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Attorney for Plaintiff,
Paris Fountain

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF TEHAMA – CIVIL UNLIMITED

PARIS FOUNTAIN,

Plaintiff,

v.

THE CITY OF CORNING; and Does 1
through 10,

Defendants.

Case No. 24CI-000071

COMPLAINT FOR DAMAGES

**1. SEXUAL HARASSMENT -HOSTILE
WORKING ENVIRONMENT
GOV. CODE § 12940(J)**

**2. SEXUAL HARASSMENT –
QUID PRO QUO
GOV. CODE § 12940 ET SEQ.**

**3. GENDER DISCRIMINATION
GOV. CODE § 12940(A)**

**4. FAILURE TO PREVENT
DISCRIMINATION/ HARASSMENT/
RETALIATION
GOV. CODE § 12940(K)**

**5. RETALIATION - WHISTLEBLOWER
LABOR CODE § 1102.5**

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1. Plaintiff Paris Fountain (“Plaintiff”) was at all times relevant a resident of

2. The Defendant City of Corning was at all times a municipal corporation with

3. Venue and Jurisdiction are proper pursuant to California Civil Procedure code

4. Plaintiff is ignorant of the true names and capacities of the Defendants sued

5. At all times relevant, each and every Defendant was an agent and or employee

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6. Plaintiff filed a Government Tort Claim with the Corning City Clerk's Office

1 Notice of Claim Rejection. Plaintiff also obtained a right to sue notice from the Department
2 of Fair Employment and Housing on August 21, 2023.

3 **STATEMENT OF FACTS**

4 7. Plaintiff and the Corning Chief of Police Jeremiah Fears ("Chief Fears") were
5 in a brief romantic relationship in or about 2016, that lasted no longer than a couple of weeks.

6 8. After Plaintiff and Chief Fears parted ways, Plaintiff did not hear from Chief
7 Fears until he contacted her in or about 2017, to inform her that Corning Police Department
8 (CPD) was hiring for dispatchers.

9 9. Plaintiff applied for the position and began working for CPD as a dispatcher in
10 or about March of 2018.

11 10. Immediately, Plaintiff was faced with inappropriate conduct from Chief Fears
12 at the workplace.

13 11. Chief Fears would discuss details of his relationship with Plaintiff at work
14 with their coworkers while making comments to Plaintiff like "you should just give up and
15 marry me."

16 12. At a different time, while Plaintiff was reaching for something across her desk
17 Chief Fears walked around the corner and said "that's my favorite position to see you in."

18 13. Plaintiff refused all of Chief Fears' advances because she wanted to maintain a
19 professional working relationship.

20 14. When it became apparent that Plaintiff did not want a romantic relationship,
21 Chief Fears began making disparaging comments to fellow officers, such as "been there done
22 that," when referring to Plaintiff.

23 15. At the time, Plaintiff was in a one-year probationary period, so she did not
24 want to risk losing her job by upsetting Chief Fears or by making any complaints, so she
25 endured the pervasive work environment the best she could.

1 16. The work environment grew increasingly more pervasive as the years passed.
2 Chief Fears' comments became more derogatory and condescending, such as calling Plaintiff
3 an incompetent retard and stating that a monkey could do her job.

4 17. Chief Fears would instruct fellow officers to stay away from Plaintiff's desk
5 because she is "toxic", she "talks shit" and she is "drama."

6 18. Another time, Chief Fears entered the dispatch room, aggressively removed all
7 the chairs from the dispatch room and told all of the officers that if he sees any of them
8 talking to Plaintiff, they would be in trouble.

9 19. Plaintiff felt attacked and isolated, and she decided to write Chief Fears an
10 email expressing her concerns of Chief Fears' treatment towards her. This resulted in Chief
11 Fears making the statement, "why don't you try writing me another email, and see how that
12 works out for you."

13 20. On another occasion, Chief Fears yelled for Plaintiff to come to his office.
14 When she arrived, Chief Fears asked Plaintiff if she got her breasts done and why do her
15 breasts look so big. Plaintiff was embarrassed and uncomfortably responded that she had
16 gained weight. Chief Fears responded by saying that several people outside the department
17 were asking him if Plaintiff had her breasts done.

18 21. Chief Fears would refer to Plaintiff as a "slut" or a "badge bunny" when
19 talking to other officers about Plaintiff while making sexual inferences insinuating Plaintiff
20 gives oral sex.

21 22. One time while Plaintiff was away at a training seminar, her personal cell
22 phone had 40 missed calls from Chief Fears' personal cell phone.

23 23. When Plaintiff finally answered the phone, she discovered that it was Chief
24 Fears' newly married wife, who was threatening physical harm towards Plaintiff and
25 accusing Plaintiff of "texting her husband."

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1 24. Chief Fears would continuously come into work extremely upset and unable to
2 control his temper. Plaintiff would get the brunt of Chief Fears' hostility.

3 25. On June 8, 2023, Chief Fears arrived at the police department and headed for
4 dispatch where Plaintiff was located. When Chief Fears entered the room, he slammed the
5 door and told another officer who was present to leave the room. At that point, Plaintiff was
6 in the "break room/ kitchen that had only one way in and one way out.

7 26. Chief Fears approached Plaintiff, cornering her in the break room and began
8 yelling at her at the top of his lungs. Chief Fears asked Plaintiff if she clocked out one of her
9 coworkers (a male police officer) the previous week. To which Plaintiff responded yes, an
10 officer had left for the day and called Plaintiff to inform her that he forgot to clock out and
11 asked her if she could please clock him out.

12 27. Chief Fears grew increasingly angrier and began to get closer to Plaintiff while
13 yelling that her conduct was not ok and that she could be fired for that violation. Plaintiff
14 calmly replied, "I understand, and it will not happen again."

15 28. Seeing that Plaintiff remained calm, Chief Fears became even more irate, and
16 he began yelling "do you think this is a joke? Do you think this is funny? Do you like your
17 job? Do you want to keep your job? Then you better change your attitude, I am sick and tired
18 of your bullshit."

19 29. Chief Fears continued to yell absurdities at Plaintiff while pointing his finger
20 in her face standing only inches from Plaintiff. Frightened at the 6'5", 300-pound man
21 screaming, Plaintiff tried to exit the room, but Chief Fears blocked her exit while yelling
22 "who do you think you are? I am the Chief of Police. Do you think you are in control here?
23 Well, you are not, this is my police department. I am your boss, and you will lose your job."

24 30. The assault continued until Chief Fears finally walked away.
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1 31. Plaintiff tried to return to work on June 17, 2023, but Plaintiff was so shaken
2 by the experience that she could not finish out a full day of work. Plaintiff's body began
3 shaking uncontrollably at the thought of returning to that type of work environment.

4 32. Realizing that the physical symptoms she was experiencing were in response
5 to the trauma she experienced on June 8, 2023, Plaintiff sought medical care from her
6 healthcare provider, who provided Plaintiff with a doctor's note not to return to work.

7 33. Instead of cornering, imprisoning, humiliating, and attacking the male officer
8 who asked Plaintiff to clock him out, Chief Fears promoted the male officer to Officer in
9 Charge days following the incident.

10 34. Plaintiff is informed and believes and based thereon alleges that in response to
11 Plaintiff speaking up about Chief Fears' conduct, Chief Fears has taken several retaliatory
12 actions against Plaintiff such as asking another officer to open an internal affairs investigation
13 into Plaintiff and asking his personal secretary to take screen shots of group chats that
14 included conversations with Plaintiff.

15 35. Plaintiff's direct Supervisor Ashley Knight has constantly witnessed the
16 harassing conduct of Chief Fears, yet she has failed to intervene or protect Plaintiff.

17 36. Plaintiff went out on medical leave, and filed for worker's compensation
18 because her wellbeing could not tolerate working under such toxic conditions any longer.

19 37. Plaintiff informed the City Manager and the City Attorney of Chief Fears'
20 conduct, hoping the City Manager and the City Attorney would take a proactive approach to
21 this hostile situation.

22 38. Plaintiff knew firsthand how volatile Chief Fears was and is, and Plaintiff
23 believed that filing a formal complaint against the Chief of Police would put her job in
24 jeopardy, put her life at risk and put her family's wellbeing at risk.

1 39. Plaintiff immediately purchased new video surveillance cameras for her home
2 and practically lived barricaded in her home for six months out of fear of running into the
3 Chief in the small town of Corning.

4 40. Afraid of not being able to pay for her bills or provide for her family, Plaintiff
5 took out high interest rate loans and pulled from her retirement to cover her basic needs.

6 41. The City of Corning and/or the Corning Police Department hired a third-party
7 agency to conduct a thorough investigation into Plaintiff's claims surrounding the Chief of
8 Police Jeremiah Fears. The investigation was lengthy, and multiple people were interviewed,
9 including past officers who worked with Chief Fears.

10 42. Plaintiff believes the investigation substantiated Plaintiff's claims, but the City
11 never released any information regarding the outcome.

12 43. The City of Corning and the Corning Police Department never released the
13 investigatory report or released a memorandum outlining the findings of the investigation to
14 Plaintiff or the public, despite Plaintiff's efforts to request a copy of the findings of the
15 investigation.

16 44. Despite the serious misconduct alleged by Plaintiff, Jeremiah Fears' departure
17 as the Chief of Police was not categorized as termination for misconduct but rather as the
18 City of Corning wanting to part ways.

19 45. Plaintiff believes the Corning Police Department and the City of Corning
20 chose not to terminate Chief Fears for gross misconduct to avoid admitting any liability
21 regarding Plaintiff's allegations.

22 46. The City of Corning officials reported at a press conference that Chief Fear's
23 dismissal was in the best interest for the City and the Police Department, failing to disclose
24 anything to the public about the allegations of gross misconduct or the result of the
25 investigation.

1 47. This is concerning because someone who grossly abused their authority as the
2 Chief of Police should have been reported to the California Commission on Peace Officer
3 Standards and Training and should have had their certification to be a police officer revoked.

4 48. Instead, Jeremiah Fears gets to step away quietly, while still being able to
5 apply for other jobs in law enforcement, and Plaintiff remains in fear for her financial,
6 emotional, and physical wellbeing.

7 49. Plaintiff has returned to work, but the working environment remains hostile
8 and retaliatory.

9 50. On or about March 8, 2024, Corning Police Department made a Facebook post
10 stating "Happy Women's Day," giving a shout out to all the women who work at Corning
11 Police Department. All of the female employees were recognized except Plaintiff.

12 51. Plaintiff remains hopeful that she can have a happy and healthy working
13 career with Corning Police Department, but she has been deeply scarred by the last 5 years of
14 trauma while working under Jeremiah Fears.
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16 **FIRST CAUSE OF ACTION**

17 **HOSTILE WORK ENVIROMENT**

18 **PLAINTIFF AGAINST ALL DEFENDANTS**

19 52. The allegations set forth in this Complaint are hereby realleged and
20 incorporated by reference.
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22 53. At all times relevant to this action, Plaintiff was an employee of Defendant
23 Corning Police Department.

24 54. California Government Code § 12940 was in full force and effect and forbids
25 employers from harassing or discriminating against employees based on race, sex, and other
26 protected characteristics.
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1 55. Plaintiff was subjected to severe and pervasive harassment by the Chief of
2 Police due to Plaintiff being a woman.

3 56. The harassment was often sexual and derogatory in nature, and increasingly
4 developed into outbursts of rage, hostility, false imprisonment, and assault.

5 57. On another occasion, Plaintiff was brutally reprimanded for engaging in the
6 same conduct that her male counterpart was promoted for.

7 58. Plaintiff's co-workers and supervisors witnessed the daily harassment but did
8 nothing to protect Plaintiff. Defendant knew or should have known about the unlawful
9 conduct because Plaintiff's supervisors knew of the unlawful conduct and failed to take
10 immediate and appropriate corrective action.

11 59. Plaintiff was afraid to challenge the Chief of Police or make any complaints
12 against him because she feared retaliation from him.

13 60. Any reasonable woman in Plaintiff's circumstances would have considered the
14 work environment to be hostile, intimidating, offensive, oppressive, and abusive.

15 61. Plaintiff has suffered financial, emotional, and physical harm and Defendant's
16 conduct was a substantial factor in causing Plaintiff's harm.

17 62. Wherefore Plaintiff prays for relief.
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19 **SECOND CAUSE OF ACTION**

20 **SEXUAL HARASSMENT- QUID PRO QUO**

21 **PLAINTIFF AGAINST ALL DEFENDANTS**

22 63. The allegations set forth in this Complaint are hereby realleged and
23 incorporated by reference.

24 64. Plaintiff was at all times relevant to this action in an employee of Defendant.

25 65. The Corning Chief of Police Jeremiah Fears repeatedly made inappropriate
26 sexual advances towards Plaintiff during her employment with CPD.
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1 66. Chief Fears made the terms of Plaintiff's employment and any favorable
2 working conditions contingent on Plaintiff's acceptance of Chief Fears' sexual advances.

3 67. When Plaintiff denied Chief Fear's advances, Chief Fears began making the
4 working environment intolerable for Plaintiff.

5 68. As a subordinate of Chief Jeremiah Fears, Plaintiff was fearful of losing her
6 source of income to support her family, and she feared that Chief Fears would physically
7 harm her if Plaintiff complained about the Chief's behavior.

8 69. Plaintiff has suffered financial, emotional, and physical harm and Defendant's
9 conduct was a substantial factor in causing Plaintiff's harm.

10 70. Wherefore Plaintiff prays for relief.

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12 **THIRD CAUSE OF ACTION**

13 **GENDER DISCRIMINATION**

14 **PLAINTIFF AGAINST ALL DEFENDENTS**

15 71. The allegations set forth in this Complaint are hereby realleged and
16 incorporated by reference.

17 72. California Government Code § 12940(a) states that employees shall not be
18 wrongfully discriminated against for being in a protected class.

19 73. Plaintiff was at all times relevant to this action an employee of Defendant.

20 74. Plaintiff was subjected to many adverse employment actions because she is a
21 woman.

22 75. Plaintiff was severely and pervasively harassed by the Chief of Police. She
23 was called a badge bunny, a slut, and was asked by the chief why her breasts were getting so
24 large.
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1 76. Additionally, Plaintiff was reprimanded, cornered in a room, and berated for
2 clocking a fellow co-worker out, while that same male co-worker received a promotion and
3 no discipline.

4 77. Plaintiff could no longer tolerate working in these conditions and she went out
5 on medical leave. While on medical leave, Defendant conducted an investigation into
6 Plaintiff's claims against the Chief of Police.

7 78. Instead of terminating the Chief of Police for gross misconduct, Defendant let
8 Jeremiah Fears separate from employment without cause, allowing Jeremiah Fears to remain
9 eligible to apply for other positions in law enforcement.

10 79. Plaintiff believes that this specialized treatment was given to Jeremiah Fears
11 because he is a male.

12 80. Plaintiff remained a victim to Jeremiah Fears for several years, without
13 protection from Defendant.

14 81. Plaintiff has suffered financial, emotional, and physical harm and Defendant's
15 conduct was a substantial factor in causing Plaintiff's harm.

16 82. Where for Plaintiff prays for relief.

17 **FOURTH CAUSE OF ACTION**

18 **FAILURE TO PREVENT**

19 **HARASSMENT/DISCRIMINATION/RETALIATION**

20 **PLAINTIFF AGAINST ALL DEFENDANTS**

21 83. The allegations set forth in this complaint are hereby realleged and
22 incorporated by reference.

23 84. Plaintiff was at all times relevant to this action an employee of Defendant.

24 85. Plaintiff was subjected to discrimination and harassment in the course of her
25 employment with CPD.

1 86. Defendant failed to take all reasonable steps to prevent the discrimination and
2 harassment.

3 87. Defendant's failure to take all reasonable steps to prevent discrimination and
4 harassment was a substantial factor in causing Plaintiff to suffer harm.

5 88. Plaintiff has suffered financial, emotional, and physical harm and Defendant's
6 conduct was a substantial factor in causing Plaintiff's harm.

7 89. Wherefore Plaintiff prays for relief.

8 **FIFTH CAUSE OF ACTION**

9 **WHISTLEBLOWER RETALIATION**

10 **PLAINTIFF AGAINST ALL DEFENDANTS**

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12 90. The allegations set forth in this complaint are hereby realleged and
13 incorporated by reference.

14 91. Plaintiff was at all times relevant to this action an employee of Defendant.

15 92. Plaintiff made lawful complaints about the Chief of Police to the City
16 Manager and the City Attorney regarding the unlawful harassment that Plaintiff had been
17 subjected to during the course of her employment with CPD.

18 93. In retaliation, Chief of Police Jeremiah Fears asked his sergeant to open an
19 internal affairs investigation against Plaintiff. The sergeant refused to take such actions.

20 94. Plaintiff believes that it was her lawful complaints of harassment and
21 discrimination that were a contributing factor in the Chief's decision to retaliate against
22 Plaintiff by attempting to open a false internal affairs investigation.

23 95. Plaintiff knew that her lawful complaints were going to cause Chief Fears to
24 uncontrollably retaliate against her to the best of his authority as the Chief of Police.
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1 96. Plaintiff has suffered harm as result of Jeremiah Fear's conduct. Plaintiff
2 continues to live in fear, to this day, that Jeremiah Fears will continue to cause harm to
3 Plaintiff and/or Plaintiff's family.

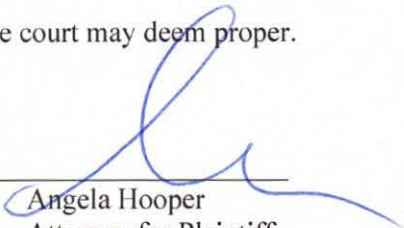
4 97. Wherefore, Plaintiff prays for relief.

5 **PRAYER FOR RELIEF**

6 Wherefore, Plaintiff demands judgment against Defendant, and any other Defendants
7 who may be later added to this action as follows:

- 8 1. For compensatory damages in an amount according to proof;
9 2. For attorneys' fees and costs pursuant to all applicable statutes or legal
10 principles;
11 3. For costs of suit incurred;
12 4. For prejudgment and post judgment interest on all amounts claimed;
13 5. For such other and further relief as the court may deem proper.
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16 Date: April 4, 2024

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18 Angela Hooper
19 Attorney for Plaintiff
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