued in both his individual and official capacities.

### **OFFICER BACKGROUNDS AND PATTERN OF MISCONDUCT**

#### **Institutional Harm and Retaliatory Command Culture: The Checkered NYPD Career of Defendant Jeffrey B. Maddrey and the Silencing of Dissent**

18. Upon information and belief, Defendant JEFFREY B. MADDREY is a 53-year-old Black male who served as Chief of the Department of the New York City Police Department from December 2022 until his resignation in December 2024. MADDREY began his service with the Department in April 1991. He previously held senior commands in the Patrol Services Bureau, Housing Bureau, Community Affairs Bureau, Patrol Borough Brooklyn North, and the 73rd and 75th Precincts. In 2024, his reported earnings exceeded \$292,000.

19. At the time retired NYPD Lieutenant Quatisha Epps filed a formal Charge of Discrimination with the United States Equal Employment Opportunity Commission and publicly disclosed allegations of quid pro quo sexual harassment and institutional corruption, MADDREY held the highest-ranking uniformed position in the NYPD. He resigned within hours of the public disclosure.

20. Defendant MADDREY has been named in multiple ongoing federal lawsuits involving allegations of sexual harassment, retaliation, abuse of authority, and First Amendment violations, including but not limited to *Gabrielle Walls v. City of New York, et al.*, and *Dana Rachlin v. City of New York, et al.* In *Rachlin*, filed in the Eastern District of New York, Maddrey is accused of knowingly participating in a retaliatory campaign that involved the unauthorized release of confidential rape information about a well-known police reform advocate with whom he previously collaborated, to discredit her following her public criticism of violent policing practices and high-ranking officials.

21. According to court documents and investigative reporting by *THE CITY*, *The New York Times*, and *Hellgate*, MADDREY is alleged to have encouraged Rachlin to report her 2017 sexual assault, assured her that the details would remain confidential, and later took no action when those details—including names of investigators, recorded calls, and investigatory summaries—were weaponized in anonymous retaliation letters circulated throughout NYPD precincts, falsely accusing Rachlin of fabricating the assault. The lawsuit alleges MADDREY failed to intervene, report, or discipline the personnel involved, despite knowing Rachlin was targeted.

22. MADDREY has also been publicly associated with internal campaigns of retaliation and control, including the coordinated professional and reputational targeting of those

deemed “disloyal” to NYPD leadership. As alleged in these lawsuits, his conduct reflects a culture in which NYPD executive leadership engages in pretextual investigations, leaks of privileged information, and smear tactics to suppress dissent and protect those with institutional power.

23. In addition to these pending lawsuits, MADDREY has been the subject of at least eight civilian complaints involving twenty allegations of misconduct, including abuse of authority, excessive force, threats of arrest, and discourtesy. Four allegations have been substantiated by the Civilian Complaint Review Board, including an incident involving a child aged 10–14. He pleaded guilty in a 2017 NYPD internal disciplinary proceeding to misconduct stemming from an inappropriate “consensual” sexual relationship with a subordinate female officer. As part of that proceeding, he admitted to obstructing an official Department investigation and making false statements about the nature of their relationship. He was penalized with the forfeiture of 45 vacation days, yet was not terminated under established Department policy governing misconduct involving dishonesty and abuse of supervisory authority.

24. MADDREY has been named in at least sixteen civil lawsuits, including *Slater v. City of New York*, which settled for \$95,000, and other high-profile matters involving allegations of excessive force, unlawful arrest, and civil rights violations. These cases further reflect the widespread and unchecked nature of the misconduct tied to his leadership.

25. Despite this history, MADDREY retained full command authority when Epps filed her EEOC charge and made public statements implicating his conduct and the broader failures of NYPD leadership. Upon information and belief, Plaintiff alleges that MADDREY’s retaliatory posture and command influence directly contributed to the discriminatory and

retaliatory actions taken against Plaintiff by those within the Police Academy and across the Department.

26. MADDREY's leadership exemplifies the NYPD's systemic tolerance of coercion, retaliatory abuse of power, and misuse of internal mechanisms to target critics and silence opposition. The events underlying Plaintiff's suspension and constructive discharge occurred in the immediate aftermath of Epps's protected disclosures, in an institutional climate shaped and normalized by Maddrey's documented record of retaliation, misconduct, and administrative impunity.

### **Summary of Defendant Elizabeth M. Laboy's Role and Misconduct**

27. Upon information and belief, Defendant ELIZABETH M. LABOY is employed by the New York City Police Department as an instructor at the Police Academy, assigned to the Recruit Training School during the events at issue. She exercised direct supervisory authority over recruits, including Plaintiff and Defendant ASLIEV, and was responsible for enforcing Departmental rules regarding professionalism, equal treatment, and non-discrimination.

28. LABOY's conduct on April 1, 2025, reflects a willful failure to carry out her investigatory obligations in a neutral, thorough, and policy-compliant manner. Upon responding to the post-incident scene, LABOY made no effort to interview the Plaintiff, secure objective facts, or ensure that the Office of Equity and Inclusion was notified, as required by NYPD policy when allegations of discrimination or harassment are implicated. Instead, she immediately isolated the plaintiff, spent a disproportionate amount of time with Defendant ASLIEV, and constructed a narrative in which the Plaintiff was falsely designated as the aggressor.

29. Plaintiff alleges that LABOY's actions were informed by racial bias and her animus toward the Plaintiff's familial association with Epps, whose EEOC complaint and public

allegations against the Department's executive leadership triggered institutional retaliation.

LABOY's decision to withhold exculpatory information, avoid gathering evidence, and treat the Plaintiff as presumptively culpable reflects not merely incompetence, but a knowing deviation from her duties in service of departmental retaliation.

30. LABOY's misconduct must be understood as a more significant failure of academy-level supervision, in which internal loyalty and political alignment were prioritized over facts, evidence, and fairness. Despite the Plaintiff's repeated complaints of disparate treatment and verbal abuse, LABOY never initiated any remedial steps, and no documentation was created to capture the discriminatory dynamics unfolding under her supervision.

### **Summary of Defendant Jose L. Caraballo's Role and Disciplinary History**

31. Upon information and belief, defendant JOSE L. CARABALLO is a Hispanic male employed by the New York City Police Department as a Lieutenant assigned to the Police Academy's Payroll and Roll Call unit since approximately June 2021. His prior assignments include service at the 52nd Precinct. He joined the Department in July 2006 and earned approximately \$233,000 in his most recent year of employment.

32. Defendant CARABALLO responded to the April 1, 2025, incident involving Plaintiff and fellow recruit Defendant ASLIEV. Despite having direct supervisory responsibilities and access to critical information, Defendant CARABALLO failed to interview the plaintiff, review available surveillance footage, or initiate a referral to the Office of Equity and Inclusion as required under NYPD policy. Instead, he adopted and reinforced a false narrative positioning Defendant ASLIEV as the victim and Plaintiff as the aggressor. His conduct aligned with that of Defendant LABOY in both form and effect: a biased, non-investigatory posture designed to isolate and punish the Plaintiff.

33. Plaintiff alleges that Defendant CARABALLO's failure to follow required investigatory procedures was influenced, in substantial part, by retaliatory animus directed toward plaintiff's familial relationship with Epps. Despite clear indications of discriminatory animus and racially charged harassment by Defendant ASLIEV, Defendant CARABALLO took no steps to protect the Plaintiff or enforce the Department's anti-discrimination protocols.

34. Defendant CARABALLO has also been named in three civil lawsuits that resulted in taxpayer-funded settlements totaling approximately \$207,501. These include Cabrera v. City of New York, which settled for \$125,001, and two additional lawsuits—Perez v. City of New York (\$75,000) and Martinez-Dejesus v. City of New York (\$7,500)—each alleging misconduct ranging from unlawful arrest to excessive force. In all three lawsuits, Defendant CARABALLO was named as a defendant based on his role in incidents involving constitutional and procedural violations.

35. Additionally, Defendant CARABALLO has been the subject of three misconduct complaints filed with the Civilian Complaint Review Board, involving five allegations. Though none were substantiated, all were closed based on the complainant's non-cooperation, raising serious concerns about community fear, intimidation, or lack of faith in the NYPD's disciplinary processes. Allegations against him include the use of physical force and discourteous conduct toward civilians, including elderly and minority individuals.

36. Defendant CARABALLO's history and handling of the Plaintiff's case reflect a pattern of shielding misconduct, failing to investigate impartially, and reinforcing a culture of silence when it serves the institutional interest. His role in the biased investigation of the Plaintiff cannot be divorced from this broader record of supervisory failure and prior misconduct allegations.

### Summary of Defendant Brian T. Henry's Role and Misconduct

37. Upon information and belief, defendant BRIAN T. HENRY is employed by the New York City Police Department and, at all relevant times, served as a Police Benevolent Association (PBA) Delegate assigned to the Police Academy's Payroll and Roll Call unit since approximately June 2021. In that capacity, Defendant HENRY acted as the designated union representative for probationary officers and recruits, including Plaintiff and Defendant ASLIEV. Defendant HENRY's responsibilities included safeguarding the procedural rights of union members, reporting discriminatory or retaliatory treatment, and ensuring compliance with internal policies concerning workplace misconduct.

38. On or about April 1–2, 2025, Defendant HENRY responded to the Police Academy following a racially and sexually charged confrontation between the Plaintiff and Defendant ASLIEV. Despite receiving a complete and credible account from the Plaintiff detailing repeated racial slurs, sexually explicit references to the Plaintiff's minor child, and physical provocation by Defendant ASLIEV, Defendant HENRY failed to initiate any complaint to the Internal Affairs Bureau or the Office of Equity and Inclusion, as required by department policy.

39. Instead, Defendant HENRY advised the Plaintiff to resign, stating that refusal could result in permanent ineligibility for future civil service employment. At no point did Defendant HENRY advocate for the Plaintiff, raise concerns about unequal discipline, or intervene in the blatantly biased investigatory process unfolding around him. His conduct constituted an apparent conflict of interest, as he maintained a collegial and supportive relationship with Defendant ASLIEV, the opposing party in the disciplinary matter.

40. Plaintiff reasonably believes, and upon information and belief alleges, that Defendant HENRY's failure to perform his duties as union delegate was motivated, at least in part, by institutional loyalty and retaliatory animus toward Plaintiff's familial connection to Epps, whose EEOC complaint against Defendant MADDREY had cast a spotlight on internal corruption and misconduct at the highest levels of the Department.

41. By failing to report misconduct, discouraging the pursuit of due process, and aligning himself with the Department's efforts to pressure the Plaintiff into resignation, Defendant HENRY actively aided and abetted the discriminatory and retaliatory actions detailed in this complaint. His conduct exemplifies the union's historical role as both shield and enforcer for departmental retaliation, particularly when a whistleblower or their known associate threatens the NYPD's institutional interests.

#### **Summary of Defendants JOHN DOES 1–5 and Their Investigatory Misconduct**

42. Upon information and belief, defendants JOHN DOES 1 through 5 are unidentified officers or supervisory personnel of the New York City Police Department who were involved in the biased and retaliatory investigation following the April 1, 2025, incident between Plaintiff and Defendant ASLIEV. These defendants were present at various stages of the response and disciplinary handling of the matter and exercised investigatory, supervisory, or administrative authority over the Plaintiff during his suspension process.

43. Defendant JOHN DOE 1, a white male sergeant, was the first NYPD member to respond to the incident. Without conducting any inquiry, securing witness statements, or reviewing available video footage, he immediately treated the Plaintiff as the aggressor. He isolated the Plaintiff, conferred with the Defendant ASLIEV without questioning him in the Plaintiff's presence, and called for backup personnel—thereby initiating the chain of events that



led to the Plaintiff's suspension. At no time did Defendant JOHN DOE 1 inquire into the Plaintiff's well-being, ask for his version of events, or consider the obvious racial and retaliatory dimensions of the confrontation.

44. Defendants JOHN DOES 2 through 5 were Internal Affairs Bureau personnel or associated investigative unit members who formally interviewed the Plaintiff in the early morning of April 2, 2025. Despite the Plaintiff's detailed account of repeated racial slurs, sexually explicit harassment, and supervisor inaction, none of the investigative personnel initiated or documented a referral to the Office of Equity and Inclusion. Nor did they review the extensive security camera footage covering the stairwell and lobby where the confrontation occurred. Their failure to secure or preserve this evidence reinforced the predetermined nature of the disciplinary outcome.

45. Plaintiff reasonably believes, and upon information and belief alleges, that Defendants JOHN DOES 1 through 5 acted collectively in bad faith to insulate Defendant ASLIEV from accountability and to retaliate against Plaintiff due to his familial relationship with Epps. Their actions, including investigatory omissions and procedural manipulation, reflect a deliberate institutional effort to suppress inconvenient truths, punish whistleblower associates, and warn other recruits about the consequences of perceived disloyalty.

46. Though currently unnamed, these defendants played a central role in depriving the Plaintiff of equal treatment, procedural fairness, and the protections afforded under Department policy, the NYSHRL, and the NYCHRL. Their identities are discoverable and will be amended in the complaint once they are known.

### **Summary of Defendant John Doe 6 and Command-Level Retaliation**

47. Upon information and belief, Defendant JOHN DOE 6 is a high-ranking NYPD official—believed to hold the rank of Chief—who supervised or directly authorized the April 2, 2025, disciplinary actions taken against Plaintiff. This individual oversaw the Internal Affairs Bureau personnel who conducted the Plaintiff’s formal interview and exercised command authority over the investigation’s direction, scope, and outcome.

48. Plaintiff alleges that Defendant JOHN DOE 6 was present during or immediately after the Internal Affairs interview and held final decision-making authority concerning Plaintiff’s suspension, referral, and disciplinary status. Despite being fully aware of the Plaintiff’s allegations, which included racially and sexually explicit harassment, unequal discipline, and retaliatory treatment, Defendant JOHN DOE 6 failed to initiate any independent review or correct the evident bias in the investigation. He ratified the investigators’ decision to suspend the Plaintiff without pay. He took no action against Defendant ASLIEV, who instigated the incident and used extreme language that violated basic Departmental conduct standards.

49. Defendant JOHN DOE 6, as a command-level policymaker, was obligated to ensure that disciplinary decisions were evidence-based, procedurally fair, and compliant with NYPD policies regarding workplace discrimination and retaliation. Instead, he upheld a result that was facially discriminatory and procedurally defective. Plaintiff alleges that this outcome was not a matter of professional discretion but a deliberate decision to punish him for his association with Epps, whose EEOC charge against Defendant MADDREY had triggered significant departmental scrutiny.

50. By failing to intervene or ensure a neutral review, Defendant JOHN DOE 6 perpetuated and institutionalized the retaliation that the plaintiff faced. His conduct reflects the systemic command failures that enable selective discipline, retaliatory suppression, and the

weaponization of internal processes to silence perceived threats to Departmental authority.

Plaintiff reserves the right to amend this complaint to substitute the actual name of JOHN DOE 6 once his identity is confirmed through discovery.

### **BACKGROUND**

51. Plaintiff EMILIO ANDINO is a Black male, a resident of the State of New York, and, at all relevant times, a recruit in the Recruit Training School, commonly referred to as the NYPD Police Academy, operated by the City of New York and located at 130-30 28th Avenue, Flushing, Queens, New York 11354.

52. On or about October 30, 2024, Plaintiff was officially sworn into the NYPD Police Academy and assigned to Hook Company 24-56, a designation reserved for recruits with personal or familial ties to members of the NYPD.

53. The plaintiff's familial connection was through his maternal aunt, former NYPD Lieutenant Quatisha Epps, a highly respected veteran officer whose support and advocacy played a central role in the Plaintiff's recruitment, onboarding, and assignment to Hook Company 24-56.

54. The fact that Plaintiff was Epps's nephew was widely known among instructors, internal Academy staff, and fellow recruits.

55. On the swearing-in day, Plaintiff was given the symbolic and visible honor of sitting in the front row—an unmistakable sign of deference tied to his familial connection and Epps' then-strong standing within the NYPD.

56. On December 21, 2024, everything changed. On that date, Epps filed a formal Charge of Discrimination with the United States Equal Employment Opportunity Commission ("EEOC") in which she publicly accused then-NYPD Chief of Department Jeffrey B. Maddrey

of quid pro quo sexual harassment and detailed a systemic pattern of public corruption involving high-ranking NYPD officials and senior City of New York leadership.

57. Epps's December 21, 2024, filing constituted protected activity under federal, state, and city anti-discrimination laws.

58. Plaintiff's mistreatment thereafter was directly connected to his familial association with an individual engaged in protected opposition activity.

59. The NYPD's response to Epps's disclosures triggered an internal retaliation and reputational targeting campaign, quickly enveloping Plaintiff as a surrogate for institutional reprisal.

60. That same day, Epps granted an on-the-record interview with the *New York Post*, in which she publicly identified Maddrey as a central figure in what she described as a culture of "sexual coercion, executive protectionism, and retaliatory abuse of power" inside the highest echelons of the NYPD.

61. Upon information and belief, Defendant JEFFREY B. MADDREY (Tax Registry No. 899501) served as NYPD Chief of Department at the time Plaintiff's aunt, Epps, filed a formal EEOC Charge of Discrimination and granted a public interview on or about December 21, 2024, in which she disclosed a pattern of quid pro quo sexual harassment and systemic public corruption involving NYPD executive leadership.

62. As the subject of those disclosures, Defendant MADDREY had actual and constructive knowledge that retaliation was a likely consequence.

63. While still occupying the highest-ranking uniformed position in the Department, Defendant MADDREY allowed a retaliatory climate to develop and take root, particularly within the Recruit Training School, where Plaintiff was assigned.

64. Plaintiff alleges that this hostile and retaliatory culture, initiated and tolerated under Defendant MADDREY's leadership, targeted not only Epps but also those associated with her, including Plaintiff.

65. Even if MADDREY later retired, he remains individually liable under NYCHRL and NYSHRL for aiding and abetting retaliation, fostering discriminatory conditions, and failing to intervene despite knowing the foreseeable consequences of Epps's protected disclosures.

66. In the hours and days following the *Post* article and public filing, Plaintiff observed a sudden, unmistakable, and hostile shift in his treatment within the NYPD Police Academy by fellow recruits and supervisory personnel.

67. What began as whispered disbelief soon escalated into widespread character assassination, as multiple individuals began making crude, sexualized, and derogatory comments about Epps, including baseless assertions that she was "crazy," "lying for attention," and had sex tapes and nude photos circulating through the Academy.

68. Plaintiff was repeatedly confronted—sometimes directly, sometimes indirectly—with these insinuations, creating an unbearable psychological strain.

69. These comments were made in public Academy spaces—in locker rooms, hallways, gyms, and even classroom settings—within earshot of instructors, none of whom intervened, corrected, or documented the misconduct.

70. The harassment was not limited to second-hand attacks against Plaintiff's aunt.

71. Beginning in early Academy training and escalating after December 21, 2024, Plaintiff was subjected to a relentless stream of racial harassment, intimidation, and targeted verbal abuse by fellow recruit Defendant BAHRON ASLIEV (Shild No.: 2835, Tax Registry No. 980370), a white male.

72. Defendant ASLIEV developed a pattern of making racial “jokes,” stereotyped impressions, and outright slurs, targeting Black recruits, particularly Plaintiff. These included statements like, “act like a n\*\*\*\*r, get treated like a n\*\*\*\*r,” and mocking Black vernacular and family structures in front of others.

73. Despite these incidents occurring in group settings, no fellow recruit dared to report him, and no supervisor or Academy official intervened, due to the widely known reality that reporting misconduct in the Academy was a career-ending act—and Plaintiff’s experience would later prove that fear to be justified.

74. Following the publication of Epps’s sexual harassment disclosures, Defendant ASLIEV intensified his verbal attacks on Plaintiff, making the harassment personal, public, and increasingly graphic.

75. On April 1, 2025, during a classroom training exercise on courtroom testimony, in a classroom on the 6<sup>th</sup> Floor, Defendant ASLIEV acted as the mock witness. After the exercise, Plaintiff, following standard practice, offered verbal feedback about the scenario.

76. In response, Defendant ASLIEV snapped, saying words to the effect of: “Well, if you could’ve done better, why didn’t you volunteer? You’re just a pussy and a bitch.”

77. As the class was being dismissed and walking down the staircase, the verbal abuse escalated. On the third-floor landing, Defendant ASLIEV invaded Plaintiff’s personal space, squared off chest-to-chest, and hissed at him: “What are you going to do if I don’t shut up?” in a clearly threatening tone.

78. Plaintiff, determined not to escalate the matter, attempted to walk away and re-focus on exiting the building.

79. As they reached the first floor, Defendant ASLIEV persisted, now speaking louder and more vulgar. He told Plaintiff: “You and your 12-year-old son can suck my dick.”

80. Plaintiff, shocked and disgusted by the racialized sexual aggression involving a reference to his minor child, instinctively raised his hand to create space, and his hand made incidental contact with Defendant ASLIEV’s face, who had again moved into Plaintiff’s personal space.

81. Within seconds, a white male sergeant, Defendant JOHN DOE 1, appeared and intervened—but rather than ask questions, de-escalate the scene, or determine what had occurred, he immediately sided with Defendant ASLIEV, called for additional personnel, and treated Plaintiff as the aggressor.

82. Defendant JOHN DOE 1 pulled out his phone and placed a call to an unknown individual, without speaking with Plaintiff, reviewing video footage, or asking for statements from witnesses.

83. Defendant ELIZABETH M. LABOY (Tax Registry No. 949189) arrived shortly after. Rather than speak with both parties, she segregated the Plaintiff in a room and proceeded to spend an inordinate amount of time with Defendant ASLIEV, treating him as the victim, consoling him, and discussing matters outside of the Plaintiff’s presence.

84. At no point did Defendant LABOY inquire into Plaintiff’s physical or emotional well-being, even though he was visibly shaken, humiliated, and monitored by a Recruit Disciplinary Unit sergeant as if he were a threat and not free to leave.

85. Meanwhile, Plaintiff’s minor son was left unsupervised for some time, and no one cared.

86. A second instructor, Defendant JOSE L. CARABALLO (Tax Registry No. 941498), soon arrived. He also failed to interview Plaintiff, assess the situation objectively, and joined Defendant LABOY in assuming that Plaintiff was the problem, despite ample evidence to the contrary.

87. The investigative response by Defendants ELIZABETH M. LABOY and JOSE L. CARABALLO was not merely hasty, incomplete, or negligent—it was deliberately biased, designed to shield Defendant ASLIEV from scrutiny and to manufacture a false narrative portraying Plaintiff as the aggressor.

88. This biased investigation was informed in part by racial animus, specifically, assumptions rooted in Plaintiff's identity as a Black male.

89. However, the more significant motivating force behind the disparate treatment, the refusal to investigate impartially, while protecting Defendant ASLIEV, was the Defendants' collective bias and retaliatory hostility toward Plaintiff's aunt, Epps.

90. Following Epps's EEOC complaint and detailed disclosure of a systemic pattern of public corruption involving high-ranking NYPD officials and senior City of New York leadership, Epps became a symbol of institutional betrayal.

91. Plaintiff, as her nephew and a visible extension of her presence within the Department, was treated as a liability, scapegoated, and preemptively punished, not based on any objective facts, but because of the Department's coordinated effort to discredit and disassociate itself from Epps and anyone connected to her.

92. Over more than ten hours following the initial confrontation, Plaintiff observed numerous NYPD personnel, including supervisory staff, PBA representatives, and other



Academy officials, spending extended, private time with Defendant ASLIEV, reinforcing the perception that he was being groomed and positioned as the victim of the incident.

93. At no point during this period was Plaintiff approached for a statement, offered medical or psychological support, or treated as a witness to or victim of racially and sexually charged harassment.

94. Plaintiff reasonably believes, and upon information and belief alleges, that this preferential and protective treatment of Defendant ASLIEV was not only motivated by racial bias, but more significantly by the collective retaliatory animus harbored by NYPD personnel toward Plaintiff's aunt, Epps, who, just months earlier, had filed a high-profile EEOC charge and publicly exposed misconduct involving NYPD executive leadership.

95. At approximately 0030 hours on April 2, 2025, after being sequestered without explanation for an extended period, Plaintiff was finally permitted to meet with Police Benevolent Association (PBA) Delegate Defendant BRIAN T. HENRY (Shield No. 419, Tax Registry No. 940251) and PBA attorney John Tynan.

96. During that meeting, Plaintiff provided a complete, candid, and detailed account of the events that transpired, including Defendant ASLIEV's use of racially derogatory language and sexually explicit comments directed at Plaintiff and his 12-year-old son.

97. In direct contradiction to department policy and the responsibilities of union representation, Defendant HENRY and Tynan as his legal counsel, did not initiate a complaint to the Internal Affairs Bureau, did not report the incident to the Office of Equity and Inclusion, and did not express concern about the racially or sexually hostile conduct involved.

98. Instead, Defendant HENRY and attorney Tynan strongly urged Plaintiff to resign, telling him in substance that doing so would be “cleaner” and that refusing to resign could bar him from all future civil service employment with the City of New York.

99. Defendant HENRY, while representing Plaintiff, also maintained a direct and inappropriate relationship with Defendant ASLIEV, despite the apparent conflict of interest between the two parties, and was observed spending significant time in private discussions with Defendant ASLIEV throughout the evening.

100. Plaintiff reasonably believes, and upon information and belief alleges, that Defendant HENRY’s posture and recommendations were influenced not by facts or fairness, but by the NYPD’s institutional hostility toward Epps and the retaliatory stigma attached to her name following her EEOC disclosures and public interview.

101. At approximately 0045 hours, Plaintiff was escorted to a formal interview with an NYPD investigative unit believed to be composed of Internal Affairs personnel, including Defendants JOHN DOES 2 through 5, and supervised by a senior official identified herein as Defendant JOHN DOE 6, a chief-level officer.

102. Defendant BRIAN T. HENRY and PBA attorney John Tynan were present for the interview.

103. Plaintiff again recounted, in detail, Defendant ASLIEV’s racially charged statements, sexually explicit comments referencing Plaintiff’s son, the aggressive confrontation, and the lack of intervention by supervising officials.

104. Despite the completeness of Plaintiff’s statement, the presence of multiple potential eyewitnesses, and the availability of security camera footage documenting the entire incident—from the Sixth Floor classroom, down the stairwell, and into the First Floor lobby—

none of the responsible parties, including Defendants JOHN DOE 1, LABOY, CARABALLO, HENRY, or the Internal Affairs investigators identified as JOHN DOES 2–5, or Defendant JOHN DOE 6, a chief-level officer made any effort to review or preserve the video evidence. Instead, Plaintiff was summarily suspended without pay, effective immediately. This omission was not an oversight, but a deliberate act of investigatory negligence, underscoring the predetermined institutional intent to punish Plaintiff without regard to facts, due process, or fundamental fairness.

105. Defendant ASLIEV, by contrast, was not suspended, not placed under investigation, and not referred to the Office of Equity and Inclusion as required under NYPD policy for incidents involving potential discrimination or harassment.

106. Defendants JOHN DOES 2 through 5, JOHN DOE 6, and Delegate BRIAN T. HENRY collectively failed to initiate or document any report to Internal Affairs or OEI, despite their clear obligations to do so.

107. Plaintiff alleges upon information and belief that this collective decision was not based on evidence, but on a combination of racial favoritism toward Defendant ASLIEV as a white male and an overriding institutional hostility toward Plaintiff's familial association with Epps, whose whistleblower status had made her—and by extension, Plaintiff—a perceived threat to departmental control.

108. Following Plaintiff's suspension, Defendant ASLIEV openly bragged to other recruits about his conduct toward Plaintiff, including vulgar and sexually explicit statements he made during the April 1, 2025, incident.

109. Specifically, Defendant ASLIEV stated to [REDACTED]

[REDACTED] and [REDACTED]

[REDACTED] that he had told Plaintiff to “suck [his] dick” and made other crude remarks during their confrontation, which he described as “hooking” Plaintiff into a disciplinary outcome.

110. Despite receiving formal training in workplace harassment reporting protocols, neither [REDACTED] reported Defendant ASLIEV’s statements to Recruit Operations, the Office of Equity and Inclusion (OEI), or the Internal Affairs Bureau (IAB).

111. Their failure to report was not due to ignorance, but to a well-founded fear of retaliation, based on firsthand knowledge of how Plaintiff was treated after attempting to protect himself and describe what occurred.

112. That same day, while dressing in the locker room before gym, [REDACTED] [REDACTED] overheard Defendant ASLIEV boasting to a group of recruits that his racially charged verbal attacks had resulted in Plaintiff’s suspension.

113. [REDACTED] was so disturbed by Defendant ASLIEV’s conduct that he confronted and asked him to stop.

114. Rather than de-escalate, Defendant ASLIEV doubled down, stating in substance: “If you act like a n\*\*\*, get treated like a n\*\*\*\*\*. Do you see how I hooked him? This isn’t the profession for him.”\*\*

115. Despite being offended and personally confronted with what he recognized as racial animus and misconduct, [REDACTED] also declined to report Defendant ASLIEV’s statements to Recruit Operations, OEI, or IAB.

116. [REDACTED] inaction, like that of [REDACTED], stemmed from an honest and reasonable belief that reporting misconduct would expose him to retaliation, career jeopardy, or removal from the Academy, just as Plaintiff had experienced after being victimized and suspended. Their silence was not accidental. It was cultivated by a culture of retaliation, reinforced daily by what had happened to the Plaintiff.

117. These incidents demonstrate that Defendant ASLIEV's discriminatory behavior was not an isolated or misunderstood event, but part of a pattern of post-incident harassment and open mockery, all of which occurred in a culture of institutional silence, fear, and retaliation enabled by the NYPD's refusal to protect whistleblowers and enforce its anti-harassment protocols.

118. Plaintiff had a strong academic record, consistently scoring 80 or higher on classroom quizzes, achieving an 87 on his first trimester exam, and a 92 on his second trimester exam, demonstrating intellectual capability, work ethic, and commitment.

119. Despite his record and clean disciplinary history, Plaintiff was suspended without pay, ordered to report three times a week in business attire to the 50th Precinct, and advised that he would be permanently barred from City employment if he refused to resign.

120. The pressure to resign under threat of permanent civil service exclusion constituted a constructive discharge under the NYSHRL and NYCHRL. This threat, delivered while Plaintiff was isolated, unpaid, and denied access to investigative due process, was not corrective—it was retaliatory. Such treatment would compel a reasonable person to believe that resignation was the only viable option.

121. The cumulative effect of Defendants' actions was to punish Plaintiff for his race, gender, and familial association with a whistleblower, and to send a clear message that the NYPD will retaliate against anyone who challenges the chain of command, even by blood.

122. This retaliation was not coincidental—it was a form of coercive compliance: a departmental tactic of silencing dissent and isolating those aligned with whistleblowers through procedural abuse and pretextual investigations. Plaintiff's ordeal demonstrates how institutional actors exploit investigatory and disciplinary mechanisms not to uncover the truth, but to enforce loyalty and punish proximity to those who expose systemic misconduct.

123. What happened to the Plaintiff was not merely a personnel action but an institutional message. Through its deliberate tolerance of discriminatory conduct and its weaponization of internal investigatory processes, the NYPD demonstrated that truth-telling will be met with systemic destruction, not just for whistleblowers, but for anyone associated with them. This was not the result of isolated individual misconduct. Still, rather the manifestation of a deep-seated organizational pathology—a systemic failure of governance where accountability is suppressed, and retaliation is the currency of control.

## **VIOLATIONS AND CLAIMS ALLEGED**

### **FIRST CAUSE OF ACTION**

#### **Race Discrimination in Violation of the New York State Human Rights Law (N.Y. Exec. Law § 296(1)(a))**

124. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

125. At all relevant times, Plaintiff was a member of a protected class under the New York State Human Rights Law by his race as a Black male.

126. Defendant THE CITY OF NEW YORK, through its agents and employees, including but not limited to Defendants ASLIEV, LABOY, CARABALLO, HENRY, and JOHN

DOES 1–6, discriminated against Plaintiff in the terms, conditions, and privileges of his employment based on race.

127. The Plaintiff was subjected to racial slurs, unequal disciplinary treatment, biased investigatory procedures, and coercive tactics designed to force his resignation.

128. Defendant THE CITY OF NEW YORK is liable for the acts of its employees under the doctrines of respondeat superior, agency, and direct employer liability.

129. As a direct and proximate result of the unlawful conduct of THE CITY OF NEW YORK and its agents, Plaintiff has suffered emotional distress, reputational injury, economic loss, and other damages.

**SECOND CAUSE OF ACTION**  
**Gender Discrimination in Violation of the New York State Human Rights Law**  
**(N.Y. Exec. Law § 296(1)(a))**

130. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

131. The Plaintiff was subjected to gender-based insults, emasculating slurs, and sexually explicit remarks, including references to his 12-year-old son, made by Defendant ASLIEV in the presence of others.

132. Defendant THE CITY OF NEW YORK, through its agents and employees—including LABOY, CARABALLO, HENRY, and JOHN DOES 1–6—failed to discipline or investigate gender-based harassment, thereby facilitating a discriminatory workplace.

133. Defendant THE CITY OF NEW YORK tolerated the conduct described herein and affirmatively enabled it through inaction, lack of oversight, and disparate discipline.

134. As a result of the gender-based discrimination committed by THE CITY OF NEW YORK and its agents, Plaintiff suffered humiliation, emotional distress, and professional harm.

**THIRD CAUSE OF ACTION**  
**Hostile Work Environment in Violation of the New York State Human Rights Law**  
**(N.Y. Exec. Law § 296(1)(h))**

135. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

136. The Plaintiff was subjected to a hostile work environment because of his race, gender, and protected association with Epps, a known NYPD whistleblower.

137. Defendants THE CITY OF NEW YORK, MADDREY, ASLIEV, LABOY, CARABALLO, HENRY, and JOHN DOES 1–6 collectively created, condoned, or failed to correct an environment rife with racial slurs, sexually explicit and gendered verbal attacks, public humiliation, coercive threats, and discriminatory discipline.

138. While serving as Chief of Department, Defendant MADDREY had actual knowledge of the retaliatory and hostile conditions following the EEOC complaint filed by Epps on December 21, 2024. Despite this knowledge, he did not protect the Plaintiff or mitigate the foreseeable departmental backlash against those associated with Epps.

139. Defendant MADDREY's deliberate inaction functioned as a tacit endorsement of the hostile work environment and emboldened his subordinates to retaliate, degrade, and isolate Plaintiff in violation of the NYSHRL.

140. The hostile work environment was severe and pervasive, altering the terms and conditions of the Plaintiff's employment and ultimately leading to his constructive discharge.

141. As a direct and proximate result of this unlawful conduct, Plaintiff suffered emotional distress, reputational harm, economic damages, and loss of professional advancement.



**FOURTH CAUSE OF ACTION**  
**Retaliation in Violation of the New York State Human Rights Law**  
**(N.Y. Exec. Law § 296(7))**

142. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

143. Plaintiff engaged in protected activity under the NYSHRL through his close familial association with Epps, who filed a formal EEOC complaint on December 21, 2024, publicly naming then-Chief of Department Defendant MADDREY in allegations of sexual harassment and systemic corruption.

144. Defendants THE CITY OF NEW YORK, MADDREY, ASLIEV, LABOY, CARABALLO, HENRY, and JOHN DOES 1–6 retaliated against Plaintiff by permitting and participating in a pattern of escalating mistreatment, including biased investigation, unequal discipline, public degradation, coercive threats, and suspension without pay.

145. Despite being the subject of the protected disclosures and holding the highest uniformed rank in the NYPD, Defendant MADDREY failed to implement any protections for Plaintiff and allowed retaliatory conduct to flourish under his command.

146. Defendant MADDREY's refusal to intervene in the face of publicized protected activity and foreseeable retaliation materially contributed to Plaintiff's constructive discharge and permanent harm to his civil service prospects.

147. As a result of this retaliatory conduct, Plaintiff suffered severe emotional distress, reputational injury, economic damages, and interference with his ability to pursue a law enforcement career.

**FIFTH CAUSE OF ACTION**  
**Race Discrimination in Violation of the New York City Human Rights Law**  
**(N.Y.C. Admin. Code § 8-107(1)(a))**

148. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

149. At all relevant times, Plaintiff was a member of a protected class under the NYCHRL based on his race as a Black male.

150. Defendants THE CITY OF NEW YORK, ASLIEV, LABOY, CARABALLO, HENRY, and JOHN DOES 1–6 subjected Plaintiff to unequal treatment in the terms, conditions, and privileges of his employment because of his race.

151. This discriminatory treatment included racial slurs, unequal disciplinary enforcement, exclusionary behavior, and pressure to resign under threat of permanent disqualification from civil service.

152. THE CITY OF NEW YORK is liable both directly and vicariously for its failure to prevent, address, or correct this race-based mistreatment, despite explicit knowledge of the environment.

153. As a result of this unlawful conduct, Plaintiff suffered economic harm, emotional distress, reputational damage, and lasting professional consequences.

**SIXTH CAUSE OF ACTION**  
**Gender Discrimination in Violation of the New York City Human Rights Law**  
**(N.Y.C. Admin. Code § 8-107(1)(a))**

154. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

155. Plaintiff was subjected to repeated and explicit gender-based insults and sexually degrading statements, including emasculating slurs and comments involving his 12-year-old son, made by Defendant ASLIEV in the presence of others.

156. Defendants LABOY, CARABALLO, HENRY, and JOHN DOES 1–6, acting as supervisors and representatives of the Defendant THE CITY OF NEW YORK, failed to discipline or address this conduct, thereby enabling the gender-based harassment and abuse to persist.

157. THE CITY OF NEW YORK is liable for this discriminatory treatment under direct and vicarious liability principles.

158. As a direct result of the Defendants' conduct, Plaintiff suffered public humiliation, emotional pain, reputational damage, and harm to his employment prospects.

**SEVENTH CAUSE OF ACTION**  
**Hostile Work Environment in Violation of the New York City Human Rights Law**  
**(N.Y.C. Admin. Code § 8-107(1)(a))**

159. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

160. The Plaintiff was subjected to an ongoing hostile work environment based on his race, gender, and his familial association with Epps, a known NYPD whistleblower.

161. Defendants THE CITY OF NEW YORK, MADDREY, ASLIEV, LABOY, CARABALLO, HENRY, JOHN DOES 1–6 either engaged in, condoned, or failed to address conduct that caused Plaintiff to be treated less well than other recruits and employees based on protected characteristics.

162. This conduct included repeated racial and sexualized verbal harassment, public degradation, unequal disciplinary enforcement, and the failure to protect the Plaintiff from retaliation stemming from his association with Epps.

163. As Chief of Department, Defendant MADDREY knew about the protected disclosures involving Epps and was in a position to prevent retaliation against Plaintiff, but chose not to act.

164. These failures materially interfered with Plaintiff's training and culminated in his constructive discharge from the Police Academy.

165. As a result of this hostile work environment, Plaintiff suffered emotional distress, reputational harm, economic loss, and permanent damage to his career.

**EIGHTH CAUSE OF ACTION**  
**Retaliation in Violation of the New York City Human Rights Law**  
**(N.Y.C. Admin. Code § 8-107(7))**

166. Plaintiff repeats and realleges every allegation above as if fully set forth herein.

167. Plaintiff was subjected to retaliation in violation of the NYCHRL based on his close familial association with Epps, a former NYPD Lieutenant who engaged in protected activity by filing a formal EEOC charge on December 21, 2024, publicly naming then-Chief of Department Defendant MADDREY in allegations of quid pro quo sexual harassment and public corruption.

168. Defendants THE CITY OF NEW YORK, MADDREY, ASLIEV, LABOY, CARABALLO, HENRY, JOHN DOES 1–6 knowingly participated in, facilitated, or tolerated retaliatory conduct against Plaintiff in response to his known familial relationship with Epps.

169. The retaliatory actions included targeted scrutiny, biased disciplinary procedures, public degradation, unequal enforcement of academy standards, and coercive threats to resign under permanent civil service exclusion.

170. Defendant MADDREY, who held ultimate supervisory authority over the NYPD and was directly implicated in Epps's EEOC complaint, failed to implement any safeguards or protections for Plaintiff, despite the apparent risk of backlash and institutional retaliation.

171. Rather than act to prevent or investigate retaliatory conduct, Defendant MADDREY's silence and inaction functioned as de facto approval of a departmental campaign to isolate, punish, and ultimately remove Plaintiff from the academy.

172. These actions materially interfered with Plaintiff's employment conditions and culminated in his constructive discharge.

173. As a result of this unlawful retaliation, Plaintiff suffered economic damages, reputational injury, severe emotional distress, and long-term harm to his civil service and law enforcement career prospects.

### **JURY TRIAL DEMAND**

174. Plaintiff EMILIO ANDINO demands a trial by jury on all issues so triable under New York law.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff EMILIO ANDINO respectfully requests that this Court enter judgment in his favor and against Defendants THE CITY OF NEW YORK, JEFFREY B. MADDREY, BAHRON ASLIEV, ELIZABETH M. LABOY, JOSE L. CARABALLO, BRIAN T. HENRY, and JOHN DOES 1–6, and award the following relief:

- A. On all claims brought under the New York State Human Rights Law (Executive Law § 296), an award of compensatory damages against all Defendants jointly and severally, in an amount to be determined at trial;
- B. On all claims brought under the New York City Human Rights Law (Administrative Code § 8-107), an award of compensatory damages and, where permitted, punitive damages against the individually named Defendants;
- C. A finding of liability against THE CITY OF NEW YORK for its failure to prevent, investigate, or remedy unlawful discrimination, retaliation, and the hostile work environment endured by Plaintiff;
- D. An award of reasonable attorneys' fees, expert fees, costs, and disbursements under N.Y.C. Admin. Code § 8-502(f) and any other applicable law;
- E. A declaratory judgment that the conduct of the Defendants violated Plaintiff's rights under the New York State and New York City Human Rights Laws;
- F. Prejudgment and post-judgment interest at the maximum rate permitted by law; and
- G. Such other and further relief as this Court deems just, equitable, and proper under the circumstances.

Dated: April 20, 2025  
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders \_\_\_\_\_  
Eric Sanders

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**ATTORNEY VERIFICATION**

STATE OF NEW YORK

ss:

COUNTY OF NEW YORK

ERIC SANDERS, ESQ., affirms as follows:

I am an attorney admitted to practice in the State of New York courts. As the attorney for the plaintiff in the action, I am familiar with all the facts and circumstances.

The Verified Complaint is true to the knowledge of the affirmant, except for those matters stated to be alleged upon information and belief, and he believes those matters to be factual.

The affirmant further states that this verification is made by the affirmant and not by the Plaintiff because the Plaintiff is not within the county of New York, where the affirmant maintains his office.

The undersigned attorney affirms that the previous statements are true under the penalties of perjury and Rule 2106 CPLR.

Dated: April 20, 2025  
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders \_\_\_\_\_  
Eric Sanders

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

INDEX NO.:

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EMILIO ANDINO

Plaintiff,

-against-

THE CITY OF NEW YORK; JEFFREY B. MADDREY, as Chief of Department; ELIZABETH M. LABOY, as Instructor, Recruit Training School; JOSE L. CARABALLO, as Instructor, Recruit Training School; BRIAN T. HENRY, as PBA Delegate, Recruit Training School; BAHRON ASLIEV, as Recruit, NYPD Police Academy; JOHN DOES 1–5, as members of the initial response and investigative team, and JOHN DOE 6, as the supervising Chief assigned to Internal Affairs, each sued in their official and individual capacities as employees, representatives, or agents of the CITY OF NEW YORK.

Defendants

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**SUMMONS WITH VERIFIED COMPLAINT**

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*Duly submitted by:*

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