

VI.

STATEMENT OF FACTS

7. Plaintiff, SGT. CANNON, is a member of a protected group based on his race (Black/African-American).

8. Plaintiff has fully exhausted his administrative remedies.

9. Plaintiff has been employed as an officer in THE DEPARTMENT, in South Bend, Indiana for over 30 years, and employed as Detective in the South Bend Police Department's Detective Bureau for over 15 years. Plaintiff has held the rank of Sergeant for over 20 years.

10. At all times material to this action, Plaintiff has received performance ratings of satisfactory or better.

DENIAL OF PROMOTION AND EMPLOYMENT OPPORTUNITIES

11. Defendants TEACHMAN, THE CITY, AND THE DEPARTMENT through his/its agents, discriminated against Plaintiff in terms and conditions of employment and promotions.

12. While TEACHMAN served as Chief of Police, similarly situated, and lesser qualified employees, not in Plaintiff's protected group were promoted from the rank of Sergeant to the rank of Lieutenant instead of Plaintiff or other minority officers holding the rank of Sergeant within the department.

13. THE CITY and THE DEPARTMENT have a long history of denying promotions for higher graded positions to qualified African-American officers.

14. THE CITY and THE DEPARTMENT also have a long history of disparate treatment towards Black officers in terms of denying promotions to qualified African-American officers.

15. Defendants routinely placed, and continue to place, white employees in unfilled positions