

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE

JAMIE N. WILSON-HAYNES,)
)
 Plaintiff,)
)
 v.) DOCKET NO. _____
)
 WILLIAMSON COUNTY, TENNESSEE,) 12 PERSON JURY DEMANDED
)
 Defendant.)

COMPLAINT FOR DAMAGES

Comes now, Jamie N. Wilson-Haynes (hereinafter "Plaintiff" or "Ms. Haynes"), by and through counsel and hereby provides facts and law in support of her Complaint filed against Williamson County, Tennessee (hereinafter referred to as "Williamson County" or "Defendant"). The Plaintiff would show unto the court as follows:

PARTIES AND JURISDICTION

1. Plaintiff, Jamie N. Wilson-Haynes, is a citizen and resident of the State of Tennessee and has been so during all of the events outlined in this Complaint. She is and has been employed by Williamson County, Tennessee in the Williamson County Sheriff's Office within the Williamson County Government. Her employment with the Defendant has taken place primarily within Williamson County, Tennessee.

2. Defendant Williamson County, Tennessee is the employer of the Plaintiff. The Plaintiff is employed by the Williamson County Sheriff's Office within Williamson County, Tennessee. Williamson County, Tennessee's primary principal address is 1320 W. Main Street, Franklin, TN 37064. Williamson County, Tennessee can be served through the mayor of Williamson County, Rogers Anderson, located at 1320 W. Main Street, Suite 125, Franklin, TN 37064.

3. Venue and jurisdiction are appropriate in this court. The Tennessee Human Rights Act provides for jurisdiction in this court under T.C.A. § 4-21-311. The acts, as stated herein, and the employment of the Plaintiff occurred primarily within Williamson County, Tennessee. The actions of the Defendant outlined in this Complaint occurred primarily in Williamson County, Tennessee.

FACTS

4. The Plaintiff started working for the Defendant in the sheriff's department in approximately December 2014. She has worked as a Student Resource Officer as a deputy and currently still works for the Defendant. Ms. Haynes has been subjected to sexual harassment, sex discrimination, sexually hostile work environment, hostile work environment due to her sex, and retaliation by the Defendant.

5. The Plaintiff previously had a sexual harassment lawsuit under the Tennessee Human Rights Act filed in the Chancery Court for Williamson County, Docket No. 48580B that was filed on July 29, 2019 (hereinafter referred to as "Original Lawsuit"). This case resolved and an Agreed Order of Dismissal that was entered on October 17, 2019. The Complaint in that lawsuit outlines numerous facts of sexual harassment, sexually hostile work environment, and sex discrimination directed at the Plaintiff in great detail. The Plaintiff is not pursuing claims related to that conduct, however, Plaintiff is pursuing claims for additional sexual harassment conduct directed at the Plaintiff, as well as retaliation for the prior lawsuit filed by the Plaintiff and retaliation for her reports about sexual harassment and sexual misconduct at the Defendant since the Original Lawsuit. After the Original Lawsuit was filed and resolved with the Defendant, the Plaintiff experienced cold shoulder treatment, additional sexual harassment of her (often related

to her prior case and the fact that she brought a prior sexual harassment claim), as well as significant retaliation by the Defendant. This retaliation resulted in the Plaintiff being suspended without pay by the Defendant in retaliation for her additional reports of sexual harassment, as well as because she pursued remedies under the Tennessee Human Rights Act in the prior litigation filed against the Defendant in the Original Lawsuit.

6. In June 2021, Plaintiff was subjected to sexual comments and references to the prior lawsuit by Sergeant Couey. Specifically, during taser qualification, some of the officers were making sexual related jokes about using the taser in the bedroom. Someone then said that the officers needed a "safe word" if the taser was used in the bedroom and one of them referenced that their safe word was "Wainwright". Wainwright is the former high-level officer at the Williamson County Sheriff's Department who grotesquely sexually harassed the Plaintiff as extensively as outlined in the Original Lawsuit. Sergeant Couey then made a comment to the Plaintiff that "no, Wainwright is Jamie's safe word". This was said in front of other sergeants (supervisors) as well as deputies and was very offensive to the Plaintiff. On this same day, officer Al Nations made a comment to the Plaintiff saying that he believes they will not ever send her to TNSRO again. He then said this is because he believes that she filed her lawsuit so that she could get out of having to go to TNSRO ever again. On the same day, Al Nations said to the Plaintiff that she had to "admit Wainwright was a better Captain than Zolli". Jamie Haynes then responded to him that he believed that because Wainwright "wasn't trying to get in your pants". Al Nations then said, "he might have been, hell".

7. Further, while at her school that she works at as an SRO officer in July 2021, she found a thumb drive containing pornography including nude pictures and extreme

sexual content in the work computer of Plaintiff. Somebody placed this in her computer and this was extremely offensive and abhorrent sexual pornographic content. She reported this to the Defendant and while she was at the Sheriff's Office completing her report on the thumb drive, she came across Captain Zollicoffer. Plaintiff asked him if he had been filled in on the situation regarding the pornographic thumb drive. He then walked over to Bethany Tucker's office (a Human Resource employee for the Defendant) where he pointed towards her computer keyboard. He then licked his finger, pretended to touch the keyboard, and asked the Plaintiff if she had tasted the keyboard in her office to identify who was there watching porn. The implication was that she would be able to recognize the taste of the semen that would be spread out on her keyboard. The comment meant that semen would be on the keyboard because the officer was masturbating and ejaculated on the keyboard of the Plaintiff. Further, that Plaintiff would be able to tell who the officer was who left the thumb drive filled with pornography on Plaintiff's computer. The clear implication being that the Plaintiff has provided oral sex to all of the officers at the Sheriff's Office and she would be able to tell whose semen was on the keyboard as a result – by taste. The HR employee who was present and witnessed this awful sexual comment giggled at this joke and took no action against this employee of the defendant. This was an extremely inappropriate and uncomfortable situation for the Plaintiff. This is especially true due to the fact that they knew the Plaintiff had a prior sexual harassment case and nothing was done by HR to punish Captain Zollicoffer for these incredibly inappropriate comments. Plaintiff was openly sexually harassed in front of HR at the Defendant and nothing was done.

8. Approximately one month after providing the pornography filled flash drive to the Defendant, the Plaintiff received a call from a detective concerning the investigation. Plaintiff assumed she wanted to ask the Plaintiff questions about the investigation. The Plaintiff assumed the investigation would discuss issues related to the thumb drive and the circumstances surrounding the thumb drive. Plaintiff was caught off guard during this meeting when instead the detective started asking questions of the Plaintiff regarding an investigation into Plaintiff's conduct for alleged improper use of a county vehicle and other claims against her. The Plaintiff was then read her Garrity Rights and her gun was removed from her. Further, the Plaintiff's uniform shirt, duty belt (and contents) as well her vest, credentials and keys were asked to be turned in during this meeting. She was then transported to her home address and put on leave while the "investigation" was continued.

9. For approximately eleven (11) days the Plaintiff heard nothing. Plaintiff was then called into the office on or about August 17, 2021 and was informed that she was being disciplined and suspended for ten (10) days without pay. The Defendant cited the Plaintiff for various alleged claimed technical violations of policies and procedures of the Williamson County Sheriff's Office. The Plaintiff had a good explanation and reasonable basis to counter the claims in each of the allegations against her that she was punished for. This investigation and punishment was retaliatory in nature because of the Plaintiff's prior lawsuit over sexual harassment and the fact she was once again reporting somebody for sexual harassment issues when she received a thumb drive with sexual content in her own computer. There was no indication the Defendant took the investigation into the pornography filled thumb drive that placed in the computer of the

Plaintiff at an elementary school seriously. Instead, the Defendant immediately focused their investigation on the Plaintiff to retaliate against her for her reports of sexual harassment and prior lawsuit. The punishment provided to Plaintiff was provided by Captain Zollicoffer, the very individual who had just sexually harassed her at the beginning of this investigation. In total, the Plaintiff received twenty-two (22) days of suspension, including ten (10) of those days being without pay. Further, Plaintiff received a thirty (30) day probationary period with the inability to use her county vehicle. Further, the school where Plaintiff had worked as an SRO for five (5) years was removed from her in an extremely retaliatory and punitive manner.

10. The Plaintiff set up a meeting to meet with Sheriff Dusty Roads on or about August 26, 2021 and she discussed an explanation for all of the issues that she was found responsible for in her suspension. Further, she reported to him directly additional issues of sexual harassment and retaliation against her. At the conclusion of a long discussion and explanation of events and reports regarding further sexual harassment, the Sheriff simply responded, "you're simply deflecting". He informed the Plaintiff that he had nothing else to say to her and that she is lucky that he did not "fire" her. He then claimed that Dr. Snowden of the Franklin Special Schools District system specifically asked that she not be in any of his schools again. Plaintiff then asked the Sheriff if he was going to follow up on her reports of sexual harassment and he asked her to "email it to me". As a result, the Plaintiff emailed these concerns on September 1, 2021.

11. Plaintiff later communicated with school officials, including Dr. Snowden, director of schools at the Franklin Special Schools District, and it became clear that any claim that he did not want her in any Franklin School District school is not accurate. As a

result, it became very clear that the Defendant had misrepresented claims to her and was misrepresenting claims as to the reason or why she was removed from her school.

12. The write up and punishment of the Plaintiff for “technical violations” of various rules without any consideration for context and an explanation of all of those events was retaliatory in nature. The conduct that Plaintiff has been suspended for is conduct that frequently occurs at the Defendant and is generally accepted and/or overlooked by management at the Defendant. If the Defendant were to investigate, pull videos, time logs, and other information for every officer within the Williamson County Sheriff’s Department, many similar technical violations of policy could be found. The only reason the Plaintiff was investigated was because she once again reported sexual harassment issues of receiving a pornography filled thumb drive in her computer. Further, Captain Zollicoffer and the HR department know about the extremely inappropriate sexual harassing comments that Captain Zollicoffer made directed at the Plaintiff at the beginning of the investigation. The Defendant retaliated against the Plaintiff in a biased, one-sided, and retaliatory investigation of the Plaintiff. The Defendant does not treat employees equally. The Plaintiff should never have been investigated simply because she brought forward a sexual harassment report. The only reason the Plaintiff was punished and suspended in this significant way as outlined in this Complaint is because she brought another sexual harassment report to the attention of the Defendant.

13. The actions of the Defendant have caused the Plaintiff to suffer severe mental injury. The sexual harassment, sex discrimination, sexually hostile work environment, hostile work environment based on sex, and retaliation have caused the Plaintiff to experience headaches, sleeplessness, depression, anxiety, crying spells,

emotional outbursts, humiliation, embarrassment, anger, disappointment, worry, and stress. Further, the Plaintiff has been punished severely inappropriately which resulted in a loss of pay, a loss of position in a school and a loss of standing and reputation within the Defendant. It also included threats of termination of her solely because she brought a prior lawsuit for sexual harassment and because she has reported additional sexual harassment at the Defendant.

COUNT I – SEXUAL HARASSMENT, SEXUALLY HOSTILE WORK ENVIRONMENT, HOSTILE WORK ENVIRONMENT DUE TO SEX, SEXUAL DISCRIMINATION AND RETALIATION UNDER THE TENNESSEE HUMAN RIGHTS ACT AGAINST DEFENDANT

14. Plaintiff incorporates all paragraphs and allegations in this Amended Complaint listed above as fully alleged herein within Count I of this Amended Complaint.

15. The sexual harassment, sexually hostile work environment, hostile work environment due to sex, retaliation and sex discrimination of Plaintiff by Defendant constituted discriminatory practices as defined in the Tennessee Human Rights Act as defined T.C.A. § 4-21-102(4) and T.C.A. § 4-21-401.

16. The sexual harassment, sexually hostile work environment, hostile work environment, retaliation and sex discrimination due to the Plaintiff's sex violate the Tennessee Human Rights Act.

17. Defendant is an "employer" of Plaintiff as defined in the Tennessee Human Rights Act. Defendant had, at all relevant times to this case, in excess of 500 employees.

18. There is a proximate causal connection between the sexual harassment, sex discrimination, hostile work environment, retaliation and sexually hostile work environment (discussed above in detail) from Defendant that she suffered at her place of employment, associated with her female gender. The sexual harassment, sex

discrimination, hostile work environment, retaliation and sexually hostile work environment demands on the Plaintiff were specifically because she was female. The unwelcomed sexual harassment, sex discrimination, hostile work environment, retaliation and sexually hostile work environment suffered by Plaintiff at the Defendant affected the terms, conditions and privileges of her employment solely based on her sex.

19. Defendant had full knowledge of all the harassing and retaliatory actions. Defendant failed to protect the Plaintiff from the grotesque and reprehensible sexual harassment, sex discrimination, hostile work environment, retaliation and sexually hostile work environment. Defendant did not take steps to sufficiently control or stop the sexual harassment, sex discrimination, hostile work environment, retaliation and sexually hostile work environment at Defendant. Plaintiff was expected to work within the environment provided by Defendant as described in this Complaint. Plaintiff was suspended from her job and punished severely in retaliation for her reports about sexual harassment and sexual misconduct at the Defendant as well as for the Original Lawsuit.

20. Plaintiff is entitled to compensatory damages including back pay, front pay, interest, damages for humiliation and embarrassment proximately caused by the sexual harassment, sex discrimination, hostile work environment, retaliation and sexually hostile work environment at Defendant. The actions of the Defendant have caused the Plaintiff to suffer severe mental injury. The sexual harassment, sex discrimination, sexually hostile work environment, hostile work environment based on sex, and retaliation have caused the Plaintiff to experience headaches, sleeplessness, depression, anxiety, crying spells, emotional outbursts, humiliation, embarrassment, anger, disappointment, worry, and stress. Further, the Plaintiff has been punished severely inappropriately which resulted in

a loss of pay, a loss of position in a school and a loss of standing and reputation within the Defendant. It also included threats of termination of her solely because she brought a prior lawsuit for sexual harassment and because she has reported additional sexual harassment at the Defendant. Further, under the Tennessee Human Rights Act Plaintiff is entitled to an award of attorney's fees and costs for this litigation.

Wherefore, Plaintiff prays for the following relief;

1. That proper process issue requiring the Defendant to answer this Amended Complaint in time prescribed by law;
2. Plaintiff moves this Court for an Order granting default judgement pursuant to Tennessee Rule of Civil Procedure 55 should the Defendant fail to answer the Amended Complaint within the timeframe required by law;
3. Plaintiff demands against Defendant damages for back pay, front pay, compensatory damages, interest, damages for the damages proximately caused by the sexual harassment, sexually hostile work environment, hostile work environment, sex discrimination, and retaliation – under the Tennessee Human Rights Act.
4. Plaintiff demands compensatory damages against the Defendant in an amount to be determined by the trier of fact, but not in excess of \$950,000.00. Plaintiff reserves the right to amend the Complaint and monetary ad damnum to increase or decrease the damages based on appropriate factors;
5. That Plaintiff be awarded attorney's fees, litigations expenses and costs for the prosecution of this claim as provided under Tennessee law specifically under the Tennessee Human Rights Act;

6. Plaintiff also requests general and equitable relief that may be available to the Plaintiff.

7. Plaintiff requests the Defendant be required to pay all court costs, discretionary expenses and associated fees for this litigation;

8. That a jury of twelve (12) people try this cause; and

9. For any and all general just, reasonable, and necessary relief to which Plaintiff is entitled.

Respectfully submitted,

Jason A. Lee w/ perm
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Registration No: 22890
Attorney for Plaintiff, Jamie N. Wilson-Haynes

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