UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

STATE OF MISSOURI *ex rel.* CATHERINE L. HANAWAY, ATTORNEY GENERAL OF MISSOURI, Plaintiff, v. CITY OF COLUMBIA, MISSOURI; DE'CARLON SEEWOOD, in his official capacity as the City Manager and Chief Administrative Officer of the City Columbia, Missouri; and KATHY BAKER, in her official capacity as the Human Resources Director of the City of Columbia, Missouri, Defendants.	)	Case No.

COMPLAINT

For its Complaint, Plaintiff the State of Missouri, appearing on the relation of its Attorney General, respectfully alleges as follows:

INTRODUCTION

1. The U.S. Constitution establishes a clear rule: "equality of treatment before the law for all persons without regard to race or color." *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.* ("*SFFA*"), 600 U.S. 181, 205 (2023) (quoting *Browder v. Gayle*, 142 F. Supp. 707, 715 (M.D. Ala. 1956)). Thus, the Supreme Court has "time and again forcefully rejected the notion that government actors may intentionally allocate preference to those 'who may have little in common

with one another but the color of their skin.'" *Id.* at 220 (quoting *Shaw v. Reno*, 509 U.S. 630, 647 (1993)).

2. The Constitution also generally prohibits treating men and women differently—unless the government policy is carefully tailored to support an important state interest. *See United States v. Virginia*, 518 U.S. 515, 532–33 (1996).

3. Despite these constitutional limitations, the City of Columbia, Missouri unlawfully and blatantly discriminates on the basis of race and sex.

4. Columbia maintains an affirmative-action program that expressly considers race and sex in employment and promotion decisions.

5. This is not a secret. Columbia's ordinances openly require it to employ race- and sex-based goals, analyses, training, and recruitment measures throughout its employment system. *See, e.g.*, Code §§ 19-176–19-181.[1]

6. Because Columbia employs racial classifications in administering its employment practices, those classifications must satisfy strict scrutiny. Columbia therefore bears the burden of proving that its use of race is narrowly tailored to further a compelling governmental interest. *See, e.g.*, *SFFA*, 600 U.S. at 206–07; *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469, 493 (1989) (plurality opinion).

7. As relevant here, the Supreme Court has recognized only one situation in which a government can justify using a racial preference under strict scrutiny. Governments may employ a racial preference to remedy "specific, identified instances

[1] All citations to "Code" refer to Columbia, Missouri's Code of Ordinances. Certified copies of the cited ordinances are attached as Exhibit A.

of past discrimination" by the government "that violated the Constitution or a statute." *SFFA*, 600 U.S. at 207. Even then, any such race-based classification must be "temporary." *Id.* at 212. Further, the government must have "a 'strong basis in evidence' to conclude that [its] remedial action [is] necessary.'" *Louisiana v. Callais*, 608 U.S. 85, 108 (2026) (alterations in original) (quoting *Shaw v. Hunt*, 517 U.S. 899, 910 (1996)).

8. Similarly, to justify favorable treatment of one sex over another, Columbia "must show 'at least that the [challenged] classification serves "important governmental objectives and that the discriminatory means employed" are "substantially related to the achievement of those objectives."'" *United States v. Virginia*, 518 U.S. at 533 (alteration in original) (quoting *Miss. Univ. for Women v. Hogan*, 458 U.S. 718, 724 (1982)).

9. Columbia cannot meet either of its burdens. Columbia lacks evidence justifying its discrimination on the basis of race and sex. Nevertheless, it continues to discriminate through employment policies that classify applicants and employees according to race and sex.

10. Columbia's race- and sex-based employment practices violate the Equal Protection Clause of the Fourteenth Amendment.

11. The Court should enter appropriate relief and ensure that equality under the law becomes a reality in Columbia—just as the Constitution demands.

PARTIES

I. Plaintiff

12. Plaintiff State of Missouri is a sovereign State of the United States of America. Missouri sues to vindicate its quasi-sovereign interests, including its "interest in securing residents from the harmful effects of discrimination." *Alfred L. Snapp & Son, Inc. v. Puerto Rico ex rel. Barez*, 458 U.S. 592, 609 (1982); *see also Aziz v. Trump*, 231 F. Supp. 3d 23, 32 (E.D. Va. 2017) (noting that this is a "textbook" quasi-sovereign interest).

13. Catherine L. Hanaway is the 45th Attorney General of the State of Missouri.

14. Attorney General Hanaway is authorized to bring actions "in the name and on behalf of the state" of Missouri that are "necessary to protect the rights and interests of the state, and enforce any and all rights, interests or claims against any and all persons, firms or corporations in whatever court or jurisdiction such action may be necessary." Mo. Rev. Stat. § 27.060.

15. The State of Missouri, on relation of its Attorney General, brings this action to put an end to Columbia's systemic race- and sex-based discrimination. Missouri, through its Attorney General, has the authority to bring this action because the State alleges that Columbia has, is, and will continue engaging in systemic race and sex discrimination against Missourians, which is conduct in which the State has an express interest under Missouri Revised Statute § 27.060.

II. Defendants[2]

16. Defendant City of Columbia, Missouri, is a constitutional charter city of the State of Missouri and includes its City Council, City Manager, and all councils, agents, servants, employees, commissions, committees, and persons or entities acting for or on behalf of Columbia and its City Council. Columbia is a municipal corporation and political subdivision of the State of Missouri.

17. Columbia enforces its race- and sex-based Equal Employment Opportunity Policy and Affirmative Action Program, codified in Chapter 19, Article VI, Division 3 §§ 19-176–19-182 of its City Ordinances (hereinafter, the "affirmative-action program").

18. Specifically, Columbia enforces the affirmative-action program through its Human Resources Department, the City Manager, and the department heads responsible for implementing personnel policy across all Columbia agencies. *See generally* Code §§ 19-176 *et seq*.

19. Defendant De'Carlon Seewood is the City Manager of Columbia. As the City Manager, he oversees the administration of all City operations and personnel, implements policies that the City Council adopted, and "appoints all officers and employees of the City except for the city clerk and municipal judge." *See e.g.*, City of Columbia, *City Manager's Office*.[3] He is further responsible for implementing and

[2] Hereinafter, Defendants are referred to collectively as "Columbia."
[3] https://archive.is/ikJuk

enforcing Columbia's affirmative-action program. Code §§ 19-176(d)–(e), 19-177. Seawood is sued in his official capacity.

20. Defendant Kathy Baker is the Human Resources Director for the City of Columbia and has the authority to enforce the affirmative action ordinance.[4] *See, e.g.*, Code §§ 19-177, 19-179(g), 19-181(b), 19-181(e); *Affirmative Action Program: Fiscal Year 2024*, at 5.[5] Baker is sued in her official capacity.

JURISDICTION AND VENUE

21. This Court has subject-matter jurisdiction under 28 U.S.C. §§ 1331 and 1343 because this case involves claims under a provision of the U.S. Constitution.

22. This Court has the authority to issue the requested declaratory relief under 28 U.S.C. §§ 2201–2202 and this Court's inherent equitable authority.

23. Venue is proper in this judicial district and division under 28 U.S.C. § 1391(b)(1)–(2) and Local Rule 3.2(b)(2) because Defendants are residents of Missouri who are deemed to reside in the Western District, and a substantial part of the events or omissions giving rise to the claims occurred and continue to occur in this district.

24. Columbia, Missouri, is located in the Western District of Missouri, and the City could reasonably anticipate being subject to suit in this District.

[4] https://www.como.gov/contacts/?department=human-resources
[5] https://www.como.gov/archive/2024/03/Transit-AAP-FY-2023.pdf

STANDING

25. Missouri brings this lawsuit in its *parens patriae* capacity as a representative of its residents.

26. States can seek, in the federal courts, to protect their residents from race and sex discrimination to the extent that it violates federal law. *See* 13B Wright & Miller, Federal Practice & Procedure Jurisdiction § 3531.11.1 (3d ed. 2025). Indeed, many States have enforced the civil rights of their residents in *parens patriae* actions against their political subdivisions. *See, e.g.*, *N.Y. ex rel. James v. Niagara-Wheatfield Cent. Sch. Dist.*, 119 F.4th 270, 280–81 (2d Cir. 2024); *Pennsylvania v. Porter*, 659 F.2d 306, 314–19 (3d Cir. 1981) (en banc); *In re New York City Policing During Summer 2020 Demonstrations*, 548 F. Supp. 3d 383, 398–99 (S.D.N.Y. 2021); *Illinois v. City of Chicago*, No. 17-CV-6260, 2019 WL 398703, at *7 (N.D. Ill. Jan. 31, 2019); *New York ex rel. Schneiderman v. Utica City Sch. Dist.*, 177 F. Supp. 3d 739, 747–49 (N.D.N.Y. 2016); *Support Ministries for Persons with AIDS v. Vill. of Waterford*, 799 F. Supp. 272, 277–79 (N.D.N.Y. 1992).

27. A state can maintain a *parens patriae* action if the State identifies "a quasi-sovereign interest" that is "apart from the interests of particular private parties, *i.e.*, the State must be more than a nominal party." *Snapp*, 458 U.S. at 607.

28. "[A] State has a quasi-sovereign interest in the health and well-being—both physical and economic—of its residents in general." *Id.* "The [Supreme] Court has not attempted to draw any definitive limits on the proportion of the population of the State that must be adversely affected by the challenged behavior." *Id.* "Although

more must be alleged than injury to an identifiable group of individual residents, the indirect effects of the injury must be considered as well in determining whether the State has alleged injury to a sufficiently substantial segment of its population." *Id.*

29. Deliberate efforts to stigmatize applicants as unqualified for employment because of race or sex carry a universal sting. And the Supreme Court has emphasized that it "has had too much experience with the political, social, and moral damage of discrimination not to recognize that a State has a substantial interest in assuring its residents that it will act to protect them from these evils." *Id.* at 609.

30. Recently, Chief Judge Stephen R. Clark of the U.S. District Court for the Eastern District of Missouri recognized that "Missouri has a quasi-sovereign interest 'in securing residents from the harmful effects of discrimination'" and has *parens patriae* standing to challenge race and sex discrimination under federal law. *Missouri ex rel. Hanaway v. Mo. State High Sch. Activities Ass'n*, No. 4:26-cv-00171-SRC, 2026 WL 2754093, at *5–6 (E.D. Mo. Sept. 17, 2026) (quoting *Snapp*, 458 U.S at 609). As Chief Judge Clark explained, Missouri has standing to challenge race and sex discrimination because it "alleged an 'injury to an identifiable group of individual residents,' *i.e.*, Missourians that apply to" two board positions "face race and sex discrimination." *Id.* (citation omitted); *see also id.* at *6 (noting that Missouri had "allege[d] a concrete example of alleged race and sex discrimination by" the defendant). "And the 'indirect effects of' [the defendant's] policy also injure[d] 'a sufficiently substantial segment of [Missouri's] population.'" *Id.* at *5 (second alteration in original) (quoting *Snapp*, 458 U.S. at 607). Thus, the court held that

"Missouri's quasi-sovereign interest 'in securing residents from the harmful effects of discrimination' is a sufficiently concrete and particularized injury that would likely be redressable by declaratory and injunctive relief." *Id.* at *6 (first quoting *Snapp*, 458 U.S. at 609; and then citing *Missouri ex rel. Bailey v. People's Republic of China*, 90 F.4th 930, 939 n.2 (8th Cir. 2024)).

31. Here, too, Missouri possesses a quasi-sovereign interest in securing residents from the harmful effects of discrimination that is a sufficiently concrete and particularized injury that would be redressable by declaratory and injunctive relief.

32. Before initiating this action, Missouri investigated Columbia's hiring practices and heard complaints from multiple citizens.

33. As detailed below, Columbia maintains an affirmative-action program that utilizes race and sex criteria in Columbia's advertising, employment, training, promotion, and other employment-related practices. Missouri incorporates by reference all preceding and following paragraphs as if fully set forth herein.

34. Columbia's program has injured Missourians by denying them the ability to compete for employment on equal footing with other applicants on the basis of race and sex and treating them differently from other applicants in training, career advancement, and other employment matters based on their race and sex. *See Northeastern Fla. Chapter, Associated Gen. Contractors of Am. v. Jacksonville*, 508 U.S. 656, 666 (1993); *Turner v. Fouche*, 396 U.S. 346, 362–63 (1970).

35. Columbia continues to injure Missourians today and will continue doing so unless stopped.

36. For example, in the course of its investigation, Missouri identified several individuals who are ready and able to apply for employment opportunities with the City of Columbia but will be prevented from doing so on equal footing because of their race and sex.

37. Citizen #1 is a police officer who has lived in Missouri for 27 years. He has been a police officer for nearly five years and currently works on a Special Weapons and Tactics team.

38. He is able and ready to apply for police-officer positions in Columbia, Missouri, which Columbia currently has openings for on its website.[6]

39. Citizen #1 possesses all necessary education, training, experience, and other qualifications required to be a police officer in Columbia.

40. Citizen #1 has taken steps toward applying for employment with Columbia, including reviewing the job posting, verifying that he meets the eligibility requirements, and determining that he could start that job in the relatively near future.

41. Citizen #1 is ready and able to submit a complete application if Columbia does not utilize race and sex criteria when evaluating employment applications.

42. Citizen #1 is a white male. Columbia therefore discriminates against him relative to other applicants competing for those same positions.

[6] https://archive.is/4KmSd

43. Citizen #2 is a senior undergraduate student who has been a resident of Columbia, Missouri, for several years. He is a white male.

44. Citizen #2 will graduate from college in December 2026, with a political-science degree.

45. While in college, Citizen #2 participated in numerous extracurricular activities and developed extensive skills in, for example, leadership, public speaking, public outreach, and social media. Among other things, he served as the president of a student organization that has a nationwide presence and demonstrated his commitment to public service by interning in public-service offices.

46. Citizen #2 is currently seeking an internship or employment for after college. He is ready and able to apply for internships and jobs with Columbia.

47. Citizen #2 is ready and able to submit a complete application to work for Columbia. But he will be unable to compete for any position on equal footing because he is white and male.

48. Columbia currently has multiple positions available in its Internship/Pipeline program, including in its Government Administration and Communications and Media departments.[7]

49. This program "is meant to expose both undergraduate and graduate students to career opportunities within departments at the City of Columbia" and helps them

[7] https://archive.is/rmqz1

"gain[] workforce development/job readiness training to prepare them for careers in public service."[8]

50. On information and belief, Columbia will, in the relatively near future, post additional openings for which Citizen #2 is able and ready to apply.

51. Citizen #2 has taken steps toward applying for employment with Columbia, including reviewing its job postings, verifying that he meets the eligibility requirements for the Internship/Pipeline program, compiling application materials, and determining that he could obtain permanent housing in Columbia.

52. Citizen #2 is able and ready to submit a complete application if Columbia does not utilize race and sex criteria when evaluating employment applications.

53. Citizen #3 is a senior undergraduate student who has been a resident of Columbia, Missouri, for several years. She is white.

54. Citizen #3 will graduate in May 2027 with a political-science degree.

55. While in college, Citizen #3 has participated in numerous extracurricular activities and developed extensive skills in, for example, leadership, public speaking, public outreach, communications, and social media. Among other things, she has demonstrated her commitment to public service by interning in public-service offices.

56. Citizen #3 is currently seeking an internship or part-time work for a gap year between undergrad and law school. She is ready and able to apply for internships or part-time work with Columbia.

[8] *Id.*

57. Citizen #3 is ready and able to submit a complete application to work for Columbia. But she will be unable to compete for any position on equal footing because she is white.

58. Columbia currently has multiple positions available in its Internship/Pipeline program, including in its Government Administration and Communications and Media departments.[9]

59. Citizen #3 has taken steps toward applying for an internship with Columbia, including reviewing its job posting, verifying that she meets the eligibility requirements for the Internship/Pipeline program, compiling application materials, and determining that she could obtain housing in Columbia.

60. Missouri is aware of other individuals who are able and ready to apply for jobs at the City of Columbia, but who are white and/or male and will be unable to compete on an equal basis with other applicants.

61. Plaintiff considered recruiting Citizens #1, #2, #3, and other individuals as named plaintiffs. However, some individuals expressed concern about suing in their own name due to fear of reprisal from the City of Columbia and from other potential employers. *Cf. Am. All. for Equal Rts. v. Illinois*, Nos. 25-2461, 25-2487, __ F.4th __, 2026 WL 3545007, at *6 (7th Cir. 2026) (holding that organizations asserting associational standing can use pseudonyms for members at early stages of litigation); *Am. All. for Equal Rts. v. Fearless Fund Mgmt., LLC*, 103 F.4th 765, 773 (11th Cir.

[9] *Id.*

2024) (same); *Speech First, Inc. v. Shrum*, 92 F.4th 947, 951–52 (10th Cir. 2024) (same); *see also SFFA*, 600 U.S. at 201 (finding that Students for Fair Admissions is "indisputably a voluntary membership organization with identifiable members" even though the members were listed anonymously in the complaint); Compl. ¶¶ 16–24, *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, No. 14-cv-14176-ADB (Nov. 17, 2014 D. Mass.), Doc. 1.

62. Plaintiff is also concerned that publicly identifying Citizens # 1, #2, and #3 could result in reprisal from members of the news media, some of whom publicly maligned another plaintiff that recently worked with Missouri to challenge racially discriminatory contracting, promotional, and employment policies on account of race and sex. *See, e.g.*, Jack Harvel, *Man Tied to Kansas City Mafia, strip clubs is behind Missouri AG's discrimination case*, Kansas City Star (Aug. 17. 2026) (attacking co-plaintiff based on irrelevant, decades-old allegations about personal life).[10]

63. Missouri sues to protect Citizens #1, #2, and #3 and thousands of other Missourians who work for Columbia, have applied to jobs with Columbia in recent years, and who are expected to apply for jobs with Columbia in the coming years.

64. Missouri has also recognized the odiousness of unlawful discrimination and has enacted legislation to protect Missourians from the harm that unlawful race- and sex-based conduct like Columbia's affirmative-action program cause. *See, e.g.*, Mo. Rev. Stat. §§ 213.010 *et seq*. That legislation is a "helpful indication," *Snapp*, 458

[10] https://archive.is/SiBLI

U.S. at 607, and may be the "best indication," that "a sufficiently high proportion of" Missouri's citizenry "face harm to their health and well-being" because of Columbia's affirmative-action program "to justify standing under *parens patriae*," *Chapman v. Tristar Prods., Inc.*, 940 F.3d 299, 305 (6th Cir. 2019) (citation omitted); *see also Tenn. ex rel. Skrmetti v. Ideal Benefits, LLC*, No. 3:23-CV-00046-DCLC-JEM, 2024 WL 4351650, at *11 (E.D. Tenn. Sept. 30, 2024) (holding that Kentucky and Tennessee had quasi-sovereign interests to support standing in part because they had enacted legislation that dealt "directly with the alleged wrongdoing" at issue).

65. Unlawful discrimination imposes economic, social, and dignitary harms on a substantial segment of Missouri residents and undermines public confidence in government institutions. *Snapp*, 458 U.S. at 607, 609.

66. For example, Columbia's use of race and sex when deciding who to employ as those entrusted with safeguarding Columbians' safety could reasonably undermine Missourians' confidence that the Columbia police force is comprised of individuals who are the most qualified to protect them from danger and violence. And Columbia's use of race and sex when deciding who to employ as those entrusted with stewarding and accounting for taxpayer funds could reasonably undermine Missourians' confidence that Columbia employs individuals who are the most qualified to hold that great responsibility.

67. Further, Columbia's unlawful race and sex discrimination has indirect effects on Missouri's entire workforce. Columbia's use of these unlawful practices signals to all local governments, businesses, and other employers that race and sex

discrimination are permitted in employment decisions and practices—they are not. *See, e.g.*, U.S. Const. amend. XIV; Mo. Rev. Stat. §§ 213.010 *et seq*.

68. Local governments in Missouri alone employ 280,400 people, as of January 2026.[11] If other local governments engaged in race and sex discrimination in the manner that Columbia does, thousands upon thousands of Missourians would be unable to compete for jobs on equal footing and would be treated differently throughout any employment because of their race and sex.

69. Missourians should not be stripped of their constitutional rights simply because of their immutable traits. Also, victims of discrimination should not be denied equal protection of the laws simply because others threaten to punish them for objecting to race and sex discrimination.

70. Accordingly, Missouri sues to vindicate its quasi-sovereign interest in securing its citizens from the harmful effects of race and sex discrimination that Columbia has caused, is causing, and, if not stopped, will keep causing. Missouri cannot do nothing while one of its largest cities discriminates against a "substantial segment" of the State's citizens. *Snapp*, 458 U.S. at 607, 609 (recognizing that discrimination against about 700 people is sufficiently widespread to confer standing on States to challenge it).

[11] https://archive.is/9JTIL

FACTS COMMON TO ALL COUNTS

71. Located just 20 minutes from Missouri's capital and equidistant from the State's two largest cities, the City of Columbia serves as a hub of Midwestern life, government, education, sports, arts, and outdoor recreation. Columbia recognizes this, setting an admirable vision to be "the best place for everyone to live, work, learn and play."[12] But Columbia falls short by infecting its city government and Missouri's workforce with intentional race and sex discrimination.

I. Columbia's Affirmative-Action Program

72. Since at least 2009, one of Columbia's "top priorit[ies]" has been maintaining its Equal Employment Opportunity Policy and Affirmative Action Program that utilizes race and sex in recruitment, employment decisions, promotion decisions, and training. *See* Code § 19-176(f).

73. Columbia's race- and sex-based practices infiltrate its entire system. Columbia undertakes "affirmative action" efforts to create a workforce "in each occupation" that "corresponds to the actual availability of qualified females and minorities." Code § 19-176(c).

74. Columbia's efforts center around, but are not limited to, setting "goals" for minority and female employment and promotion. Code §§ 19-176(c), 19-177. Based on these "goals," Columbia determines who to employ and promote based on

[12] https://archive.is/6rFpX

someone's race and sex. Code §§ 19-176–19-177. Columbia's "goals" aren't merely aspirational—they are discriminatory quotas based on unlawful practices.

75. Specifically, Columbia's ordinance requires Columbia to create "goals" "for staffing in terms of female and minority representation on the city's work force." Code §§ 19-176(c), 19-177. The City must then "striv[e] for a work force in each occupation which corresponds to the actual availability of qualified females and minorities for that job in their respective recruitment area." *Id.* Outright race- and sex-based balancing like this "is patently unconstitutional." *SFFA*, 600 U.S. at 223 (quotation omitted).

76. Columbia does not even attempt to justify its race and sex discrimination by pointing to any evidence that past race or sex discrimination occurred. In crafting its race- and sex-based quotas, Columbia does not collect or consider data addressing whether any race or sex discrimination has occurred. *See* Code § 19-177. And Columbia has not published any evidence of past discrimination justifying its use of race and sex criteria in its employment-related decisions. On information and belief, Columbia has not collected any data regarding past discrimination.

77. Instead, to create its "goals," Columbia considers information that is plainly unrelated to any past discrimination. For example, it considers "statistical employee turnover rates and anticipated, projected changes in total work allocations." Code § 19-177. Columbia also evaluates its work force "in terms of race, sex, job position, salary make-up, and related considerations." *Id.*

78. If Columbia believes there is "a problem" with "minority and/or female utilization," "Placement Goals are set." *See* City of Columbia, *Affirmative Action Program: Fiscal Year 2023*, at 7;[13] City of Columbia, *Affirmative Action Program: Fiscal Year 2024*, at 7.[14]

79. Columbia has complied with its ordinance-set duties for many years.

80. In some years, but not all, Columbia has publicized its quotas for minority and female employment and its success (or failure) in meeting those quotas.

81. Columbia published an analysis regarding its affirmative-action program in Fiscal Year 2023. That year, Columbia set goals for placement of minorities and females in numerous positions.

82. For example, Columbia established a city-wide goal for placement of minorities and females in supervisor roles. *Affirmative Action Program: Fiscal Year 2023*, at 10. It set a minority goal of 17.59%. *Id.* The City not only accomplished this goal for minority placement, but also exceeded it by over three times. *Id.* Columbia also achieved its 39.82% female-placement goal for supervisor roles. *Id.*

83. That same year, Columbia exceeded its placement-rate goals for minorities and women for operator, technician, professional, and manager roles. *Id.* at 10–13.

84. Columbia fell short in meeting its goals for four positions, including female technicians, female professionals, female specialists, and female public safety employees. *See id.*

[13]https://www.como.gov/archive/2024/03/FY23-CityWide-AA-Plan-internet-ready.pdf
[14] https://www.como.gov/archive/2024/03/Transit-AAP-FY-2023.pdf

85. Similarly, Columbia published an analysis regarding its affirmative-action program in Fiscal Year 2024 as it related to Columbia Transit. *Affirmative Action Program: Fiscal Year 2024*, at 8.[15] That year, Columbia set placement goals for females in clerical positions and goals for females and minorities in supervisor positions. *Id.* But it failed to meet either of those goals. *Id.*

86. On information and belief, Columbia has compiled similar analyses regarding its placement goals for Fiscal Year 2025 and Fiscal Year 2026. *See* Code § 19-181(e). On information and belief, Columbia will compile similar analyses for Fiscal Year 2027 and later fiscal years. *See id.*

87. If Columbia fails to meet its goals, it must establish "[s]ubsequent goals." *See* Code § 19-177. And, even when Columbia meets its goals, it must still set new quotas "[b]ased on statistical employee turnover rates and anticipated, projected changes in total work force allocations." *Id.*

88. On information and belief, Columbia has set subsequent and new goals for minority and female employment in Fiscal Year 2025, Fiscal Year 2026, and Fiscal Year 2027. On information and belief, Columbia will continue to set goals for minority and female employment unless and until its affirmative-action program is enjoined by this Court or rescinded by the City Council.

89. On information and belief, Columbia continues to intentionally maintain race- and sex-based quotas in its workforce by obligating its department heads "to

[15] https://www.como.gov/archive/2024/03/Transit-AAP-FY-2023.pdf

achieve and maintain EEO objectives and goals as rapidly as possible." Code §§ 19-176(e), 19-177.

90. On information and belief, Columbia is less likely to hire white or male job applicants because of their race or sex in order to maintain desired race- and sex-based quotas. *See, e.g.*, Code § 19-176(e)–(f).

91. On information and belief, Columbia is less likely to promote white or male employees in order to maintain desired race- and sex-based quotas. *See, e.g.*, *id.*

92. In 2025, after "Columbia residents sent multiple reports to [the Attorney General's] office that alleged discrimination in city programs," Columbia suggested that it no longer uses quotas in its employment processes and policies. Mark Slavit, *Columbia City Manager responds to Missouri Attorney General's DEI investigation*, 13KRCG (July 1, 2025).[16] That suggestion is hard to take seriously.

93. The ordinances creating Columbia's affirmative-action program are still in full force and effect, and Missouri is unaware of any official attempts to rescind formally the program. Indeed, "Columbia City Council Members rejected a proposal to remove DEI language from the city's Strategic Plan during" a June 2025 meeting even while Columbia's City Manager publicly insisted that "[t]he city does not implement quotas." *Id.*

94. Columbia continues to proudly advertise its affirmative-action program on its website and job postings. *See, e.g.*, City of Columbia, *Equal Employment Opportunity*

[16]https://archive.is/sVfj8

Policy (accessed Nov. 24, 2026).[17] Indeed, when Columbia publishes a job posting, each post contains a "Notice to Applicants" indicating that Columbia "is a merit, affirmative action, equal opportunity employer: male / female." *See, e.g.*, City of Columbia, *Youth Basketball Scorekeeper (Temporary Part-time Position) 2026-2027* (capitalization omitted);[18] City of Columbia, *Engineer*.[19] Including this statement is evidence that Columbia continues to comply with the affirmative-action program ordinances. S*ee* Code § 19-179(b)(4) (requiring job postings to include this exact statement as part of Columbia's "[a]ctive recruitment" of minorities and females).

95. Moreover, in recent years, Columbia has expanded and deepened its commitment and efforts to establish "equity" in the work force through diversity, equity, and inclusivity efforts.

96. In 2023, for example, Columbia hired its first Diversity, Equity, and Inclusion Administrator to lead the City's DEI initiatives. Its City Manager publicly celebrated this hire, emphasizing that the Columbia is committed to "equity and inclusivity" and that the DEI Administrator "will first focus on diversity, equity, and inclusion within the City as an organization, and then will shift their focus to include the greater Columbia community."[20] Jennifer Weiser, *Columbia hires first diversity, equity, and inclusion officer*, 13KRCG (April 24, 2023).

[17] https://www.como.gov/human-resources/eeo/
[18] https://archive.is/0TRO2
[19] https://archive.is/bsXJB
[20]https://archive.is/97zEy

97. Based on Columbia's current ordinances, Columbia's history of using quotas, and other information, Missouri believes that Columbia's public-facing statements claiming that it stopped using quotas are disingenuous.

98. On information and belief, Columbia also continues to enforce all ordinances that facilitate its racial goals.

99. Columbia makes "aggressive[]" efforts to recruit minorities and females. Code §§ 19-177, 19-179(f).

100. Additionally, Columbia actively recruits "female, disadvantaged, underemployed, and/or minority candidates for positions within the city at all levels." Code § 19-179(a).

101. Further, Columbia "mak[es] it known to all recruitment sources that female and minority members are being sought for consideration." Code § 19-179(f).

102. The Human Resource Director, for example, "place[s] employment advertising in publications with a broad circulation so that a potentially large number of female and minority groups can be reached." Code § 19-179(c).

103. Columbia also identifies specific measures designed to increase minority and female representation, including recruiting at colleges and universities with significant minority or female enrollment; placing job advertisements directed toward minorities and women; using recruitment companies that target minorities and females; and requesting referrals of qualified minorities and women. *See* City of

Columbia, *Affirmative Action Program: Fiscal Year 2023*, at 7;[21] City of Columbia, *Affirmative Action Program: Fiscal Year 2024*, at 7.[22]

104. Columbia also makes internal efforts to ensure that its affirmative-action program is a success and that it meets all quotas.

105. By ordinance, Columbia must "encourage[]" all current city employees "to refer female or minority applicants" when positions become available. Code § 19-179(e).

106. On information and belief, Columbia has encouraged its employees to make such referrals and has made them aware of the details of the affirmative-action program.

107. On information and belief, city employees have referred female or minority applicants for open positions—resulting in those applicants being favored for open positions.

108. Further, appointing authorities and department heads must "take appropriate affirmative action from the time of job requisition to hiring decision in all job positions to achieve and maintain [equal employment opportunities] objectives and goals as rapidly as possible." Code § 19-176(e).

109. Columbia's requirements for current city employees have bite: An employee's failure to make good-faith efforts to achieve affirmative-action goals is a "just cause of disciplinary action." *Id.* § 19-177.

[21]https://www.como.gov/archive/2024/03/FY23-CityWide-AA-Plan-internet-ready.pdf
[22] https://www.como.gov/archive/2024/03/Transit-AAP-FY-2023.pdf

110. On information and belief, Columbia's employees make good-faith efforts to achieve race- and sex-based quotas—knowing that they could be subject to "disciplinary action" if they fail to do so. *Id.*

111. Columbia's use of race and sex based practices also infect how and whom it decides to train. Specifically, Columbia employs race- and sex-based balancing in training opportunities for its employees. It "seek[s] to have female and minority employees take advantage of training opportunities in numbers that are representative when compared to the size of the work force." Code § 19-180.

112. Columbia has employed, is employing, and will continue employing its unlawful race- and sex-based practices unless stopped.

II. Columbia's Affirmative-Action Program Harms Individuals and Missouri

113. Missouri's population is comprised of a substantial number of individuals whom Columbia discriminates against through its race-based and sex-based hiring and promotional practices.

114. The U.S. Census Bureau estimated in 2025 that 80% of Missouri's population is "White alone" and suggests that 49.1% of Missouri's population is male.[23]

115. Similarly, for Columbia, the U.S. Census Bureau estimated in 2025 that 73.2% of Columbia's population is "White alone."[24] Census Bureau figures also suggest that approximately 48.1% of the City's population is male.[25]

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[23] https://www.census.gov/quickfacts/fact/table/MO/SEX255225#SEX255225
[24] https://www.census.gov/quickfacts/columbiacitymissouri
[25] *Id.*

116. Columbia has 19 departments, including departments for creative services and marketing; finance; information technology; public health and human services; and police. Across these 19 departments, Columbia employs over 1,500 full-time equivalent employees and is the seventh largest employer in the City of Columbia.[26]

117. On information and belief, over a thousand white people and men work for—or apply to work for—the City of Columbia each year.

118. On information and belief, Columbia receives employment applications for full-time, part-time, temporary, and seasonal positions from hundreds of people every year.

119. As of the date of filing, Columbia currently has 54 active postings for various jobs—which includes both full-time and part-time positions.[27]

120. On information and belief, white people and men have applied for employment or promotions at Columbia and have thereby become subject to Columbia's discriminatory scheme for hiring and promotions. Still more are currently able and ready to apply, but Columbia will prevent them from competing for jobs and promotions on equal footing with other applicants. *Cf. Adarand Constructors, Inc. v. Pena*, 515 U.S. 200, 211 (1995) (injury occurs when individuals cannot competing on equal footing because of race).

121. On information and belief, Columbia has denied white people and men employment or promotions because they are not a minority or female.

[26] https://archive.is/xvkLN
[27] https://archive.is/9EBjt

122. On information and belief, Columbia has required employees who oppose governmental policies that treat individuals differently because of their race and sex to participate in Columbia's systemic race and sex discrimination.

123. By classifying applicants and employees according to race and using those classifications in administering its employment system, Columbia has deprived Missouri residents of rights secured by the Equal Protection Clause of the Fourteenth Amendment and federal law.

124. The harm that Columbia's affirmative-action program causes is not confined to isolated employment decisions or a small group of identified individuals.

125. Columbia's affirmative-action program stigmatizes individuals who are white or male and Missouri's workforce in general. Further, it undermines public confidence that government employment decisions are made according to lawful and equal standards.

126. Columbia's use of discriminatory employment practices signals that such conduct is tolerated and permissible in this State and in this country. It is not.

CAUSES OF ACTION

Claim 1
Unlawful Race Discrimination
U.S. Const. Amend. XIV, § 1; 42 U.S.C. § 1983

127. Missouri incorporates by reference all preceding paragraphs as if fully set forth herein.

128. Columbia has acted, is acting, and will continue to act "under color of" state law within the meaning of 42 U.S.C. § 1983.

129. The Fourteenth Amendment of the U.S. Constitution makes it unlawful for a state actor to discriminate against an individual because of the individual's race. *See* U.S. Const. amend XIV, § 1.

130. Columbia has and continues to employ race-based quotas in staffing its workforce. Columbia thus treats job applicants and employees differently based on their race. And Columbia prevents applicants and employees from competing on equal footing because of their race.

131. Refusing to consider a candidate because of his or her race is race discrimination. *See Gibson v. Mississippi*, 162 U.S. 565, 591 (1896) ("All citizens are equal before the law."); *Allen v. Milligan*, 608 U.S. 511, 512 (2026) (holding that our Constitution is "colorblind").

132. Columbia's ordinances and policies seek workforce representation goals based on race and establish race-based placement goals and utilization analyses intended to increase minority representation within the City's workforce. Such race-based decisionmaking necessarily treats applicants differently based on race.

133. The race of the candidate denied eligibility does not matter. *See SFFA*, 600 U.S. at 206. The Equal Protection Clause "accord[s] the same protection" to all races and ethnicities. *Id.* And "[e]liminating racial discrimination means eliminating all of it." *Id.*

134. Because Columbia's affirmative-action program and policy grant special preferences to individuals based on their race, the program and policy must satisfy

strict scrutiny. *Louisiana v. Callais*, 608 U.S. 85, 107–08 (2026); *SFFA*, 600 U.S. at 206–07.

135. Columbia lacks a compelling governmental interest sufficient to justify its use of racial classifications.

136. Columbia has not and cannot identify specific instances of past racial discrimination that would support race-based remedial measures.

137. Columbia therefore lacks the strong basis in evidence necessary to justify race-based employment policies under the Equal Protection Clause. *Callais*, 608 U.S. at 107–08.

138. "Racial balancing is not transformed from 'patently unconstitutional' to a compelling state interest simply by relabeling it 'racial diversity.'" *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 732 (2007) (plurality opinion).

139. Even if Columbia could demonstrate a compelling interest (it cannot), the ordinances and policy are not sufficiently coherent for the purposes of strict scrutiny. *See SFFA*, 600 U.S. at 214–15. There is no standard for a court to measure whether sufficient inclusivity has been achieved. *See id.* And Columbia's assumption that minorities will "usually bring something that a white [male] cannot offer'" qualifies as a "pernicious stereotype." *Id.* at 220 (citation omitted). As the Supreme Court said, "We have time and again forcefully rejected the notion that government actors may intentionally allocate preference to those 'who may have little in common with one another but the color of their skin.'" *Id.* (quoting *Shaw*, 509 U.S. at 647).

140. Columbia's discriminatory affirmative-action program also fails narrow tailoring. The affirmative-action program is not narrowly tailored to serve any compelling interest.

141. Columbia emphasizes the recruitment, employment, promotion, and training of minorities and utilizes race-based placement goals and employment practices designed to increase minority representation within its workforce.

142. Columbia's program and policies contain no meaningful endpoint or boundaries, and they continue to employ race-based workforce objectives with no fixed end date.

143. Columbia's affirmative-action program, policy, and practices therefore violate the Equal Protection Clause of the Fourteenth Amendment.

144. Columbia's discrimination against otherwise eligible individuals for employment and promotion adversely affects Missouri's quasi-sovereign interests in "the health and well-being—both physical and economic—of [Missourians] in general." *See Snapp*, 458 U.S. at 607. Columbia's discrimination also offends Missouri's "textbook quasi-sovereign interest[]" in "'secur[ing] its residents from the harmful effects of discrimination.'" *Aziz*, 231 F. Supp. 3d at 32 (quoting *Snapp*, 458 U.S. at 609); *see also Snapp*, 458 U.S. at 609 ("This Court has had too much experience with the political, social, and moral damage of discrimination not to recognize that a State has a substantial interest in assuring its residents that it will act to protect them from these evils.").

145. Missouri therefore has *parens patriae* standing to seek relief to protect its quasi-sovereign interest. *See id.*; *Lynch v. Nat'l Prescription Adm'rs*, 787 F.3d 868, 872 (8th Cir. 2015).

146. Columbia is a state actor. Missouri, through the Attorney General, may sue to enforce federal law against a state actor. *See Va. Off. for Prot. & Advoc. v. Stewart*, 563 U.S. 247, 255–56 (2011).

147. Federal courts have also consistently recognized that States may bring *parens patriae* suits under 42 U.S.C. § 1983. *See, e.g.*, *Porter*, 659 F.2d at 314–19; *North Dakota v. Heydinger*, No. 11-cv-3232 (SRN/SER), 2016 WL 5661926, at *4–6 (D. Minn. Sept. 29, 2016) (A State may "seek relief under § 1983 when it sues in its non-sovereign capacity or quasi-sovereign capacity." (collecting cases)).

148. Alternatively, or in addition, Missouri may sue to enjoin a party acting under color of state law. *See, e.g.*, *Pennsylvania v. Wheeling & Belmont Bridge Co.*, 50 U.S. (9 How.) 647, 657–58 (1850). As the Eighth Circuit has explained, "there is an equitable tradition of suits to enjoin unconstitutional actions by state actors." *United States v. Missouri*, 114 F.4th 980, 986 (8th Cir. 2024) (citing *Armstrong v. Exceptional Child Ctr., Inc.*, 575 U.S. 320, 326–27 (2015)).

149. At all relevant times, Columbia acted under color of state law.

150. Because the State has significant sovereign interests in ensuring its power is not being used to discriminate and a quasi-sovereign interest in protecting the welfare of its citizens, the State is entitled to declaratory and injunctive relief against Columbia and damages.

Claim 2
Unlawful Sex Discrimination
U.S. Const. Amend. XIV, § 1; 42 U.S.C. § 1983

151. Missouri incorporates by reference all preceding paragraphs as if fully set forth herein.

152. Columbia has acted, is acting, and will continue to act "under color of" state law within the meaning of Section 1983.

153. Columbia favors women over men when making employment decisions for City positions.

154. Refusing to consider a candidate "simply because" of his or her sex is sex discrimination and is no more permissible than race under the Equal Protection Clause. *See United States v. Virginia*, 518 U.S. at 532.

155. Columbia lacks an important governmental objective sufficient to justify its sex-based classifications. *See id.* at 524.

156. Alternatively, the discriminatory measures that Columbia employs are not substantially related to achieving any legitimate objective asserted in Columbia's ordinances, policies, workforce analyses, placement goals, and recruitment practices. *See id.*

157. Columbia's discriminatory ordinances, policy, and practices are not "substantially related" to any important governmental objective. *Id.*

158. Columbia's discrimination against otherwise eligible candidates for its employment positions adversely affects Missouri's quasi-sovereign interests in "securing residents from the harmful effects of discrimination" and in "the health and

well-being—both physical and economic—of [Missourians] in general." *See Snapp*, 458 U.S. at 607, 609; *see also id.* at 609 (recognizing "the political, social, and moral damage of discrimination" on a substantial segment of the State even though the tangible effects were limited).

159. Missouri therefore has *parens patriae* standing to seek relief to protect its quasi-sovereign interest. *See id.*; *Lynch*, 787 F.3d at 872.

160. Columbia is a state actor. Missouri, through the Attorney General, may sue to enforce federal law against a state actor. *See Va. Off. for Prot. & Advoc.*, 563 U.S. at 255–56.

161. Federal courts have also consistently recognized that States may bring parens patriae suits under 42 U.S.C. § 1983. *See, e.g.*, *Porter*, 659 F.2d at 314–19; *Heydinger*, 2016 WL 5661926, at *4–6 (A State may "seek relief under § 1983 when it sues in its non-sovereign capacity or quasi-sovereign capacity." (collecting cases)).

162. Alternatively, or in addition, Missouri may sue to enjoin a party acting under color of state law. *See, e.g., Pennsylvania*, 50 U.S. (9 How.) at 657–58. As the Eighth Circuit has explained, "there is an equitable tradition of suits to enjoin unconstitutional actions by state actors." *Missouri*, 114 F.4th at 986 (citing *Armstrong*, 575 U.S. at 326–27).

163. At all relevant times, Columbia acted under color of state law.

164. By enforcing sex-based classifications in public employment, Columbia deprived Missouri residents of rights secured by the Equal Protection Clause.

165. The State is therefore entitled to judgment under the Fourteenth Amendment.

166. Qualified Missouri residents have been denied equal consideration for employment opportunities with Columbia because Columbia considers sex in administering its employment policies and practices.

167. Qualified Missouri residents would enjoy greater opportunities to compete for employment, promotion, training, and other employment-related benefits with Columbia if Columbia ceased considering sex in its employment decisions and personnel policies.

168. By classifying applicants and employees according to sex and using those classifications in administering its employment system, Columbia has deprived Missouri residents of rights secured by the Equal Protection Clause of the Fourteenth Amendment.

169. Unless enjoined by this Court, Columbia will continue to administer sex-based employment policies and practices that harm Missouri residents and impair Missouri's quasi-sovereign interests.

170. Because the State has significant sovereign interests in ensuring its power is not being used to discriminate and a quasi-sovereign interest in protecting the welfare of its citizens, the State is entitled to declaratory and injunctive relief against Columbia and damages.

PRAYER FOR RELIEF

The State of Missouri, appearing on the relation of its Attorney General prays this Court:

A. Declare, adjudge, and decree that the actions detailed herein are unlawful under Amendment XIV, § 1 of the U.S. Constitution and 42 U.S.C. § 1983.

B. Issue declaratory relief stating that Columbia's affirmative-action ordinances, policies, placement goals, and related employment practices that classify applicants or employees according to race or sex are unconstitutional and unlawful;

C. Preliminarily and permanently enjoin Defendants, including Columbia and its directors, officers, and agents, from enforcing or implementing race- or sex-based employment classifications, preferences, goals, or other discriminatory practices;

D. Award damages to Missouri;

E. Award nominal damages to Missouri in the amount of $1.00;

F. Issue an award of attorneys' fees and costs in this action pursuant to Federal Rule of Civil Procedure 54(d) and 42 U.S.C. § 1988; and

G. Award all other relief this Court deems equitable and just.

Dated: November 24, 2026

Respectfully submitted,

CATHERINE L. HANAWAY
Missouri Attorney General

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Kathleen Hunker, #78819*
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Counsel for Plaintiffs

**Pro hac vice motion forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of this Complaint shall be served in accordance with Federal Rule of Civil Procedure 4.

/s/ Louis J. Capozzi III

EXHIBIT A

DIVISION 3. EQUAL EMPLOYMENT OPPORTUNITY POLICY AND AFFIRMATIVE ACTION PROGRAM

Sec. 19-176. General policy.

(a) It is the policy of the city to promote and ensure equal opportunity for all persons (without regard to protected category) employed or seeking employment, using city facilities or being serviced by the city. The policy of equality applies to every aspect of city employment practice and policy involving all activity areas.

(b) The city assures non-discrimination in recruiting, hiring, training, placement, advancement, compensation, working conditions, demotion, layoff and termination.

(c) It is, in addition, the policy of the city to assert leadership within the community and to put forth the maximum effort to achieve non-discriminatory, equal employment opportunities throughout the political jurisdiction of the city. Affirmative action will be taken to make known that equal employment opportunities are available on the basis of the merits of the individual and consistent with the city's goals and timetables for staffing in terms of female and minority representation on the city's work force: striving for a work force in each occupation which corresponds to the actual availability of qualified females and minorities for that job in their respective recruitment area.

(d) Department heads and supervisors are responsible for implementation of this policy and the affirmative action program within their responsibility areas. All applicants and employees shall be expected to be qualified for the position they are seeking, and to indicate through performance, capability of at least acceptably performing assigned duties. Encouragement, information and appropriate on-the-job orientation and training are to be provided to all new employees to assist them in performing their job assignments effectively.

(e) Job placements shall be made by the city manager as delegated to respective department heads. The appointing authorities (director and department heads) shall encourage, and take appropriate affirmative action from the time of job requisition to hiring decision in all job positions to achieve and maintain EEO objectives and goals as rapidly as possible.

(f) While EEO affirmative action shall be considered a top priority, neither shall it unreasonably infringe upon the goal of efficient, productive, continuing public service.

(g) Notwithstanding any other provisions of this chapter, it shall not be unlawful discrimination because of citizenship status that which is otherwise required in order to comply with law, regulation, or executive order, or required by federal, state, or local government contract, or which the United States attorney general determines to be essential for an employer to do business with an agency or department of the federal, state or local government.

(Code 1964, § 22.910; Ord. No. 17016, § 1, 9-17-01; Ord. No. 21206, § 1, 1-3-12; Ord. No. 23402, § 1, 12-4-17; Ord. No. 23642, § 1, 9-17-18)

Case 2:26-cv-04318-MDH Document 1-1 Filed 11/24/26 Page 1 of 6

Sec. 19-177. Goals and timetables.

Based on statistical employee turnover rates and anticipated, projected changes in total work force allocations; and work force evaluation in terms of race, sex, job position, salary make-up, and related considerations, annual and long-range (if practicable) EEO affirmative action goals will be recommended by the director in consultation with the respective department heads, reviewed by the personnel advisory board, and adopted by the city manager as an administrative policy. Documentation concerning the success of projected goal attainment shall be completed annually by the director, citing conditions and circumstances which may have helped or hindered the program. Subsequent goals and timetables shall be established considering the practical experience and preceding goal success. Identifiable lack of good faith in attempting to achieve established goals shall be just cause of disciplinary action, and shall involve any and all employees.
(Code 1964, § 22.920)

Sec. 19-178. Program knowledge.

The city will take the necessary steps to ensure that all department heads and other employees and all potential employees are advised of this policy of non-discrimination, and of the city's interest in actively and affirmatively providing equal employment opportunity. These steps will include (but are not limited to) the following:

(1) A brief statement of the policy in all advertisements for employment.

(2) Periodic dissemination of policy through the media, new employee orientation discussions, bulletin boards, etc.

(3) Periodically advising all persons in a position within the city government of their role and responsibility in implementation of this policy.

(Code 1964, § 22.930)

Sec. 19-179. Recruitment.

(a) EEO affirmative action will consist of active recruitment of female, disadvantaged, underemployed, and/or minority candidates for positions within the city at all levels.

(b) Active recruitment will mean:

(1) First consideration for filling all vacancies in a department shall be given to qualified employees of lower rank within the same department or qualified employees from other departments.

(2) Identification of agencies and programs concerned with educational and employment opportunities for female and/or minority members.

(3) Every effort will be made to contact a variety of agencies and individuals to identify prospective applicants, and notification will be made to such agencies of all new positions and the requirements of each as soon as each position becomes available.

Case 2:26-cv-04318-MDH Document 1-1 Filed 11/24/26 Page 2 of 6

(4) All vacancies and new positions in city departments or agencies, not initially filled by a present city employee, shall be publicly advertised; and the statement "The City of Columbia is a merit, affirmative action, equal opportunity employer: Male/Female." shall be included wherever practicable in employment advertisements.

(c) The director will place employment advertising in publications with a broad circulation so that a potentially large number of female and minority groups can be reached.

(d) Systematic contact will be kept with the local state employment security commission office and community action agencies to encourage referral of applicants for positions.

(e) Present employees are encouraged to refer female or minority applicants when positions are available.

(f) The city will aggressively seek more female and minority candidates in classifications in which females and minorities are identified as underutilized by making it known to all recruitment sources that female and minority members are being sought for consideration when positions are available.

(g) The director will continually review the employment situation to determine if:

(1) There are any job categories which, in practical effect, are closed to female and minority groups;

(2) Hiring practices indicate that all applicants are considered solely on the basis of their qualifications for the job openings for which they have applied;

(3) The initial job in which a new employee is placed is determined or materially influenced by whether or not he/she is a member of a minority group;

(4) Minimal entry qualifications are in fact necessary, valid, and justifiable in terms of acceptable and required performance levels;

and if problems exist in any of these areas, the director shall take the necessary actions to correct inequities.

(h) The director will establish a system through which it is possible to verify the number of minority applicants and the number of minority workers newly employed or promoted in reference to the number of applications received, openings available, and salaries earned.

(i) All qualifications for employment shall be fully job-related. Any tests given by the city, once reliably and validly established, will be equitable and identical for all applicants for a given position. Continuous review of the tests shall be conducted by the director to ensure their validity.

(j) The qualifications of all employees, including females and/or those of minority background, will be reviewed regularly to ensure that qualified, interested individuals are considered for promotion and upgrading.

Case 2:26-cv-04318-MDH Document 1-1 Filed 11/24/26 Page 3 of 6

(k) As many female and minority and/or disadvantaged trainees and summer part-time employees will be used as work needs justify and expenditures allow and shall be on a representative relationship to the general community as much as possible.
(Code 1964, § 22.940)

Sec. 19-180. Training.

Female and minority employees as well as others will be encouraged to increase their skills and job potential through participation in training and education programs, and the city will regularly review and help to assure that such programs, when established or provided, are available to employees on an equal opportunity basis. The city will seek to have female and minority employees take advantage of training opportunities in numbers that are representative when compared to the size of the work force, and when training is available generally to other employees in the same classification within the parameters of departmental operations and an individual's capability to benefit from various types and degrees of training which may in some cases be significantly advanced and/or cumulative in nature.
(Code 1964, § 22.950)

Sec. 19-181. General provisions.

(a) Any collective bargaining agreements which the city may enter into will be in accordance with the principles of placement, promotion and/or transfer of employees without regard to protected category; and shall be consistent with EEO goals.

(b) The director will review job categories where few female and/or minority group members are presently employed, and seek to determine the cause of such situations when shown necessary by study of the available and qualified labor market. Remedial efforts may include such actions as the following:

(1) More vigorous recruitment of qualified female and/or minority candidates.

(2) Special discussion with appropriate management, supervisory, and other personnel, regarding the city's policy and its desire to ensure full utilization of qualified female and/or minority group personnel in all operational areas.

(3) Evaluate qualifications of the lower echelon of female and/or minority group employees to determine whether under utilized skills and capabilities would potentially be more fully employed in other capacities, or would warrant their transfer to other types of jobs more readily leading to advancement. This practice shall be applied equally to all employees.

(c) Placement, promotion, and transfer activities at all levels will be monitored to ensure that reasonable, equitable, fair consideration has been given to qualified female and/or minority group employees.

Case 2:26-cv-04318-MDH Document 1-1 Filed 11/24/26 Page 4 of 6

(d) Subcontractors, vendors and suppliers shall be notified of the city's EEO affirmative action policy and requested to take appropriate EEO affirmative action within their own employment practices.

(e) The director shall compile at least quarterly statistics concerning applicants, placement, and related employment data for the purpose of gauging the effectiveness of the EEO affirmative action program.
(Code 1964, § 22.960; Ord. No. 17016, § 1, 9-17-01; Ord. No. 21206, § 1, 1-3-12; Ord. No. 23402, § 1, 12-4-17; Ord. No. 23642, § 1, 9-17-18)

Sec. 19-182. Complaint procedures for allegations of discrimination.

Employees or job applicants who feel that they have been discriminated against pursuant to EEO provisions of these policies, rules, regulations and procedures may contact the human resources department to resolve the issue, or may utilize available remedies under existing local, state and federal legislation.
(Code 1964, § 22.970; Ord. No. 15754, § 1, 9-21-98; Ord. No. 23324, § 1, 9-18-17)

Sec. 19-183. Policy regarding Columbia city employees infected with human immunodeficiency virus.

(a) *Preamble.* The responsibility of protecting health and privacy rights of all people is fundamental. It is known that employees who carry the human immunodeficiency virus (HIV) are not dangerous to others through casual contact and, therefore, should not be treated differently. Individuals having a contagious secondary infection, however, could serve as a source of that infection to others and, in those instances, a policy for specific infections should be established and followed.

(b) *Policy.* Each case involving HIV infection shall be evaluated separately in order to assess risks and benefits to the infected individual and to all others in the setting.

(1) These evaluations shall be made by using a team approach involving the individual's physician, public health personnel, and the city human resources department. Other advisors may be included if considered appropriate by the city manager or his designee.

(2) Employees who are determined to be physically able to work without presenting a danger to themselves will be allowed to do so.

(3) Only those persons who have a need to know the identity of the HIV-infected individual, in order to detect potential for disease transmission, shall be advised of the individual's identity. The city manager or his designee shall be responsible for

Case 2:26-cv-04318-MDH Document 1-1 Filed 11/24/26 Page 5 of 6

State of Missouri)
County of Boone) ss
City of Columbia)

I, the undersigned, City Clerk of the City of Columbia, Missouri, certify that the above foregoing instrument is a true and exact copy of Sections 19-176 through 19-182 of the Columbia Code of ordinances as the same appears on record in the council records of said city in my custody in my office in the ~~Daniel Boone~~ City Hall Building.

In Witness Whereof, I have hereto set my hand and affixed the corporate seal of said city, this 23rd day of November, 2026

Sheela Amin
City Clerk

JS 44 (Rev. 03/24)

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

State of Missouri ex rel. Catherine Hanaway, Attorney General of Missouri

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

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

Office of the Missouri Attorney General, 815 Olive Street, Suite #200, St. Louis, MO 63101 and (573) 645-9662

DEFENDANTS

City of Columbia, Missouri; De'Carlon Seewood, in his official capacity, et al.

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)*

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

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question *(U.S. Government Not a Party)*
- ☐ 2 U.S. Government Defendant
- ☐ 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)*

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

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

Click here for: Nature of Suit Code Descriptions.

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☒ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

INTELLECTUAL PROPERTY RIGHTS
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

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 *(specify)*
- ☐ 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)***:
42 U.S.C. § 1983 and Amendment XIV, § 1 of the U.S. Constitution

Brief description of cause:
Constitutional challenge to preliminary & permanently enjoin Columbia's unlawful race & sex based employment practices and to recover damages

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: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Judge Kays DOCKET NUMBER 4:26-cv-00636

DATE
Nov 24, 2026

SIGNATURE OF ATTORNEY OF RECORD
/s/ Louis J. Capozzi III

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I.(a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below**; NOTE: federal question actions take precedence over diversity cases.**)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.

V. Origin. Place an "X" in one of the seven boxes.
Original Proceedings. (1) Cases which originate in the United States district courts.
Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.