

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X  
SHATORRA J. FOSTER

Plaintiff,

-against-

Summons

Index No.

Jury Demand

THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, DAWIT FIKRU, and TREVLYN O. HEADLEY

Defendants  
-----X

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 the Bronx, 851 Grand Concourse, Bronx, New York 10451.

Dated: May 31, 2026  
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders  
Attorney for Plaintiff SHATORRA J. FOSTER

**THE SANDERS FIRM, P.C.**  
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DEFENDANT ADDRESSES

THE CITY OF NEW YORK  
c/o New York City Law Department  
Office of the Corporation Counsel  
100 Church Street  
New York, New York 10007

JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A.  
THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, DAWIT  
FIKRU, and TREVLYN O. HEADLEY  
c/o New York City Police Department  
Legal Bureau  
One Police Plaza  
New York, N.Y. 10038

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Verified Complaint

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THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, DAWIT FIKRU, and TREVLYN O. HEADLEY

Defendants  
-----X

Plaintiff SHATORRA J. FOSTER, by her attorney THE SANDERS FIRM, P.C., complaining of defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, DAWIT FIKRU, and TREVLYN O. HEADLEY, alleges as follows:

**INTRODUCTION**

This case is being brought now because the Department’s May 27, 2026 disclosures during the pending Department Advocate’s prosecution revealed that the disciplinary case against plaintiff SHATORRA J. FOSTER is built on false statements, fabricated evidence, and a contaminated narrative advanced by defendant TREVLYN O. HEADLEY and then adopted, relied upon, and ratified by Department decisionmakers. Before those disclosures, FOSTER had already alleged in a pending New York County action that HEADLEY sexually groomed, sexually assaulted, coerced, retaliated against, and abused her department authority over FOSTER. The newly disclosed Special Investigations Unit (SIU) and Prosecutorial Wall (PW) investigative materials revealed something broader: the Department possessed information

showing that HEADLEY was not a neutral complainant, yet it maintained a FOSTER-centered disciplinary prosecution.

Before these disclosures, FOSTER had already asserted formal legal claims in *Headley v. City of New York, et al.*, Index No. 155228/2025, Supreme Court of the State of New York, County of New York, by filing a Verified Answer with Counterclaims on June 27, 2025. In that pleading, FOSTER alleged that HEADLEY sexually harassed, sexually coerced, retaliated against, abused her authority, and sexually assaulted her. Those claims are moving forward. The May 27, 2026 disclosures now show that the Department possessed internal materials bearing directly on HEADLEY'S credibility, motive, Department-resource access, subject-officer status, demotion, retaliatory interest, and use of Department processes, yet still maintained a FOSTER-centered disciplinary case.

The disclosures reveal that the Department's internal process was not merely incomplete. It was structurally contaminated. The purported SIU and PW investigative files substantially mirrored one another, carried forward the same FOSTER-centered narrative, and failed to function as a meaningful wall separating investigative material from prosecutorial or disciplinary use. Rather than separate tainted material from prosecutorial use, the purported wall reproduced the contaminated narrative and allowed it to continue moving through the Department's disciplinary machinery.

The disclosed investigations confirmed that HEADLEY was not merely a complainant. HEADLEY was also a subject officer. The Department's own "investigation" reflected that she had prior assault-related discipline from a 2010 Philadelphia incident, numerous simultaneous so-called "relationships" with women inside and outside the Department, allegations from other female members of the service, complaints concerning workplace conduct and Department-

resource access, and later demotion-related information. The Department's own materials also documented that, on or about November 15, 2023, during the early stage of the highly coercive so-called "relationship," HEADLEY ran FOSTER in CPR/CPI. That search was not a collateral technical violation. It was an early Department-documented use of NYPD computer systems involving the same subordinate then-Lieutenant HEADLEY was allegedly grooming, pressuring, monitoring, sexually exploiting, and later accusing.

Adult sexual grooming provides the proper context for HEADLEY'S alleged conduct. FOSTER alleges that HEADLEY used workplace access to obtain her personal telephone number, initiated nonprofessional contact, made late-night calls, disclosed emotionally manipulative stories about former girlfriends, pressured FOSTER to visit her residence, forced sexual access, monitored FOSTER'S relationships and social media, used Department systems, and later used IAB and Department disciplinary processes when she attempted to withdraw. On or about March 14, 2024, HEADLEY allegedly sexually assaulted FOSTER inside an NYPD Headquarters dormitory room at One Police Plaza while FOSTER was on duty, in uniform.

After FOSTER attempted to distance herself, resist further abuse, and preserve evidence of HEADLEY'S misconduct, HEADLEY made false allegations to the Internal Affairs Bureau to cover up her alleged misconduct and crimes against FOSTER. HEADLEY falsely cast herself as the victim, accused FOSTER of stalking and harassment, and weaponized IAB and Department disciplinary processes to conceal her own sexual assault, grooming, coercion, retaliation, misuse of Department resources, and abuse of authority.

The Department did not treat the known facts as requiring a neutral, victim-status-sensitive, conflict-aware investigation. Instead, it treated FOSTER'S outcries, anonymous complaints, 311 contacts, Department-resource concerns, and disclosures concerning HEADLEY

as charge-worthy misconduct, while minimizing, compartmentalizing, or administratively disposing of HEADLEY-related conduct, including her subject-officer status, computer misuse, Philadelphia assault history, allegations by other female members of the service, overlapping so-called “relationships,” Department-resource access, and demotion-related information.

The sequencing is material. On or about December 18, 2024, the Department issued Charges and Specifications against FOSTER, signed by defendant JOSEPH F. PROFETA. On or about December 19, 2024, defendant CHRIS D. MORELLO, then Deputy Chief and Executive Officer within IAB, expressly concurred in the issuance of those Charges and Specifications to the Police Commissioner. Within days, the Department entered a public and internal crisis arising from retired Lieutenant Quathisha Epps’s allegations that former Chief of Department Jeffrey B. Maddrey used rank, office, overtime control, Department access, and institutional power to sexually coerce, exploit, and retaliate against her and others. In the immediate aftermath, defendant MIGUEL A. IGLESIAS was relieved as Chief of Internal Affairs, defendant MORELLO was removed from his IAB post, defendant PROFETA was transferred out of his IAB assignment, and defendant EDWARD A. THOMPSON was installed as Chief of Internal Affairs as defendant JESSICA S. TISCH’S corrective command choice to restore integrity and address IAB’s crisis of oversight.

The disclosed investigative materials further show that defendant DAWIT FIKRU later authored a Commanding Officer Case Review acknowledging unresolved HEADLEY-related allegations and investigative defects, including the improper removal of Witherspoon as a witness, the need to add HEADLEY-related allegations, the need for HEADLEY-related computer audits, and the need to keep HEADLEY as a subject officer. Yet FIKRU characterized

the prior SIU work as “great work,” directed the team to “wrap it all up,” and continued to approve the FOSTER-centered investigative structure.

The Department’s failure became unmistakable after June 27, 2025, when FOSTER filed her Verified Answer with Counterclaims formally alleging sexual harassment, coercion, retaliation, abuse of authority, and sexual assault by HEADLEY. Within hours, HEADLEY was demoted. Two days later, on June 29, 2025, SIU uploaded both FOSTER’S counterclaims and the Finest message reflecting HEADLEY’S demotion into the SIU file. Rather than treat those events as requiring immediate reassessment of HEADLEY’S credibility, motive, subject-officer status, and role as complainant-source, SIU removed FOSTER as a witness and updated the allegations against FOSTER as substantiated.

The Department did not open, conduct, or document any meaningful investigation into FOSTER’S counterclaims, including her allegation that HEADLEY sexually assaulted her inside NYPD Headquarters on or about March 14, 2024. The Department also knew that criminal-side review had repeatedly failed to proceed, including the Manhattan District Attorney’s Office declination on April 18, 2025 and other prosecutorial or criminal-side non-prosecution decisions reflected in the PW/SIU materials. Yet the Department continued to maintain the internal disciplinary prosecution against FOSTER using criminalized allegations, including stalking, aggravated harassment, false reporting, and harassment.

On or about April 24, 2026, the Department demoted FOSTER from probationary detective to police officer only weeks before she would have completed her probationary period. That demotion converted the false, fabricated, and contaminated disciplinary narrative into a concrete career injury at the precise point when FOSTER was approaching a material employment milestone.

This action does not duplicate FOSTER'S pending claims against HEADLEY in Headley v. City of New York, et al., Index No. 155228/2025, Supreme Court of the State of New York, County of New York. Those claims concern HEADLEY'S alleged sexual harassment, coercion, retaliation, abuse of authority, and sexual assault. This action focuses on defendants' use, adoption, ratification, and preservation of false statements, fabricated evidence, and a contaminated disciplinary narrative after the Department knew or should have known that HEADLEY'S allegations against FOSTER were false, retaliatory, self-protective, and materially compromised. FOSTER alleges that defendants failed to investigate, failed to reassess, selectively enforced Department rules, discriminated against her because of her victim status, retaliated against her, misused Department processes, and ratified a contaminated HEADLEY-driven disciplinary case in violation of the New York State Human Rights Law and the New York City Human Rights Law.

### **JURISDICTION AND VENUE**

1. This Court has subject matter jurisdiction over this action pursuant to Article VI of the New York State Constitution, the New York State Human Rights Law, Executive Law § 290 et seq., the New York City Human Rights Law, Administrative Code of the City of New York § 8-101 et seq., and the common law of the State of New York.

2. This Court has personal jurisdiction over defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, DAWIT FIKRU, and TREVLYN O. HEADLEY pursuant to CPLR §§ 301 and 302 because defendants reside in, are domiciled in, are employed in, conduct business in, exercise official authority in, and/or committed acts or omissions complained of within the State of New York.

3. Venue is proper in Bronx County pursuant to CPLR § 503(a) because plaintiff SHATORRA J. FOSTER resides in Bronx County.

4. Venue is further proper in Bronx County because a substantial part of the acts, omissions, injuries, retaliatory effects, employment consequences, and damages alleged herein were experienced by plaintiff SHATORRA J. FOSTER in Bronx County.

5. Venue is also proper because the acts and omissions alleged herein occurred in Bronx County and New York County, including Department conduct, investigative activity, disciplinary decision-making, workplace-related conduct, Department-resource misuse, and other events connected to the New York City Police Department's handling of the allegations involving plaintiff SHATORRA J. FOSTER and defendant TREVLYN O. HEADLEY.

6. Venue is additionally proper pursuant to CPLR § 509 because Bronx County is a proper county selected by plaintiff, and defendants are subject to the jurisdiction of this Court.

### **PROCEDURAL REQUIREMENTS**

7. Plaintiff SHATORRA J. FOSTER has satisfied all conditions precedent to the commencement of this action, or such conditions have been waived, excused, satisfied by defendants' conduct, or are not required.

8. Plaintiff SHATORRA J. FOSTER asserted formal legal claims concerning defendant TREVLYN O. HEADLEY'S alleged sexual harassment, sexual coercion, retaliation, abuse of authority, and sexual assault in *Headley v. City of New York, et al.*, Index No. 155228/2025, Supreme Court of the State of New York, County of New York, by filing a Verified Answer with Counterclaims on June 27, 2025.

9. Plaintiff SHATORRA J. FOSTER has further placed the Department on notice through the Trial Commissioner's Office, the Department Advocate's Office, Internal Affairs

Bureau record, including IAB Log No. 2026-18936, counsel's supplemental communications, the May 27, 2026 disclosure of Special Investigations Unit and Prosecutorial Wall materials, and the Department's own internal files concerning defendant HEADLEY'S alleged misconduct, the Department's failure to investigate FOSTER'S counterclaims, and the Department's continued disciplinary prosecution of FOSTER.

10. Plaintiff SHATORRA J. FOSTER has further supplemented the Department's internal record concerning the matters alleged herein, including through notice to the Internal Affairs Bureau concerning the May 27, 2026 disclosures, the SIU and PW materials, defendant HEADLEY' alleged misconduct, the Department's failure to investigate her counterclaims, and the Department's continued disciplinary prosecution.

11. No notice of claim is required for plaintiff SHATORRA J. FOSTER'S claims brought pursuant to the New York State Human Rights Law, Executive Law § 290 et seq., or the New York City Human Rights Law, Administrative Code of the City of New York § 8-101 et seq.

12. To the extent defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, DAWIT FIKRU, and TREVLYN O. HEADLEY contend that any additional procedural requirement applies, such requirement has been satisfied, waived, excused, rendered unnecessary, or is inapplicable based upon the nature of the claims asserted herein.

13. This action has been commenced within the applicable statutes of limitation for all claims asserted herein.

**PLAINTIFF**

14. Plaintiff SHATORRA J. FOSTER is a uniformed member of the New York City Police Department.

15. At all relevant times, FOSTER was employed by the New York City Police Department and was assigned to Department commands, offices, or units within New York City.

16. FOSTER is the victim, complainant, witness, and outcry source in the matters alleged herein, and later became the subject of a Department disciplinary prosecution arising from allegations made by, advanced by, or materially influenced by defendant TREVLYN O. HEADLEY.

17. FOSTER brings this action to redress sexual harassment, retaliation, victim-status discrimination, selective enforcement, failure to investigate, failure to reassess, misuse of Department processes, and the Department's ratification of a contaminated disciplinary case.

#### **DEFENDANTS**

18. Defendant THE CITY OF NEW YORK is a municipal corporation organized and existing under the laws of the State of New York. At all relevant times, THE CITY OF NEW YORK operated, managed, supervised, controlled, and was legally responsible for the New York City Police Department, including the Internal Affairs Bureau, the Department Advocate's Office, and the disciplinary, investigative, and personnel processes challenged herein.

19. Defendant JESSICA S. TISCH is the Police Commissioner of the City of New York. At all relevant times relevant to this action, TISCH possessed final policymaking authority over the New York City Police Department, including authority over discipline, internal investigations, personnel assignments, investigative integrity, and the use of Department disciplinary processes.

20. Pursuant to New York City Administrative Code § 14-115, TISCH is legally responsible for the government, administration, disposition, and discipline of the Department and its members. TISCH is also responsible for ensuring that Department processes are not misused, including the misuse of New York City Administrative Code § 14-137 and related Department rules, procedures, investigative classifications, and disciplinary mechanisms.

21. TISCH is legally responsible for the Internal Affairs Bureau's handling of serious misconduct investigations, including investigations involving allegations of sexual misconduct, abuse of authority, retaliation, misuse of Department resources, computer misuse, false allegations, investigative contamination, and misconduct by supervisors. TISCH cannot disclaim institutional knowledge of serious IAB matters because such matters are routinely brought to the Police Commissioner's attention through briefings, command updates, case summaries, or other communications from the Chief of Internal Affairs or the Chief's designee.

22. TISCH is named because the Department maintained and ratified a contaminated investigative and disciplinary process against plaintiff SHATORRA J. FOSTER despite information showing that defendant TREVLYN O. HEADLEY was not a neutral complainant, but a subject officer whose own conduct, credibility, motive, Department-resource access, demotion, computer misuse, and treatment of women were central to any fair investigation.

23. Defendant MIGUEL A. IGLESIAS was formerly the Chief of the Internal Affairs Bureau.

24. At all relevant times during his tenure, defendant IGLESIAS exercised command authority over Internal Affairs Bureau investigations, investigative classifications, supervisory review, case handling, investigative integrity, and the handling of serious allegations involving misconduct by members of the service.

25. Defendant IGLESIAS is named because he was part of the command structure responsible for the Internal Affairs Bureau's institutional handling of serious misconduct allegations, including allegations involving Department executives, supervisors, sexual misconduct, abuse of authority, retaliation, misuse of Department resources, and criminal or quasi-criminal conduct by members of the service.

26. Plaintiff alleges that defendant IGLESIAS participated in, tolerated, ratified, or failed to correct a broader IAB practice of minimizing, compartmentalizing, or administratively disposing of serious misconduct allegations involving favored or protected Department actors, including allegations involving former Chief of Department Jeffrey B. Maddrey, his allies including defendant TREVLYN O. HEADLEY, and related command-level misconduct.

27. Plaintiff further alleges that defendant IGLESIAS'S removal from the Internal Affairs Bureau is material because it occurred in the immediate aftermath of public reporting concerning retired Lieutenant Quathisha Epps's allegations that former Chief of Department Maddrey sexually assaulted, coerced, exploited, and retaliated against her through his rank, office, overtime control, Department access, and institutional power.

28. Plaintiff alleges that IGLESIAS'S removal reflected a department-level recognition that the Internal Affairs Bureau command regime responsible for policing serious misconduct, sexual assault, coercion, retaliation, corruption, and abuse of authority had failed to provide adequate oversight.

29. Plaintiff further alleges that FOSTER'S allegations against HEADLEY arose during the same IAB command regime and same institutional period in which the Department failed to confront serious sexual misconduct and abuse of authority by senior or favored Department actors.

30. Plaintiff alleges that defendant IGLESIAS failed to ensure a neutral, victim-status-sensitive, conflict-aware investigation into allegations involving FOSTER and HEADLEY and allowed IAB processes to be used in a manner that treated FOSTER'S outcries, complaints, anonymous reports, Department-resource concerns, and disclosures as misconduct while minimizing, compartmentalizing, or failing to reassess HEADLEY-related misconduct.

31. Defendant EDWARD A. THOMPSON is the Chief of the Internal Affairs Bureau. As Chief of IAB, THOMPSON is legally responsible for the Internal Affairs Bureau's investigation into the allegations against plaintiff SHATORRA J. FOSTER and for the Bureau's handling of related HEADLEY-centered misconduct, witness disclosures, outcry evidence, Department-resource concerns, and investigative contamination.

32. THOMPSON was selected by defendant JESSICA S. TISCH to lead or improve the integrity of the Department at a time when the NYPD was publicly and internally confronting serious allegations of overtime abuse, quid pro quo sexual harassment, sexual assault, abuse of authority, retaliation, and related misconduct within the Chief of Department's Office under former Chief of Department Jeffrey B. Maddrey, including allegations lodged by retired Lieutenant Quathisha Epps.

33. Plaintiff alleges that THOMPSON had supervisory responsibility for the IAB command environment in which the FOSTER/HEADLEY investigation was handled. Plaintiff further alleges that THOMPSON failed to ensure a neutral, victim-status-sensitive, conflict-aware investigation into allegations involving FOSTER and HEADLEY and allowed IAB processes to be used in a manner that treated FOSTER'S outcries, complaints, anonymous reports, Department-resource concerns, and disclosures as misconduct while minimizing, compartmentalizing, or failing to reassess HEADLEY-related misconduct.

34. Plaintiff further alleges that THOMPSON'S own history and institutional conduct concerning female subordinates, Department-resource use, and inappropriate conduct in the workplace are relevant to notice, motive, tolerance, ratification, credibility, and the Department's failure to treat similar misconduct by HEADLEY as serious abuse of authority rather than as collateral or administrative misconduct.

35. Defendant JOSEPH A. DIBARTOLOMEO is a Deputy Chief within the Internal Affairs Bureau. At all relevant times, DIBARTOLOMEO exercised supervisory authority over IAB investigative personnel, investigative review, case handling, and the processing of allegations involving plaintiff SHATORRA J. FOSTER and defendant TREVLYN O. HEADLEY.

36. DIBARTOLOMEO is named because he was legally and operationally responsible for the investigation into the allegations against FOSTER and for the Bureau's failure to properly investigate, reassess, and account for HEADLEY'S role as complainant, subject officer, alleged abuser, retaliator, and user of Department resources.

37. Plaintiff alleges that DIBARTOLOMEO failed to ensure that the investigation treated FOSTER as a victim, complainant, witness, and outcry source and instead allowed the Department to maintain a FOSTER-centered disciplinary narrative after the record revealed substantial Headley-related contamination.

38. Plaintiff further alleges that DIBARTOLOMEO'S own history concerning the use of Department resources, workplace authority, and inappropriate conduct involving female subordinates is relevant to the Department's tolerance of similar conduct by HEADLEY, the failure to properly investigate the highly coercive so-called "relationship," and the selective treatment of FOSTER'S disclosures as charge-worthy misconduct.

39. Defendant CHRIS D. MORELLO was, at all relevant times, a Deputy Chief and Executive Officer within the Internal Affairs Bureau.

40. Defendant MORELLO exercised command-level authority over the Internal Affairs Bureau's handling of the allegations against plaintiff SHATORRA J. FOSTER and defendant TREVLYN O. HEADLEY, including the review, endorsement, and advancement of Charges and Specifications against FOSTER.

41. On or about December 18, 2024, the Department issued Charges and Specifications against FOSTER alleging, among other things, stalking in the fourth degree, aggravated harassment in the second degree, falsely reporting an incident in the third degree, computer misuse, misuse of Department cellular phone, and harassment.

42. Those Charges and Specifications were signed by defendant JOSEPH F. PROFETA.

43. On or about December 19, 2024, defendant MORELLO, as Executive Officer of the Internal Affairs Bureau, endorsed the Charges and Specifications to the Police Commissioner and expressly concurred with their issuance.

44. Defendant MORELLO is therefore not merely alleged to have been generally responsible for IAB oversight. He personally concurred in the issuance of the disciplinary charges that converted HEADLEY'S false and contaminated IAB allegations into a formal Department prosecution against FOSTER.

45. Plaintiff alleges that defendant MORELLO failed to ensure a neutral, victim-status-sensitive, conflict-aware investigation into allegations involving FOSTER and HEADLEY and allowed IAB processes to be used in a manner that treated FOSTER'S outcries, complaints,

anonymous reports, Department-resource concerns, and disclosures as misconduct while minimizing, compartmentalizing, or failing to reassess HEADLEY-related misconduct.

46. Plaintiff further alleges that defendant MORELLO failed to ensure that IAB properly accounted for HEADLEY'S role as complainant, subject officer, alleged abuser, retaliator, user of Department resources, and source of investigative contamination before endorsing the Charges and Specifications against FOSTER.

47. Plaintiff further alleges that MORELLO'S removal from his Internal Affairs Bureau post is material because it occurred as part of the same Department leadership shakeup that followed retired Lieutenant Quathisha Epps's allegations against former Chief of Department Jeffrey B. Maddrey and public reporting concerning lack of oversight within IAB.

48. Plaintiff alleges that MORELLO'S endorsement of charges against FOSTER must be viewed against that institutional backdrop. The same IAB executive structure that advanced the FOSTER-centered disciplinary prosecution was simultaneously under Department-level scrutiny for failing to police sexual misconduct, corruption, retaliation, and abuse of authority by powerful or protected Department actors.

49. Plaintiff further alleges that defendant MORELLO'S own history and institutional conduct concerning female subordinates, Department-resource use, inappropriate conduct in the workplace, and tolerance of similar misconduct are relevant to notice, motive, ratification, credibility, and the Department's failure to treat similar misconduct by HEADLEY as serious abuse of authority rather than as collateral or administrative misconduct.

50. Plaintiff alleges that defendant MORELLO'S conduct reflected the same institutional failure alleged throughout this action: IAB's protection, minimization, or

compartmentalization of serious misconduct by favored Department actors while aggressively pursuing FOSTER based on a contaminated, HEADLEY-driven disciplinary narrative.

51. Defendant JOSEPH F. PROFETA is an Inspector formerly assigned to the Internal Affairs Bureau's Special Investigations Unit.

52. At all relevant times, defendant PROFETA exercised supervisory, reviewing, approving, and command-level authority over the SIU investigation involving plaintiff SHATORRA J. FOSTER and defendant TREVLYN O. HEADLEY.

53. Defendant PROFETA is named because he was not a passive reviewer. He was part of the SIU command structure that approved and advanced the FOSTER-centered investigative narrative, including the conversion of FOSTER from witness and outcry source into subject officer, while the Department's own materials reflected that HEADLEY was also a subject officer whose credibility, motive, Department-resource access, workplace conduct, computer misuse, and treatment of women were central to any fair investigation.

54. Defendant PROFETA reviewed, approved, and ratified SIU worksheets that characterized FOSTER'S outcry-related communications, 311 contacts, anonymous reports, Department-resource concerns, and disclosures concerning HEADLEY as misconduct, while HEADLEY-related conduct was treated as administrative, informational, unsubstantiated, unfounded, expired, or minimally disciplinary.

55. Defendant PROFETA is further named because the SIU materials reflect that Charges and Specifications against FOSTER were preferred by PROFETA under Department authority, notwithstanding the Department's possession of information showing that HEADLEY was not a neutral complainant, but a subject officer whose own conduct materially contaminated the investigation.

56. Plaintiff further alleges that defendant PROFETA'S removal from his Internal Affairs Bureau assignment is material because it occurred as part of the same Department leadership shakeup that followed retired Lieutenant Quathisha Epps's allegations against former Chief of Department Jeffrey B. Maddrey and public reporting concerning lack of oversight within IAB.

57. Plaintiff alleges that PROFETA'S charging role and subsequent transfer must be viewed against that institutional backdrop. The same SIU/IAB command structure that approved and advanced the FOSTER-centered disciplinary prosecution was simultaneously under Department-level scrutiny for failing to police sexual misconduct, corruption, retaliation, and abuse of authority by powerful or protected Department actors.

58. Plaintiff further alleges that defendant PROFETA failed to ensure a neutral, victim-status-sensitive, conflict-aware investigation into allegations involving FOSTER and HEADLEY and allowed SIU and IAB processes to be used in a manner that treated FOSTER'S outcries, complaints, anonymous reports, Department-resource concerns, and disclosures as misconduct while minimizing, compartmentalizing, or failing to reassess HEADLEY-related misconduct.

59. Defendant PROFETA'S conduct is relevant to plaintiff's claims because he participated in, approved, and ratified the investigative framework that treated FOSTER as the wrongdoer while minimizing HEADLEY'S subject-officer status, prior misconduct history, workplace allegations, Department-resource access, computer misuse, and role in the highly coercive so-called "relationship" at issue in this action.

60. Defendant DAWIT FIKRU is a retired Inspector formerly assigned to the Internal Affairs Bureau's Special Investigations Unit.

61. At all relevant times, defendant FIKRU exercised command-level, supervisory, reviewing, approving, and ratification authority over the SIU investigation involving plaintiff SHATORRA J. FOSTER and defendant TREVLYN O. HEADLEY.

62. Defendant FIKRU is named because he was legally and operationally responsible for the investigation into the allegations against FOSTER and for the Bureau's failure to properly investigate, reassess, and account for HEADLEY'S role as complainant, subject officer, alleged abuser, retaliator, and user of Department resources.

63. Defendant FIKRU authored the April 16, 2025 Commanding Officer Case Review, acknowledged unresolved HEADLEY-related allegations and investigative defects, characterized the prior SIU work as "great work," directed the team to "wrap it all up," and nevertheless approved the continuation of the FOSTER-centered investigative structure.

64. Plaintiff alleges that defendant FIKRU failed to ensure that the investigation treated FOSTER as a victim, complainant, witness, and outcry source and instead allowed the Department to maintain a FOSTER-centered disciplinary narrative after the record revealed substantial HEADLEY-related contamination.

65. Plaintiff further alleges that defendant FIKRU'S own history concerning the handling, minimization, and ratification of serious Department misconduct is relevant to the Department's tolerance of similar conduct by HEADLEY, the failure to properly investigate the highly coercive so-called "relationship," and the selective treatment of FOSTER'S disclosures as charge-worthy misconduct.

66. Defendant TREVLYN O. HEADLEY is a uniformed member of the New York City Police Department and was, at all relevant times, a department supervisor.

67. At all relevant times, defendant HEADLEY used her rank, workplace access, Department relationships, confidential information, Department systems, Department databases, and Department personnel in connection with her conduct toward plaintiff SHATORRA J. FOSTER.

68. Defendant HEADLEY is named because she sexually groomed, sexually harassed, coerced, retaliated against, abused her authority over, and sexually assaulted FOSTER.

69. Plaintiff alleges that defendant HEADLEY maintained numerous simultaneous so-called “relationships” with women inside and outside the Department and used emotional instability, intimidation, confidential information, Department access, and institutional processes to control, pressure, isolate, or discredit women connected to her.

70. Plaintiff further alleges that defendant HEADLEY made false allegations to the Internal Affairs Bureau to cover up her misconduct and crimes against FOSTER.

71. Plaintiff alleges that defendant HEADLEY falsely cast herself as the victim, accused FOSTER of stalking and harassment, and weaponized IAB and Department disciplinary processes to conceal her own sexual grooming, sexual assault, coercion, retaliation, misuse of Department resources, and abuse of authority.

72. Plaintiff further alleges that defendant HEADLEY was not a neutral complainant, but a subject officer whose own conduct, credibility, motive, demotion, computer misuse, Department-resource access, workplace conduct, and treatment of women were central to any fair investigation.

## **BACKGROUND**

### **Adult Sexual Grooming and the Power-Imbalance Context**

73. Adult sexual grooming provides the necessary context for understanding defendant TREVLYN O. HEADLEY'S conduct toward plaintiff SHATORRA J. FOSTER. This case does not concern a failed romance, a private disagreement, or an ordinary interpersonal dispute between two members of the service. FOSTER alleges that HEADLEY used a process of access, emotional manipulation, sexual pressure, secrecy, fear, and institutional leverage to gain control over FOSTER, obtain sexual access, and later punish FOSTER when she attempted to distance herself, resist, and expose what occurred.

74. The grooming framework is addressed in Sinnamon, "*The Psychology of Adult Sexual Grooming*," Chapter 16, which describes adult sexual grooming as a process rather than a single event. Sinnamon's *Seven-Stage Model of Adult Sexual Grooming* identifies a sequence that includes selecting the victim, gathering information, gaining personal connection, meeting the victim's perceived needs while establishing credibility, priming the target, instigating sexual contact, and then controlling the victim and the victim's environment.

75. That framework is material here because FOSTER does not allege a normal or consensual workplace romance. She alleges a highly coercive so-called "relationship" in which HEADLEY used Department access, rank, emotional manipulation, confidential information, Department systems, workplace proximity, and institutional processes to pressure, monitor, sexually exploit, and retaliate against her.

76. The power imbalance in this case was not incidental. HEADLEY was a department supervisor. FOSTER was a uniformed member of the service working inside a paramilitary institution where rank, access, reputation, internal relationships, confidential information, disciplinary exposure, and command influence carry unusual force. Even without a direct command-chain assignment, HEADLEY possessed rank-based authority, Department

credibility, workplace access, access to other members of the service, and access to Department systems and information that could affect FOSTER'S career, reputation, assignments, and disciplinary exposure.

77. FOSTER alleges that HEADLEY used that imbalance to make personal access appear normal, to make boundary violations appear relational, and to make resistance feel professionally dangerous.

78. HEADLEY allegedly used Department proximity and workplace access to obtain FOSTER'S personal telephone number, initiate nonprofessional contact, and move the interaction outside ordinary workplace boundaries. What began through Department access allegedly became a highly coercive so-called "relationship" marked by late-night communications, emotional pressure, disclosures about former girlfriends, instability, sexual demands, and increasing control over FOSTER'S emotional and professional life.

79. The Department's own later-disclosed materials show why the power-imbalance issue could not be reduced to whether FOSTER formally reported to HEADLEY on a command chart.

80. On or about November 15, 2023, during the early stage of the highly coercive so-called "relationship," HEADLEY ran FOSTER in CPR/CPI. That search was not a collateral technical violation. It was an early Department-documented use of NYPD computer systems by HEADLEY concerning the same subordinate officer she was allegedly grooming, pressuring, monitoring, sexually exploiting, and later accusing.

81. The search placed the Department on notice that HEADLEY'S access to Department databases was directly connected to FOSTER and was material to motive, credibility, retaliation, Department-resource misuse, and investigative contamination.

82. FOSTER alleges that HEADLEY also used emotional manipulation as part of the grooming process. HEADLEY allegedly made emotionally loaded disclosures concerning prior women, former girlfriends, instability, and conflict. Those disclosures were not merely personal background.

83. According to FOSTER, they operated as conditioning tools. They communicated that involvement with HEADLEY required loyalty, emotional endurance, silence, and acceptance of volatility. They also positioned HEADLEY as someone whose emotional state FOSTER was expected to manage, even while HEADLEY retained rank, access, and institutional power.

84. The highly coercive so-called “relationship” allegedly escalated through pressure, boundary erosion, and sexual access. HEADLEY allegedly pressured FOSTER to visit her residence, initiated physical and sexual contact, monitored FOSTER’S social contacts, questioned FOSTER’S connections with other women, and used jealousy, insecurity, threats, and instability to maintain control. FOSTER alleges that she did not experience this as a freely chosen, equal, or ordinary relationship. She alleges that HEADLEY’S supervisory status, emotional volatility, Department access, and ability to use internal processes made refusal, withdrawal, or exposure feel dangerous.

85. On or about March 14, 2024, the grooming and coercive control allegedly culminated in a sexual assault inside an NYPD Headquarters dormitory room at One Police Plaza while FOSTER was on duty, in uniform, and asleep.

86. FOSTER alleges that HEADLEY entered the room, removed FOSTER’S pants and underwear, pushed her onto the bed, forcibly spread her legs, and performed oral sex on her without consent. That allegation is central to the case, but it cannot be understood in isolation. It

occurred, according to FOSTER, after months of grooming, manipulation, Department-resource access, and pressure by a supervisor who later used IAB and Department disciplinary processes against her.

87. After FOSTER attempted to distance herself, resist further abuse, and preserve evidence of HEADLEY'S misconduct, the alleged grooming shifted into retaliation and institutional control.

88. HEADLEY allegedly cast herself as the victim, made false allegations to the Internal Affairs Bureau, accused FOSTER of stalking and harassment, and used Department processes to redirect scrutiny away from her own misconduct.

89. FOSTER alleges that HEADLEY weaponized IAB and the Department disciplinary system to conceal her sexual grooming, sexual assault, coercion, retaliation, misuse of Department resources, and abuse of authority.

90. The Department's failure to apply this power-imbalance context was not abstract. Defendant THE CITY OF NEW YORK, through the NYPD, IAB, SIU, and DAO, maintained disciplinary machinery that treated FOSTER as the wrongdoer while minimizing the evidence that HEADLEY was a subject officer, alleged abuser, retaliator, and user of Department resources.

91. Defendant JESSICA S. TISCH, as Police Commissioner, is legally responsible for the Department's disciplinary and investigative processes and for ensuring that serious allegations of sexual misconduct, retaliation, abuse of authority, and misuse of Department resources were not converted into a retaliatory prosecution against the victim.

92. Defendants MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO were part of the IAB command structure

responsible for ensuring that the FOSTER/HEADLEY matter was investigated in a neutral, victim-status-sensitive, and conflict-aware manner. Instead, the IAB command structure allegedly allowed a highly coercive so-called “relationship,” Department-resource misuse, outcry evidence, and allegations of sexual abuse by a supervisor to be treated as collateral while FOSTER’S responses, disclosures, 311 contacts, anonymous complaints, and Department-resource concerns were converted into misconduct.

93. Defendants JOSEPH F. PROFETA and DAWIT FIKRU were part of the SIU command and ratification structure.

94. PROFETA approved and advanced the FOSTER-centered investigative narrative and signed the Charges and Specifications against FOSTER.

95. FIKRU later acknowledged unresolved HEADLEY-related allegations and investigative defects, recognized that HEADLEY should remain a subject officer, and nevertheless characterized the prior SIU work as “great work,” directed the team to “wrap it all up,” and continued to approve the FOSTER-centered structure. Their conduct is material because the grooming and power-imbalance context required reassessment, not ratification.

96. Accordingly, this section is not pleaded only against HEADLEY. It explains the factual context that all institutional defendants were required to consider before treating FOSTER as a disciplinary subject rather than as a victim, complainant, witness, and outcry source. The failure to apply that context is central to FOSTER’S claims for sexual harassment, retaliation, victim-status discrimination, selective enforcement, failure to investigate, failure to reassess, and ratification of a contaminated disciplinary case.

### **HEADLEY’S Access to FOSTER and the November 15, 2023 CPR/CPI Search<sup>1</sup>**

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<sup>1</sup> SIU Worksheet Tracking No. 7515439, dated April 16, 2025, titled “Commanding Officer Case Review,” is significant because defendant DAWIT FIKRU expressly identified HEADLEY-related

97. The Department's own investigative materials show that defendant TREVLYN O. HEADLEY'S access to plaintiff SHATORRA J. FOSTER was not limited to ordinary workplace contact, personal communication, or a private so-called "relationship." From the beginning, HEADLEY'S access allegedly included Department-facilitated contact, Department credibility, Department proximity, Department information, and Department systems.

98. FOSTER alleges that HEADLEY first gained personal access to her through the workplace. HEADLEY allegedly used Department proximity and internal Department relationships to obtain FOSTER'S personal cellular telephone number under the pretext of sending or sharing a photograph. That initial contact was not simply social. It arose from a department environment, involved a department supervisor, and moved a subordinate member of the service into a personal communication channel outside ordinary Department business.

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computer misuse as an allegation requiring further action. The worksheet states that allegations against HEADLEY to be added included "Computer Misuse (two counts—Ran Foster's name in CPR/CPI and knew about prior CD/Tracked Foster via Attendance App)." FIKRU also directed a "Computer audit (DAS/CPR) for Headley re: running Foster and Redman." Thus, the Department's own command-level review recognized that HEADLEY'S use of Department computer systems was not collateral. It involved FOSTER directly, required audit, and bore on HEADLEY'S credibility, motive, Department-resource access, and role as a contaminated complainant-source. The same worksheet also directed that HEADLEY remain a subject officer, while directing removal of FOSTER as a complainant because she was already listed as a subject, reflecting the Department's role-erasure problem at the center of this action.

SIU Worksheet Tracking No. 7590983, dated May 27, 2025, titled "CPR Audit Sgt. Headley (Hit/Expired SOL)," further confirms that HEADLEY'S Department computer access was directly connected to FOSTER. The worksheet states that the CPR audit disclosed that "Sgt. Headley never ran Det. Redhead's Tax but did run Det Foster's Tax on 11/15/23," and notes that the "statute of limitations on this is expired." The significance is not limited to whether SIU could discipline HEADLEY for the CPR/CPI search. The audit confirmed that HEADLEY did, in fact, run FOSTER in a Department system during the early stage of the highly coercive so-called "relationship." That fact bore directly on HEADLEY'S credibility, motive, access to confidential information, Department-resource misuse, and role as a contaminated complainant-source. Treating the misconduct as expired for disciplinary purposes did not eliminate its evidentiary significance, did not excuse the Department from reassessing the FOSTER-centered disciplinary narrative, and did not justify ignoring the search as proof that HEADLEY had used NYPD systems in connection with the same officer she later accused.

99. Once HEADLEY obtained FOSTER’S number, HEADLEY allegedly initiated nonprofessional communications and began shifting the interaction away from workplace boundaries. Those communications allegedly included late-night calls, emotionally loaded disclosures, flirtatious or intimate contact, and personal statements designed to create emotional dependency, sympathy, secrecy, and loyalty. FOSTER alleges that this was part of the grooming process by which HEADLEY transformed Department-based access into personal, emotional, and later sexual access.

100. The November 15, 2023 CPR/CPI search is critical because it provides an early Department-documented example of HEADLEY using NYPD information systems in connection with FOSTER during the same period in which the highly coercive so-called “relationship” was allegedly developing.

101. On or about November 15, 2023, HEADLEY ran FOSTER in CPR/CPI. That search was not a neutral administrative event. It involved a department supervisor accessing Department computer systems concerning the same subordinate officer she was allegedly pursuing, grooming, pressuring, monitoring, sexually exploiting, and later accusing.

102. The search also undermines any attempt to portray HEADLEY as merely a later complainant who innocently reported misconduct to IAB. HEADLEY was already using a department system to obtain or review information connected to FOSTER months before she later cast herself as a victim and accused FOSTER of stalking, harassment, and related misconduct. That chronology matters. It places HEADLEY’S Department-resource access before the IAB complaint narrative hardened and before the Department converted FOSTER’S outcries, disclosures, anonymous complaints, 311 contacts, and Department-resource concerns into disciplinary charges.

103. The Department later treated FOSTER'S alleged Department-system activity as charge-worthy computer misuse. But the Department did not apply the same investigative seriousness to HEADLEY'S November 15, 2023 search. That asymmetry is central to the case. If FOSTER'S alleged system activity was treated as misconduct, then HEADLEY'S system activity involving FOSTER should have been treated as material evidence of motive, access, monitoring, retaliation, and contamination.

104. The November 15, 2023 searches also mattered because it occurred before the March 14, 2024 sexual-assault allegation, before the July 2024 IAB complaint process, before the December 2024 Charges and Specifications, and before FOSTER'S June 27, 2025 Verified Answer with Counterclaims. It was therefore an early warning sign. A neutral investigation should have examined why HEADLEY ran FOSTER, what information HEADLEY accessed, what HEADLEY did with that information, whether she disclosed it to anyone, whether she used it to pressure FOSTER, and whether the search formed part of a broader pattern of Department-resource misuse.

105. The disclosed SIU and PW investigative materials make that failure more significant. The Department knew, or later documented, that HEADLEY was not simply a complainant. HEADLEY was a subject officer. She had her own Department-resource issues, her own credibility issues, her own workplace-conduct issues, and her own conduct toward women that required scrutiny. The November 15, 2023 search should have been treated as a central investigative fact, not as a collateral technical violation.

106. Instead, the Department allegedly minimized or compartmentalized the search while continuing to build a FOSTER-centered disciplinary theory. That allowed the Department to treat FOSTER'S conduct as stalking, harassment, false reporting, and computer misuse, while

treating HEADLEY'S Department-system access as an administratively manageable issue rather than evidence that the complainant-source herself had misused Department resources in connection with the person she later accused.

107. Defendant THE CITY OF NEW YORK, through the NYPD, IAB, SIU, and DAO, is responsible for that investigative failure.

108. Defendant JESSICA S. TISCH, as Police Commissioner, is responsible for ensuring that Department disciplinary and investigative processes were not used to preserve a contaminated case after the Department's own files showed that HEADLEY had used Department systems involving FOSTER.

109. Defendants MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO were part of the IAB command structure responsible for ensuring that the investigation did not ignore or minimize Department-resource misuse by a supervisor accused of grooming, coercion, retaliation, and sexual assault. The November 15, 2023 CPR/CPI search was precisely the type of fact that required command-level reassessment before FOSTER was treated as the sole wrongdoer.

110. Defendants JOSEPH F. PROFETA and DAWIT FIKRU were part of the SIU command and ratification structure responsible for the investigative framing.

111. PROFETA approved and advanced the FOSTER-centered narrative and signed the Charges and Specifications. FIKRU later acknowledged unresolved HEADLEY-related allegations and investigative defects, recognized that HEADLEY should remain a subject officer, and nevertheless continued to approve the FOSTER-centered structure. Their failure to treat the November 15, 2023 search as central to the power-imbalance, Department-resource-misuse, and retaliation analysis helped preserve the contaminated disciplinary case.

112. The November 15, 2023 CPR/CPI search therefore serves as an anchor fact. It shows early Department-resource access by HEADLEY involving FOSTER. It supports FOSTER'S grooming and power-imbalance theory. It bears directly on HEADLEY'S credibility, motive, and retaliatory interest. It exposes the Department's selective treatment of computer misuse. And it demonstrates why the Department could not fairly maintain a disciplinary case against FOSTER without first reassessing HEADLEY'S role as a subject officer, alleged abuser, retaliator, and user of Department systems.

### **March 14, 2024 Sexual Assault Allegation**

113. On or about March 14, 2024, the highly coercive so-called "relationship" allegedly escalated into sexual assault inside NYPD Headquarters at One Police Plaza.

114. At the time, plaintiff SHATORRA J. FOSTER was on duty, in uniform, and asleep inside a department dormitory room at One Police Plaza. The location is material. The alleged assault did not occur in a purely private setting. It occurred inside NYPD Headquarters, within a department-controlled workplace environment, while FOSTER was working, wearing the uniform, and subject to the rules, hierarchy, access controls, and institutional culture of the Department.

115. FOSTER alleges that defendant TREVLYN O. HEADLEY entered the dormitory room while FOSTER was asleep. FOSTER further alleges that HEADLEY removed FOSTER'S pants and underwear, pushed FOSTER onto the bed, forcibly spread FOSTER'S legs, and performed oral sex on FOSTER without consent.

116. FOSTER did not consent to that sexual contact. The fact that FOSTER and HEADLEY had been involved in a highly coercive so-called "relationship" did not give HEADLEY permission to enter a department dormitory room, approach FOSTER while she was

asleep, remove her clothing, restrain or position her body, and perform a sexual act without consent.

117. The March 14, 2024 allegation is central to this action because it places HEADLEY'S alleged misconduct within the Department workplace itself. It also places the Department's later conduct in sharper focus. Once FOSTER formally disclosed this allegation in her Verified Answer with Counterclaims filed on June 27, 2025, the Department had notice that FOSTER was alleging not merely harassment, not merely workplace friction, and not merely retaliation, but sexual assault by a department supervisor inside NYPD Headquarters.

118. The Department did not treat that disclosure as requiring a meaningful sexual-assault investigation. The Department did not open, conduct, or document a neutral investigation into the March 14, 2024 allegation. The Department did not reinterview FOSTER as a victim or complainant. The Department did not reassess whether FOSTER'S earlier conduct, complaints, anonymous reports, 311 contacts, Department-resource concerns, and disclosures were outcries connected to grooming, sexual coercion, retaliation, and fear. The Department did not treat the alleged assault as requiring a victim-status-sensitive review of the pending disciplinary prosecution.

119. Instead, after FOSTER filed her Verified Answer with Counterclaims, the Department continued to preserve the FOSTER-centered disciplinary theory. SIU uploaded FOSTER'S counterclaims and the Finest message reflecting HEADLEY'S demotion into the SIU file. Rather than reassess the case, SIU removed FOSTER as a witness and updated the allegations against FOSTER as substantiated.

120. That sequence is material. Before June 27, 2025, the Department may claim that FOSTER had not yet formally disclosed the March 14, 2024 sexual assault. After June 27, 2025,

that position was no longer available. The Department had formal notice of the allegation and still did not meaningfully investigate it.

121. The Department's failure to investigate the March 14, 2024 allegation also undermines the integrity of the disciplinary case against FOSTER. A disciplinary case built around HEADLEY'S complaint-source narrative could not fairly proceed without first reassessing whether HEADLEY had sexually assaulted, groomed, coerced, and retaliated against FOSTER. If HEADLEY'S complaint was a cover-up, retaliatory maneuver, or effort to redirect scrutiny from her own misconduct, then the Department's continued reliance on that complaint-source narrative was contaminated.

122. Defendant THE CITY OF NEW YORK, through the NYPD, IAB, SIU, and DAO, is responsible for the Department's failure to investigate and reassess after formal notice of the sexual-assault allegation.

123. Defendant JESSICA S. TISCH, as Police Commissioner, is legally responsible for ensuring that serious allegations of sexual assault, sexual coercion, retaliation, abuse of authority, and Department-resource misuse were not ignored while the Department continued a disciplinary prosecution against the alleged victim.

124. Defendants MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO were part of the IAB command structure responsible for the Department's investigative response to serious misconduct involving members of the service, including allegations of sexual misconduct, retaliation, abuse of authority, and misuse of Department processes. Their responsibility is material because the alleged assault was not disconnected from the Department's later disciplinary machinery. It was

part of the same factual sequence in which HEADLEY allegedly used IAB and Department processes to cast herself as the victim and punish FOSTER.

125. Defendants JOSEPH F. PROFETA and DAWIT FIKRU were part of the SIU command and ratification structure that approved, maintained, or failed to reassess the FOSTER-centered investigative narrative.

126. PROFETA signed the Charges and Specifications against FOSTER. FIKRU later acknowledged unresolved Headley-related allegations and investigative defects but continued to approve the Foster-centered structure. After FOSTER formally disclosed the sexual-assault allegation, the Department's failure to reassess the pending disciplinary prosecution became an act of ratification, not a mere investigative omission.

127. The March 14, 2024 sexual-assault allegation therefore serves two functions in this case. First, it is a direct allegation of sexual violence by HEADLEY against FOSTER inside the NYPD workplace. Second, it is a test of the Department's institutional response.

128. Once the allegation was formally disclosed, the Department was required to investigate, reassess, preserve FOSTER'S victim and outcry status, and determine whether the disciplinary case had been contaminated by HEADLEY'S own misconduct. The Department did not do so.

#### **HEADLEY'S False IAB Allegations and Reversal of Victimhood**

129. After plaintiff SHATORRA J. FOSTER attempted to distance herself from defendant TREVLYN O. HEADLEY, resist further abuse, preserve evidence, and expose what HEADLEY had done, HEADLEY allegedly reversed the victim narrative.

130. Rather than face scrutiny for her own conduct, HEADLEY falsely cast herself as the victim and used the Internal Affairs Bureau as the vehicle for that reversal. HEADLEY

accused FOSTER of stalking, harassment, false reporting, and related misconduct, even though HEADLEY'S own conduct, Department-resource access, computer misuse, credibility, motive, and treatment of women were central to any fair assessment of the allegations.

131. FOSTER alleges that HEADLEY'S IAB allegations were false, retaliatory, and designed to conceal HEADLEY'S own sexual grooming, sexual assault, coercion, retaliation, misuse of Department resources, and abuse of authority. HEADLEY'S allegations were not made in a vacuum. They followed a highly coercive so-called "relationship," the November 15, 2023 CPR/CPI search of FOSTER, the alleged March 14, 2024 sexual assault inside NYPD Headquarters, and FOSTER'S efforts to distance herself from HEADLEY and preserve evidence of what occurred.

132. The reversal was strategic. HEADLEY allegedly used the Department's own disciplinary machinery to transform herself from alleged abuser into complainant, and to transform FOSTER from victim, complainant, witness, and outcry source into subject officer. Once that reversal entered IAB, the Department treated HEADLEY'S allegations as the organizing premise of the investigation.

133. The Department then adopted a FOSTER-centered theory. FOSTER'S anonymous complaints, 311 contacts, Department-resource concerns, communications, and disclosures concerning HEADLEY were treated as evidence of misconduct. By contrast, HEADLEY-related facts were minimized, compartmentalized, or handled administratively, including HEADLEY'S subject-officer status, the November 15, 2023 CPR/CPI search, the Philadelphia assault-related disciplinary history, allegations by other female members of the service, overlapping so-called "relationships," workplace-conduct allegations, Department-resource access, and demotion-related information.

134. The disclosed SIU and PW investigative materials show why that reversal of victimhood was dangerous. HEADLEY was not merely a complainant. She was a subject officer. She had her own credibility issues. She had her own Department-resource issues. She had a documented history of prior discipline involving violence. She had been connected to complaints by or concerning other women. She had allegedly used Department access and Department systems in connection with FOSTER. She was later demoted within hours after FOSTER filed her Verified Answer with Counterclaims.

135. A neutral investigation would have treated those facts as a warning sign. It would have asked whether HEADLEY'S IAB complaint was a legitimate complaint, a retaliatory maneuver, a cover-up, or a means of redirecting scrutiny from her own sexual misconduct and abuse of authority. It would have preserved FOSTER'S multiple roles as victim, complainant, witness, and outcry source. It would have investigated whether the alleged 311 contacts, anonymous complaints, and disclosures were outcries or misconduct reports rather than merely charge-worthy acts.

136. The Department did not do that. Instead, IAB, SIU, and the Department Advocate's Office allegedly allowed HEADLEY'S reversal of victimhood to become the framework for the disciplinary prosecution. The Department treated HEADLEY as the victim-source while disregarding evidence that HEADLEY was herself an alleged abuser, retaliator, computer-system misuser, and subject officer.

137. Defendant THE CITY OF NEW YORK, through the NYPD, IAB, SIU, and DAO, is responsible for allowing that reversal to become an institutional prosecution.

138. Defendant JESSICA S. TISCH, as Police Commissioner, is legally responsible for ensuring that Department processes were not used to convert a victim's outcries and disclosures into discipline while shielding the alleged abuser.

139. Defendants MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO were part of the IAB command structure responsible for ensuring that the FOSTER/HEADLEY matter was investigated in a neutral, victim-status-sensitive, and conflict-aware manner. Their failure was not merely that they accepted a complaint. It was that the command structure allowed HEADLEY'S complaint to define the case while failing to account for the evidence that HEADLEY'S own misconduct, motive, Department access, and retaliatory interest contaminated the investigation.

140. Defendants JOSEPH F. PROFETA and DAWIT FIKRU were part of the SIU command and ratification structure that approved, maintained, or failed to correct the Foster-centered narrative.

141. PROFETA signed the Charges and Specifications against FOSTER. FIKRU later acknowledged unresolved HEADLEY-related allegations and investigative defects, recognized that HEADLEY should remain a subject officer, and nevertheless continued to approve the FOSTER-centered structure. Their conduct matters because HEADLEY'S reversal of victimhood required reassessment, not ratification.

142. The Department's later conduct confirms the institutional failure. After FOSTER filed her Verified Answer with Counterclaims on June 27, 2025, formally alleging sexual harassment, coercion, retaliation, abuse of authority, and sexual assault by HEADLEY, the Department still did not open, conduct, or document any meaningful investigation into those claims. Instead, SIU uploaded FOSTER'S counterclaims and the Finest message reflecting

HEADLEY'S demotion, removed FOSTER as a witness, and updated the allegations against FOSTER as substantiated.

143. That sequence is central to the case. HEADLEY allegedly used IAB to reverse victimhood. The Department then ratified that reversal. FOSTER alleges that the Department's failure to investigate, failure to reassess, selective enforcement, victim-status discrimination, retaliation, and misuse of Department processes allowed HEADLEY'S false IAB allegations to become the foundation of a contaminated disciplinary prosecution.

**DEPARTMENT INVESTIGATIVE DISCLOSURES ON MAY 27, 2026: THE  
PURPORTED SIU AND PW INVESTIGATIONS**

144. The Department's May 27, 2026 disclosures revealed that the Special Investigations Unit and Prosecutorial Wall materials were not separate, neutral safeguards against investigative contamination. They revealed the opposite. The SIU and PW files substantially carried forward the same FOSTER-centered narrative, the same HEADLEY-as-victim premise, and the same failure to account for evidence showing that HEADLEY was not a neutral complainant, but a subject officer whose own conduct, credibility, motive, Department-resource access, and treatment of women were central to any fair investigation.

145. The significance of the disclosures is not limited to what HEADLEY allegedly did. The disclosures show what the Department knew, what it ignored, what it minimized, and what it ratified. The Department possessed materials showing that HEADLEY had used Department systems involving FOSTER, had been identified as a subject officer, had a prior assault-related disciplinary history, was connected to allegations by other women and other witnesses, and was later demoted. Yet the Department continued to maintain a disciplinary prosecution against FOSTER based on allegations made by, advanced by, or materially influenced by HEADLEY.

146. The purported Prosecutorial Wall did not cure that defect. A functional wall would have required meaningful separation, taint screening, access control, and independent reassessment before investigative material was used in a prosecutorial or disciplinary posture. Instead, the PW materials substantially mirrored the SIU materials and reproduced the same investigative assumptions. The wall therefore did not protect the process from taint. It transmitted the taint.

147. The files also revealed a threshold classification problem. FOSTER was not merely a disciplinary subject. She was a victim, complainant, witness, and outcry source. The Department nevertheless converted her into the subject of a criminalized disciplinary theory while treating HEADLEY'S allegations as the organizing premise of the case. That conversion stripped FOSTER'S conduct of context and allowed the Department to treat outcry-related conduct as misconduct.

148. The Department treated FOSTER'S anonymous complaints, 311 contacts, Department-resource concerns, communications, and disclosures concerning HEADLEY as evidence of stalking, harassment, false reporting, computer misuse, and related misconduct. But the same materials should have required a different question: whether those contacts and disclosures were outcries, warnings, complaints, investigative leads, or attempts to document and expose HEADLEY'S conduct. The Department did not meaningfully ask that question.

149. Instead, SIU and PW materials treated the alleged communications as charge-building evidence against FOSTER. That framing was not neutral. It assumed the answer at the start by treating HEADLEY as the victim-source and FOSTER as the wrongdoer, even though the Department's own files showed that HEADLEY herself was a subject officer and that HEADLEY-related misconduct had to be investigated.

150. The November 15, 2023 CPR/CPI search exposed the problem early. During the early stage of the highly coercive so-called “relationship,” HEADLEY ran FOSTER in CPR/CPI. That search was an early Department-documented use of NYPD computer systems involving the same subordinate officer HEADLEY was allegedly grooming, pressuring, monitoring, sexually exploiting, and later accusing. A neutral investigation would have treated that search as central to motive, credibility, retaliation, Department-resource misuse, and investigative contamination. The Department instead treated HEADLEY’S computer misuse as a compartmentalized administrative issue while using FOSTER’S alleged Department-system activity as charge-worthy misconduct.

151. The disclosed materials also showed that HEADLEY’S own history and workplace conduct required scrutiny. The Department possessed information concerning HEADLEY’S prior Philadelphia assault-related disciplinary history, her poor impulse control, allegations by other female members of the service, overlapping so-called “relationships,” workplace conduct, Department-resource access, vehicle and time-related allegations, and demotion-related information. Those facts should have required SIU and PW personnel to reassess whether HEADLEY’S allegations against FOSTER were reliable, retaliatory, self-protective, or contaminated by HEADLEY’S own misconduct.

152. The Witherspoon<sup>2</sup> materials were a direct warning sign. Sergeant Flore Witherspoon was not a peripheral witness. She reported that HEADLEY was a domineering

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<sup>2</sup> SIU Worksheet Tracking No. 7555361, dated May 7, 2025, titled “Interview of Witness Sgt. Witherspoon,” is significant because it documented a firsthand workplace outcry concerning HEADLEY’S conduct inside the Police Commissioner’s Office. Sergeant Flore Witherspoon reported that HEADLEY was a “domineering figure” who bullied her while both were assigned to the communications desk. Witherspoon described physical-space intimidation, interference with her desk area, control over office items, intentional bumping, loud conduct, perceived threat of confrontation involving HEADLEY, Captain Cooper, and Lieutenant Gilbert, and a prior supervisory intervention by Inspector Ciera, Lieutenant Areola, and Lieutenant Dempsey. Witherspoon also

figure in the Police Commissioner's Office and bullied her while both were assigned to the communications desk. Witherspoon described workplace intimidation, control over office space, physical-space conflict, supervisory intervention, and serious emotional impact. That account was pattern evidence bearing on HEADLEY'S treatment of women, workplace conduct, impulse control, and credibility. The Department did not use it that way.

153. The Gilbert<sup>3</sup> materials presented a separate warning sign. Lieutenant Maria Gilbert denied being in a "relationship" with HEADLEY while they worked together in the same office, but that denial was narrow. It did not resolve whether Gilbert and HEADLEY had a so-called "relationship" outside that limited timeframe. Gilbert also acknowledged that both she and HEADLEY had received anonymous text messages. SIU did not meaningfully test the scope of

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reported that HEADLEY did not do her work and was "never in the office," and stated that the incidents were more traumatic "than the death of her father." The worksheet therefore was not merely a witness interview; it was notice that HEADLEY'S workplace conduct, treatment of female members of the service, credibility, impulse control, and protected status inside the Police Commissioner's Office required serious investigation. SIU'S failure to treat Witherspoon's account as outcry and pattern evidence supports plaintiff's allegations that the Department minimized Headley-related misconduct while treating FOSTER'S outcries and disclosures as charge-worthy misconduct.

<sup>3</sup> SIU Worksheet Tracking No. 7397366, dated February 13, 2025, titled "AG Hearing of Subject Officer Lt. Gilbert," is significant because it identified Lieutenant Maria F. Gilbert as a subject officer for allegations of fraternization with a subordinate and failure to supervise while assigned to the Police Commissioner's Office. The worksheet states that Gilbert acknowledged she was friendly with then-Sergeant HEADLEY, denied being HEADLEY'S direct supervisor, denied observing HEADLEY misuse or steal time, denied allowing HEADLEY to leave early or remain away from her desk, denied observing HEADLEY take a department vehicle without permission or bully coworkers, and denied being in a "relationship" with HEADLEY while they worked together in the same office. The worksheet also states that Gilbert and HEADLEY both began receiving anonymous text messages the prior year. The significance of this worksheet is that Gilbert's denial was narrow and did not resolve the broader Headley-related issues, including whether Gilbert and HEADLEY had a questionable so-called "relationship" outside that limited timeframe, whether Gilbert's friendship or office proximity affected HEADLEY'S supervision or protection, and whether the anonymous messages were outcries, warnings, investigative leads, or evidence bearing on HEADLEY'S credibility and motive. The worksheet therefore placed SIU on notice that HEADLEY'S Police Commissioner's Office relationships, internal protection, and workplace conduct required broader inquiry before the Department relied on HEADLEY'S allegations against FOSTER.

Gilbert's denial, did not treat the messages as investigative leads, and did not use Gilbert's role to reassess whether HEADLEY'S office relationships, credibility, and internal protection affected the case against FOSTER.

154. The Department also possessed multiple allegation letters and complaints concerning HEADLEY. Those materials included allegations concerning time theft, absence from her desk, failure to properly scan in or out, manual time entries, misuse of Department vehicles, use of former Police Commissioner Edward A. Caban's name or office status, vehicle violations, bullying of Witherspoon, intoxication, threats, shield misuse, and violence-history concerns. These allegations were not proof of every underlying claim, but they were unquestionably notice. They showed that HEADLEY'S conduct, credibility, workplace status, and Department-resource access were contested and material.

155. Despite those warning signs, the Department maintained the premise that HEADLEY was "clearly a victim of stalking." That premise was expressly reflected in defendant DAWIT FIKRU'S Commanding Officer Case Review.

156. FIKRU acknowledged unresolved Headley-related allegations and investigative defects. He recognized that Witherspoon should not have been removed as a witness, that additional allegations against HEADLEY needed to be added, that Headley-related computer audits were required, and that HEADLEY should remain a subject officer. Yet he also characterized the prior SIU work as "great work," directed the team to "wrap it all up," and continued to approve the FOSTER-centered investigative structure.

157. That review is central to the civil claims. It shows actual command-level knowledge of defects. It shows that SIU knew the investigation was incomplete. It shows that SIU knew HEADLEY-related issues had not been properly handled. It shows that SIU knew

witnesses had been improperly removed or not pursued. Yet instead of ordering a neutral reassessment, SIU'S command response was to ratify the prior work and move the case toward closure.

158. The Department also treated the power-imbalance issue too narrowly. SIU reviewed whether FOSTER formally worked for or reported to HEADLEY during the period of the highly coercive so-called "relationship" and concluded that FOSTER did not formally report to HEADLEY. That did not resolve the actual issue.

159. The relevant question was not only whether HEADLEY was FOSTER'S direct supervisor on a command chart. The relevant question was whether HEADLEY used rank, Department access, confidential information, workplace proximity, Department systems, Department personnel, and IAB processes to groom, pressure, monitor, exploit, and retaliate against FOSTER.

160. A supervisor need not be a direct command-chain supervisor to abuse Department authority. HEADLEY'S rank, assignment, access, credibility, Department relationships, and system access gave her practical leverage. SIU'S narrow focus on direct reporting status failed to address how Department power operates in practice inside a paramilitary workplace.

161. The PW materials compounded, rather than cured, those defects. The existence of a Prosecutorial Wall signaled that the Department understood there was a need to separate or protect some portion of the process. But the disclosed PW materials did not show a meaningful wall. They showed substantial overlap with SIU'S theory, evidence, classifications, and assumptions. That overlap raises the central question: if the PW file mirrored the SIU file, what was actually walled off?

162. The purported wall therefore became part of the problem. It did not independently test whether HEADLEY'S allegations were contaminated. It did not preserve FOSTER'S victim, complainant, witness, and outcry status. It did not neutralize the effect of HEADLEY'S subject-officer status, CPR/CPI misuse, prior disciplinary history, workplace allegations, or demotion. It did not prevent the Department from carrying the same FOSTER-centered theory forward into the disciplinary process.

163. The defect became more serious after FOSTER filed her Verified Answer with Counterclaims on June 27, 2025, in *Headley v. City of New York, et al.*, Index No. 155228/2025, Supreme Court of the State of New York, County of New York. In that pleading, FOSTER formally alleged sexual harassment, coercion, retaliation, abuse of authority, and sexual assault by HEADLEY. Within hours of that filing, HEADLEY was demoted. Two days later, SIU uploaded both FOSTER'S counterclaims and the Finest message reflecting HEADLEY'S demotion into the SIU file.

164. That sequence required reassessment. SIU now had formal notice that FOSTER was alleging sexual assault and sexual coercion by the same person whose accusations formed the basis of the disciplinary case against her. SIU also had notice that HEADLEY had been demoted within hours after the counterclaims were filed. A neutral investigation would have paused, reassessed, preserved FOSTER'S witness and outcry status, and opened or referred a meaningful investigation into FOSTER'S counterclaims, including the alleged sexual assault.

165. SIU did the opposite. Rather than treat the counterclaims and demotion as requiring reassessment, SIU removed FOSTER as a witness and updated the allegations against her as substantiated. The Department did not open, conduct, or document any meaningful investigation into FOSTER'S counterclaims, including the allegation that HEADLEY sexually

assaulted FOSTER inside NYPD Headquarters on or about March 14, 2024. This was not a pre-disclosure mistake. It was post-notice ratification.

166. The Department also continued the internal disciplinary case after the Manhattan District Attorney's Office declined prosecution on April 18, 2025. A prosecutorial declination did not automatically bar internal discipline. But it did require the Department to reassess whether the criminalized framing of the internal case remained fair, particularly after the Department had notice of HEADLEY'S subject-officer status, FOSTER'S counterclaims, HEADLEY'S demotion, and the unresolved Headley-related allegations. Instead, the Department continued to maintain internal charges using criminalized labels such as stalking, aggravated harassment, false reporting, and harassment.

167. The role of defendant JOSEPH F. PROFETA is material. PROFETA exercised SIU command-level authority over the early investigation, approved and advanced the FOSTER-centered narrative, and signed the Charges and Specifications against FOSTER. Those charges converted the contaminated investigative theory into a formal Department prosecution.

168. The role of defendant DAWIT FIKRU is also material. FIKRU later exercised SIU command-level ratification authority after the defects were apparent. He acknowledged unresolved Headley-related issues, recognized that HEADLEY should remain a subject officer, direct additional investigative steps, and still praised the prior work and pushed the matter toward closure. FIKRU'S conduct shows ratification after knowledge, not mere supervisory oversight.

169. The role of the IAB command defendants is likewise material. Defendant MIGUEL A. IGLESIAS, defendant CHRIS D. MORELLO, defendant EDWARD A. THOMPSON, and defendant JOSEPH A. DIBARTOLOMEO were responsible for ensuring that

IAB investigations involving sexual misconduct, retaliation, abuse of authority, Department-resource misuse, and misconduct by supervisors were handled with integrity. The disclosed SIU and PW materials show that the command structure failed to require a neutral, victim-status-sensitive, conflict-aware reassessment even after the files showed substantial HEADLEY-related contamination.

170. The role of defendant JESSICA S. TISCH is material because the investigation and disciplinary process operated under the authority of the Police Commissioner. TISCH is legally responsible for the Department's disciplinary and investigative machinery and for correcting serious investigative failures once the Department had notice that its process was contaminated. Instead, the Department continued to maintain the disciplinary case against FOSTER.

171. The purported SIU and PW investigations therefore did not merely fail to find certain facts. They failed at the level of framing. They treated HEADLEY as a victim-source when she was also a subject officer and alleged abuser. They treated FOSTER as a subject while erasing her role as victim, complainant, witness, and outcry source. They treated FOSTER'S alleged conduct as criminalized misconduct while treating HEADLEY-related conduct as collateral, administrative, or compartmentalized. They treated formal reporting lines as dispositive while ignoring actual Department power. They preserved the disciplinary case after formal notice of FOSTER'S sexual-assault allegations and after HEADLEY'S demotion.

172. For those reasons, the purported SIU and PW investigations are themselves part of the human-rights violations alleged in this action. They were the mechanism through which HEADLEY'S false and retaliatory allegations were converted into Department discipline,

through which FOSTER'S outcries were converted into misconduct, and through which command-level defendants ratified a contaminated, HEADLEY-driven disciplinary case.

### **The Witherspoon Outcry**

173. The Department's own SIU materials show that Sergeant Flore Witherspoon was not a peripheral witness. She was an outcry source and pattern witness whose account bore directly on defendant TREVLYN O. HEADLEY'S workplace conduct, treatment of women, credibility, impulse control, and ability to destabilize female members of the service inside the Police Commissioner's Office.

174. On May 7, 2025, SIU interviewed Sergeant Witherspoon concerning HEADLEY'S conduct in the Police Commissioner's Office. Witherspoon reported that HEADLEY was a domineering figure who bullied her while they were both assigned to the communications desk. That description was material because it came from another female member of the service who worked directly in the same executive workplace environment where HEADLEY held access, visibility, internal relationships, and institutional protection.

175. Witherspoon described conduct that went beyond ordinary workplace friction. She reported that HEADLEY pushed the back of her chair while trying to squeeze behind her desk, moved a safe that Witherspoon used for her bag, took control of the office television remote, played music too loudly, took a selfie behind Witherspoon's desk, directed Witherspoon to deliver documents, instructed Witherspoon not to place work on HEADLEY'S desk, and intentionally bumped into Witherspoon without apologizing.

176. Witherspoon further reported that she believed Captain Cooper, Lieutenant Maria Gilbert, and HEADLEY wanted to fight her, and that she overheard HEADLEY say that she was 6'5" and could take care of herself. That allegation should have been treated as evidence of

workplace intimidation and possible group alignment around HEADLEY, not as a minor personality dispute.

177. Witherspoon also reported that there were three desks in the office, that her desk was in the middle, and that Lieutenant Dempsey asked her to move her desk so she would not be directly next to HEADLEY. Witherspoon believed HEADLEY should have been moved instead. That fact was important because it showed that supervisors were aware of the conflict and that the workplace response was to move Witherspoon away from HEADLEY rather than meaningfully address HEADLEY'S alleged conduct.

178. Witherspoon further reported that Inspector Ciera, Lieutenant Areola, and Lieutenant Dempsey sat down with both sergeants on or about November 17 and asked whether they could work together. This was not merely a witness recollection. It placed supervisory personnel on notice that HEADLEY'S conduct inside the Police Commissioner's Office had already required intervention before SIU later treated HEADLEY as a clean victim-source against FOSTER.

179. Witherspoon also reported that HEADLEY did not do her work and was never in the office, although Witherspoon did not know where HEADLEY went. That statement overlapped with other HEADLEY-related allegations concerning time, desk presence, attendance, office access, and whether HEADLEY received favorable or protected treatment inside the Police Commissioner's Office.

180. Most significantly, Witherspoon reported that the incidents involving HEADLEY were more traumatic "than the death of her father." That statement should have changed the investigative posture. Witherspoon was not merely describing annoyance, office tension, or

routine coworker conflict. She was describing a workplace experience involving HEADLEY that she experienced as severe and traumatic.

181. The Department did not treat Witherspoon's disclosure as the outcry that it was. The Department did not meaningfully use Witherspoon's account to reassess HEADLEY'S credibility, workplace conduct, treatment of women, impulse control, or complainant-source status. The Department did not treat Witherspoon's account as pattern evidence relevant to FOSTER'S allegations that HEADLEY used dominance, intimidation, emotional volatility, and Department access to control or harm women connected to her.

182. The Department also failed to treat the supervisory-notice component seriously. Witherspoon's account identified multiple Department supervisors or command actors who had knowledge of the workplace conflict involving HEADLEY, including Inspector Ciera, Lieutenant Areola, and Lieutenant Dempsey. A neutral investigation would have followed those leads, determined what those supervisors knew, examined why Witherspoon was moved rather than HEADLEY, and assessed whether HEADLEY received protection, favoritism, or informal insulation inside the Police Commissioner's Office.

183. Instead, SIU compartmentalized the Witherspoon account. It treated Witherspoon as a witness in a limited HEADLEY-related Lane while continuing to maintain the broader FOSTER-centered disciplinary theory. That handling matters because the same Department that minimized Witherspoon's trauma and workplace outcry aggressively interpreted FOSTER'S conduct as stalking, harassment, false reporting, and computer misuse.

184. The Witherspoon outcry therefore supports several core allegations in this action. First, it supports FOSTER'S claim that HEADLEY'S conduct toward women was not isolated to FOSTER. Second, it supports the allegation that the Department possessed notice of

HEADLEY'S domineering, intimidating, and destabilizing workplace conduct. Third, it supports the claim that the Department selectively minimized HEADLEY-related misconduct while escalating FOSTER-related conduct. Fourth, it supports the theory that the Department failed to conduct a victim-status-sensitive, conflict-aware investigation.

185. Defendant DAWIT FIKRU'S role is especially material. FIKRU later acknowledged that Witherspoon should not have been removed as a witness. That acknowledgment shows that SIU knew the handling of Witherspoon had been defective. But FIKRU did not treat that defect as requiring a full reassessment of the FOSTER-centered theory. Instead, he characterized the prior SIU work as "great work," directed the team to "wrap it all up," and allowed the case to continue forward.

186. Defendant JOSEPH F. PROFETA'S role is also material because the earlier SIU command structure had already approved and advanced the Foster-centered narrative before Witherspoon's outcry was meaningfully restored. The Department's failure to properly integrate Witherspoon's account into the overall investigation helped preserve the false division between HEADLEY as victim and FOSTER as wrongdoer.

187. The IAB command defendants — MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO — were responsible for ensuring that allegations involving supervisory misconduct, workplace intimidation, retaliation, Department-resource misuse, and treatment of female members of the service were not minimized or compartmentalized. The Witherspoon outcry showed that HEADLEY'S conduct raised broader workplace and institutional concerns. The command structure failed to require a reassessment that accounted for those concerns.

188. For pleading purposes, Witherspoon should be treated as a witness, outcry source, and pattern witness. Her account was not merely corroboration of FOSTER in a direct factual sense. It was noticing evidence. It showed the Department had information that HEADLEY could be domineering, intimidating, disruptive, and traumatic to women in the workplace, yet the Department still allowed HEADLEY'S victim narrative to drive the disciplinary prosecution against FOSTER.

189. The Witherspoon outcry therefore fits the greater civil case as evidence of notice, selective enforcement, failure to investigate, failure to reassess, victim-status disregard, and ratification. It demonstrates that the Department did not simply miss a fact. It possessed a warning sign and failed to use it.

#### **The Gilbert Materials**

190. The Department's SIU and PW materials concerning Lieutenant Maria F. Gilbert were another warning sign that the investigation was not being handled as a neutral inquiry into defendant TREVLYN O. HEADLEY'S credibility, workplace conduct, Department access, and treatment of women. The Gilbert materials did not resolve the HEADLEY-related issues. They exposed how narrowly SIU framed them.

191. Gilbert was identified as a subject officer in connection with allegations of fraternization with a subordinate and failure to supervise. Those allegations were material because they placed Gilbert within the same Police Commissioner's Office environment where HEADLEY worked, where Headley-related complaints were being generated, and where Department access, office relationships, time issues, public communications, and internal protection were all at issue.

192. During Gilbert's AG interview on February 13, 2025, she acknowledged that she had worked in the Police Commissioner's Office for approximately one year before going to IAB and that she was friendly with HEADLEY, who was also assigned to the Police Commissioner's Office. Gilbert denied being HEADLEY'S direct supervisor. She also denied knowing or observing HEADLEY misuse or steal time, leave early, remain away from her desk for long periods, take a department vehicle without permission, or bully coworkers.

193. Those denials did not establish that the allegations were false. They established only that Gilbert denied knowledge or observation of the conduct. A neutral investigation would have tested those denials against attendance records, CityTime, building access records, vehicle logs, surveillance, desk assignments, witness statements, Witherspoon's account, public communications, and other complaint materials. SIU did not meaningfully do so in the Gilbert materials.

194. Gilbert also denied being in a "relationship" with HEADLEY while they worked together in the same office. That denial was narrow. It did not resolve whether Gilbert and HEADLEY had a questionable so-called "relationship" before working together, after working together, outside the office, or outside the limited timeframe used in the question. The wording mattered because the Department was investigating allegations that HEADLEY maintained overlapping so-called "relationships" with women inside and outside the Department and used office access, internal credibility, confidential information, and Department relationships to protect herself and discredit others.

195. The Department should not have treated Gilbert's limited denial as dispositive. It should have examined the full scope of the Gilbert-Headley connection, including whether Gilbert's friendship, proximity, office status, supervisory role, or personal connection to

HEADLEY affected how HEADLEY was treated inside the Police Commissioner's Office. It should have asked whether HEADLEY received favorable treatment, whether Gilbert protected or tolerated her, whether office personnel were reluctant to report HEADLEY, and whether HEADLEY'S internal relationships helped her avoid accountability.

196. Gilbert further reported that both she and HEADLEY began receiving anonymous text messages the prior year and that the messages had since stopped. That statement placed Gilbert inside the same communications universe that SIU later used to build the case against FOSTER. It was not a throwaway fact. It was an investigative lead.

197. A neutral investigation would have asked what the messages said, who received them, when they started, when they stopped, whether they referenced HEADLEY'S so-called "relationships," whether they referenced FOSTER, whether they referenced Witherspoon, whether they disclosed misconduct, whether Gilbert preserved screenshots or phone records, whether the messages were outcries or warnings, and whether the messages stopped because the Department had converted the matter into a disciplinary prosecution against FOSTER.

198. Instead, SIU accepted the Gilbert materials in a narrow administrative frame. Gilbert denied a "relationship" with HEADLEY while working together in the same office; denied knowing or observing HEADLEY-related time, vehicle, and bullying misconduct; and acknowledged receiving anonymous messages. But SIU did not use those facts to reassess HEADLEY'S credibility, motive, workplace protection, or role as complainant-source.

199. The Gilbert materials also mattered because they overlapped with the Witherspoon outcry. Witherspoon reported that she believed Captain Cooper, Gilbert, and HEADLEY wanted to fight her and that she overheard HEADLEY say she was 6'5" and could take care of herself. That placed Gilbert within the same perceived intimidation dynamic

described by another female member of the service. SIU should have used the Gilbert materials and Witherspoon's account together to examine whether HEADLEY operated with allies, protection, or informal power inside the Police Commissioner's Office. The Department did not meaningfully do so.

200. The Gilbert materials therefore support the broader civil theory. They show that the Department had notice that HEADLEY'S office relationships and internal affiliations were relevant to the investigation. They show that SIU possessed facts connecting Gilbert to HEADLEY, to the Police Commissioner's Office, to anonymous communications, and to allegations concerning supervision and fraternization. They also show that SIU narrowed the inquiry and failed to test the facts necessary to determine whether HEADLEY was protected, favored, or insulated inside the Department.

201. Defendant DAWIT FIKRU'S role is material because he reviewed and approved the Gilbert AG worksheet. By that stage, SIU had enough information to know the matter could not be treated as a simple stalking case. HEADLEY was a subject officer; Gilbert was a subject officer; Witherspoon had to be restored as a witness; multiple Headley-related complaints existed; and the Department had information bearing on Department-resource access, time issues, office status, and overlapping so-called "relationships." FIKRU nevertheless approved the narrow treatment of Gilbert's denials and allowed the Foster-centered structure to continue.

202. Defendant JOSEPH F. PROFETA'S earlier role is also material because the investigation had already been built and charged through the same Foster-centered framework before the later Gilbert materials were fully tested.

203. PROFETA'S charging role and approval of the investigative structure helped lock in the theory that FOSTER was the wrongdoer and HEADLEY was the victim-source, despite unresolved Headley-related contamination.

204. The IAB command defendants — MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO — were responsible for ensuring that internal investigations involving supervisors, sexual misconduct, retaliation, Department-resource misuse, and workplace intimidation were not reduced to narrow, self-serving denials by implicated personnel. The Gilbert materials required broader scrutiny. They required a conflict-aware assessment of whether HEADLEY'S office relationships and internal access affected the investigation. The command structure failed to require that assessment.

205. For pleading purposes, the Gilbert materials should be treated as notice evidence, credibility evidence, and investigative-defect evidence. They do not prove every allegation against Gilbert or HEADLEY by themselves. But they show that the Department possessed facts requiring deeper inquiry and instead used a narrow interview to contain, compartmentalize, and minimize Headley-related issues while maintaining the disciplinary case against FOSTER.

#### **The Headley Allegation Letters**

206. The Department's SIU and PW disclosures also revealed that the Department possessed multiple allegation letters, complaints, referrals, and public communications concerning defendant TREVLYN O. HEADLEY. These materials were significant because they were not limited to one isolated accusation. They reflected repeated, thematically consistent allegations bearing on HEADLEY'S credibility, workplace conduct, Department-resource

access, time and attendance practices, treatment of women, misuse of status, and ability to operate inside the Department with protection or favorable treatment.

207. The Headley allegation letters were not proof, by themselves, that every allegation against HEADLEY was true. But they were notice. They placed the Department on notice that HEADLEY was not a clean complainant-source and that the disciplinary case against plaintiff SHATORRA J. FOSTER could not be fairly evaluated without examining whether HEADLEY'S own conduct, motive, and Department access contaminated the investigation.

208. The disclosed materials showed that complaints concerning HEADLEY came through multiple channels, including public communications, emails, letters, and oversight-related referrals. The fact that complaints came through different routes mattered. It meant the Department was not dealing only with one internal statement or one isolated grievance. It had a broader set of materials repeatedly identifying Headley-related concerns that overlapped with issues later central to FOSTER'S claims.

209. Those allegations included time and attendance concerns. HEADLEY was accused of not being at her desk, failing to properly scan in or out, manually entering time, stealing time, or otherwise benefiting from timekeeping practices that ordinary members of the service would not have been permitted to use without scrutiny. Those allegations were material because they overlapped with Witherspoon's statement that HEADLEY did not do her work and was "never in the office," and they also bore on whether HEADLEY received protection or favored treatment inside the Police Commissioner's Office.

210. The letters and complaints also included allegations concerning Department vehicles, vehicle violations, and misuse of status. HEADLEY was accused of misusing Department vehicles, operating a personal vehicle with improper tints or no front license plate,

and using her connection to the Police Commissioner's Office or former Police Commissioner Caban's name to obtain or maintain preferential treatment. Those allegations were material because they went to Department privilege, abuse of status, and whether HEADLEY understood that her office assignment or internal relationships allowed her to operate outside ordinary rules.

211. The materials also included allegations concerning bullying, intimidation, and workplace dominance. These allegations overlapped with the Witherspoon outcry. Witherspoon later described HEADLEY as a domineering figure who bullied her inside the Police Commissioner's Office, interfered with her work space, bumped into her, and created a workplace experience that Witherspoon described as more traumatic than the death of her father. The allegation letters therefore had corroborative significance at least as notice: they showed that the Department had already received complaints consistent with later firsthand workplace-outcry evidence.

212. The materials further included allegations concerning Lieutenant Maria Gilbert and HEADLEY. Those allegations were significant because they connected HEADLEY'S office conduct to a possible questionable so-called "relationship," favoritism, protection, fraternization, and failure to supervise. Gilbert's later narrow denial did not resolve those issues. The allegation letters required the Department to test whether HEADLEY'S internal connections, friendships, or so-called "relationships" inside the Police Commissioner's Office affected how she was supervised, protected, or investigated.

213. The materials also included allegations involving intoxication, threats, shield misuse, and a reported history of violence. Those allegations were especially important because the Department's own materials also reflected HEADLEY'S prior Philadelphia assault-related disciplinary history. When viewed together, the allegation letters and prior discipline created

notice that HEADLEY'S credibility, impulse control, use of authority, and treatment of civilians or women required scrutiny before the Department accepted her victim narrative against FOSTER.

214. The Nya Rivera-related allegations were part of that same pattern. Those materials raised issues involving intoxication, threats, use of shield or status, and women present around HEADLEY. They were not minor collateral facts. They bore on whether HEADLEY used Department identity, physical presence, emotional volatility, and status to intimidate others or avoid accountability. They also bore on whether the Department had reason to investigate HEADLEY as a pattern actor rather than as a one-dimensional complainant.

215. A neutral investigation would have treated the HEADLEY allegation letters as investigative leads. The Department should have identified the source of each complaint, preserved the underlying communications, reviewed attachments, compared allegations against objective records, interviewed identified witnesses, tested time and attendance allegations against CityTime and Attendance App records, reviewed relevant video and vehicle logs, and assessed whether the allegations showed a broader pattern of HEADLEY-related misconduct.

216. The Department did not meaningfully use the allegation letters that way. Instead, the SIU and PW materials show that HEADLEY-related allegations were consolidated, summarized, categorized, and compartmentalized while the FOSTER-centered disciplinary theory continued. That distinction matters. Summarizing allegations is not the same as investigating them. Organizing a file is not the same as reassessing a contaminated theory. Listing HEADLEY-related allegations while continuing to treat FOSTER as the primary wrongdoer did not cure the investigative defect.

217. The allegation letters also should have caused the Department to reconsider how it was interpreting FOSTER’S alleged communications, anonymous reports, 311 contacts, and Department-resource concerns. Some of those communications may have been outcries, warnings, complaints, or attempts to expose misconduct. The Department treated them as charge-worthy misconduct against FOSTER while treating similar HEADLEY-related content as collateral material to be managed administratively. That selective classification is central to FOSTER’S claims.

218. Defendant DAWIT FIKRU’S role is material because his Commanding Officer Case Review specifically recognized that the allegation materials had to be reviewed and consolidated. He identified additional HEADLEY-related allegations that needed to be added, including bullying of Witherspoon, DWI, unfitness for duty, misuse of Department vehicle, failure to scan in or out, confidential information involving another member of the service, computer misuse involving FOSTER and Redman, and tracking FOSTER through the Attendance App. That review shows actual supervisory knowledge of the breadth of HEADLEY-related allegations.

219. But FIKRU did not treat that knowledge as requiring a neutral reset of the investigation. He maintained the premise that HEADLEY was “clearly a victim of stalking,” praised the prior SIU work as “great work,” and directed the team to “wrap it all up.” That is the ratification problem. FIKRU recognized that the file contained unresolved HEADLEY-related allegations and investigative defects, yet continued to approve the same FOSTER-centered disciplinary structure.

220. Defendant JOSEPH F. PROFETA’S role is also material because the early SIU command structure had already advanced the FOSTER-centered narrative and signed the

Charges and Specifications against FOSTER before the HEADLEY allegation materials were meaningfully used as grounds for reassessment. PROFETA'S charging role helped convert an incomplete and contaminated investigative theory into formal Department discipline.

221. The IAB command defendants — MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO — were responsible for ensuring that allegations involving Department supervisors, sexual misconduct, abuse of authority, retaliation, workplace intimidation, and misuse of Department resources were not minimized, compartmentalized, or selectively enforced. The HEADLEY allegation letters gave the command structure notice that the case required broader review. The command structure nevertheless allowed the Department to maintain the disciplinary case against FOSTER without first resolving whether HEADLEY'S own misconduct contaminated the process.

222. The allegation letters therefore fit the civil case as notice evidence, pattern evidence, and investigative-defect evidence. They do not need to be pleaded as establishing every underlying allegation against HEADLEY. Their legal significance is that they placed the Department on notice that HEADLEY'S credibility, motive, workplace conduct, Department-resource use, and treatment of women were all disputed and material. Once the Department had that notice, it could not fairly continue treating HEADLEY as a clean victim-source while treating FOSTER'S outcries and disclosures as misconduct.

223. The Department's handling of the HEADLEY allegation letters reinforces the central theory of this action. The Department possessed repeated warnings about HEADLEY. It had information that should have triggered conflict-aware reassessment. It had reason to question whether HEADLEY'S allegations against FOSTER were retaliatory, self-protective, or false. Instead, the Department organized the HEADLEY allegations into collateral lanes while

preserving the disciplinary case against FOSTER. That is not neutral investigation. It is institutional ratification.

#### **Fikru's April 16, 2025 Commanding Officer Case Review**

224. On or about April 16, 2025, defendant DAWIT FIKRU authored a Commanding Officer Case Review in SIU Case No. M-2024-1217. That review is one of the clearest examples of command-level knowledge, command-level ratification, and command-level failure to reassess the Foster-centered disciplinary theory.

225. The April 16, 2025 review was not a routine worksheet. It was a supervisory case review authored at the command level after the SIU file had already developed the theory that plaintiff SHATORRA J. FOSTER was the wrongdoer and defendant TREVLYN O. HEADLEY was the victim. By that date, the Department possessed substantial information showing that HEADLEY was not a neutral complainant, but a subject officer whose own conduct, credibility, motive, workplace behavior, Department-resource access, and treatment of women required scrutiny.

226. FIKRU opened the review by stating that “Lt. Headly was clearly a victim of stalking.” That statement is material because it shows the premise from which he approached the case. FIKRU did not begin from neutrality. He did not begin by asking whether HEADLEY’s allegations were reliable, retaliatory, self-protective, or contaminated by her own misconduct. He began by accepting the HEADLEY-as-victim framework, even while his own April 16, 2025 review identified unresolved Headley-related allegations and investigative defects that should have prevented that conclusion.

227. FIKRU then wrote, “Let us bring all the great work performed together and wrap it all up.” That language is also material. It shows ratification. FIKRU did not repudiate the prior

SIU work as incomplete, biased, contaminated, or structurally defective. He characterized it as “great work” and directed the team to “wrap it all up,” even though the same April 16, 2025 review identified missing investigative steps, missing witnesses, incomplete attachment review, unresolved Headley-related allegations, and role-classification problems.

228. FIKRU directed SIU personnel to review and consolidate multiple emails, letters, Chief of Internal Affairs (CHIA) complaints, Commission to Combat Police Corruption (CCPC) complaints, Police Commissioner’s Office communications, and Civilian Complaint Review Board (CCRB) referrals involving HEADLEY. That direction confirmed that the Department possessed a broad cluster of HEADLEY-related complaints and that those materials had not been adequately reviewed, summarized, or integrated into the investigation. The issue was not a lack of notice. The issue was what the Department did after receiving that notice.

229. FIKRU specifically identified additional allegations against HEADLEY that needed to be added or addressed, including bullying Sergeant Flore Witherspoon, DWI, unfitness for duty, misuse of a department vehicle, a MOS/MOS dispute involving entry into Police Academy parking after being instructed not to enter, failure to scan in or out through the Attendance App, and allegations concerning manual time entries. These allegations bore directly on HEADLEY’S workplace conduct, credibility, impulse control, Department-resource use, and whether she received favorable or protected treatment.

230. FIKRU also identified allegations concerning confidential information involving a female police officer, including why she was modified. That allegation was significant because it fit the broader theory that HEADLEY used or possessed confidential information concerning vulnerable women connected to her. FIKRU’S recognition of that allegation placed him on notice that the case required more than a narrow stalking analysis. It required inquiry into

whether HEADLEY used Department access, confidential information, and internal knowledge as leverage, pressure, or control.

231. FIKRU further identified computer misuse allegations against HEADLEY, including that HEADLEY ran FOSTER in CPR/CPI and allegedly knew about prior confidential Department information. He also identified the issue of whether HEADLEY tracked FOSTER through the Attendance App. Those facts were central to the Department-resource-misuse theory. They showed that HEADLEY'S access to Department systems and information was directly connected to FOSTER and to the same highly coercive so-called "relationship" that later became the center of the Department's disciplinary case.

232. FIKRU also directed that the Attendance App be checked for eighteen months and compared against CityTime. That direction confirmed that timekeeping and attendance issues involving HEADLEY required objective review. It also confirmed that the Department could not fairly accept or reject HEADLEY-related allegations without examining Department records. Yet the Department's treatment of those issues remained compartmentalized, while FOSTER'S alleged Department-system use was treated as charge-worthy misconduct.

233. FIKRU expressly directed that Sergeant Witherspoon be made a witness again because she "should not have been removed." That admission is critical. It confirms that SIU had improperly removed or failed to preserve an important witness whose account bore directly on HEADLEY'S workplace conduct, treatment of women, intimidation, and credibility. Witherspoon was not a minor witness. She later described HEADLEY as a domineering figure who bullied her in the Police Commissioner's Office and caused severe emotional impact. FIKRU'S review confirms command-level knowledge that Witherspoon's removal was improper.

234. FIKRU also directed that a computer audit be conducted concerning HEADLEY'S running of FOSTER and another female officer. That direction confirmed that HEADLEY'S computer access was not collateral. It was an issue requiring audit. Yet FIKRU did not treat that audit requirement as a reason to pause or reassess the FOSTER-centered theory. Instead, he continued to preserve the case structure that treated FOSTER as the wrongdoer.

235. FIKRU further directed SIU to determine whether FOSTER reported to HEADLEY during the period of the highly coercive so-called "relationship," and stated that if so, fraternization would be implicated. That direction was too narrow. It treated formal reporting status as the principal power-imbalance question. A direct command relationship would have mattered, but its absence did not resolve whether HEADLEY used rank, workplace access, Department credibility, confidential information, Department systems, or IAB processes to groom, pressure, monitor, exploit, or retaliate against FOSTER.

236. FIKRU also directed corrections to FOSTER'S subject update and instructed that each allegation corresponding to a Charges and Specifications paragraph should identify the specification number. That instruction shows that the investigation was being organized to support the disciplinary prosecution against FOSTER. The review was not merely about investigating Headley-related issues. It was also about cleaning and aligning the record for the existing FOSTER charges.

237. FIKRU directed that HEADLEY'S vehicle violations, including no front plate and tints, could not be closed as minor procedural violations and would be substantiated. That point matters because some HEADLEY-related allegations were not baseless. The Department itself recognized that certain allegations against HEADLEY had merit. Yet that recognition did

not cause the Department to reassess whether the larger HEADLEY-centered complaint narrative was contaminated.

238. FIKRU'S rolodex instructions were also significant. He directed that FOSTER be removed as a complainant because she was already a subject and "can only be listed once." That administrative instruction captures the core human-rights problem. FOSTER had multiple substantive roles: victim, complainant, witness, outcry source, and disciplinary subject. The Department's system reduced her to one role — subject — and that reduction shaped the investigation. By treating FOSTER as only the subject, the Department erased the context of grooming, coercion, retaliation, and outcry.

239. FIKRU also directed that Nya Rivera be placed back as a civilian witness and noted that Sergeant Jeymi Montas's mother and sister should have been interviewed regarding texts. Those points show that material witnesses and leads were missing or mishandled. They also show that the investigation had not been complete when the Department had already advanced the FOSTER-centered theory.

240. The most important feature of FIKRU'S review is the contradiction between what he knew and what he did. He knew HEADLEY had to remain a subject officer. He knew additional HEADLEY-related allegations needed to be added. He knew Witherspoon should not have been removed. He knew computer audits involving HEADLEY were required. He knew additional witnesses should have been interviewed. He knew role classifications needed correction. Yet he did not order a neutral reassessment of the entire case. He did not direct that FOSTER be restored as a victim, complainant, witness, and outcry source. He did not direct a victim-status-sensitive review. He did not direct an investigation into whether FOSTER'S

alleged communications and 311 contacts were outcries. He did not direct that the disciplinary prosecution be paused or reconsidered.

241. Instead, FIKRU ratified the prior SIU work, praised it, and directed the team to “wrap it all up.” That is why his conduct is central to this action. His review shows that the Department did not lack information. The Department had the information. The Department recognized defects. The Department recognized unresolved HEADLEY-related issues. The Department recognized that witnesses had been mishandled. The Department nevertheless preserved the FOSTER-centered disciplinary structure.

242. FIKRU’S Commanding Officer Case Review therefore supports FOSTER’S claims for failure to investigate, failure to reassess, selective enforcement, retaliation, victim-status discrimination, misuse of Department processes, and ratification. It shows command-level notice and command-level approval after notice. It also shows how the Department converted a contaminated investigative record into a disciplinary case rather than correcting the contamination.

### **The June 27–29, 2025 Sequence**

243. The June 27–29, 2025 sequence is central to this action because it shows what the Department did after it had formal notice that plaintiff SHATORRA J. FOSTER was alleging sexual harassment, coercion, retaliation, abuse of authority, and sexual assault by defendant TREVLYN O. HEADLEY.

244. On June 27, 2025, FOSTER filed her Verified Answer with Counterclaims in *Headley v. City of New York, et al.*, Index No. 155228/2025, Supreme Court of the State of New York, County of New York. In that pleading, FOSTER alleged that HEADLEY sexually

harassed her, sexually coerced her, retaliated against her, abused Department authority over her, and sexually assaulted her inside NYPD Headquarters on or about March 14, 2024.

245. The June 27, 2025 filing changed the Department's notice posture. Before that date, the Department may attempt to claim that FOSTER had not formally disclosed the alleged sexual assault. After that date, no such claim was available. The Department had formal notice, in a filed court pleading, that FOSTER was alleging sexual assault and sexual misconduct by the same Department supervisor whose accusations had been used to build the disciplinary case against her.

246. Within hours after FOSTER filed the Verified Answer with Counterclaims, HEADLEY was demoted. That timing is material. HEADLEY'S demotion did not occur in isolation. It occurred immediately after FOSTER placed allegations of sexual harassment, coercion, retaliation, abuse of authority, and sexual assault into the public court record. The Department therefore had notice not only of FOSTER'S allegations, but also of Department action against HEADLEY temporally connected to those allegations.

247. Two days later, on June 29, 2025, SIU uploaded both FOSTER'S Verified Answer with Counterclaims and the Finest message reflecting HEADLEY'S demotion into the SIU file. That upload placed both events directly inside the Department's investigative record. SIU now had the formal pleading alleging sexual assault and misconduct by HEADLEY, and it had the Department record reflecting HEADLEY'S demotion within hours of that pleading.

248. That sequence required immediate reassessment. A neutral, victim-status-sensitive, conflict-aware investigation would have paused the Foster-centered disciplinary case and asked whether HEADLEY'S allegations against FOSTER were retaliatory, self-protective, false, or contaminated by HEADLEY'S own misconduct. It would have reassessed

HEADLEY'S credibility, motive, subject-officer status, Department-resource access, and role as complainant-source. It would have preserved FOSTER'S role as a victim, complainant, witness, and outcry source. It would have opened, conducted, or referred a meaningful investigation into FOSTER'S counterclaims, including the alleged March 14, 2024 sexual assault inside NYPD Headquarters.

249. The Department did not do that. Instead, after the counterclaims and demotion notice were placed into the SIU file, SIU removed FOSTER as a witness and updated the allegations against FOSTER as substantiated. That administrative sequence is central: formal sexual-assault allegations by FOSTER were uploaded; HEADLEY'S demotion was uploaded; FOSTER was removed as a witness; and the Department preserved the disciplinary findings against FOSTER.

250. The Department also did not open, conduct, or document any meaningful investigation into FOSTER'S counterclaims. It did not treat FOSTER'S court pleading as a sexual-assault complaint. It did not reinterview FOSTER as a victim or complainant. It did not refer the alleged sexual assault for a meaningful sex-crime or victim-status-sensitive review. It did not reassess whether FOSTER'S earlier complaints, anonymous communications, 311 contacts, Department-resource concerns, and disclosures were outcries connected to grooming, coercion, retaliation, and fear.

251. Instead, the Department used a procedural maneuver to erase FOSTER'S witness posture while preserving her subject status. That is not a neutral investigative response. It is post-notice ratification of a contaminated disciplinary theory.

252. The June 27–29, 2025 sequence also exposes the inadequacy of the purported SIU and PW processes. If the Department's investigative and prosecutorial-review structures were

functioning properly, the filing of FOSTER'S counterclaims and the immediate demotion of HEADLEY would have triggered a substantive reassessment. The Department would have asked whether the disciplinary case against FOSTER was now unreliable, retaliatory, or infected by HEADLEY'S own misconduct. Instead, the Department treated the counterclaims and demotion as materials to be uploaded, not as facts requiring institutional correction.

253. Defendant DAWIT FIKRU'S role is material because the later SIU approval chain ratified the post-counterclaim handling of the file. By this point, FIKRU had already authored the April 16, 2025 Commanding Officer Case Review, knew that HEADLEY should remain a subject officer, knew that unresolved HEADLEY-related allegations existed, knew that computer audits and witness corrections were required, and nevertheless continued to approve the FOSTER-centered investigative structure.

254. Defendant JOSEPH F. PROFETA'S role is also material because the Department's disciplinary case had already been converted into formal Charges and Specifications through the SIU command structure. PROFETA signed the Charges and Specifications, and defendant CHRIS D. MORELLO concurred in their issuance to the Police Commissioner. The June 27–29, 2025 sequence therefore did not arise in a vacuum. It occurred after command-level defendants had already converted the contaminated SIU theory into a formal Department prosecution.

255. The IAB command defendants — MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, and JOSEPH A. DIBARTOLOMEO — are material because the Department's response after June 27, 2025 reflects command-level failure to ensure that serious allegations of sexual assault, sexual coercion, retaliation, abuse of authority, and

Department-resource misuse were investigated before the Department continued its disciplinary prosecution of the alleged victim.

256. The June 27–29, 2025 sequence therefore supports FOSTER’S claims for retaliation, victim-status discrimination, selective enforcement, failure to investigate, failure to reassess, and ratification. It shows that the Department had formal notice of FOSTER’S sexual-assault and sexual-misconduct allegations, had notice that HEADLEY was demoted within hours of those allegations being filed, and nevertheless preserved the disciplinary case against FOSTER while failing to meaningfully investigate the claims against HEADLEY.

#### **The Prosecutorial Declinations and Criminal-Side Non-Prosecution Decisions**

257. The criminal-side history is material because the Department did not receive one isolated signal that prosecution would not proceed. The disclosed PW and SIU materials reflect multiple points at which prosecutorial or criminal-side review did not move forward, while the Department nevertheless continued to maintain an internal disciplinary prosecution against plaintiff SHATORRA J. FOSTER using criminalized labels and allegations.

258. The materials reflect that the Manhattan District Attorney’s Office declined prosecution on or about April 18, 2025. The Department later documented that declination in the SIU materials after conferral with Group 51. That declination did not automatically bar internal discipline. The NYPD may pursue internal discipline even where a prosecutor declines criminal charges. But that is not the issue. The issue is that the Department continued to rely upon criminalized allegations — including stalking, aggravated harassment, false reporting, and harassment — after the criminal-side case did not proceed and after the Department possessed substantial information undermining defendant TREVLYN O. HEADLEY’S credibility, motive, and complainant-source status.

259. The PW materials also reflect that the matter had been presented to the Manhattan District Attorney's Office Police Accountability Unit. After being presented with the facts of the case and after interviewing the complaining witness, the Police Accountability Unit chose not to open a criminal investigation. That fact is independently significant. It shows another criminal-side decision not to proceed, yet the Department continued to maintain the same FOSTER-centered disciplinary theory.

260. Those criminal-side non-prosecution decisions should have triggered reassessment. A neutral, victim-status-sensitive, conflict-aware review would have asked why criminal prosecution was declined, why the Police Accountability Unit chose not to open a criminal investigation, what evidence was missing or insufficient, whether the attribution theory was defective, whether HEADLEY'S credibility or motive created problems, whether the alleged communications and 311 contacts were being misclassified as misconduct rather than outcries, and whether the Department's internal charges had become a substitute for a criminal theory that prosecutors did not pursue.

261. The Department did not meaningfully document that reassessment. Instead, the Department treated the prosecutorial non-action as administratively manageable while continuing the internal disciplinary case against FOSTER. The PW matter was closed in an Information-and-Intelligence posture, yet the same materials were used to support or preserve substantiated disciplinary allegations and Charges and Specifications against FOSTER.

262. That posture is internally inconsistent. The Department cannot develop a criminal-side prosecutorial-wall file, confer with prosecutors, use criminalized allegations, attach or rely upon signed Charges and Specifications, close the PW matter as Information and Intelligence, and then ignore the significance of the prosecutors' decisions not to proceed. The

declinations and non-prosecution decisions did not end the Department's authority to discipline, but they required the Department to confront whether the disciplinary case remained fair, reliable, and untainted.

263. The timing makes the omission more significant. By the time the Department documented or acted around these criminal-side non-prosecution events, it possessed information concerning HEADLEY'S subject-officer status, the November 15, 2023 CPR/CPI search of FOSTER, the Philadelphia assault-related disciplinary history, the Witherspoon outcry, the Gilbert materials, the Headley allegation letters, and defendant DAWIT FIKRU'S April 16, 2025 Commanding Officer Case Review identifying unresolved Headley-related allegations and investigative defects.

264. The Department then received additional formal notice on June 27, 2025, when FOSTER filed her Verified Answer with Counterclaims in *Headley v. City of New York, et al.*, Index No. 155228/2025, Supreme Court of the State of New York, County of New York, alleging sexual harassment, coercion, retaliation, abuse of authority, and sexual assault by HEADLEY. Within hours, HEADLEY was demoted. Two days later, SIU uploaded both FOSTER'S counterclaims and the Finest message reflecting HEADLEY'S demotion into the SIU file.

265. At that point, the Department had multiple reassessment triggers: criminal-side non-prosecution, formal sexual-assault allegations by FOSTER, HEADLEY'S demotion, unresolved Headley-related misconduct, and the Department's own records showing that HEADLEY was not a clean complainant-source. The Department still did not open, conduct, or document any meaningful investigation into FOSTER'S counterclaims, including the alleged March 14, 2024 sexual assault inside NYPD Headquarters.

266. The prosecutorial declinations and criminal-side non-prosecution decisions support FOSTER'S selective-enforcement theory. The Department treated FOSTER'S alleged conduct as stalking, aggravated harassment, false reporting, and harassment, even though prosecutors did not proceed criminally. At the same time, the Department minimized or compartmentalized HEADLEY-related conduct, including Department-resource misuse, subject-officer status, workplace misconduct, the November 15, 2023 CPR/CPI search, and FOSTER'S later sexual-assault allegations.

267. They also support the retaliation theory. Once criminal-side authorities did not proceed, the Department's continued pursuit of FOSTER through internal discipline became more suspect, particularly after FOSTER alleged that HEADLEY used Department processes to retaliate against her and cover up sexual misconduct. A neutral Department would have reassessed whether the internal disciplinary case was being used to continue the very retaliation that FOSTER alleged.

268. The prosecutorial declinations and criminal-side non-prosecution decisions therefore fit the civil case as reassessment triggers. They did not prevent the Department from disciplining FOSTER. But they did require the Department to confront whether the disciplinary case remained fair, reliable, and untainted after prosecutors declined or chose not to proceed, after HEADLEY was revealed as a subject officer with her own misconduct issues, and after FOSTER formally alleged sexual assault, coercion, retaliation, and abuse of authority by HEADLEY. The Department's failure to reassess is part of the alleged retaliation, selective enforcement, victim-status discrimination, failure to investigate, and ratification of a contaminated HEADLEY-driven disciplinary case.

### **IAB COMMAND SHAKEUP AND INSTITUTIONAL CONTEXT**

269. The Department's handling of plaintiff SHATORRA J. FOSTER'S disciplinary prosecution cannot be separated from the Internal Affairs Bureau command environment in which it occurred.

270. The FOSTER/HEADLEY matter arose during the same period in which the NYPD was confronting serious allegations that senior and favored Department actors were using rank, office access, overtime control, internal influence, Department resources, and institutional power to sexually exploit, control, retaliate against, and silence female subordinates.

271. Those allegations were not abstract. Retired Lieutenant Quathisha Epps publicly alleged that former Chief of Department Jeffrey B. Maddrey sexually coerced, sexually assaulted, exploited, and retaliated against her through his rank, office, overtime authority, Department access, and institutional power. Those allegations triggered a public and internal crisis within the NYPD and placed the Department's handling of sexual misconduct, retaliation, abuse of authority, overtime abuse, favoritism, and command-level protection under direct scrutiny.

272. The timing is material. On or about December 18, 2024, the Department issued Charges and Specifications against FOSTER. Those Charges and Specifications were signed by defendant JOSEPH F. PROFETA. On or about December 19, 2024, defendant CHRIS D. MORELLO, then Deputy Chief and Executive Officer within the Internal Affairs Bureau, concurred in the issuance of those Charges and Specifications to the Police Commissioner.

273. Within days, the Department entered a command-level crisis following retired Lieutenant Epps's allegations against Maddrey. Defendant MIGUEL A. IGLESIAS was relieved as Chief of Internal Affairs. Defendant MORELLO was removed from his Internal Affairs Bureau post. Defendant PROFETA was transferred out of his IAB assignment. These personnel

changes occurred in the same institutional period in which FOSTER'S case had just been advanced through the IAB/SIU charging structure.

274. Those personnel changes are not collateral background. They are relevant because FOSTER'S case was handled by the same IAB command environment that was under scrutiny for lack of oversight, tolerance of serious misconduct, and failure to police abuse by senior or protected Department actors.

275. Defendant IGLESIAS, as Chief of Internal Affairs, was responsible for the Internal Affairs Bureau's command environment, investigative integrity, supervisory review, and handling of serious allegations involving sexual misconduct, abuse of authority, retaliation, misuse of Department resources, and criminal or quasi-criminal conduct by members of the service. His removal following the Maddrey/Epps scandal is material because it reflected a department-level recognition that the IAB command regime responsible for policing serious misconduct had failed to provide adequate oversight.

276. Defendant MORELLO'S role is even more direct. MORELLO was not merely part of IAB leadership. He personally concurred in the issuance of the Charges and Specifications against FOSTER immediately before the IAB command shakeup. His endorsement helped convert a contaminated HEADLEY-driven investigative narrative into a formal disciplinary prosecution against FOSTER. His subsequent removal from IAB leadership is relevant because it places his charging endorsement within a command structure that was simultaneously being scrutinized for failing to confront sexual misconduct, retaliation, corruption, and abuse of authority by powerful Department actors.

277. Upon information and belief, MORELLO'S own history and institutional conduct concerning female subordinates, Department-resource use, inappropriate conduct in the

workplace, and tolerance of similar misconduct are relevant to notice, motive, ratification, credibility, and the Department's failure to treat similar misconduct by HEADLEY as serious abuse of authority rather than as collateral or administrative misconduct.

278. Defendant PROFETA likewise occupied a direct charging and command role. PROFETA signed the Charges and Specifications against FOSTER and had exercised SIU command-level authority over the investigative structure that converted FOSTER from victim, complainant, witness, and outcry source into subject officer. His transfer out of IAB following the same Department shakeup is material because it further connects the FOSTER/HEADLEY investigation to the IAB leadership structure that was being displaced amid allegations of lack of oversight and institutional failure.

279. After IGLESIAS was relieved, defendant EDWARD A. THOMPSON was installed as Chief of Internal Affairs. THOMPSON was defendant JESSICA S. TISCH'S personal choice to take command of IAB during a Department crisis involving allegations of sexual coercion, retaliation, overtime abuse, misuse of Department authority, and senior-command misconduct. THOMPSON was publicly positioned as the corrective command choice to restore integrity, root out corruption, and address the Department's failure of oversight.

280. That selection is material because THOMPSON was not a passive successor. He was installed as the integrity remedy. He assumed responsibility for IAB at the precise moment when the Department knew its internal oversight function had failed or was perceived to have failed in handling serious misconduct by senior or protected members of the service.

281. Plaintiff alleges, however, upon information and belief, that THOMPSON'S appointment did not cure the institutional problem. To the contrary, THOMPSON has his own history and institutional conduct concerning female subordinates, Department-resource use,

inappropriate conduct in the workplace, and abuse of command authority, making him ill-suited to correct the same type of misconduct, power imbalance, retaliation, and Department-resource misuse alleged in the FOSTER/HEADLEY matter.

282. Upon information and belief, THOMPSON engaged in, tolerated, or benefited from workplace dynamics involving female subordinates, Department resources, and inappropriate personal conduct that mirrored the same institutional failures at issue here: abuse of rank, misuse of access, exploitation of vulnerable female employees, and the Department's tendency to minimize or normalize misconduct by favored supervisors.

283. THOMPSON therefore cannot be treated as a neutral reform figure for purposes of this action. He was TISCH'S chosen replacement to restore integrity to IAB, but plaintiff alleges that he was himself part of the same command culture that allowed misconduct involving female subordinates, Department access, and abuse of authority to be normalized, minimized, or ignored.

284. Once THOMPSON assumed command, he was legally and operationally responsible for ensuring that pending investigations, including the FOSTER/HEADLEY matter, were not infected by the same tolerance of sexual misconduct, retaliation, abuse of authority, favoritism, and misuse of Department resources. That responsibility included ensuring that FOSTER was not treated solely as a disciplinary subject after Department materials showed she was also a victim, complainant, witness, and outcry source.

285. Defendant JOSEPH A. DIBARTOLOMEO, as a Deputy Chief within IAB, likewise exercised supervisory and operational responsibility over IAB investigative personnel, review processes, and case handling.

286. Upon information and belief, DIBARTOLOMEO also has a history concerning the use of Department resources, workplace authority, and inappropriate conduct involving female subordinates. That history is relevant to the Department's tolerance of similar conduct by HEADLEY, the failure to properly investigate the highly coercive so-called "relationship," and the selective treatment of FOSTER'S disclosures as charge-worthy misconduct.

287. The FOSTER/HEADLEY matter required command-level intervention, not routine processing. The file contained sexual-misconduct allegations, retaliation allegations, outcry evidence, Department-resource misuse, a highly coercive so-called "relationship," a November 15, 2023 CPR/CPI search by HEADLEY of FOSTER, Headley-related complaints by other women, and later formal counterclaims alleging sexual assault. A properly functioning IAB command structure would have required reassessment before preserving the disciplinary case against FOSTER.

288. The IAB command shakeup also matters because the FOSTER/HEADLEY matter involved the same institutional themes that surrounded the Maddrey/Epps crisis: sexual coercion, sexual assault, abuse of rank, misuse of Department authority, exploitation of vulnerable female subordinates, retaliation, command protection, and institutional reluctance to confront misconduct by favored or powerful actors. FOSTER alleges that those same failures infected the Department's response to HEADLEY.

289. The Department's conduct after the shakeup confirms the continuing failure. Even after the leadership changes, the Department did not meaningfully investigate FOSTER'S counterclaims, including the allegation that HEADLEY sexually assaulted her inside NYPD Headquarters on or about March 14, 2024. The Department did not restore FOSTER'S victim, complainant, witness, and outcry status. The Department did not reassess whether the

disciplinary case was contaminated by HEADLEY'S misconduct. Instead, the Department continued to maintain the FOSTER-centered disciplinary prosecution.

290. The IAB command shakeup therefore supports the institutional claims in this action. It shows that the Department knew, at the highest levels, that its internal oversight structure was in crisis. It shows that the same IAB regime that advanced the charges against FOSTER was displaced for lack of oversight during a sexual-misconduct and corruption scandal. It shows that TISCH'S selected successor, THOMPSON, was required to reassess pending matters involving sexual misconduct, retaliation, and abuse of authority, but failed to do so. And it alleges that THOMPSON, DIBARTOLOMEO, and MORELLO were not neutral integrity actors, but part of the same command culture that minimized or tolerated misconduct involving female subordinates and Department resources.

291. For those reasons, the IAB command shakeup is not pleaded as media background. It is pleaded as institutional context, notice evidence, ratification evidence, and proof that the FOSTER/HEADLEY matter was handled inside a department command structure that failed to confront sexual misconduct and retaliation by protected Department actors while aggressively pursuing a female officer who alleged victimization, coercion, and sexual assault.

#### **DEMOTION AND CAREER INJURY**

292. The Department's handling of plaintiff SHATORRA J. FOSTER did not remain confined to investigative classifications, worksheet entries, or internal disciplinary theory. The contaminated investigation produced concrete career injury.

293. On or about April 24, 2026, FOSTER was demoted from probationary detective to police officer. That demotion occurred only weeks before she would have completed her probationary period. The timing is material because the Department did not merely maintain

allegations in an internal file; it converted the HEADLEY-driven disciplinary narrative into a career-altering adverse action at the precise point when FOSTER was approaching a significant employment milestone.

294. By April 24, 2026, the Department had ample notice that defendant TREVLYN O. HEADLEY was not a neutral complainant. The Department's own materials reflected HEADLEY-related contamination, including the November 15, 2023 CPR/CPI search of FOSTER, HEADLEY'S subject-officer status, the Witherspoon outcry, the Gilbert materials, allegation letters concerning HEADLEY, the Philadelphia assault-related disciplinary history, and the Department's own internal action against HEADLEY.

295. By April 24, 2026, the Department also had notice that the criminal-side review had not proceeded. The Manhattan District Attorney's Office had declined prosecution, and other prosecutorial or criminal-side review did not move forward. Yet the Department continued to maintain the internal disciplinary case using criminalized allegations, including stalking, aggravated harassment, false reporting, and harassment.

296. The demotion also occurred after FOSTER filed her Verified Answer with Counterclaims on June 27, 2025, in *Headley v. City of New York, et al.*, Index No. 155228/2025, Supreme Court of the State of New York, County of New York, formally alleging sexual harassment, coercion, retaliation, abuse of authority, and sexual assault by HEADLEY. Within hours of that filing, HEADLEY was demoted. Two days later, SIU uploaded FOSTER'S counterclaims and HEADLEY'S demotion into the SIU file. Rather than open or document a meaningful investigation into FOSTER'S allegations, the Department removed FOSTER as a witness and updated the allegations against her as substantiated.

297. The April 24, 2026 demotion therefore cannot be separated from the broader institutional sequence. It occurred after the Department had the SIU/PW materials, after it had notice of FOSTER'S counterclaims, after HEADLEY had been demoted, after criminal-side review did not proceed, and after the Department had months to reassess whether the disciplinary case against FOSTER was contaminated by HEADLEY'S misconduct, false allegations, retaliatory motive, and Department-resource access.

298. The Department did not meaningfully investigate FOSTER'S counterclaims, including the alleged March 14, 2024 sexual assault inside NYPD Headquarters. It did not restore FOSTER'S victim, complainant, witness, and outcry status. It did not reassess whether FOSTER'S anonymous complaints, 311 contacts, Department-resource concerns, and disclosures were outcries connected to grooming, coercion, retaliation, and fear. Instead, it preserved the FOSTER-centered disciplinary prosecution and imposed a concrete adverse employment action.

299. FOSTER'S demotion affected her rank, status, reputation, career trajectory, future opportunities, earning capacity, and standing within the Department. It also reinforced the Department's retaliatory message: after FOSTER resisted HEADLEY, preserved evidence, asserted formal counterclaims, and challenged the Department's handling of Headley-related misconduct, the Department acted against FOSTER rather than meaningfully investigate her allegations.

300. The April 24, 2026 demotion supports FOSTER'S retaliation, selective-enforcement, victim-status discrimination, failure-to-investigate, failure-to-reassess, and ratification theories. It is the point at which the Department's contaminated investigative and disciplinary process became a concrete career injury.

### CONCLUSION

301. This action does not duplicate FOSTER'S pending claims against HEADLEY in *Headley v. City of New York, et al.*, Index No. 155228/2025, Supreme Court of the State of New York, County of New York. Those claims concern HEADLEY'S alleged sexual harassment, coercion, retaliation, abuse of authority, and sexual assault.

302. This action focuses on what the Department and command-level defendants did with the evidence after they knew, or should have known, that HEADLEY'S allegations against FOSTER were false, retaliatory, self-protective, fabricated, and materially contaminated.

303. The Department possessed information showing that HEADLEY was not a neutral complainant, including her November 15, 2023 CPR/CPI search of FOSTER, subject-officer status, the Witherspoon outcry, the Gilbert materials, the Headley allegation letters, criminal-side non-prosecution decisions, HEADLEY'S demotion, and FOSTER'S Verified Answer with Counterclaims.

304. Rather than reassess the case, the Department preserved and ratified a FOSTER-centered disciplinary narrative. It treated FOSTER'S outcries, anonymous complaints, 311 contacts, Department-resource concerns, and disclosures as misconduct while minimizing or compartmentalizing HEADLEY-related evidence.

305. On or about April 24, 2026, FOSTER was demoted from probationary detective to police officer only weeks before she would have completed her probationary period. That demotion converted the false, fabricated, and contaminated investigative narrative into a concrete adverse employment action.

306. Accordingly, this action challenges HEADLEY'S false statements and fabricated evidence, and the Department's adoption of, reliance upon, ratification of, and failure to correct

that contaminated disciplinary narrative. It further challenges defendants' failure to investigate, failure to reassess, selective enforcement, retaliation, victim-status discrimination, misuse of Department processes, and reliance on contaminated evidence under the New York State Human Rights Law, Executive Law § 296 et seq., the New York City Human Rights Law, Administrative Code § 8-107 et seq., and other applicable law.

**VIOLATIONS AND CLAIMS ALLEGED**

**COUNT I**

**Sexual Harassment**

**New York State Human Rights Law**

**Executive Law § 296 et seq.**

**Against All Defendants**

307. Plaintiff SHATORRA J. FOSTER repeats and realleges the preceding paragraphs as if fully set forth herein.

308. Defendant TREVLYN O. HEADLEY subjected FOSTER to sex-based harassment, coercion, abuse of authority, and retaliatory misuse of Department processes.

309. HEADLEY further made false statements, fabricated evidence, and advanced a false disciplinary narrative against FOSTER to conceal her own misconduct and criminal conduct and to portray FOSTER as the wrongdoer.

310. Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU knew or should have known that HEADLEY'S allegations were false, retaliatory, self-protective, and materially contaminated, but adopted, approved, relied upon, and ratified them.

311. Those defendants further failed to stop the fabricated disciplinary narrative and intentionally failed to investigate FOSTER'S counterclaims, including her allegation that HEADLEY sexually assaulted her inside NYPD Headquarters.

312. The individual defendants aided, abetted, participated in, approved, or ratified the unlawful conduct within the meaning of Executive Law § 296(6).

313. As a result, FOSTER suffered damages.

**COUNT II**  
**Discrimination Based on Status as a Victim of Domestic Violence**  
**New York State Human Rights Law**  
**Executive Law § 296 et seq.**  
**Against All Defendants**

314. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

315. FOSTER was an actual or perceived victim of domestic violence, coercion, abuse, stalking, intimidation, retaliation, and related misconduct by HEADLEY.

316. Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU discriminated against FOSTER because of that actual or perceived status by treating her as a disciplinary wrongdoer rather than as a victim, complainant, witness, and outcry source.

317. HEADLEY used false statements and fabricated evidence to reverse victimhood, cast herself as the victim, and trigger or maintain Department action against FOSTER.

318. The individual defendants adopted, approved, relied upon, and ratified HEADLEY'S false narrative, failed to stop it, and intentionally failed to investigate FOSTER'S counterclaims, including the alleged sexual assault.

319. The individual defendants aided, abetted, participated in, approved, or ratified the unlawful conduct within the meaning of Executive Law § 296(6).

320. As a result, FOSTER suffered damages.

**COUNT III**  
**Hostile Work Environment**  
**New York State Human Rights Law**  
**Executive Law § 296 et seq.**  
**Against All Defendants**

321. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

322. Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU subjected FOSTER to a hostile work environment because of sex and because of her actual or perceived status as a victim of domestic violence and related abuse.

323. The hostile work environment included HEADLEY'S false statements, fabricated evidence, retaliatory accusations, misuse of Department resources, and weaponization of IAB and disciplinary processes.

324. The hostile work environment was further created and maintained by the individual defendants' adoption, approval, reliance upon, and ratification of the fabricated disciplinary narrative against FOSTER.

325. Defendants failed to take appropriate corrective action, failed to stop the ongoing retaliatory process, and intentionally failed to investigate FOSTER'S counterclaims, including the alleged sexual assault.

326. The individual defendants aided, abetted, participated in, approved, or ratified the hostile work environment within the meaning of Executive Law § 296(6).

327. As a result, FOSTER suffered damages.

**COUNT IV  
Retaliation  
New York State Human Rights Law  
Executive Law § 296(7)  
Against All Defendants**

328. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

329. FOSTER engaged in protected activity by resisting HEADLEY’S conduct, preserving evidence, making disclosures, filing counterclaims, opposing discriminatory treatment, and challenging the Department’s handling of HEADLEY-related misconduct.

330. HEADLEY retaliated against FOSTER by making false statements, fabricating evidence, falsely accusing FOSTER, and using IAB and Department disciplinary processes to punish her.

331. The Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU retaliated against FOSTER by adopting, approving, relying upon, and ratifying HEADLEY’S false and fabricated narrative, failing to stop the disciplinary prosecution, failing to investigate FOSTER’S counterclaims, and demoting FOSTER from probationary detective to police officer on or about April 24, 2026.

332. Defendants’ conduct was causally connected to FOSTER’S protected activity.

333. The individual defendants aided, abetted, participated in, approved, or ratified the retaliation within the meaning of Executive Law § 296(6).

334. As a result, FOSTER suffered damages.

**COUNT V**  
**Sexual Harassment**  
**New York City Human Rights Law**  
**Administrative Code § 8-107 et seq.**  
**Against All Defendants**

335. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

336. Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU treated FOSTER less well because of sex in violation of the New York City Human Rights Law.

337. HEADLEY made false statements, fabricated evidence, and used Department processes to punish FOSTER after engaging in sex-based misconduct, coercion, retaliation, and abuse of authority.

338. The defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU adopted, approved, relied upon, and ratified HEADLEY'S false and fabricated narrative instead of stopping it or conducting a meaningful investigation.

339. Defendants further failed to investigate FOSTER'S counterclaims, including the alleged sexual assault, despite formal notice of those claims.

340. The individual defendants aided, abetted, incited, compelled, coerced, participated in, approved, or ratified the unlawful conduct within the meaning of Administrative Code § 8-107(6).

341. As a result, FOSTER suffered damages.

**COUNT VI**  
**Discrimination Based on Status as a Victim of Domestic Violence**  
**New York City Human Rights Law**  
**Administrative Code § 8-107 et seq.**  
**Against All Defendants**

342. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

343. FOSTER was an actual or perceived victim of domestic violence, coercion, abuse, stalking, retaliation, intimidation, and related misconduct.

344. Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU treated FOSTER less well because of that actual or perceived status by refusing to recognize her as a victim, complainant, witness, and outcry source.

345. HEADLEY used false statements and fabricated evidence to convert herself into the complainant and FOSTER into the disciplinary subject.

346. The individual defendants adopted, approved, relied upon, and ratified that false narrative, failed to stop it, and intentionally failed to investigate FOSTER'S counterclaims, including the alleged sexual assault.

347. The individual defendants aided, abetted, participated in, approved, or ratified the unlawful conduct within the meaning of Administrative Code § 8-107(6).

348. As a result, FOSTER suffered damages.

**COUNT VII**  
**Hostile Work Environment**  
**New York City Human Rights Law**  
**Administrative Code § 8-107 et seq.**  
**Against All Defendants**

349. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

350. Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU subjected FOSTER to a hostile work environment under the broader remedial standards of the New York City Human Rights Law.

351. The hostile work environment included HEADLEY'S false statements, fabricated evidence, retaliatory accusations, misuse of Department processes, and efforts to punish FOSTER after she resisted, disclosed, and challenged HEADLEY-related misconduct.

352. The individual defendants maintained that hostile work environment by adopting, approving, relying upon, and ratifying the fabricated disciplinary narrative, failing to stop the process, and intentionally failing to investigate FOSTER'S counterclaims, including the alleged sexual assault.

353. Defendants' conduct treated FOSTER less well because of sex, victim status, protected activity, and opposition to misconduct.

354. The individual defendants aided, abetted, participated in, approved, or ratified the hostile work environment within the meaning of Administrative Code § 8-107(6).

355. As a result, FOSTER suffered damages.

**COUNT VIII**  
**Retaliation**  
**New York City Human Rights Law**  
**Administrative Code § 8-107(7)**  
**Against All Defendants**

356. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

357. FOSTER engaged in protected activity by resisting HEADLEY'S conduct, preserving evidence, making disclosures, filing counterclaims, opposing discriminatory treatment, and challenging the Department's handling of Headley-related misconduct.

358. HEADLEY retaliated against FOSTER by making false statements, fabricating evidence, falsely accusing FOSTER, and using IAB and Department disciplinary processes to punish her.

359. The Defendants THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A. IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON, JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA, and DAWIT FIKRU retaliated against FOSTER by adopting, approving, relying upon, and ratifying HEADLEY'S false and fabricated narrative, failing to stop the disciplinary prosecution, failing to investigate FOSTER'S counterclaims, and demoting FOSTER from probationary detective to police officer on or about April 24, 2026.

360. Defendants' conduct was reasonably likely to deter a person from opposing discrimination, reporting misconduct, disclosing abuse, or challenging misuse of Department authority.

361. The individual defendants aided, abetted, participated in, approved, or ratified the retaliation within the meaning of Administrative Code § 8-107(6).

362. As a result, FOSTER suffered damages.

### **JURY TRIAL**

363. Plaintiff SHATORRA J. FOSTER hereby demands a trial by jury of all issues so triable as of right.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff SHATORRA J. FOSTER respectfully requests that judgment be entered in her favor and against Defendants, awarding the following relief:

- a. A declaration that defendants violated the New York State Human Rights Law and the New York City Human Rights Law by failing to investigate, failing to reassess, retaliating against plaintiff, selectively enforcing Department rules, discriminating against plaintiff based on victim status, and ratifying a contaminated disciplinary process;
- b. A declaration that defendants unlawfully adopted, relied upon, ratified, and failed to correct a false and fabricated disciplinary narrative against plaintiff;
- c. Equitable relief directing defendants to rescind, expunge, correct, or otherwise remediate all disciplinary records, investigative findings, personnel entries, and related Department records generated from, or relying upon, the contaminated disciplinary narrative;
- d. Equitable relief restoring plaintiff to the rank, status, benefits, seniority, promotional eligibility, probationary credit, and employment standing she would have held absent defendants' unlawful conduct;
- e. An award of back pay, front pay, lost wages, lost benefits, pension-related losses, lost overtime, lost promotional opportunity, and other economic damages in an amount to be determined at trial;
- f. An award of compensatory damages for emotional distress, mental anguish, humiliation, reputational harm, loss of enjoyment of life, and other non-economic injuries in an amount to be determined at trial;

- g. An award of punitive damages against the individual defendants to the extent permitted by law;
- h. An award of reasonable attorneys' fees, costs, expenses, and disbursements as provided by law;
- i. Pre-judgment and post-judgment interest as permitted by law; and
- j. Such other and further legal and equitable relief as the Court deems just and proper.

Dated: May 31, 2026  
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders  
Attorney for Plaintiff SHATORRA J. FOSTER

**THE SANDERS FIRM, P.C.**  
30 Wall Street, 8<sup>th</sup> Floor  
New York, NY 10005  
(212) 652-2782 (Business Telephone)  
(212) 652-2783 (Facsimile)

Website: <http://www.thesandersfirm.com>

**ATTORNEY VERIFICATION**

STATE OF NEW YORK

ss:

COUNTY OF WESTCHESTER

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 Westchester, 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: May 31, 2026  
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders  
Attorney for Plaintiff SHATORRA J. FOSTER

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

INDEX NO.:

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SHATORRA J. FOSTER

Plaintiff,

-against-

THE CITY OF NEW YORK, JESSICA S. TISCH, MIGUEL A.  
IGLESIAS, CHRIS D. MORELLO, EDWARD A. THOMPSON,  
JOSEPH A. DIBARTOLOMEO, JOSEPH F. PROFETA,  
DAWIT FIKRU, and TREVLYN O. HEADLEY

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**SUMMONS WITH VERIFIED COMPLAINT**

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*Duly submitted by:*

By: s/Eric Sanders

Attorney for Plaintiff SHATORRA J. FOSTER

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