

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

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TREVLYN HEADLEY

Plaintiff,

AFFIDAVIT

-against-

Index No.: 155228/2025

CITY OF NEW YORK, SHATORRA FOSTER, TANIA  
KINSELLA

Defendants  
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**AFFIDAVIT OF DEFENDANT/COUNTERCLAIM-PLAINTIFF SHATORRA FOSTER  
IN SUPPORT OF HER ORDER TO SHOW CAUSE FOR A TEMPORARY  
RESTRAINING ORDER, PRELIMINARY INJUNCTION, STAY, PRESERVATION  
RELIEF, AND EXPEDITED DISCLOSURE**

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF NEW YORK)

SHATORRA FOSTER, being duly sworn, deposes and says:

1.       I am Defendant/Counterclaim-Plaintiff SHATORRA FOSTER in this action and the respondent in NYPD Disciplinary Case No. C-030622.
2.       I submit this affidavit in support of my request to temporarily stay the disciplinary proceeding while the Court considers the issues raised in my application.
3.       I have served as a member of the New York City Police Department and understand that an adverse disciplinary determination could affect my employment, reputation, assignments, credibility, promotional opportunities, benefits, and ability to continue serving as a police officer.

4. My counterclaims in this action allege that TREVLYN HEADLEY sexually harassed, sexually coerced, retaliated against, abused her authority over, and sexually assaulted me.

5. I allege that on March 14, 2024, while I was inside a dormitory room at NYPD Headquarters, HEADLEY entered the room and performed a sexual act upon me without my consent.

6. I did not immediately report the incident because I was ashamed, afraid of retaliation, and believed that internal investigators would side with HEADLEY, who held superior rank, rather than with me.

7. I later disclosed the incident after obtaining counsel.

8. I learned that my sexual-misconduct allegations had been noted within the Department's investigative materials.

9. Despite that, no investigator contacted me to obtain a complete account of the March 14, 2024 incident.

10. I was not asked to identify supporting evidence, witnesses, communications, access records, building records, or other information relevant to the allegation.

11. I was not advised who reviewed the allegation, how it was classified, why it was closed or otherwise disposed of, or what evidence was considered.

12. I have never been given a meaningful explanation of how the Department could reach any disposition concerning the allegation without first interviewing me.

13. On May 29 and May 30, 2026, my attorney submitted written complaints and supporting materials to the Internal Affairs Bureau and Office of Equity and Inclusion

concerning HEADLEY'S alleged misconduct, the handling of my allegations, retaliation, and the integrity of the disciplinary case against me.

14. IAB generated Log No. 2026-18936.

15. Since then, no IAB investigator has contacted me.

16. No person from the Office of Equity and Inclusion has contacted me.

17. No investigator has asked me for an interview, statement, documents, witnesses, or other evidence.

18. I have not been told whether the complaints are being investigated, assigned, referred, closed, or otherwise acted upon.

19. The lack of contact has reinforced my belief that the Department is continuing to prosecute me without meaningfully investigating the allegations against HEADLEY.

20. On May 31, 2026, I commenced a retaliation action in Bronx County concerning the Department's continued reliance upon what I allege is a contaminated HEADLEY-driven disciplinary narrative.

21. That action was served on June 2, 2026.

22. On June 3, 2026, while I was working in Bronx County, I received a telephone call directing me to report "ASAP" for what I was told was a random hair drug test.

23. I was not told who selected me, who authorized the test, or how my name was chosen.

24. Because the directive occurred one day after service of my retaliation action, I believed the timing was retaliatory.

25. I thereafter commenced a second Bronx County action challenging the June 3 testing directive.

26. Despite my complaints, both lawsuits, and the acknowledged IAB log, the Department has continued advancing the disciplinary proceeding against me.

27. The Department has also sought to restrict evidence concerning matters it characterizes as collateral, even though I believe HEADLEY'S motive, credibility, conduct, Department-system access, witness influence, and role in shaping the case are central to my defense.

28. I am concerned that, unless the disciplinary proceeding is temporarily stayed, the Department may receive testimony, issue findings, make credibility determinations, recommend discipline, or impose employment consequences before this Court can review the matters raised in my application.

29. An adverse disciplinary record would cause harm beyond the loss of money.

30. It could affect my professional standing, reputation, assignments, future opportunities, benefits, and continued employment.

31. It could also create findings that the City or HEADLEY may attempt to use against me in this action, the Bronx County actions, or other employment proceedings.

32. Once such findings are made and placed into Department records, they cannot be fully erased by a later award of damages.

33. I am not asking the Court to decide the disciplinary charges through this affidavit.

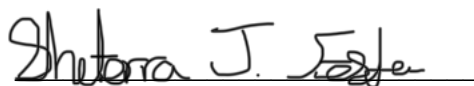
34. I am asking the Court to preserve the status quo long enough to determine whether the Department should be permitted to proceed while my allegations remain uninvestigated, IAB and OEI have not contacted me, the related retaliation actions are pending, and HEADLEY has failed to reply to my counterclaims.

35. A temporary stay would not prevent the Department from preserving evidence or preparing its case.

36. It would prevent the disciplinary process from moving ahead of the Court's review and causing harm that may be impossible to reverse.

WHEREFORE, I respectfully request that the Court grant the temporary restraining order, preliminary injunction, stay, preservation relief, expedited disclosure, and such other and further relief as the Court deems just and proper.

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SHATORRA FOSTER

Sworn to before me this  
27<sup>th</sup> July, 2026

/s/Eric Sanders, Esq.

Notary Public, State of New York:  
Commission No. 02SA0013820  
Qualified in Westchester County  
Commission Expires: September 26, 2027