

SUMMONS

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AILEEN CLOWES

Plaintiff(s)

vs.

COUNTY OF ESSEX,

CHEIF OF DETECTIVES MITCHELL G. MCGUIRE III

Defendant(s)

**Superior Court of
New Jersey**

Essex ☒ County

Civil Division

Docket No: ESX-L-000093-25

**CIVIL ACTION
SUMMONS**

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.



for:

Clerk of the Superior Court

DATED: 01/06/2025

Name of Defendant to Be Served: Chief of Detectives Mitchell G. McGuire III

Address of Defendant to Be Served: Office of the County Counsel, Hall of Records, Room 535, Newark, NJ 07102

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<p>AILEEN CLOWES,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>COUNTY OF ESSEX, CHIEF OF DETECTIVES MITCHELL G. MCGUIRE III (IN HIS PROFESSIONAL AND PERSONAL CAPACITIES), DEPUTY CHIEF TONI ANN MATTIA (IN HER PROFESSIONAL AND PERSONAL CAPACITIES), CAPTAIN JOHN CAMPO (IN HIS PROFESSIONAL AND PESONAL CAPACITIES), JOHN DOES 1- 10.</p> <p style="text-align: center;">Defendants.</p>	<p>Superior Court of New Jersey Law Division: Civil Part Essex County</p> <p>Docket No.:</p> <p style="text-align: center;">CIVIL ACTION</p> <p style="text-align: center;">COMPLAINT</p>
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Plaintiff, Aileen Clowes ("Plaintiff"), complaining of Defendants County of Essex, Chief of Detectives Mitchell G. McGuire III, Deputy Chief of Detectives Toni Ann Mattia, and Captain John Campo, collectively referred to as "Defendants," states as follows:

PARTIES:

1. Plaintiff, Aileen Clowes, is a person residing New Jersey, and at all times relevant herein was a resident of New Jersey and an employee of the County of Essex as defined by the New Jersey Conscientious Employee Protection Act ("CEPA") and the New Jersey Law Against Discrimination ("NJLAD").
2. Defendant County of Essex ("Defendant Essex") is the County Government of Essex County, New Jersey and an employer as defined under CEPA and the NJLAD.
3. Defendant Mitchell G. McGuire III ("Defendant McGuire") was the Chief of

ESSEX COUNTY PROSECUTOR'S OFFICE 01/05/2025 1:00:17 AM Pg 2 of 40 TRANS ID: ECV202024100

Detectives of the Essex County Prosecutor's Office at all times relevant to this Complaint and was the Plaintiff's supervisor as defined under the New Jersey Law Against Discrimination and the New Jersey Conscientious Employee Protection Act.

4. Defendant Toni Ann Mattia ("Defendant Mattia") was Deputy Chief of Detectives, employed by Defendant Essex at all times relevant to this complaint, and was the Plaintiff's supervisor as defined by CEPA and the NJLAD.
5. Defendant John Campo, ("Defendant Campo") was a Lieutenant and/or Captain of Detectives employed by Defendant Essex at all times relevant to this complaint and was the Plaintiff's supervisor as defined by CEPA and the NJLAD.
6. John Does 1-10 are fictitious designations for parties or entities holding liability to the Plaintiff in this matter, identities currently unknown.

JURISDICTION AND VENUE:

7. The amount in controversy satisfies the Court's jurisdictional requirements.
8. The State of New Jersey has subject matter and personal jurisdiction over this controversy.
9. Venue is proper in this Court, as Defendants are the County Government of Essex, and/or their employee and/or appointees, and maintain a primary place of business in the City of Newark, Essex County.

FACTS COMMON TO ALL CLAIMS:

10. The Plaintiff is a Detective working for the County of Essex ("Defendant Essex") in the Essex County Prosecutor's Office ("ECPO").
11. The Plaintiff has been employed by Defendant Essex since February 2021.
12. The Plaintiff has a bachelor's degree in business from the New Jersey Institute of Technology.

13. The Plaintiff has approximately 18 years of experience in law enforcement as a New Jersey State Trooper, and ECPO Detective.
14. The Plaintiff is a veteran of the United States Army, serving nine years as a Military Police Officer in the New Jersey Army National Guard, rising to the rank of Captain.
15. The Plaintiff has a wide range of advanced law enforcement training including specialized investigative training, crisis negotiation training, and training in special victims, homicide, and narcotics investigations.
16. Throughout her employment with Defendants the Plaintiff was subjected to discrimination based on her female sex.
17. The Plaintiff was repeatedly subjected to retaliation for reporting her reasonable beliefs that Defendants' conduct was violating laws, rules, regulations or clear mandates of public policy.
18. The Plaintiff endures a work environment where male superiors feel free to, among other examples, graphically describe their sex lives in open conversations, and create rumors regarding the sexuality of the Plaintiff.
19. Despite consistently communicating complaints of discrimination and retaliation to Defendants, the Defendants have taken no reasonable action to address or mitigate the hostile work environment endured by the Plaintiff, and to the contrary have actively participated in unlawful retaliation.
20. In an ongoing pattern and practice of discrimination and retaliation, the Defendants have created a hostile work environment under which the Plaintiff continues to suffer.
21. This pattern and practice of discrimination and retaliation by superiors is perpetuated by an internal administrative system, including the Internal Affairs

process and the Essex County Office of Inspector General, weaponized to stifle dissent.

22. The impetus for discrimination and retaliation comes directly from the top of Defendants' organization, with Defendant McGuire setting the dysfunctional organizational tone of compliance-or-retaliation, where misconduct of superiors is tolerated and encouraged so long as such meets Defendant McGuire's ends.
23. This lack of ethical leadership has created a moral vacuum within the ECPO in which individual superior officers are empowered, aided and abetted, to illegally discriminate and unlawfully retaliate against subordinates with impunity.
24. The Plaintiff's first assignment with Defendant Essex beginning in February 2021 was to the Adult Trial Section ("ATS") of the ECPO.
25. From the onset of employment at the ECPO the Plaintiff ran into issues of discrimination, animosity, and retaliation from Defendants Campo and Mattia.
26. The Plaintiff initially perceived the issues as a matter of becoming accustomed to a new workplace, but found that vindictiveness and retaliation are ingrained, dysfunctional elements of Defendants' organizational culture.
27. Early negative experiences with the Defendants set the tone for what would become a hostile, discriminatory work environment.
28. During the Plaintiff's onboarding at the ECPO, Defendant Campo explained to the Plaintiff that the office is very small and that the Plaintiff should be careful about "gossiping" because the information would not remain confidential.
29. Defendant Campo also discussed work attire and told the Plaintiff he did not know if the Plaintiff's attire was appropriate, because he did not know what "appropriate" women's business attire is; The Plaintiff was dressed in formal business attire when the derogatory, discriminatory comment was made.

30. In another incidence of early discriminatory conduct, Defendant Campo redirected an overtime detail from the Plaintiff to a male Detective, justifying this reassignment based on the Plaintiff's status as a single mother.
31. Defendant Campo's reasoning was that if the Plaintiff did overtime, she would incur childcare expenses.
32. Defendant Campo would also create and maintain a false rumor that the Plaintiff and another female Detective were lesbians, inferring to their direct report supervisor the reason they had similar days off was in furtherance of a lesbian relationship.
33. At the onset of ECPO employment the Plaintiff, a state-certified undercover officer, was requested to work on an undercover narcotics detail and was approved to do so by Defendant McGuire.
34. Defendant Mattia overrode Defendant McGuire's assignment of the Plaintiff, and inexplicably denied Plaintiff's participation in the undercover detail.
35. Defendant Mattia met with Plaintiff and explained she was under the impression the Plaintiff desired a transfer to Homicide, and if Plaintiff did the undercover detail, the Plaintiff would instead need to stay with Narcotics for several years.
36. In reaction to this and based on her previous narcotics experience with the State Police, the Plaintiff offered constructive criticism of the ECPO undercover management structure.
37. The Plaintiff had come from the culture of the New Jersey State Police where it is expected Detectives seek to improve operations, not simply accept obvious deficiencies, so the Plaintiff believed she could assist in improving undercover management at the ECPO.
38. Instead of accepting that the Plaintiff may have valid experience to share which

may improve ECPO operations, Defendant Mattia was insulted by the Plaintiff's suggestions, inaccurately perceiving them as a personal slight.

39. The Plaintiff recalled that Defendant Mattia had been highly critical of the State Police in their conversations during Plaintiff's onboarding, and that Defendant Mattia appeared to be harboring a grudge against the State Police.
40. Coming to the ECPO from the State Police, the Plaintiff perceived she was included in Defendant Mattia's grudge by default.
41. The Plaintiff did not participate in the narcotics operation having been barred from doing so by Defendant Mattia.
42. The Plaintiff felt this was improper but she also realized that if Defendant Mattia could override the orders of the Chief, Defendant McGuire, then the balance of informal political power at the ECPO weighed in favor of Defendant Mattia, and that gave the Plaintiff pause.
43. This issue concerned the Plaintiff more so that Defendant McGuire accepted Defendant Mattia overriding his decision, empowering Defendant Mattia to do so again in the future.
44. On June 11, 2021, the Plaintiff was advised via Transfer Order ("TR") she was being transferred from the ATS, to the Homicide Task Force ("HTF") effective June 21, 2021.
45. Defendant Campo subsequently advised the Plaintiff to work on her ATS cases as much as possible prior to her transfer to the HTF.
46. The Plaintiff then received further instructions from Defendant Mattia, vice Defendant Campo, on June 17, 2021, to submit updates on her outstanding ATS tasks by 2pm.
47. The Plaintiff came to understand that her desired transfer to the HTF was

contingent on her completion of ATS work along the unrealistic timeline set by Defendant Mattia.

48. Defendant Mattia also had the Plaintiff assigned to front desk duty twice, where she was unable to complete her assigned ATS tasks.
49. The Plaintiff's workstation was physically located in front of where Defendant Campo sat, with Plaintiff's back to Defendant Campo, separated by a cubical wall and small walkway where Defendant Campo was able to look over the cubical wall at the Plaintiff.
50. The Plaintiff overheard Defendant Campo engaging in banter which targeted her such as complaining about how new detectives should serve longer before being transferred to the HTF.
51. This was perceived by the Plaintiff as hostile, as this taunting banter was constant, distracting, and began immediately after she received the transfer order to the HTF.
52. The Plaintiff noted that no other ECPO employee was instructed to complete such work prior to a transfer, so she sought clarification from Defendant Campo as to the exact work she had to complete prior to transfer.
53. After seeking clarification from Defendant Campo about the outstanding work, and despite there being an order for her HTF transfer, and after Plaintiff made all arrangements to transfer based on those orders and representations by Defendant Campo, the Plaintiff's transfer to HTF was rescinded, and she was returned to the ATS to "complete work."
54. This was embarrassing for the Plaintiff as she had already moved her personal belongings from her ATS workspace to the HTF and had to move back again.
55. The Plaintiff had also been issued an HTF vehicle and had to return that as well.

56. Being recalled from a desirable transfer is further embarrassing as the Plaintiff's peers perceived it as retaliatory in nature, that she had angered her superiors and this was the result, asking her "who did you piss off?"
57. Exacerbating this perception, when the Plaintiff was relocated to ATS, Defendants Mattia and Campo directed the Plaintiff to assume office space directly near the front door of the office where they both could monitor her.
58. The Plaintiff perceived her return to ATS as a vindictive, discriminatory, action by Defendant Campo aided and abetted by Defendant Mattia.
59. The Plaintiff then brought her concerns regarding Defendant Campo to Defendant Mattia.
60. On June 21, 2021, the Plaintiff reported her concerns regarding Defendant Campo to Defendant Mattia during an in-person meeting, and in writing, to no avail.
61. The Plaintiff noted that Captain Michael Recktenwald and Sergeant Miranda Mathis were present at the meeting with Defendant Mattia.
62. During the meeting the Plaintiff reported to Defendant Mattia that she was being discriminated against by Defendant Campo based on her female sex and retaliated against for complaining to her superiors about Defendant Campo's discriminatory, vindictive behavior.
63. Defendant Mattia, despite being aware of, and being reminded by the Plaintiff of mandatory reporting requirements imposed on her by Defendant Essex's policy against discrimination, took no action other than to direct the Plaintiff to report any future complaints "in writing" to her "chain of command" which included Defendant Campo.
64. The Plaintiff later followed up via email with Sergeant Mathis and advised Mathis

that mandatory reporting requirements of the ECPO anti-discrimination and anti-retaliation policies had not been followed by the Defendants.

65. There was no resolution to the issues of discrimination within ATS at that time, and to the Plaintiff's knowledge, no investigation was conducted of Defendant Campo's behavior by Defendant Essex; Instead, the retaliation continued unabated.
66. As described later in this Complaint, the Plaintiff was implicated in a spurious, retaliatory Insubordination charge in the October-November 2021 timeframe
67. When providing a statement to Internal Affairs on the Insubordination matter, the Plaintiff mentioned the Hostile Work Environment claim.
68. Sergeant Tracey stated that the Hostile Work Environment claims would be referred to the Essex County Inspector General. ("Inspector General")
69. Due to Internal Affairs reporting the Hostile Work Environment claim on the Plaintiff's behalf to the Inspector General, and investigation was initiated, and interviews were conducted by the Inspector General on December 3, 2021 of the Plaintiff and Defendant Campo.
70. When the Plaintiff later reviewed her Internal Affairs file on July 7, 2022, she noted the full Inspector General investigation was in the file.
71. This contradicted what the Plaintiff had been assured by Defendant Essex, that the Inspector General investigation would be an independent investigation.
72. Instead of an independent investigation, the Inspector General provided Internal Affairs a copy of the investigation, complete with the interviews and other documentation, where the ECPO chain of command had access to review the Plaintiff's statements.
73. When reviewing her Internal Affairs file, the Plaintiff read through the interviews

conducted by the Essex County Inspector General Dominic J. Scaglione.
 ("Inspector General Scaglione")

74. The Plaintiff noted that although Defendant Campo corroborated her allegations in his interview, on January 14, 2022, the Inspector General sent the Plaintiff a determination letter stating that "there has been a finding of no violation of County Policy and Procedure or other law." (See ¶ 102-118 for complete context of Defendants' weaponization of the Inspector General function as a conduit for retaliation.)
75. The Plaintiff would later learn that it was Defendant Mattia herself who sabotaged the transfer to HTF, sending an email to Defendant McGuire on June 17, 2021, stating that the Plaintiff was "too new to start this nonsense. It's unacceptable in my book and I would like her to complete her work."
76. Effective July 12, 2021, the Plaintiff was transferred to the HTF, however this was qualified by the fact that she was transferred to the Cold Case unit, where she would be the only Detective assigned, and unlike other HTF Detectives, the Plaintiff would be provided with no opportunity to earn overtime.
77. In July 2021 at the HTF Barbeque the Plaintiff had a conversation with Defendant McGuire where he advised the Plaintiff that she had angered Defendant Mattia and needed to keep her "head low."
78. It is clear Defendant McGuire was aware from nearly the onset of the unlawful retaliatory conduct of his subordinates, Defendants Mattia and Campo, knew or should have known such behavior was illegal, yet did nothing to stop it.
79. Reinforcing the Plaintiff's perception the work she ostensibly needed to complete at ATS was retaliatory, there was little to no follow-up interest in any of the work which Defendant Campo had given high priority to, only one or two inquiries in

the months that followed.

80. In September 2021, while assigned to the Cold Case unit the Plaintiff noted a deficiency in ballistics evidence hampering her ability to close out a case.
81. Ballistics evidence was missing from the case file and when the Plaintiff sought to cure the deficiencies, she ran into interference from her superiors preventing her from closing out the cold case homicide.
82. The Plaintiff received push-back from one of her superiors, Captain Luigi Corino ("Captain Corino") and came to believe this was in furtherance of protecting the ECPO evidence technician to the detriment of the case.
83. The retaliation then moved to a different and far more sinister stage.
84. In October 2021 Defendants brought the Plaintiff up on spurious administrative disciplinary charges.
85. While in the ATS work area in June 2021, Defendant Campo was speaking to the Plaintiff in his typically inappropriate demeanor, condescending and hostile.
86. Defendant Campo was behaving in this inappropriate manner in front of others, including one of the Plaintiff's supervisors, and a Newark Police Department Sergeant who was working in the ATS office.
87. The Newark Police Department Sergeant was working in ATS due to a conflict of interest with her husband being the Newark Police Department Director at the time.
88. Although the Sergeant was placed in ATS, the unit is not a task force and does not have a multi-agency chain of command.
89. The Newark Police Department Sergeant was not an employee of Defendant Essex, not in Plaintiff's chain of command, and was not a supervisor or superior officer of the Plaintiff.

90. As a Prosecutor's Office Detective, the Plaintiff's positional authority exceeded that of the Newark Police Department Sergeant while working at ATS.
91. The insubordination charge was frivolous, as ATS is not a task force, and the Sergeant was not in a supervisory role; municipal police officers do not outrank county sworn law enforcement personnel.
92. On October 12, 2021, the Plaintiff was notified she was a target of the internal investigation for "insubordination" regarding the June interaction with the Newark Police Department Sergeant and was later interviewed by ECPO Internal Affairs.
93. On October 17, 2021, the Plaintiff spoke with Captain Corino and requested to be transferred out of the Cold Case Unit, as she believed she was being retaliated against for simply doing diligent work, and communicating violations of policy, procedure, and the law to her superiors.
94. The Plaintiff was then called into a meeting with Deputy Chief Paterson Pasteur "Deputy Chief Pasteur," where Sergeant Anneesha Ford was also present.
95. Deputy Chief Pasteur explained to the Plaintiff that although he agreed with her perception of the identified deficiencies, he cautioned the Plaintiff that she does not need to bring such deficiencies to the attention of her superiors.
96. Deputy Chief Pasteur memorialized this concept in a printout, stating to the Plaintiff "sometimes peace requires you to be quiet even if you are right."
97. The Plaintiff perceived this as being told that although she will observe deficiencies and violations of law, policy and procedure that may interfere with her ability to solve cold cases (primarily homicides) she should overlook these in the interest of not being labeled a troublemaker.
98. Deputy Chief Pasteur requested to the Plaintiff that she remain at the Cold Case

unit, and the Plaintiff's request for transfer was torn up.

99. While working a serial killing at the Cold Case unit in 2021, the Plaintiff had identified a critical error by the Northern Regional Medical Examiner's Office which would have negatively impacted the result of the investigation.
100. The Plaintiff reported the deficiency to her superiors who thereafter took no action to solve the issue.
101. The Plaintiff resolved the issue on her own and was able to successfully complete the investigation identifying the victim of a serial killing who would otherwise have remained unidentified.
102. On April 18, 2022, nearly a year after the alleged incident, the Plaintiff was informed she was receiving a "verbal reprimand" for the alleged "insubordination" against the Newark Police Department Sergeant.
103. Contrary to the misnomer "verbal reprimand" the "verbal reprimand" was memorialized in writing and placed in the Plaintiff's Internal Affairs file.
104. On April 22, 2022, the Plaintiff submitted a request to Defendant McGuire to review her Internal Affairs file.
105. On April 25, 2022, the Plaintiff filed a Grievance opposing the "verbal reprimand" citing policy, promulgated under law, which rendered the reprimand improper.
106. On April 29, 2022, the Plaintiff resubmitted her request to view her Internal Affairs file, and attempted to report an instance of Defendant Mattia failing to follow policy.
107. On May 6, 2022, the Plaintiff received written approval from Defendant McGuire to view her Internal Affairs file, and Captain Paulo De Sousa ("Captain De Sousa") of the Professional Standards Bureau was copied on the email.
108. On June 6, 2022, the Plaintiff attempted to view her Internal Affairs file, and her

request was inexplicably denied by Captain De Sousa.

109. The Plaintiff followed up in an email to Captain De Sousa advising him of policy that permitted her to view her Internal Affairs file with permission, which as Captain De Sousa was aware, the Plaintiff had obtained from Defendant McGuire.
110. On June 6, 2022, Alexander Albu, ("DCAP Albu") Deputy Chief Assistant Prosecutor in charge of the Professional Standards Bureau, emailed the Plaintiff stating her request to view her Internal Affairs file was being reviewed.
111. DCAP Albu also acknowledged receipt of the Plaintiff's hostile work environment complaint regarding Defendant Mattia.
112. On June 7, 2022, the Plaintiff emailed DCAP Albu detailing unethical behavior witnessed throughout her employment with the ECPO and expressed concerns that such misconduct was endemic to the organization.
113. On July 7, 2022, the Plaintiff was finally allowed to exercise her right to review her Internal Affairs file over two months after having requested access, and two months since being approved to do so by Defendant McGuire.
114. The Plaintiff discovered while reviewing her Internal Affairs file that she was the only person interviewed regarding the Insubordination investigation conducted by Internal Affairs.
115. The Plaintiff found that the Inspector General's allegedly "independent" investigation of Plaintiff's Hostile Work Environment complaint was utilized as evidence by Internal Affairs to substantiate the Insubordination charge.
116. The Plaintiff then came to realize that the Inspector General function was being utilized to gather evidence for unrelated Internal Affairs matters, while giving the Plaintiff a false sense of security and support as a victim of retaliation.
117. The Inspector General failing to substantiate the Plaintiff's legitimate complaints

is a clear indication the Inspector General function has been corrupted, leaving victims of discrimination and retaliation exposed to retaliatory adverse employment actions from the very superiors they complain about.

118. The weaponization of the Inspector General function is important to note, as the same retaliatory tactic was later employed in another Inspector General matter, where the Inspector General attempted to elicit statements from the Plaintiff regarding an ongoing Internal Affairs investigation seeking the identities of the whistleblowers who participated in the Sarah Wallace, Iteam "Belleville Project" whistleblower piece.
119. On July 29, 2022, the Plaintiff attended a retirement party at which Defendant McGuire made it a point to engage in conversation with her.
120. The Plaintiff recalls the entire conversation was witnessed by Sergeant First Class William Woodward of the New Jersey State Police.
121. The conversation rapidly moved from small talk into disturbing commentary from Defendant McGuire.
122. Defendant McGuire described the deference he believed he enjoyed from subordinates due to his appointed positions as Chief of Detectives, stating "these motherfuckers would lick my ass for a promotion," referring to the Plaintiff's peers and supervisors gathered at the retirement party.
123. The Plaintiff took this to mean that Defendant McGuire expected self-debasing deference from subordinates if they wished to be considered for advancement.
124. The conversation became more disturbing when Defendant McGuire solicited the Plaintiff's opinion on his qualifications as Chief, asking her if she believed he should be the Chief.
125. After requesting and being granted permission to speak freely, the Plaintiff

respectfully explained to Defendant McGuire that she did not believe Defendant McGuire was qualified to be Chief.

126. Defendant McGuire became enraged by this and despite soliciting the Plaintiff's opinion, and granting her permission to speak freely, he ultimately sought to charge the Plaintiff with insubordination for doing so.
127. On information and belief, Defendant McGuire was advised not to bring charges, as the incident had occurred outside work hours, and Defendant McGuire had twice given the Plaintiff permission to speak freely.
128. Noted is that Defendant McGuire is a political appointee with apparently limited law enforcement experience prior to being hired by the ECPO.
129. Defendant McGuire was hired by Defendant Essex in January of 2011 as a Sergeant, after a lengthy career in the Financial Services Sector in IT Network Architecture and Engineering.
130. Defendant McGuire was hired by Defendant Essex to help create a Cyber Crimes Unit.
131. In less than five years Defendant McGuire was elevated to the rank of Captain and to Chief of Detectives in 2018, three years after being promoted to Captain.
132. Such a meteoric rise from hire to Chief of a major law enforcement agency for an individual of Defendant McGuire's limited law enforcement leadership background is highly unusual within professional law enforcement agencies.
133. The Plaintiff came to the ECPO from the New Jersey State Police, an organization where promotions are carefully considered based on skill, knowledge, and ability, where personnel serve at progressive levels of responsibility to assess leadership potential prior to promotion, and based on her experience, the Plaintiff had good reason to question Defendant McGuire's credentials.

134. To illustrate the unusual circumstances of Defendant McGuire's rapid rise to Chief, the Police Executive Research Forum "PERF" (a leading police think tank) conducted a survey of police chiefs in 2021 finding that the average level of law enforcement experience prior to appointment as chief was 24.5 years.¹
135. In addition, the PERF survey found that the average length of time Chiefs served in a pre-Chief leadership position was four years.
136. At this same retirement party Captain Corino advised the Plaintiff that she should be "good" moving forward within the ECPO because she had been "broken in" and "humbled," in other words deterred (through retaliation) from expecting the high standards of the New Jersey State Police at the ECPO.
137. On August 2, 2022, the Plaintiff met with County Counsel and was offered "Conduct Unbecoming" to resolve the "verbal reprimand" related to the Newark Police Department Sergeant incident from 2021.
138. DCAP Albu and County Counsel Valerie Palma were present at this meeting.
139. The Plaintiff declined this offer as it was merely designed to lend a retaliatory adverse employment action of Defendant Campo pretextual legitimacy.
140. Between August 16 and August 24, 2022, the Plaintiff attempted to resolve an issue of missing ballistics evidence which was hampering her ability to solve a homicide case.
141. Despite reporting these breaches of policy, procedure, and the law to her superiors, Defendants failed to take Plaintiff's complaints seriously, nor do anything to mitigate the issues.
142. On August 31, 2022, the Plaintiff contacted the New Jersey Attorney General's

¹ Police Chiefs Compensation and Career Pathways: PERF's 2021 Survey. Police Executive Research Forum, 2021. <https://www.policeforum.org/assets/ChiefsCompensation.pdf>

Office, Office of Public Integrity & Accountability ("OPIA"), reporting the breaches of policy, procedure, laws, rules and regulations the Plaintiff routinely encountered at the ECPO.

143. By October 2022 the Plaintiff remained in the Cold Case unit and despite previous, reasonable requests for support, had yet to be afforded any additional resources.
144. On October 24, 2022, the Plaintiff again contacted Captain Corino in a detailed writing, requesting additional support for the Cold Case Unit.
145. Despite the Plaintiff's diligent efforts to improve efficiency and effectiveness of her unit (of which she was still the sole Detective assigned) support was not forthcoming.
146. On December 22, 2022, after the semi-annual firearms qualification shoot, the Plaintiff took half a sick day.
147. Despite taking sick time, the Plaintiff was instructed to complete an Administrative Report by Captain Corino for "leaving early" and Captain Corino referred the matter to Internal Affairs, subjecting the Plaintiff to yet another in a pattern of spurious, retaliatory investigations.
148. Having received no support from her superiors and being retaliated against repeatedly when she requested additional resources or sought to remedy serious deficiencies discovered in the course of her duties, the Plaintiff came to the reasonable belief she had been placed in the Cold Case Unit as a set-up for her to fail.
149. The Plaintiff notes that the Cold Case assignment followed on her being assigned to the Homicide Task Force, then being pulled back to ATS, and only occurred after she lodged complaints regarding the behavior of Defendant Campo.

150. The Plaintiff's superiors gave the Plaintiff what she wanted, a transfer to Homicide, however the act was pretextual and passive-aggressive, done in a retaliatory manner, indirectly hostile, expressing resentment, and dissatisfaction with the Plaintiff's reasonable complaints instead of openly and directly communicating with the Plaintiff regarding the nature of the transfer.
151. On January 12, 2023, the Plaintiff requested to be transferred out of the Cold Case Unit communicating that having not been provided adequate support and resources, it appeared the position was designed to fail.
152. Captain Corino also made the bizarre and sexist statement that the Plaintiff wished to transfer to the Special Victims Unit ("SVU") because she had a desire to deal with "pee-pee touchers."
153. After submitting the transfer request, the retaliation continued throughout January 2023 with Captain Corino focusing on the minutiae of Plaintiff's work, even going so far as scrutinizing the smallest details of Plaintiff's daily activity reports.
154. On or about January 19, 2023, the Plaintiff was transferred to SVU, but additionally required to continue work on Cold Case investigations while managing an SVU case load.
155. On April 3, 2023, the Plaintiff was Exonerated from the Internal Affairs complaint brought forward by Captain Corino for allegedly leaving the Semi-annual Pistol Shoot early.
156. Despite being exonerated, the Plaintiff had to deal with the added stress of being under the pall of an internal investigation for over four months.
157. On October 26, 2023, the Plaintiff was detailed to assist Property & Evidence Unit manually organize, package, and move numerous boxes of evidence at a

storage facility in Belleville, NJ.

158. The detail was managed on-site by Sergeant Magliacano and overseen by Defendant Campo.
159. Although Sergeant Tracey was notified of the Plaintiff arriving later than the start time for the detail (compensatory time was submitted to offset the tardiness), and due to technical issues with a laptop at the storage facility, the Plaintiff was diverted from lunch to complete the Administrative Report.
160. The Plaintiff was ordered to complete the report at the 185 Washington Street office, as opposed to simply completing the reporting the following day, during Plaintiff's regular duty day.
161. On December 4, 2023, the Plaintiff had been working a stranger abduction matter at SVU when Captain Carlos Olmo ("Captain Olmo") ordered her to charge the suspect.
162. The Plaintiff objected to this order as it placed the entire investigation in danger of failing.
163. The investigation was delayed due to Captain Olmo not considering the victim credible; the victim was a juvenile female walking to school.
164. The Plaintiff was the lead investigator and although she had coordinated the suspect to come in for the execution of a Body Search Warrant, Captain Olmo required the suspect to be charged and put on a Wild Cat Warrant² the Friday prior.
165. The Plaintiff had requested authorization to charge the suspect prior to Captain Olmo's decision and was not approved.

² A "wild cat warrant" is jargon ECPO detectives utilize to describe a wanted persons warrant.

166. There was no change in Probable Cause to support such a decision, and the Plaintiff perceived Captain Olmo wanted to justify the overtime incurred, folding to the political pressure as opposed to doing what was best for the victim.
167. The Plaintiff expressed the importance of getting the suspect into custody prior to charging due to corroborating a key piece of evidence, however Captain Olmo responded, "nobody gives a fuck about how you feel, charge him!"
168. In or about January 2024, the Plaintiff and other Detectives of the Essex County Prosecutor's Office were improperly ordered by Chief McGuire, to perform difficult, dirty, and time-consuming out-of-title manual labor moving files from a warehouse in Belleville, New Jersey to the Essex County Building in Newark, New Jersey.
169. The move of the files which Defendant McGuire named the "Belleville Project" utilized highly trained/educated law enforcement officers from the Homicide and Special Victims Units reassigned from investigative duties to unskilled manual labor of moving files.
170. Whistleblowers who later appeared in media reports stated the files were kept in a location open to the public, which is a clear violation of laws, rules, or regulations, and is incompatible with a clear mandate of public policy related to confidentiality of law enforcement records.
171. The Detective's Union and individual Detectives, including the Plaintiff, were vocal about the manual labor being out-of-title work, representing fraud, waste and abuse in violation of their collective bargaining agreement, and the rules, regulations, and laws governing duties of sworn law enforcement officers.
172. The Plaintiff was scheduled to work six of the so-called "box details," while working in a high-volume unit, while some Detectives were assigned one detail;

some employees even received overtime during their details.

173. Opposition to the box-detail, the “Belleville Project” was brought to the attention of Plaintiff’s supervisors by written notice, and the Defendants were given a reasonable opportunity to correct the lapse but failed to do so.
174. On January 11, 2024, the NBC 4, New York television station’s I-Team show featured the Belleville Project whistleblowers on their program.
175. Reporter Sarah Wallace featured video footage of numerous Detectives performing manual labor, packing and moving boxes within a dimly lit, dingy warehouse, instead of performing their assigned public safety tasks.
176. Wallace’s article also featured an interview with the Detective’s Union President, Detective Anthony Deprosopo.
177. Wallace interviewed other Essex County Detectives, their faces and voices disguised for fear of retaliation from Defendants.
178. When the I-Team report was released in the press it caused a furor within the leadership of the Prosecutor’s Office, with Chief McGuire being particularly incensed at press criticism of his leadership.
179. On January 18, 2024, the Plaintiff was present in the SVU office when she noticed Detective Malik Rivers (DET Rivers) and Detective Michael Flowers, in the SVU office meeting with Defendant McGuire and Deputy Chief Nichele Patrick.
180. Shortly after leaving the closed-door meeting Detective Rivers made derogatory comments towards the Plaintiff regarding her participation in the I-Team whistleblower segment.
181. When the Plaintiff questioned Detective Rivers comments, Detective Rivers became irate and escalated the situation by speaking loudly and aggressively at the Plaintiff.

182. This office interaction led to a meeting with Captain Olmo who directed the Plaintiff and Detective Rivers to place their versions of the events in written reports, which were then referred by Captain Olmo to the Inspector General.
183. During this meeting the Plaintiff acknowledged that she was one of the ECPO employees who appeared in the I-Team whistleblower segment regarding the so-called Belleville Project, to which Captain Olmo claimed he was not aware due to the interviewees appearing in silhouette.
184. The Plaintiff notes that Detective Rivers is a close ally of Defendants McGuire and Mattia and was the second highest overtime earner in SVU in 2023.
185. For example, based on records obtained by the Plaintiff, despite a three-month leave of absence, Detective Flowers was the highest overtime earner in SVU in 2023.
186. On January 30, 2024, the Plaintiff is interviewed by Inspector General Scaglione.
187. Although the interview was ostensibly regarding the office incident between Detective Rivers and the Plaintiff, Inspector General Scaglione disclosed he was also conducting a parallel investigation to determine the identities of the whistleblowers who appeared in the I-Team segment.
188. On February 8, 2024, the Plaintiff received notice of the findings of the OPIA complaint she submitted in 2022.
189. The OPIA had determined that “several areas of deficiency where the internal affairs case failed to comply with the letter or spirit of the Attorney General Internal Affairs Policy and Procedures.”
190. On February 14, 2024, the Plaintiff requested transfer from SVU via an Administrative Report to Sergeant Krista Tracey respectfully requesting “one to two months’ time to organize her investigations in preparation for them to be

turned over to the new lead/replacement Detective, if possible.

191. On February 20, 2024, the Plaintiff wrote to Captain Olmo requesting she was exonerated from the "insubordination" charge based on the findings of the OPIA that Internal Affairs policy and procedure had not been followed.
192. On March 18, 2024, the Plaintiff was granted the requested transfer, but retaliatory intent was evident in that the Plaintiff was ordered to work a "Pitman schedule" despite another Detective already working at the same assignment working a standard Monday thru Friday, 9-5 schedule.
193. The Pitman Schedule is a 14-day rotational cycle in which each employee works seven 12-hour shifts.
194. This schedule placed the Plaintiff in a position where she needed to make significant adjustments to her life to accommodate the change, adjustments which her superiors were aware she would need to make, and were aware would cause the Plaintiff inconvenience, stress, and financial expense.
195. This was an adverse employment action materially affecting the terms and conditions of Plaintiff's employment.
196. During the time of the schedule change, Defendant Mattia was now the Plaintiff's supervisor again and the Plaintiff was back under Defendant Mattia's command.
197. At this point the Plaintiff had been repeatedly retaliated against by her superiors at the ECPO for years for reporting what she reasonably believed to be violations of laws, rules, or regulations, or incompatible with clear mandates of public policy.
198. The assignment of the Pittman schedule, the spurious internal affairs actions, the endless Administrative Reports, the lack of support, the sexual banter, the Belleville Project, the stress caused by the Defendants' illegal retaliatory conduct

had taken a toll on the Plaintiff's health.

199. The Plaintiff decided to go out on sick leave, and advised Sergeant Tracey this would likely be extended leave under the Family and Medical Leave Act (FMLA).
200. Attempting to comply with ECPO Standard Operating Procedures, the Plaintiff turned in her ECPO issued law enforcement gear to Sergeant Tracey.
201. On March 25, 2024, the Plaintiff was advised by the Essex County OIG that their investigation of her complaint of Discrimination/Harassment against Detective Rivers found no violation of policy.
202. On the same day the Plaintiff received a second letter advising her that the Essex County OIG investigation of Detective Rivers' complaint against the Plaintiff had resulted in a "finding of a violation of a County Policy and Procedure in the matter of Conduct Unbecoming a County Employee-Investigator 'Clowers'."
203. After receiving this letter, the Plaintiff determined the best course of action was to return to work where she could mount an effective defense against the pretextual, retaliatory administrative charge.
204. Despite a near immediate return to work, the Plaintiff was inexplicably sent for a Fitness for Duty exam by the Defendants.
205. The Plaintiff was on sick leave for little more than a week and there was no reason for Defendants to believe that the Plaintiff's ability to perform one or more essential functions of her job would be impaired by a medical condition, or that she would pose a direct threat to herself or others due to a medical condition.
206. The County Doctor cleared the Defendant to return to work but also identified she was seen by a therapist due to stress.
207. Sending the Plaintiff for an unnecessary fitness for duty exam was a retaliatory, adverse employment action that materially affected the terms and conditions of

employment.

208. The Plaintiff was reassigned to the Juvenile Unit on April 23, 2024.
209. The Plaintiff had a meeting on April 10, 2024, with Sergeant McCabe and Sergeant Tracey during which it was requested the Plaintiff complete SVU work while assigned to the Juvenile Unit.
210. From the time she returned to work the Plaintiff had not been allowed to reclaim and carry her duty firearm.
211. Returning to work unarmed and being assigned to desk duty is commonly referenced in police jargon as being assigned to the "Rubber Gun Squad."
212. The term "Rubber Gun Squad" is police phraseology for an Officer who is stripped of his or her service weapon for his or her own safety or the safety of others and placed on restricted (typically desk) duty.
213. Such an assignment is often perceived by law enforcement coworkers as the time span pending between disciplinary action, and termination of employment.
214. Returning the Plaintiff to work unarmed was a retaliatory, adverse employment action that materially affected the terms and conditions of employment.
215. On April 12, 2024, the Plaintiff met with Captain Paul Ranges, Lieutenant John DeGroot, and Sergeant Tracey in which she was advised she would be reporting to three chains of command.
216. The Plaintiff notes no other Detective working for Defendants is required to report to three separate chains of command and this confusing scheme was developed solely for her.
217. Assigning the Plaintiff to report to three different chains of command was a retaliatory, adverse employment action that materially affected the terms and conditions of employment.

on how to proceed.

228. On October 25, 2024, the Plaintiff received Training Memo T-225-2024 stating that she, along with five other Detectives, were “approved to participate in the application process” for Defensive Tactics Instructor Training.
229. Despite assurance from Michael McGuire, the Plaintiff was notified via Training Memo T-225-2024, that a Pre-Assessment for the Defensive Tactics Instructor Training was required and was scheduled for 10/31/2024.
230. The Plaintiff was the only female out of six peers that submitted for the training.
231. The Plaintiff notes the Defendants do not require their Detectives to participate in yearly Physical Fitness tests, nor are there any physical fitness standards, nor any height and weight standards, other than being able to do the basic physical functions required by detective duties.
232. On October 25, 2024, the Plaintiff received an email denying her participation as a Role Player at the FBI/New Jersey State Police undercover school.
233. This request was inexplicably denied by the Defendants even though the Plaintiff’s participation was requested by the New Jersey State Police.
234. Denying the Plaintiff the career opportunity to participate as a Role Player in undercover school was a retaliatory, adverse employment action that materially affected the terms and conditions of employment.
235. On October 31, 2024, the Plaintiff took and passed the Essex County Police Academy - Pre-Assessment Physical Fitness Test.
236. Defendant Mattia was present at the track to watch the Pre-Assessment, the Plaintiff believed Defendant Mattia was there to document the occasion in the event the Plaintiff failed the test.
237. The Plaintiff being set up for failure by her chain of command was a retaliatory,

adverse employment action that materially affected the terms and conditions of employment.

238. In November 2024 the Plaintiff developed a significant lead in a fatal arson investigation involving a juvenile suspect.
239. Instead of allowing the Plaintiff to fulfill her function as a Juvenile Unit detective, the matter was assigned by Captain Olmo to SVU, apparently to spite the Plaintiff and keep her out of the investigation.
240. The Plaintiff was also banned from the SVU office by Captain Olmo who stated he does not want the Plaintiff in the building.
241. Not assigning the Plaintiff the investigation, and banning the Plaintiff from the SVU office, was a retaliatory, adverse employment action that materially affected the terms and conditions of employment.
242. The Plaintiff has received no resolution to the OIG investigation which held her liable for alleged Conduct Unbecoming, nor has the Plaintiff been afforded any relief from the previous Internal Affairs investigation found to be deficient by the OPIA.
243. The Defendants keeping the investigations open far beyond the guidelines stipulated by the New Jersey Attorney General, and failing to dismiss the matter after the finding from the OPIA, is an ongoing retaliatory, adverse employment action that materially and adversely affected the terms and conditions of Plaintiff's employment.
244. While working for Defendants the Plaintiff endured a pattern and practice of sexual harassment and bias-based discrimination based on her female sex.
245. Throughout her tenure working under Captain Olmo the Plaintiff was frequently subjected to Captain Olmo's inappropriate and sexually charged

comments, specifically about her appearance.

246. In one instance, Captain Olmo graphically described alleged sex activities with his wife, including graphic descriptions of oral sex, while eating lunch with the Plaintiff in the SVU common lunch area.
247. Captain Olmo also has a history of making inappropriate comments to the Plaintiff, including calling her “bad girl” at a ECPO holiday party after observing her dancing with another Detective.
248. Defendant Campo was responsible for fostering rumors that the Plaintiff and another female Detective were engaged in a lesbian relationship simply because they shared the same days off.
249. The Plaintiff has been subjected to a pattern and practice of discrimination where her workplace behavior and job performance is scrutinized at a level far beyond that of her male peers.
250. The Defendants have repeatedly represented to the Plaintiff that she is perceived as having a “State Police” demeanor, which the Plaintiff perceives as commensurate with a belief she is a pushy, or uppity female, who refuses to acknowledge her subordinate place as a female within the male dominated hierarchy of the Defendants’ workplace.
251. This belief was reinforced by the words of Defendant McGuire himself who crudely observed that employees of the ECPO would “lick my ass” for a promotion.
252. The Plaintiff repeatedly reported to her superiors, and to outside agencies, including the Office of the Attorney General, her reasonable belief that the Defendants’ conduct was violating laws, rules, or regulations, or was incompatible with clear mandates of public policy.

253. These protected communications went beyond mere vague references or generalized complaints to the Defendants' violations of laws, rules, regulations, or public policies and referenced specific policies, procedures, rules, regulations, laws and or public policy which Defendants routinely violated.
254. The Plaintiff had a reasonable belief that Defendants' conduct was violating a law, rule, or regulation, or was incompatible with a clear mandate of public.
255. The Plaintiff performed a "whistle blowing" activity in making protected communications to her superiors, outside agencies, and ultimately to the media.
256. After making these protected communications the Plaintiff suffered an array of discrete adverse employment actions from the Defendants including innumerable Administrative Reports, a "verbal" reprimand - inexplicably reduced to writing, multiple Internal Affairs investigations, false accusations of "conduct unbecoming," threats from superiors up to and including the Chief himself, a spurious Fitness for Duty exam, denial of resources, denial of training opportunities, subjection to a bizarre triumvirate chain of command, inexplicable and confusion work task assignments, being disarmed - assigned to "Rubber Gun Squad" duties, docked pay, subjected to inexplicable shift changes, and more.
257. There is a clear causal connection between the protected communications, the "whistleblowing" and the retaliatory conduct of the Defendants.
258. The retaliatory adverse job actions came in close temporal proximity to the protected communications, and the persons who initiated the retaliatory adverse employment action were often either those same superiors who the Plaintiff complained of, or employees known to be friends and/or allies of such superiors.
259. The causal connection is tremendously strengthened by the words of the

Plaintiff's superiors, including Defendant McGuire, effectively stating that in the Defendants' workplace there was a policy of keeping employees from reporting misconduct or deficiencies through threat of retaliation.

260. Those employees who are willing to be complicit in the dysfunctional organizational culture of the ECPO thrive, while conscientious employees suffer the wrath of Defendant McGuire and those he empowers to retaliate with impunity, either in furtherance of their own goals, to gain favor, or for fear of incurring Defendant McGuire's wrath.
261. The Plaintiff was retaliated against and discriminated against by the Defendants.
262. The Plaintiff suffered damages due to the discrimination, retaliation and hostile work environment created, maintained, aided and abetted by Defendants.
263. The Defendants are liable to the Plaintiff for damages.
264. The ongoing pattern and practice of illegal retaliatory and discriminatory conduct by the Defendants represents a continuing tort in which all evidence of discrimination and retaliation during the Plaintiff's employment may be considered as causes of action.
265. The retaliatory adverse employment actions by Defendants were aided and abetted by Defendants causing the Plaintiff emotional distress, adversely impacting the Plaintiff's good name and reputation, causing severe humiliation, and adversely affected her career prospects, and personal life.
266. The acts of retaliation carried out by the Defendants, aided and abetted by Defendant Essex, are willful, egregious, and malicious, qualifying the Plaintiff's claims for punitive damages.
267. Defendant Essex failed to supervise and train Defendant McGuire in a manner which would reasonably prevent retaliation in the workplace.

CONSCIENTIOUS EMPLOYEE PROTECTION ACT ("CEPA")

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examples of adverse employment actions, harassment, and hostile work environment.

277. The Plaintiff's protected communications were made verbally and memorialized in detailed emails, memorandums, statements and other writings.
278. In each case the Plaintiff brought a complaint forward to Defendants regarding her reasonable belief that Defendants' conduct was violating laws, rules, regulations, or public policies, she suffered adverse employment actions in close temporal proximity to her complaints.
279. These retaliatory, adverse employment actions consisted of written and verbal reprimands, constant documentation of minute lapses of policy or procedure, spurious internal affairs complaints lodged by those she complained of, spurious referrals to the weaponized Inspector General, denial of overtime, docking of pay, spurious fitness for duty exams, superiors creating friction between Plaintiff and her peers, multiple transfers, and inexplicable pretextual workplace decisions such as assigning the Plaintiff to three chains of command, refusing to return her duty weapon, and seating her in areas where she could be observed by superiors.
280. The Plaintiff suffered from and continues to suffer from an ongoing hostile work environment of severe and pervasive retaliation by the Defendants based on his protected communications regarding violations of laws, rules, policies and procedures at the Essex County Prosecutor's Office.
281. The actions of the individual Defendants either directly resulted in retaliatory actions against the Plaintiff at their direction or fostered a hostile work environment where illegal retaliation was not only tacitly approved, but encouraged, aided and abetted by the Defendants.
282. The pattern and practice of retaliatory actions taken against the Plaintiff for her

protected communication of reasonable beliefs the Defendants were committing violations of the law, rules, regulations, or clear mandates of public policy, led the Plaintiff, a reasonable law enforcement officer, to the conclusion the terms and conditions of her employment had been altered, and the workplace had become hostile and abusive.

283. As a direct, foreseeable, and proximate result of the outrageous, illegal retaliatory actions of Defendants, Plaintiff has suffered and will continue to suffer damages, including but not limited to emotional distress, humiliation, loss of pay, loss of reputation, and embarrassment.

284. The egregious and outrageous nature of the illegal, retaliatory adverse employment actions inflicted on the Plaintiff by Defendants qualify this matter for punitive damages under the law.

WHEREFORE Plaintiff demands judgment jointly and severally against Defendants for compensatory damages for pain and suffering as well as loss of earnings and other employee benefits, damages for reputational and career development injury, consequential damages, incidental damages, punitive damages, attorney fees and costs of suit, injunctive relief requiring remediation of Defendants' workplace retaliation policy, and any other relief deemed by the Court to be equitable and just.

SECOND COUNT:

NEW JERSEY LAW AGAINST DISCRIMINATION (NJLAD)

285. The Plaintiff repeats each and every allegation set forth above as if set forth fully herein at length.

286. Defendants are an employer as defined by the NJLAD.

287. The Plaintiff is an employee as defined by the NJLAD.

288. The individual Defendants McGuire and Mattia are supervisors as defined by the NJLAD.
289. The NJLAD prohibits employers from acts of bias-based discrimination and harassment in the workplace.
290. The Plaintiff is a member of the female sex and therefore the member of a protected class under the NJLAD.
291. The Plaintiff suffered a severe and pervasive pattern and practice of discrimination and harassment in Defendants' workplace based on her female sex.
292. The Plaintiff was subjected to constant sexual banter in the workplace including that of superior officers such as Captain Olmo.
293. Captain Olmo frequently discusses his sex life in the workplace including graphic descriptions of his oral sex activities with his wife.
294. The Plaintiff was subjected to rumors regarding her sexuality simply because she was friends with another female detective, and they happened to have similar days off.
295. This rumor was started by a superior officer of Defendant Essex.
296. The Plaintiff has repeatedly been told by superior officers of Defendant Essex that in effect, she needed to be tamed, as her assertive personality as a female law enforcement officer was out of sync with the male dominated organizational culture fostered by Defendant McGuire.
297. In direct conversations with Defendant McGuire his expectation of subservience of his subordinates was described in the crudest of terms.
298. The constant bombardment of sexually charged conversation, crude language and speculation regarding the Plaintiff's sexuality were not have occurred but for

the Plaintiff being a female.

299. The conduct was severe and pervasive enough to lead the Plaintiff, a reasonable female law enforcement officer, to believe that the terms and conditions of employment had been altered and the working environment was hostile and abusive.
300. Defendant Essex knew or should have known of the hostile nature of the ECPO work environment yet failed to take any reasonable steps to stop it.
301. The Plaintiff had a reasonable belief that tolerating the sexually harassing and discriminating work environment was so ingrained in the ECPO organizational culture, that tolerating it was a term and condition of continuing employment.
302. Having already experienced severe retaliation for reporting violations of rules, policies, laws, public policy and more, the Plaintiff was acutely aware that any complaints about sexual harassment would likely result in no action against the harasser, and instead, retaliatory actions being taken against the Plaintiff.
303. The hostile work environment made it difficult for the Plaintiff to concentrate on her daily work and adversely affected her work performance.
304. The hostile work environment created an offensive and intimidating workplace for the Plaintiff.
305. The Plaintiff suffered emotional distress as the result of the hostile work environment fostered, aided and abetted by Defendants.
306. As a result of the hostile work environment the Plaintiff suffered damages.
307. But for the acts and omissions of Defendants the Plaintiff would not have suffered such damages.
308. The Defendants are liable to the Plaintiff for damages.

WHEREFORE Plaintiff demands judgment jointly and severally

against Defendants for compensatory damages for pain and suffering as well as loss of earnings and other employee benefits, damages for reputational and career development injury, consequential damages, incidental damages, punitive damages, attorney fees and costs of suit, injunctive relief requiring remediation of Defendants' discrimination and retaliation through affirmative action, and any other relief deemed by the Court to be equitable and just.



Date: January 5, 2025

By: _____

Christopher J. D'Alessandro, Esq.

CERTIFICATION PURSUANT TO RULE 1:38-7

I certify that confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future in accordance with Rule 1:39-7(b).



Date: January 5, 2025

Christopher J. D'Alessandro, Esq.

CERTIFICATION OF NO OTHER ACTIONS

I certify that the dispute about which I am suing is not the subject of any other action pending in any other court or a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.



Date: January 5, 2025

Christopher J. D'Alessandro, Esq.

JURY DEMAND

The plaintiff demands trial by a jury on all of the triable issues of this complaint, in accordance with New Jersey Court Rules 1:8-2(b) and 4:35-1(a).



Date: January 5, 2025

Christopher J. D'Alessandro, Esq.

DESIGNATION OF TRIAL COUNSEL

Christopher J. D'Alessandro, Esq. is hereby designated as trial counsel for Plaintiff, Aileen Clowes, in the above matter.



Dated: January 5, 2025

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