

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

DANAKELLY HAMPTON

(b) County of Residence of First Listed Plaintiff Burlington, NJ (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Kasturi Sen - Weir Greenblatt Pierce LLP 215-665-8181 1339 Chestnut Street, Suite 500 Philadelphia, PA 19107

DEFENDANTS

DELAWARE COUNTY

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

William Martin, Esquire Delaware County Solicitor

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, 1 1, 2 2, 3 3, 4 4, 5 5, 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Personal Injury, Property Damage, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): Section 1981, 1983, and Fourteenth Amendment claims. Brief description of cause: Race/Color and Gender Discrimination; Defamation and Slander; False Light - Invasion of Privacy; Tortious Interference with Contractual Relations

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE Dec 21, 2023 SIGNATURE OF ATTORNEY OF RECORD Kasturi Sen

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 209 Pageant Lane Willingboro, NJ 08046

Address of Defendant: 201 W. Front Street Media, PA 19063

Place of Accident, Incident or Transaction: 340 Middletown Rd, Media, PA 19063

RELATED CASE IF ANY:

Case Number: Judge: Date Terminated

Civil cases are deemed related when Yes is answered to any of the following questions:

- 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit Pending or within one year previously terminated action in this court? Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier Numbered case pending or within one year previously terminated action of this court? Yes No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se case filed by the same individual? Yes No

I certify that, to my knowledge, the within case is/is not related to any now pending or within one year previously terminated action in this court except as note above.

DATE: 12/21/2023 Kasturi Sen 209351 Attorney-at-Law Attorney I.D. # (if applicable)

Civil (Place a checkmark in one category only)

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Wage and Hour Class Action/Collective Action
6. Patent
7. Copyright/Trademark
8. Employment
9. Labor-Management Relations
10. Civil Rights
11. Habeas Corpus
12. Securities Cases
13. Social Security Review Cases
14. Qui Tam Cases
15. All Other Federal Question Cases. (Please specify):

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify):
7. Products Liability
8. All Other Diversity Cases: (Please specify)

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration)

I, Kasturi Sen, counsel of record or pro se plaintiff, do hereby certify:

Pursuant to Local Civil Rule 53.2 § 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

Relief other than monetary damages is sought.

DATE: 12/21/2023 Kasturi Sen 209351 Attorney-at-Law Attorney ID # (if applicable)

NOTE: A trial de novo will be a jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANAKELLY HAMPTON	:	
209 Pageant Lane	:	
Willingboro, NJ 08046	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 2:23-cv-5085
	:	
v.	:	
	:	
	:	
DELAWARE COUNTY	:	
201 W. Front Street	:	
Media, PA 19063	:	
	:	
Defendant.	:	

CIVIL COMPLAINT

1. Parties, Jurisdiction, and Venue.

1. Plaintiff Danakelly Hampton is a Black female adult individual residing at the above address.

2. Defendant, Delaware County is a county in the Commonwealth of Pennsylvania with a principal place of business at the above address. At all relevant times, Defendant was acting under color of state law.

3. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331 because it invokes questions of federal law under Sections 1981 and 1983, and the Fourteenth Amendment to the United States Constitution.

4. This Court has supplemental jurisdiction over Plaintiff's state law claims because they arise out of the same nucleus of operative facts as Plaintiff's Section 1981, 1983, and Fourteenth Amendment claims.

5. In the alternative, jurisdiction over Plaintiff's state law claims is also conferred by 28 U.S.C § 1332, as the amount in controversy in these claims exceeds \$75,000, and Plaintiff is a resident of New Jersey.

6. This action properly lies in the Eastern District of Pennsylvania pursuant to 28 U.S.C. § 1391 as the events giving rise to the claim occurred in the Eastern District of Pennsylvania.

2. Factual Averments.

7. Ms. Hampton has a Master's Degree in Forensic Medicine from the Philadelphia College of Osteopathic Medicine.

8. She is a Board-Certified Fellow Medicolegal Death Investigator with the American Board of Medicolegal Death Investigators ("ABMDI"), which is the highest qualification offered by ABMDI.

9. Prior to her employment with Delaware County, Ms. Hampton worked in three of the top medical examiner's offices in the country in Philadelphia, Chicago, and New York City, and had over a decade experience in the field.

10. Ms. Hampton was hired by Delaware County on August 30, 2021, for the position of Chief Forensics Investigator of the Delaware County Medical Examiner's Office (the "MEO"). In this position, she was supposed to be in-charge of the forensic investigators only, and according to the job description as advertised, she was supposed to work under the supervision of the Chief Medical Examiner.

11. Shortly after she joined, Ms. Hampton learned that the position of Chief Medical Examiner, the head of the MEO, would remain vacant, and that Delaware County did not intend on hiring a new Medical Examiner. Nor did the county hire an Office Administrator. So Ms. Hampton was expected, in effect, to do the jobs of three people, the Chief Medical Examiner, the Office Administrator, and her own job, that of Chief Forensic Investigator.

12. As a partial nod to Ms. Hampton's expansive job duties, her title was changed shortly after she joined from Chief Forensics Investigator (responsible only for the forensic investigators) to Chief *of* Forensic Investigations (responsible for forensic investigators, contract pathologists, and others). However, the title change was not accompanied by a commensurate pay increase.

13. When Ms. Hampton joined, the MEO was in complete disarray. It had lost its National Associate of Medical Examiners accreditation going back to 1999. It was inadequately staffed and operating out of two buildings, both in desperate need of repair, and without proper equipment to function adequately, including mold-ridden leaky roofs, inadequate lighting, plumbing back-ups in the morgue sink, no ADA- mandated handicap access, no proper drying cabinet to dry evidence, not even a proper autopsy pedestal table to conduct autopsies, MEO case files going back to the 1940s stacked without organization, and decaying evidence on old cases from decades earlier that was never forensically tested and was improperly collected and stored by police.

14. Ms. Hampton worked long hours to address this very challenging situation, amidst total lack of guidance from upper management, and single-handedly turned the MEO around. She became the *de facto* head, overseeing all operations, making hiring decisions, handling the budget, and supervising all pathologists, office staff, forensic investigators and autopsy technicians alike, and was treated as the head of the MEO by the then-Executive Director of Delaware County, Howard Lazarus,¹ who included Ms. Hampton on all emails he sent to department directors heading other offices under his purview.

¹ See Email 1/20/2022 Email from Howard Lazarus "is the equivalent of a Department Director in her role as Chief Forensic Investigator," attached hereto as Exhibit A.

15. In the first few months of her employment, Ms. Hampton hired an on-call forensic odontologist, two qualified forensic investigators, a grief counselor/indigent coordinator (a position she created) and an evidence technician (another position she created). She merged the two MEO locations, ordered new equipment, oversaw extensive repairs, created handicap access, organized and put into storage case files that were more than 10 years old, and dramatically elevated the office space.

16. Prior to her arrival, the MEO, was practically functioning in a pre-technology age. It did not even have the capacity to issue electronic death certificates, nor access to an electronic system to collect money for the death permits it issued (a major source of revenue for the MEO), or locate the next of kin of decedents, or a standardized way to disseminate information about any unidentified bodies to law enforcement across the country with missing persons information. Ms. Hampton changed all that, by linking the MEO to the Electronic Death Registry System (making Delaware County one of the last counties to go electronic with death certificates), set up a PayPal system to accept money for creation permits (and even before that, with an interim prepaid system by checks, collected \$16,300 in prepaid deposits for cremations in just two weeks), linked the MEO to Accurint, an electronic tracking database to assist the office in locating next of kin, and, with the help of a bereavement counselor she hired, inputted all unidentified decedent information into the National Association of Missing & Unidentified Persons Systems. She also identified \$500,000 worth of cremation permits that had not been paid for by funeral homes since 2011 and eventually recovered at least \$120,000 of that money with the assistance of outside counsel through settlement and litigation in which she participated, and increased the amount the MEO would charge for sharing its records with other PA agencies, per statute, by 400%, which led to revenue increases in the tens of thousands of dollars.

17. However, despite these successes, from the beginning, Ms. Hampton and those of her staff who were non-white, faced race-based hostilities from the largely white, 50 or so odd police departments within Delaware county with whom the MEO had to work closely, the District Attorney's Office (the "DAO") and the Criminal Investigation Division ("CID") within the DAO in particular. Ms. Hampton also faced racism within her ranks and was prevented from taking any disciplinary action against her staff by white management. Ms. Hampton was singled out by Mr. Lazarus, who, while otherwise appreciative of her efforts to raise the office standard, repeatedly told her that she had a "tough job telling white men what to do as a black woman;" undermined her and ratified the racist behavior of the police, District Attorney Jack Stollsteimer (a white man), Chief of CID, James Nolan (a white man), amongst others; unfairly disciplined her; and ultimately constructively discharged her.

18. To being with, Ms. Hampton repeatedly requested that Delaware County work with her to issue a press release announcing her hire and the fact that she would be responsible for the MEO's daily operations and policies, as had been customary for her white male predecessors, and was customary for all department leaders for the County. A press release would have provided her visibility with, and cooperation from, the police departments, funeral directors and hospital administrators with which she had to work. The County declined her requests.

19. On November 5, 2021, Amanda Wilson (a white woman), one of Ms. Hampton's supervisees, filed a false report with the Park Police claiming that someone was going through her handbag. Ms. Wilson was not in the office that day and neither was her handbag, and Ms. Wilson was aware that Ms. Hampton was supervising the clearing out of Ms. Wilson's *work*

space, which was being converted into a shared space. Ms. Wilson had failed to follow instructions and clear out the space herself, despite being on notice to do so as early as October 13, 2021.

20. When the Park Police arrived, Ms. Hampton faced the humiliating task of explaining why she was cleaning out a subordinate's workspace, and to clear her name of this absurd theft allegation. The Park Police cleared Ms. Hampton in this investigation. However, HR Advisor Angela Frattarelli and 911 Director Tim Boyce,² both white, prohibited Ms. Hampton from disciplining Ms. Wilson in any way thereby undermining her authority within the MEO.

21. The nearly all-white police departments within Delaware County would routinely attempt to hinder investigations by the MEO at crime scenes, bar its investigators (who were largely black or brown) access to crimes scenes, refuse to allow them to take photographs or interview witnesses, even though the MEO was required to do so under existing US Department of Justice ("DOJ") guidance, remove evidence from the crime scene prior to granting investigators access, refuse to help remove the body of a decedent, in one case, even though the body weighed over 300 lbs. until one of the investigators got injured struggling to load the body onto the gurney, and in another case, even left two investigators—both from minority races—at a crime scene in the woods, with the lights out, in a dangerous situation, as MEO investigators do not have guns or bullet proof vests.

22. Specifically, with respect to Ms. Hampton herself, on February 2, 2022, a member of the Clifton Heights police Department threatened to arrest her if she entered the scene

² Mr. Boyce officially held the title of Director of Emergency Services and was in- charge of 911 Dispatch. However, he worked as a liaison between the various police departments and the MEO. He also told Ms. Hampton—on several occasions—to be careful as a black woman, trying to tell white policemen what to do, and that the first and only black female police chief of Darby township had been "run out" of her job by the white men she was meant to supervise.

at the hospital death of a child, even though her job was to photograph the decedent at the hospital.

23. That same day, Ms. Hampton and a Forensic Investigator, Julia Barrera-Alvizuri, both racial minorities, went to Clifton Heights to continue the child investigation and re-enact the child's death using a doll as was customary in their investigation. The mother of the child had previously agreed to the re-enactment but refused to let them into the home or cooperate and said that a police sergeant from the Clifton Heights Police Department had told her that it was her (the mother's) choice. Further, she told Ms. Hampton that the police had already searched her entire house without a warrant, not just the area where the baby had died. The mother called the sergeant and when he showed up, he reiterated that the mother did not have to cooperate with Ms. Hampton, and Ms. Hampton and her team were not able to conduct the required investigation.

24. Finally, Ms. Hampton sought the help of the DAO and asked for a meeting. On Friday February 11, 2022, Ms. Hampton met with District Attorney Jack Stollsteimer, Chief of CID, James Nolan, Dave McDonald, also from CID, Tanner Rouse, First Assistant District Attorney, another lawyer from the DAO and Howard Lazarus. Everyone besides Ms. Hampton was white, and all except the other lawyer whose name Ms. Hampton does not remember, was a man.

25. Ms. Hampton detailed what had happened at the child death investigation in Clifton Heights, including that the police had obstructed her investigation by not permitting the MEO entry into the home until evidence had already been moved. At another incident, also in Clifton Heights, Ms. Hampton and her staff were unable to gain access to the scene of the homicide until evidence had been moved including a machete, and another weapon—obstructing

any independent investigation by the MEO. She noted that she had worked at three of the top MEO's in the country, and in each instance, the police and the MEO cooperated and worked together, unlike in Delaware County, and that this kind of freezing out of MEO personnel was unacceptable and fell well short of the national standard that ABMDI required. She further noted that the police had, in fact, gone into the home of the child death in Clifton Heights without a warrant, and conducted a warrantless search of the entire house, not just the area where the baby had died. Ms. Hampton noted that this sort of police overreach was only possible because the mother was a black woman.

26. Ms. Hampton also noted that the DAO or police in Delaware County did not want the MEO to function independently or undertake its own investigation at the crime scene, as the MEO was required to do, and that she and her personnel were routinely blocked from taking photographs or interviewing witnesses.

27. The white men in the room became increasingly hostile and agitated and screamed at Ms. Hampton, red-faced, through most of this meeting. Dave McDonald specifically cut off Ms. Hampton to say that MEO should not be taking any photos or interviewing anyone, a directive that directly contradicts guidance issued by the DOJ in 2011 and followed by the ABMDI, of which Ms. Hampton, again, is a Board-Certified Fellow.³

28. The DAO and CID personnel all agreed with Mr. McDonald and verbally attacked Ms. Hampton. The white woman present made faces directed at Ms. Hampton while the men yelled.

³ See US DOJ, *Death Investigation: the Guide for the Scene Investigator: Technical Update* (original guide developed and approved by the National Medicolegal Review Panel) 23 (June 2011), available at <https://www.ojp.gov/pdffiles1/nij/234457.pdf>; and also available at https://www.abmdi.org/documents/death_investigation_guidelines.pdf (“The investigator shall obtain detailed photographic documentation of the scene that provides both instant and permanent high-quality (e.g., 35 mm) images.”); *id.* at 27-28 (an entire section devoted to interviewing witnesses at the scene)

29. When Ms. Hampton, who had arrived prepared with DOJ report outlining the MEO's responsibility specifically to take photos and interview witnesses, and the PA statute mandating that the coroner's office conduct a "careful investigation of the facts concerning...death,"⁴ tried to direct the attendees' attention to the applicable provisions, DA Stollsteimer physically threw the report back at her.

30. Mr. Lazarus watched as the group banded together to attack and berate Ms. Hampton and did nothing to stop it or support her.

31. Ms. Hampton left the meeting feeling humiliated and extremely anxious about her ability to lead the MEO in an adequate manner with the level of interference and aggression she was facing. Yet, she was determined not to give up.

32. After this meeting on February 11, 2022, Mr. Lazarus's attitude towards Ms. Hampton changed markedly.

33. Previously, Mr. Lazarus had repeatedly warned Ms. Hampton that "as a black woman," she had a "tough job" telling the white men in law enforcement what to do, and Ms. Hampton would protest that she was not "telling white men what to do," but rather was trying to do her job according to the National Association of Medical Examiners' standards.

34. Mr. Lazarus had also told Ms. Hampton that she was not on DA Stollsteimer's "good side," and urged *her* to improve relationships with the DA but would not provide any more details on why DA Stollsteimer did not like her, or what she could do to fix this, other than, presumably, the fact that she was a black woman "telling a white man what to do."

35. Despite these racist remarks, until this contentious meeting with the DAO and CID, Mr. Lazarus had, in other ways, been supportive of Ms. Hampton's efforts to bring the

⁴ See 16 Pa. Stat. § 9521.

MEO up to standard. But because Ms. Hampton dared to challenge the DAO and called for the February meeting, Mr. Lazarus, who kowtowed to the DAO and the CID, withdrew his support.

36. For example, prior to February 2022, Mr. Lazarus would mentor Ms. Hampton by meeting with her once a week. But in February, he stopped such meetings.

37. He also told Ms. Hampton that he had to sever his mentoring relationship with Ms. Hampton because she was a black woman, and there were “just things” he could not teach her “as a black woman.” Instead, he encouraged her to meet with Dr. Monica Taylor, a black councilwoman with no medical background or experience in running the MEO, who could provide Ms. Hampton little guidance.

38. Despite the fact that Ms. Taylor was supposed to be the liaison between the Delaware County Council and the MEO, Ms. Hampton had only met with her once up to that point, back in October 2021. Starting around March 2022, she began meeting with Ms. Taylor on a bi-weekly basis. After about two meetings, these were abruptly cancelled.

39. When Ms. Hampton continued to protest about police interactions with MEO personnel, Mr. Lazarus put her off by telling her to ask her investigators to prepare incident reports that would then be handled by DA Stollsteimer.

40. Ms. Hampton directed her team of investigators—largely, if not wholly, from minority backgrounds—to prepare such incident reports, documenting the many challenges the MEO was facing from the police. She then forwarded them to Mr. Lazarus.

41. Upon information and belief, DA Stollsteimer did nothing to address these reports, and Mr. Lazarus was well aware of this and did nothing to change the status quo.

42. Ms. Hampton was being frozen out by Mr. Lazarus because as a black woman, she had overstepped her mark in telling white men what to do.

43. On March 29, 2022, Adrienne Marofsky (a white woman), the County's Public Relations Director, received confirmation from Ms. Hampton regarding the decedent's identity in a high-profile death in Ridley Township. Ms. Marofsky, unbeknownst to Ms. Hampton and under pressure from the media, released the name of the decedent to the public without clearing it first with the Ridley Township Police Department ("RPD"), as she had been doing on prior communications, including involving this very decedent. This created an immediate controversy as the family of the decedent should have been informed of the confirmed identity prior to the public release,⁵ and the RPD should have been breaking the news to the family.

44. Within the hour, Ms. Hampton was informed by her staff that the family of the decedent was upset that they received confirmation of the identity of the deceased via television. Ms. Hampton immediately called the family and apologized profusely for this.

45. She next called Ms. Marofsky and broke down in tears, extremely upset that Ms. Marofsky had released the information without clearing it with the RPD, and that the family was getting the news via television.

46. Ms. Hampton then received a phone call from Captain James Dougherty of the RPD. In that call, Captain Dougherty, another white man, denigrated, screamed and cursed at Ms. Hampton in a completely hostile and unprofessional manner, calling her "a fucking idiot."

47. Ms. Hampton then called Mr. Lazarus. Ms. Hampton told Mr. Lazarus that she had not expected Ms. Marofsky to release the information that day; however, as the head of MEO, she took responsibility for the untimely release. She told Mr. Lazarus that she should have specifically told Ms. Marofsky not to release the information, not assumed that Ms. Marofsky would clear it with the RPD first and accepted that she had made a rookie mistake.

⁵ To be clear, the family was already aware that the body recovered belonged to the deceased as the media had announced the name days prior, even before the body had been recovered from the water where it was found in a vehicle registered to the decedent.

48. She also reported that Captain Dougherty had been verbally abusive and completely inappropriate towards her on the phone. Mr. Lazarus said nothing in response.

49. Mr. Lazarus, who had been looking for an excuse to put Ms. Hampton in her place ever since the February 11, 2022 meeting with the DAO, immediately placed Ms. Hampton on administrative leave, effective March 30, 2022, and proceeded to conduct a sham investigation into Ms. Hampton.

50. Rather than limiting his investigation to the media release itself, Mr. Lazarus seized this opportunity to collude with the white male law enforcement officers who could not tolerate Ms. Hampton, a black woman, to solicit in-depth reviews of Ms. Hampton's entire "performance" from these white men, even though he was fully aware of how these same white men had been hostile and abusive towards Ms. Hampton, had interfered with the functioning of the MEO, did not like to be told by a black woman what to do, and certainly were not Ms. Hampton's supervisors tasked with conducting any sort of "performance" review.

51. Mr. Lazarus then generated a disciplinary memorandum for Ms. Hampton, dated April 8, 2022 addressed to his subordinate, Chief Personnel Officer Jamal Johnson,⁶ on which he inexplicably copied *only the two black members of Delaware County Council*, Monica Taylor and Richard Womack, leaving out the remaining three members who were white, Elaine Paul Schaeffer, Christine Reuther and Kevin Madden.

52. As is apparent from the one-sided memorandum, Mr. Lazarus accepted Ms. Marofsky's version of events without question, spoke with Captain Dougherty without even addressing Dougherty's abuse of Ms. Hampton on the March 29, 2022 phone call, also accepted Captain Dougherty's assessment of Ms. Hampton's "performance" without corroboration, and similarly accepted accounts from white RPD detectives that Ms. Hampton at times created

⁶ A black man who was also demoted and then, like Ms. Hampton, forced to resign shortly thereafter.

“a difficult working environment” with no further detail. Mr. Lazarus further noted that while the investigation was on-going, DA Stollsteimer had provided unsolicited criticism of Ms. Hampton’s actions in an unscheduled visit, and in response, Mr. Lazarus then gratuitously sought the DA’s assistance in finding a replacement to lead the MEO who would be “*preferably a strong leader with good relationships with local police departments.*” In other words, not a black woman. Mr. Lazarus went on to seek similar input from James Nolan of CID (*i.e.*, to find a MEO leader with “good relations with the police departments within the County”) also as documented in this memorandum, a copy of which was provided to Ms. Hampton.

53. Upon information and belief, by contrast, Mr. Lazarus never addressed DA Stollsteimer, James Nolan, Captain Dougherty, or anyone else on their mistreatment of Ms. Hampton, some of which Mr. Lazarus directly witnessed.

54. Mr. Lazarus chose instead, to collude with these white men and discipline Ms. Hampton, a black woman.

55. In this memorandum, he concluded, despite the fact that “Ms. Hampton had made significant improvements in the operations since the beginning of her employment last fall,” she had “strained relationships both internally and externally,” and that if she did not fix these relationships, “her future service to Delaware County [would become] untenable.” In other words, if Ms. Hampton could not find a way to get along with the white men who did not want to be told what to do by her, were verbally abusive towards her, and did not want the MEO to function up to industry standard, then Ms. Hampton would be fired.

56. As noted in his memorandum to Ms. Hampton, Mr. Lazarus was already working on finding a replacement for her as the de facto head of the MEO, and in this same memorandum, he effectively demoted her—at least on paper—by stripping her of a majority of

her responsibilities and limiting her role to managing only the forensic operations of the MEO (the job for which she was originally hired.). He also stated that Ms. Hampton would be on a performance improvement plan with “discernible goals and objectives, incorporate a formalized mentoring and coaching plan; and provide for a ‘360’ style review on a recurring monthly basis.” Ms. Hampton was permitted to return from administrative leave on or before April 11, 2023.

57. Once she returned, despite the memorandum, Ms. Hampton was never put on a performance improvement plan, and continued to shoulder the burden of heading the entire MEO, as no one was else was qualified to fill her shoes.

58. Rather than providing Ms. Hampton with the review and oversight the memorandum promised, Mr. Lazarus was working behind the scenes to fire Ms. Hampton.

59. On July 18, 2022, Ms. Hampton came across a job posting with Apple One Staffing Company that appeared to be for Ms. Hampton’s job. It was for the position of “Chief Forensic Investigator” listed in multiple cities in PA. This was an attempt to hide the real location of Lima PA, where Ms. Hampton’s office was located. Ms. Hampton, along with her sister Shenita Levi, then participated in a three-way call with the number advertised on the job posting—215-252-9023—and confirmed that the position was, indeed, for the Lima MEO in Delaware County to replace Ms. Hampton.

60. In late July, Ms. Hampton invited the members of Delaware County Council to the MEO to showcase the dramatic improvements she had made to the office in the 11 months that she had been in-charge. On July 26, 2022, Councilwoman Reuther (again, a white woman) came to the MEO and Ms. Hampton gave her a tour. Later, as they sat together in Ms. Hampton’s office, Councilwoman Reuther told Ms. Hampton that she had a tough job, again because she was in a position where she had to tell white men what to do.

61. On July 28, 2022, Councilman Womack (again, a black man) came to the MEO, and after he toured the space, he sat down with Ms. Hampton in her office and had a conversation about race relations in Delaware County.

62. Councilman Womack told Ms. Hampton that he sympathized with her, and that he had hired the first black woman police chief in Darby Township, Regina Price. Ms. Hampton responded that she had been told that Ms. Price had been run out of town, which was obviously of great concern to Ms. Hampton.

63. Councilman Womack then called Ms. Price from his cell phone and handed over his phone to Ms. Hampton so she could talk directly to Ms. Price and find solidarity.

64. During this conversation, Ms. Price disclosed that as police chief, when she attempted to discipline her subordinates (again, who are all white and male), she was blocked at every turn, and Ms. Hampton responded that she was facing the same issue. Ms. Price explained that eventually she had no option but to resign.

65. On July 29, 2022, Hector Figueroa of Human Resources began to conduct an investigation of Ms. Hampton's entire staff after one of the female forensic investigators complained about being harassed by a man who was part of the administrative staff at the MEO. This harassment took place in the two-week period in early-July when Ms. Hampton was away on vacation. Ms. Hampton was copied on the investigator's emails to HR and management, and fully supportive of the investigator.

66. Ms. Hampton was first under the impression that Mr. Figueroa's investigation concerned the man who was the target of the investigator's complaint.

67. However, she later learned from one of her direct reports that Mr. Figueroa's interviews concerned Ms. Hampton and whether *she* had been abusive towards anyone. Of course, this completely undermined Ms. Hampton's position within the MEO and her ability to discipline any of her reports, and created the false impression amongst her reports that she had harassed one of her supervisees.

68. Mr. Figueroa told Ms. Hampton that no one had reported any abuse from Ms. Hampton and that everything was fine.

69. Separately, Mr. Figueroa, together with Ms. Hampton, were preparing to fire the male who had harassed the forensic investigator, when they were suddenly told by upper management that they could not fire him.

70. In another development, Mr. Figueroa, himself a racial minority, was fired.

71. Ms. Hampton was never provided a copy of the investigation report of Mr. Figueroa's investigation into her, nor did anyone from management ever reference this secret investigation targeting her.

72. It was obvious that management was trying to build a case to fire Ms. Hampton.

73. In August 2022, Ms. Hampton's vacation request was denied. Then-Deputy Executive Director Marc Woolley (now the interim Executive Director) told Ms. Hampton that she could not take leave because she had to *train her own supervisor*, an Office Administrator who was about to be hired. This position had been vacant since before Ms. Hampton was hired, and she had been effectively handling all its responsibilities. Previously, Mr. Lazarus had been very clear that if someone were hired as Office Administrator, this person would function as Ms. Hampton's peer and not supervisor. Regardless, she was now required to train the new Administrator. This position was filled by a white man, Jeffery Lange, who, upon information

and belief, received a starting salary higher than Ms. Hampton's.⁷

74. On September 9, 2022, Ms. Hampton had an in-person meeting with Mr. Lazarus where she told him that she did not have the support of upper management, that HR had completely undermined Ms. Hampton with her own staff, and while she was still running the entire office without any backing, she point blank asked him if he wanted her to continue in her job. Mr. Lazarus sidestepped the question, and instead started talking about a performance plan for her, something neither he nor any of his subordinates had acted on since his April 8, 2022, memorandum.

75. At this point, the evidence that Delaware County was preparing to fire Ms. Hampton was overwhelming.

76. That night, in order to avoid a termination on her record, Ms. Hampton sent an email to Mr. Lazarus attaching a letter noting that "*as an educated, professional, African American female, I am not valued or respected in this environment,*" that she had no backing from her own upper management and had been undermined at every turn. While emphasizing that her letter was "*by no means a resignation,*" she set forth some terms under which she would be willing to resign.

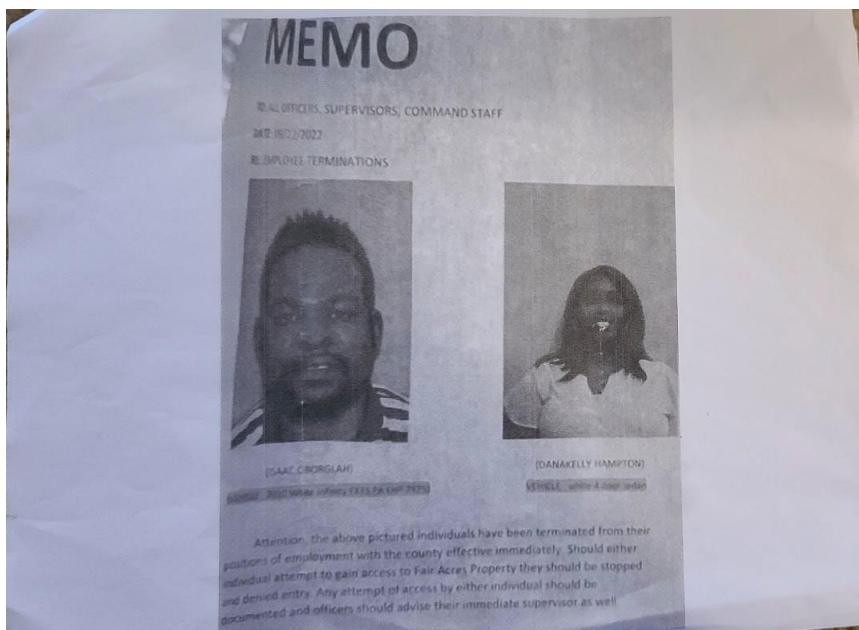
77. On September 20, 2022, Ms. Hampton was called into the office of then-Deputy Executive Director Marc Woolley. Former Chief of Personnel, Jamal Johnson was also present. Mr. Johnson told Ms. Hampton that Delaware County was "accepting her resignation," and that the County rejected all her proposed terms set forth in her September 9, 2022, letter and would, instead, provide her with a mere two weeks' severance pay. Ms. Hampton was then unceremoniously ejected from the MEO premises. To date, Ms. Hampton has not received the

⁷ As it turned out, Lange did not start in August, and Ms. Hampton's vacation request was denied for no reason.

promised two weeks' pay.

78. In Delaware County's Personnel Action Form regarding Ms. Hampton's employment with Delaware County, titled "Separations" with the categories of: "Administrative Separation, "Resignation", "Retirement", "Discharge", "Death", and "Other", there is a check next to "Resignation".

79. On September 22, 2022, Delaware County Park Police posted a "Wanted Poster" directed to "All Officers, Supervisors, Command Staff" titled "Employee Terminations" at Fair Acres Geriatric Center, located at 340 Middletown Road, Media, PA (the property where the MEO's office was located) and emailed the poster internally.



80. The Wanted Poster has Ms. Hampton's picture and name on it along with another man, who is also Black. After identifying the vehicles of both Ms. Hampton and the other man, the self-titled "memo" states,

Attention, the above pictured individuals have been terminated from their positions of employment with the county effective immediately. Should either individual attempt to gain access to Fair Acres Property they should be stopped and denied entry. Any attempt of

access by either individual should be documented and officers should advise their immediate supervisor as well.

(Emphasis included in original).

81. The Wanted Poster implies that both Ms. Hampton and the man who is also depicted on the Wanted Poster committed an act or series of acts together necessitating their immediate termination and removal from the property if they return.

82. In addition, the style of the poster which is highly reminiscent of a law enforcement “Wanted Poster” implies a suspect or person of interest in a criminal investigation.

83. Ms. Hampton does not know who the man on the Wanted Poster is and has no connection to him.

84. Upon information and belief, this is the first time Delaware County, through the Park Police or otherwise, has posted a Wanted Poster relating to a simple separation from employment.

85. The Wanted Poster falsely states that Ms. Hampton was terminated.

86. It is clear from Defendant’s own personnel documents that Ms. Hampton resigned.

87. The photograph used on the Wanted Poster was taken from Ms. Hampton’s Delaware County identification card.

88. Ms. Hampton interviewed for the Chief Deputy Coroner position with the Bucks County Coroner’s Office in October 2022. As part of that interview process, a full background check was conducted. Ms. Hampton was then hired by Bucks County.

89. Ms. Hampton began her employment with Bucks County as the Chief Deputy Coroner on Sunday October 30, 2022, and worked until Friday 4, 2022, receiving pay for that week.

90. At some point during the week Ms. Hampton was working for Bucks County, Bucks County Coroner Meredith Buck became aware of the “Wanted Poster” which, upon information and belief, was still on display at Fair Acres Geriatric Center.

91. On Friday November 4, 2022, at approximately 4 p.m., Bucks County Coroner Meredith Buck, First Deputy Coroner Scott Croop, and Bucks County Solicitor Christopher Serpico walked into Ms. Hampton’s office with the September 22, 2022, Wanted Poster referenced above.

92. Ms. Buck asked Ms. Hampton if she knew anything about the photograph. Ms. Hampton informed them that she had not seen it, did not know the man featured on it, and was not terminated from her employment with the Delaware County Medical Examiner’s Office.

93. On November 7, 2022, Ms. Buck wrote to Ms. Hampton informing her that she was terminated from her employment as Chief Deputy Coroner with the Bucks County Coroner’s Office.

94. Ms. Buck stated specifically, “Additionally, and as you know, on Friday, November 4, 2022, alarming information surrounding the circumstances regarding your previous employment with Delaware County Medical Examiner’s Office was brought to my attention. On your application for employment to the County of Bucks, you indicated that you resigned, although the information we’ve received indicates you were terminated.”

95. Ms. Buck then stated to the press, after Ms. Hampton’s termination, that Bucks County Human Resources Department was investigating her employment background (which was not true at the time of Ms. Buck’s statement) and that she was terminated for “an employment issue.”

96. Ms. Hampton has suffered catastrophic economic loss as a direct result of Delaware County Park Police's publication of the Wanted Poster.

97. In addition to losing her position at Bucks County, she also lost numerous other positions, including positions at the following after second level interviews: San Joaquin County Medical Examiner's Office, Santa Clara Medical Examiner's Office, Los Angeles County Medical Examiner's Office, and the Baltimore County Medical Examiner's Office.

98. Far from providing Ms. Hampton with any positive press release of the type that Delaware County did with all white male department leaders, the County chose to place her on a Wanted Poster. By contrast, her white male successors, the new Chief of Forensic Investigations Wesley Garrett, and Administrator Jeffrey Lange, were given a press release—something Ms. Hampton had been repeatedly denied—leading the Del Co Times to carry a flattering news article about the two men and their plans to revamp the MEO (many of which were already in motion, thanks to Ms. Hampton).⁸ The article carried no mention of Ms. Hampton, *as though she were never even employed with Delaware County*, noting, incorrectly, that “[t]he office had been without an official top administrator since the beginning of June 2021 when Dr. Frederic Hellman retired...” In fact, Ms. Hampton had been discharging the functions of both Mr. Garrett and Mr. Lange's roles for many months and had held Mr. Garrett's title.

99. Ms. Hampton has suffered severe damage to her reputation as a direct result of the actions of Delaware County.

⁸ See Kathleen E. Carey, *Delaware County Medical Examiner's office gets new leadership*, Delco Times (Nov. 2, 2022).

Count I

**Race/Color Discrimination
In Violation Of The Civil Rights Act Of 1986, 42 U.S.C. § 1981 and the
Equal Protection Clause of the Fourteenth Amendment, 42 U.S.C. §1983**

100. The averments set forth in the preceding paragraphs are incorporated by reference as though set forth full herein.

101. As a result of Defendant's actions as aforesaid, Defendant denied Plaintiff the right to the same terms, conditions, privileges and benefits afforded similarly situated white employees in violation of the Civil Rights Act of 1866, 42 U.S.C. §1981, and the equal protection clause of the Fourteenth Amendment of the United States Constitution, enforceable pursuant to 42 U.S.C. §1983.

102. Defendant's violations were done intentionally and/or knowingly with malice or reckless indifference and warrant the imposition of punitive damages.

103. As a result of Defendant's violations of Plaintiff's rights, Plaintiff has suffered damages, including, but not limited to: past and future lost wages and benefits, pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, humiliation, emotional distress, reputational harm and other harm, both tangible and intangible.

104. As a result of Defendant's violations of Plaintiff's rights, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs, for which recovery may be had pursuant to 42 U.S.C. § 1988.

105. Plaintiff is suffering and will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory and retaliatory acts unless and until this Court grants the relief requested herein.

106. The wrongful acts and conduct of Defendant are and were done with deliberate indifference to the statutory and constitutional rights of Plaintiff.

Count II
Gender Discrimination
In Violation of the Equal Protection Clause
of the Fourteenth Amendment, 42 U.S.C. § 1983

107. The averments set forth in the preceding paragraphs are incorporated by reference as though set forth full herein.

108. As a result of Defendant's actions as aforesaid, Defendant denied Plaintiff the right to the same terms, conditions, privileges and benefits afforded similarly situated male employees in violation the Equal Protection clause of the Fourteenth Amendment of the United States Constitution.

109. Defendant's violations are and were done intentionally and/or knowingly with malice or reckless indifference and warrant the imposition of punitive damages.

110. As a result of Defendant's violations of Plaintiff's Equal Protection rights, Plaintiff has suffered damages, including, but not limited to: past and future lost wages and benefits, pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, humiliation, emotional distress, reputational harm and other harm, both tangible and intangible.

111. As a result of Defendant's violations of Plaintiff's rights under the Equal Protection clause, Plaintiff has suffered the damages and losses set forth herein and has incurred attorneys' fees and costs, for which recovery may be had pursuant to 42 U.S.C. § 1988.

112. Plaintiff is suffering and will continue to suffer irreparable injury and monetary damages as a result of Defendant's discriminatory and retaliatory acts unless and until this Court grants the relief requested herein.

113. The wrongful acts and conduct of Defendants are and were done with deliberate indifference to the statutory and constitutional rights of Plaintiff.

Count III
Defamation/Slander

114. The averments set forth in the preceding paragraphs are incorporated by reference as though set forth full herein.

115. Delaware County, through publication of the above referenced Wanted Poster communicated to all those who accessed the Poster, including those who worked at the Fair Acres property, as well as the Bucks County Coroner's office, amongst others, that Plaintiff was terminated and implied that she and the man on the Wanted Poster committed an act or series of acts together which necessitated their immediate termination and removal from the property if they were to return.

116. Delaware County deliberately and recklessly communicated this falsity about Plaintiff to others.

117. Those who received this communication, including those at the Bucks County Coroner's Office amongst many others, understood the defamatory nature of Defendants' conduct, *i.e.*, they knew and understood (falsely) that Plaintiff together with the man on the Wanted Poster, committed an act or series of acts together which necessitated their immediate termination and removal from the property if they were to return.

118. As a direct and proximate result of the defamatory conduct by Defendants, Plaintiff was fired by Bucks County, and has suffered damage, including severe loss of reputation, lowering her in the estimation of the medical examiners' community nation-wide, and deterring third persons from associating or dealing with her, personal humiliation, mental anguish, and suffering, and on-going and future income loss stemming from her inability to secure employment in her chosen profession, which, to date, is unknown.

119. Defendants engaged in the above defamatory conduct against Plaintiff intentionally and knowing that what was communicated was false, or with reckless disregard for the truth of such statements.

120. Defendants are without privilege or right to have published the Wanted Poster regarding Plaintiff.

121. Because Defendants engaged in such defamatory conduct intentionally, willfully, maliciously, wantonly and/ or with reckless disregard for the truth thereof, Plaintiff is entitled to an award of punitive damages.

COUNT IV
False Light – Invasion of Privacy

122. The averments set forth in the preceding paragraphs are incorporated by reference as though set forth full herein.

123. Delaware County, through publication of the above referenced Wanted Poster, placed Plaintiff in a false light.

124. Being identified in the manner Plaintiff was, would be highly offensive to a reasonable person.

125. Defendant knew or acted in reckless disregard as to the falsity of the statements that Plaintiff was terminated and by implying that she and the man on the Wanted Poster committed an act or series of acts together which necessitated their immediate termination and removal from the property if they were to return.

126. Plaintiff has suffered and will continue to suffer damages as a result of being placed in a false light by Defendant.

COUNT V

Tortious Interference with Contractual Relations

127. The averments set forth in the preceding paragraphs are incorporated by reference as though set forth full herein.

128. Defendant intended to harm Plaintiff by interfering with her contractual relationship with Bucks County by falsely stating that she was terminated from her position and by implying that she and the man on the Wanted Poster committed an act or series of acts together which necessitated their immediate termination and removal from the property if they return.

129. Plaintiff has been severely damaged as a result of Defendant's interference with her contractual relationship with Bucks County.

130. Defendant is vicariously liable for all acts and omissions of its employees and agents in interfering with Plaintiff's contractual relationship with Bucks County.

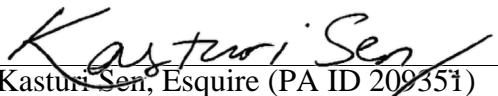
Request for Relief

WHEREFORE, Plaintiff prays for the following relief:

- a. Compensatory damages, including past and future pecuniary loss, emotional distress, and reputational harm;
- b. Punitive damages;
- c. Attorneys' fees;
- d. Litigation Cost;
- e. Such other relief as the Court deems appropriate.

DATE: December 21, 2023

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