

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

SHARON BLACKMON-MALLOY
2525 36th Street S. E.
Washington, D. C. 20020

DAMON	ADAMS	6018 WESSON DRIVE	SUITLAND, MD 20746
FRANK	ADAMS	7228 LORRING PLACE	FORESTVILLE, MD 20747
SHAFTON	ADAMS	1830 T PLACE S. E.	WASHINGTON, D. C. 20020
CHARLES	AKINS	13811 WATER FOWL WAY	UPPER MARLBORO, MD 20774
TWANDA	ALEXANDER-WISE	9125 ROUNDLEAF WAY	GAITHERSBURG, MD 20879
EARL	ALLEN	1025 BUTTERWORTH LANE	UPPER MARLBORO, MD 20774
BUTLER	ALPHONSO	12604 ANTREE COURT	UPPER MARLBORO, MD 20772
VERNON	ALSTON JR.	P. O. BOX 170	MT. RAINER, MD 20712
MARSHA	ANDERSON	11922 BIRCHVIEW DRIVE	CLINTON, MD 20735
ROY	ANDERSON	10007 CAMPUS WAY SOUTH	LARGO, MD 20772
SHERRY	BAILEY	6003 ST. MORITZ DRIVE #301	TEMPLE HILLS, MD 20748
KENNETH	BALDWIN	7314 DONNELL PLACE #D-8	FORESTVILLE, MD 20747
DARYL	BANKS	3405 ERIN COURT	UPPER MARLBORO, MD 20772
TRENTON	BASS	819 BAISAMTREE PLACE	SEAT PLEASANT, MD 20743
LARRY	BENNETT	9201 BRANCHVIEW DRIVE	FT. WASHINGTON, MD 20074
CLARENCE	BLACK	3738 DUNLIN SHORE COURT	NORCROSS, GA 30092
LEWIN	BLACKSTON	3400 CROYDON ROAD	BALTIMORE, MD 21207
SHIRLEY	BLAND	2110 BROOKS DRIVE #502	FORESTVILLE, MD 20747
DARRIN	BLOXON	2200 JAMESON STREET	TEMPLE HILLS, MD 20748
ERIC	BOGGS	6745 PARK DRIVE	GREENBELT, MD 20770
REGINA	BOLDEN-WHITAKER	5812 JACKIES WAY	CLINTON, MD 20735
HELEN	BOND-JONES	3547 11TH STREET N. W.	WASHINGTON, D. C 20010
GAYLE	BOONE	9502 TELICO PLACE	CLINTON, MD 20735
WILBERT	BOOTH JR.	2700 SASSATRAS COURT	OWINGS, MD 20736
AMANDO	BOWMAN	12959 BROADVIEW RUN	WALDORF, MD 20602
TERESA	BRADBY	3309 28TH PKWY.	TEMPLE HILLS, MD 20748
CLINTON	BRADFORD	2910 LOYD COURT	TEMPLE HILLS, MD 20748
GRADY	BRADFORD SR.	4208 NORCROSS STREET	TEMPLE HILLS, MD 20748
SYLVIA	BRADLEY	6426 KNOLLBROOK DRIVE	HYATTSVILLE, MD 0783
ROBERT	BRASWELL JR.	3207 BARCROFT DRIVE	SPRINGDALE, MD 20774
TYRONE	BROOKS	4429 BECKENHAM PLACE	UPPER MARLBORO, MD 20772
LORETTA	BULLOCK	7910 VERNON AVENUE	FT. WASHINGTON, MD 20744
SAPHONIA	BUTLER	14102 REV. RAINSFORD CT.	UPPER MARLBORO, MD 20772
KAYLANA	BYRD	1522 DEEP GORGE COURT	OXON HILL, MD 20745
JOHN WILLIE	CALDWELL JR.	3344 5TH STREET S. E.	WASHINGTON, DC 20032
STEPHEN	CANNADY	2021 BROOKS DRIVE #204	FORESTVILLE, MD 20747
BRYAN	CARTER	11805 ELLINGTON DRIVE	BELTSVILLE, MD 20705

Civil No: _____
(F.R. Civ. P. 23 Class
Action)

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

JOE	CHRISTIAN	3004 LUMAR DRIVE	FT. WASHINGTON, MD 20774	
PERNELL	CLARK	18418 SHANNA DRIVE	ACCOKEEK, MD 20607	
KAREN	CLAY	74 W. RIDGE CIRCLE	ODENTON, MD 21113	
WILLIAM	CLEVELAND	2121 JAMEISON AVE #501	ALEXANDRIA, VA 22314	
LUARTHUR	COCHRAN	6819 SOUTHFIELD ROAD	FT. WASHINGTON, 20744	
CHARLES	COFFER JR.	12514 CAMBLETON DRIVE	UPPER MARLBORO, MD 20774	
REGINALD	COLLINS	2583 OACK GLENWAY	FORESTVILLE, MD 20747	
MICHAEL	COVINGTON	2900 HILLSIDE AVENUE	CHEVERLY, MD 20785	
DORIAN	COWARD	1720 TERRAPIN HILLS DRIVE	MITCHELLVILLE, MD 20721	
J	CREEKMAR	5404 ANNETTE COURT	UPPER MARLBORO, MD 20772	
MONTE	CURTIS	5219 CAROLINE CIRCLE	WALDORF, MD 20601	
RONALD	CURTIS	3606 BASKERVILLE DRIVE	MITCHELLVILLE, MD 20721	
BEVERLY	DAVIS	12308 ST. ALBAN CIRCLE	FT. WASHINGTON, MD 20744	
WILLIAM	DAVIS	402 GOLDFLEAF AVENUE	SEAT PLESANT, MD 20743	
SHAWN	DENEAL	7918 ASHFORD BLVD.	LAUREL, MD 20707	
WILLIAM	DIGGS	P.O. BOX 292	UPPER MARLBORO, MD 20772	
RAYMOND	DINGLE	8200 REPPY LANE	FT. WASHINGTON, MD 20774	
DONALD	DIXON	12720 HOLIDAY LANE	BOWIE, MD 20716	
TYRONE	DIXON	P.O. BOX 441071	FT. WASHINGTON, MD 20749	
LEO	DUNKLIN	8 CHANNING STREET N. E.	WASHINGTON, D. C. 20019	
CYNTHIA	EDWARDS	7215 FLAG HARBOR DRIVE	FORESTVILLE, MD 20747	Civil No: _____
MARCUS	EDWARDS	922 PALMER ROAD #13	FT. WASHINGTON, MD 20744	(F.R. Civ. P. 23 Class
VANESSA	EDWARDS	8606 SAFFRON DRIVE	LANHAM, MD 20706	Action)
KEITH	EMORY	512 KISCONKO TURN	FT. WASHINGTON, MD 20744	
JOHN	EUILL II	2903 WOODWAY PLACE	CHEVERLY, MD 20785	
KEVIN	EVANS	2428 CORNING AVENUE #202	FT. WASHINGTON, MD 20744	
KIM	EVANS-HERRING	2950 LABELLA WAY	FALLS CHURCH, VA 22042	
KIM	EWINGS	4216 DANVILLE DRIVE	TEMPLE HILLS, MD 20748	
RHONDA	FARMER	1836 METZEROTT ROAD #1201	ADELPHI, MD 20783	
ARNOLD	FIELDS	306 JENNINGS MILLS ROAD	BOWIE, MD 20721	
MARCUS	FLEMING	6912 GATEWAY BLVD.	DISTRICT HEIGHTS, MD 20747	
DAVID	FLEMMING	7965 MONARCH STREET	WHITE PLAINS, MD 20695	
ROBERT	FOUNTAIN	6020 GOODFELLOW DRIVE	SUITLAND, MD 20746	
MICHAEL	FUNDERBURK	3525 ELLENTON ROAD	BOWIE, MD 20716	
LARRY	GAINES	2109 BRIGHTER ROAD	HYATTSVILLE, MD 20782	
GEORGE	GIBSON	7129 BRANCHWOOD PLACE	CLINTON, MD 20735	
GARY	GOINES	518 POWHATAN PLACE N. W.	WASHINGTON, DC 20011	
TIERRE	GOLSBY	13309 EDINBURGH LANE #2	LAUREL, MD 20708	
RAYMOND	GOODINE	8961 TOWN CENTER CT. A-112	LARGO, MD 20774	
JAMES	GRAHAM	8843 STONEBROOK LANE	COLUMBIA, MD 21046	
MARK	GRAY	6817 GROVETON DRIVE	CLINTON, MD 20735	

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

PATRICK	GRAY	32 BRYANT STREET N. W.	WASHINGTON, D. C. 20002
LARRY	GREAR	4303 LEATHERWOOD TERRACE	BURTONVILLE, MD 20866
ALVIN	GREEN	12002 GREEN TREE TURN	UPPER MARLBORO, MD 20772
PAMELA	GREEN	4713 KING JOHN WAY	UPPER MARLBORO, MD 20772
TAMMI	GREEN	30 REGENCY DRIVE	STAFFORD, VA 22554
JAMES	GRIFFIN	2503 KORVALE LANE	BOWIE, MD 20715
LYNWOOD	GUISE	2202 I STREET N. W.	WASHINGTON, DC 20001
JAMES	GUPTON JR.	2609 FORT DRIVE	SUITLAND, MD 20746
CLARENCE	HAIZLIP JR.	3301 ACCODALE DRIVE	CLINTON, MD 20735
DAVID	HAMLETT	3716 DOWNEY DALE DRIVE	RANDALLSTOWN, MD 21133
EARNESTINE	HARDING	9506 ATOM ROAD	CLINTON, MD 20735
MACCO	HARPER	8021 EASTERN AVENUE #109	SILVER SPRING, MD 20910
MARCO	HARPER III	6807 HOLLY BERRY COURT	FORESTVILLE, MD 20747
TIMOTHY	HARRELL	7927 HEATHER LEIGH PLACE	WHITE PLAINS, MD 20695
AVE' MARIA	HARRIS	5404 STRATFORD LANE	TEMPLE HILLS, MD 20748
ROBIN	HARRIS	1982 WINSLOW COURT	WOODBIDGE, VA 22191
NIKKOL	HICKS	516 FAIRHILL DRIVE	SILVER SPRING, MD 20904
JERRY	HOWARD	05 ALEXANDRIA OVERLOOK	OXON HILL, MD 20745
LARRY	HUDSON	8 BLACKPOOL CIRCLE	WALDORF, MD 20602
TIMOTHY	HUNTER	11312 MARLEE AVENUE	CLINTON, MD 20735
LARRY	IKARD	4629 EASTERN AVENUE	MT. RAINIER MD, 20712
DWAYNE	INABINET	1311 47 OPAL LANE	WOODBIDGE, VA 22193
KONEY	IRBY	3056 CLINTON STREET N. E.	WASHINGTON, DC 20018
BERNAARD	JACKSON	7204 RIVERDALE ROAD	LANHAM, MD 20716
EDWARD	JACKSON	43376 BURKEDALE STREET	SOUTH RIDING, VA 20133
GREG	JACKSON	504 CRETIA PLACE	UPPER MARLBORO, MD 20774
MELDON	JACKSON	8110 RICHARD DRIVE	FORESTVILLE, MD 20747
WAINWRIGHT	JACKSON	1354 RANDOLPH STREET N. W.	WASHINGTON, D. C. 20011
GREGORY	JACOBS	7514 SWEET HOURS WAY	COLUMBIA, MD 21046
HENRY	JACOBS	9130 HARDESTY DRIVE	CLINTON, MD 20735
STEPHEN	JAMES	3213 CARLTON AVENUE	TEMPLE HILLS, MD 20748
DENA	JAMISON	6108 BREEZEWOOD CT. #203	GREENBELT, MD 20770
CARLTON	JENKINS	1727 S. NELSON STREET	ARLINGTON, VA 22204
MICHAEL	JENKINS	12719 BUCKHARDT	CLINTON, MD 20735
THOMAS	JENKINS III	10017 HOWELL DRIVE	UPPER MARLBORO, MD 20774
RODERICK	JENNINGS	801 NORTH PITT STREET	ALEXANDRIA, VA 22314
CLARENCE	JETER JR.	1700 N. NASH STREET	ARLINGTON, VA 22207
FRANK	JOHNSON	7420 CRANE PLACE	LANDOVER, MD 20785
JOHN	JOHNSON	8812 PISGAH DRIVE	CLINTON, MD 20735
WILLIE	JOHNSON	3420 NAVY DAY DRIVE	SUITLAND, MD 20746
LAVERNE	JOHNSON-REYNOLDS	2402 OLSEN STREET	TEMPLE HILLS, MD 20748

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Action)

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

MERVIN	JONES	101 YELLOWTWIG LANE	ANNAPOLIS, MD 20401
RONALD	JONES	13017 WEISS DRIVE	BOWIE, MD 20715
THEORTIS	JONES	10765 KITCHENER COURT	BOWIE, MD 20721
NAUDIAN	JONES, JR.	605 BURNS STREET S. E.FRANK	WASHINGTON, DC 20019
MACK	KENNEDY	5442 FALLRIVER ROW COURT	COLUMBIA, MD 21044
WANDA	KENNEDY	1651 FOREST PARK DRIVE	FORESTVILLE, MD 20747
MICHAEL	KILLEBREW	4502 ROCKDALE LANE	UPPER MARLBORO, MD 20772
DOROTHY	KYLE	1201 DIXIE BOWIE WAY	UPPER MARLBORO, MD 20774
JOHN	LANCESLIN	5850 CAMERON RUN TERRACE #915	ALEXANDRIA, VA 22303
JANICE	LANDRUM	3903 21ST PLACE	TEMPLE HILLS, MD 20748
LONNIE	LANE	1909 WINSLOW COURT	WOODBIDGE, VA 22191
SYLVIA	LASSITER	RR1, BOX 592 PINNERS CH. RD	RICH SQUARE, NC 27865
GOVERNOR	LATSON	10110 KATHLEEN DRIVE	FT. WASHINGTON, MD 20744
MARK	LATSON	9703 TEAKWOOD DRIVE	UPPER MARLBORO, MD 20774
ERRINGTON	LINDO	9507 TIPPETT LANE	GAITHERSBURG, MD 20879
JEROME	LOFTY	1213 EMERSON STREET N. E.	WASHINGTON, D. C. 20017
ANTHONY	LUCAS	20407 BASELINE TERRACE	ASHBURN, VA 20147
BRENDA	LUCKEY	3764 STONESBORO ROAD	FT. WASHINGTON, MD 20744
ROBERT	LUMPKIN	7530 9TH STREET N. W.	WASHINGTON, D. C. 20012
DERRICK	MACON	11804 SYLVIA DRIVE	CLINTON, MD 20735
WILLIAM	MAEDEL	1700 ALLISON STREET, NE	WASHINGTON, DC 20017
DANNY	MALLOY	1102 45TH PLACE, NE	WASHINGTON, DC 20019
TYRONE	MARSHALL	1317 LAWRENCE STREET N. E.	WASHINGTON, D. C. 20017
BRANDY	MARTIN-WILCHER	1719 BARRINGTON COURT	MITCHELLVILLE, MD 20721
DAVID	MASSIE	7903 POWHATAN STREET	NEW CARROLTON, MD 20784
RON	MASSIE	1527 KINGS HILL STREET	MITCHELLVILLE, MD 20721
KEVIN	MATTHEWS SR.	2507 32ND STREET, SE	WASHINGTON, DC 20020
DAWNYA	MAUNEY	1205 OTIS STREET N. E.	WASHINGTON, D. C. 20017
KESHIA	MCCATTY	8006 DANIEL DRIVE	FORESTVILLE, MD 20747
OLLIE	MCCOY	2106 WILLOW TREE LANE	TEMPLE HILLS, MD 20748
DANNY	MCELROY	P. O. BOX 11132	ALEXANDRIA, VA 22131
DINA	MCILWAIN	2204 HOLLOW COURT	WALDORF, MD 20601
SAMUEL	M McNAIR	5722 EAGLE STREET	CAPITOL HEIGHTS, MD 20743
BRENT	MILLS	2700 WOODWALK COURT	ALEXANDRIA, VA 22306
JEANITA	MITCHELL	2604 LONGBOW COURT	BRYANS ROAD, MD 20616
JOCELYN	MOORE	7300 MOORE ROAD	BRANDYWINE, MD 20613
JOSEPH	MOORE	5314 WEST BONIWOOD TURN	CLINTON, MD 20735
MONIQUE	MOORE	4948 WEALDING WAY	OXON HILL, MD 20745
MORRIS	MOORE	2706 31ST STREET S. E. #640	WASHINGTON, DC 20020
RENARD	MOORE	7974 JANNA LEE CT. #101	ALEXANDRIA, VA 22306

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**IN THE UNITED STATES DISTRICT COURT FOR
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DENISE	MORRIS	1307 GIRARD STREET N. E.	WASHINGTON, D. C. 20017
CLARK	MORTON	7212 GOBLET COURT	CLINTON, MD 20735
ADRIAN	MOTLEY	P.O. BOX 2967	WASHINGTON, DC 20013
RODRIC	MYERS	7612 SHEFFIELD GRWY.	LORTON, VA 22079
CHARLES	NANTON JR.	1543 POTOMAC HEIGHTS DRIVE	FT. WASHINGTON, MD 20744
DAVID	NELSON	1540 ROXANNE ROAD N. W.	WASHINGTON, D. C. 20012
GLENN	NEWELL JR.	1807 COLUMBIA AVENUE	LANDOVER, MD 20785
MARCELUS	NEWTON	2614 BERRYWOOD LANE	SPRINGDALE, MD 20774
BARRY	NIXON	6609 TALL OAK DRIVE	TEMPLE HILLS, MD 20748
CYNTHIA	NORRIS	8600 CORRY DRIVE	BOWIE, MD 20720
BRANDELL	ODOM	10801 KING EDWARD DRIVE	UPPER MARLBORO, MD 20772
PAULA	OREM	1782 TULIP AVENUE	FORESTVILLE, MD 20747
TRUDY	PARKER	2621 33RD STREET S. E.	WASHINGTON, DC 20020
MARVIN	PATTERSON	6110 OMNAR COURT	UPPER MARLBORO, MD 20772
LUTHER	PETERSON	11954 AUTUMNWOOD LANE	FT. WASHINGTON, MD 20744
ANTOINETTE	PETTIS	1704 N STREET N. W.	WASHINGTON, D. C. 20001
DUVALL	PHELPS	8920 CONTINENTAL PLACE	LANDOVER, MD 20785
JAMES	PINNIX	17124 MOSS SIDE LANE	OLNEY, MD 20832
KENNETH	PITTMAN	10015 WHITEFIELD STREET	FAIRFAX, VA 22032
JACQUELINE	PORTEE-RAYMOND	6915 ADEL STREET	CAPITOL HEIGHTS, MD 20743
ALBERT	POWELL	8505 SUNDALE DRIVE	SILVER SPRING, MD 20910
JAMES	POWELL	3498 SOUR CHERRY COURT	WALDORF, MD 20602
WILLIE	RAGLAND	7813 MARDAR ROAD #107	GREENBELT, MD 20772
BARRY	RAINEY	6601 KIPLING PKWY	DISTRICT HEIGHTS, MD 20747
DORIS	REID	1003 BANISTER WAY	CAPITOL HEIGHTS, MD 20743
MARY	RHONE	3400 GEATON DRIVE	UPPER MARLBORO, MD 20774
MICHAEL	RICHARDSON	10305 SEA PINES	MITCHELLVILLE, MD 20721
RONALD	RICHARDSON	5505 CELESTIAL LANE	BRANDYWINE, MD 20613
VERNIER	RIGGS	6313 SOUTHLAKE COURT	BRYANS ROAD, MD 20616
GLENN	RITCHIE	3414 CURTIS DRIVE #302	HILLCREST HEIGHTS, MD 20746
JAMES	ROBERTS	1728 GIRARD STREET N. E.	WASHINGTON, DC 20018
THEODORE	RODGERS	5807 JACKIES WAY	CLINTON, MD 20735
LEONARD	ROSS	6110 HELLEN LEE DRIVE	CLINTON, MD 20735
LLOYD	RUDD	1615 ANGELWING DRIVE	SILVER SPRING, MD 20904
GREG	RUSH	11104 ATWELL AVENUE	BOWIE, MD 20720
STEVEN	SCOTT	1923 BROOKDALE ROAD	BALTIMORE, MD 21244
JEFFREY	SCRUGGS	14 WHISPERING COURT	OWINGS MILLS, MD 21117
GLYNIS	SENN	9709 SUMMIT CIRCLE	LARGO, MD 20774
JOLANIA	SHARPS	3521 PUMPHREY DRIVE	FORESTVILLE, MD 20747
KENNETH	SHAW	6948 CONY COURT	WALDORF, MD 20603

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**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

CALVIN	SHIELDS JR.	4340 G STREET S. E.	WASHINGTON, D. C. 20019
MICHAEL	SHIRLEY	3831 HOLLOWAY CIRCLE	UPPER MARLBORO MD 20772
DORMAN	SIMMONS	625 MT. LUBENTIA CT. W.	UPPER MARLBORO, MD 20772
JOSEPH	SIMPSON	4 DOE HILL COURT	BALTIMORE, MD 21228
FLOYD	SIMPSON JR.	3267 PRINCE RAINER PLACE	FORESTVILLE, MD 20747
MAURITA	SMITH	1014 MARLBORO ROAD	LOTHIAN, MD 20711
SAMUEL	SMITH	1301 DEL. AVE. S. W. #401	WASHINGTON, D. C. 20024
HENRY	SMITH JR.	1407 SPRING PLOW CT.	SEVERN, MD 21144
PINKNEY	SPEIGHTS	112 E. RAYMOND AVENUE	ALEXANDRIA, VA 22301
CHAUNCY	SPRIGGS	10122 GLOUCESTER LANE	CHELTENHAM, MD 20735
MICHAEL	SPRIGGS	7109 SUNRISE DRIVE	LANHAM, MD 20706
ROBERT	SPRUILL	1000 STAGWAY	FT. WASHINGTON, MD 20744
CLAUDETTE	SQUIRES	7112 FLAG HARBOR DRIVE	DISTRICT HEIGHTS, MD 20747
KEITH	STEWART	16137 EDENWOOD DRIVE	BOWIE, MD 20716
ROBERT	STEWART	7501 MARION STREET	FORESTVILLE, MD 20747
REGINALD	STRAUGHN	11468 LELAND PLACE	WALDORFT, MD 20601
DWIGHT	STURDIVANT	7814 GOLDFIELD COURT	CLINTON, MD 20735
PATRICIA	SUMLIN	4004 CAROZZA COURT	TEMPLE HILLS, MD 20748
WENDELL	SUMMERS, JR.	4900 MEGAN DRIVE	CLINTON, MD 20735
SHELLY	TAYLOR	8424 INDIAN HEAD HWY.	FT. WASHINGTON, MD 20744
GERALD	THOMAS	5608 N. CAPITOL STREET N. W.	WASHINGTON, D. C. 20011
ANWAR	THOMPSON	4704 KENMORE AVENUE #304	ALEXNDRIA, VA 22304
KENNIETH	THOMPSON	9814 GREEN APPLE TURN	UPPER MARLBORO, MD 20772
GLADYS	TRADER	9240 LIVERY LANE #P	LAUREL, MD 20723
TYRONE	TUCKER	5225 POOKS HILL ROAD #3175	BETHESDA, MD 20814
CLINTON	TURNER	7411 GAMBIER DRIVE	UPPER MARLBORO, MD 20772
DALE	VEAL	411 POST LANE	BOWIE, MD 20716
ANTHONY	WASHINGTON	5101 BLUEHEAD COURT	WALDORF, MD 20603
STEPHEN	WASHINGTON	7023 MASON STREET	DISTRICT HEIGHTS, MD 20747
REGINALD	WATERS	5604 BUTTERFIELD DRIVE	CLINTON, MD 20735
RICHARD	WEBB	10752 GREEN MOUNTAIN CIRCLE	COLUMBIA, MD 21044
STEPHANIE	WEEMS	1411 ELKWOOD LANE #201	CAPITOL HEIGHTS, MD 20743
JAMES	WESTBROOK II	8911 LOUGHRAN ROAD	FT. WASHINGTON, MD 20744
ANGELA	WHEELER	415 DERWOOD AVENUE	CENTERVILLE, MD 21617
RITA	WHEELER	1402 CAPITAL VIEW TERRACE	LANDOVER, MD 20785
MCARTHUR	WHITAKER	5812 JACKIES WAY	CLINTON, MD 20735
MCKINLEY	WHITE	6011 TAYLOR ROAD	RIVERDALE, MD 20736
HOWARD	WHITEHURST	7806 QUARSA TERRACE	BOWIE, MD 20720
JAMES	WHITT	P.O. BOX 735	BLADENSBURG, MD 20710
FRANK	WILKES	8907 HARDESTY DRIVE	CLINTON, MD 20735

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

CYNTHIA	WILLIAMS	3520 POPE STREET S. E.	WASHINGTON, D. C. 20020
KATHY	WILLIAMS	8491 IMPERIAL DRIVE	LAUREL, MD 20708
MALCOLM	WILLIAMS	1428 KINGS MANOR DRIVE	MITCHELLVILLE, MD 20721
ROOSEVELT	WILLIAMS	136 LAUREL WAY #3A	HERNDON, VA 20170
STEPHANIE	WILLIAMS	4855 KING JOHN WAY	UPPER MARLBORO, MD 20772
TANYA	WILLIAMS	7214 GIDDINGS DRIVE	CAPITAL HEIGHTS, MD 20743
VICTORIA	WILLIAMS	8810 BRADFORD ROAD #6	SILVER SPRING, MD 20772
CHARLES	WILLIAMS JR.	803 NEW ORCHARD PLACE	LARGO, MD 20774
DIANNE	WILLIS	2304 PENROD COURT	UPPER MARLBORO, MD 20772
JOHNNIE	WILSON	5701 GWYNNDALE PLACE	CLINTON, MD 20735
REGINALD	WILSON	2108 SAYAN COURT	TEMPLE HILLS, MD 20748
RENEE	WILSON	9514 NORDIC DRIVE	LANHAM, MD 20706
SPENCER	WILSON	43 SUMMER WOOD DRIVE	STAFFORD, VA 22554
CLABE	WRIGHT II	7902 PEARLBUSH DRIVE #202	GAITHERBURG, MD 20879
CRAIG	YOUNG	10903 PENNY AVENUE	CLINTON, MD 20735
KENDRICK	YOUNG	4436 SWINDON TERRACE	UPPER MARLBORO, MD 20772

Civil No: _____
(F.R. Civ. P. 23 Class
Action)

Plaintiffs,

vs.

**UNITED STATES CAPITOL POLICE
BOARD,
119 D STREET, NE
WASHINGTON, DC 20510-7218**

DEFENDANT.

Serve on: ALLAN M. HANTMAN,)
AIA)
Architect of the)
Capitol)
Capitol Buildings)
Washington, DC)
20540,)
))
or)
))
BILL LIVINGOOD,)
Sergeant at Arms)
United States House)

Civil No: _____
(F.R. Civ. P. 23 Class
Action)

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA**

of Representatives)
The Capitol, Room)
H-124)
Washington, DC 20515,)
)
or)
)
ALFONSO LENHARDT,)
Sergeant at Arms)
United States Senate)
The Capitol, S-151)
Washington, DC 20510,)
Defendant.)

**CLASS ACTION COMPLAINT FOR
TEMPORARY AND PERMANENT INJUNCTIVE
RELIEF, MONETARY DAMAGES AND AWARDS,
AND OTHER REMEDIES**

COME NOW the Plaintiffs ---- Sharon Blackmon-Malloy and over 250 African-American Police Officers, (male and female, present and former), by and through their attorneys, Charles Jerome Ware, Esquire and Charles Jerome Ware, P.A., Attorneys & Counsellors, pursuant to The Congressional Accountability Act of 1995 (Public Law 104-1) and the Federal Rules of Civil Procedure 23, et al., and et seq., file this Class Action Complaint against the Defendant, the United States Capitol Police Board, and in further support state as follows:

AUTHORITY

1. This Class-Action Complaint is for immediate, temporary and permanent injunctive relief, monetary damages and awards, and other appropriate remedies -- including, inter alia, hiring, promotions, front pay, back pay, attorneys' fees, expert fees and other costs.

2. Plaintiffs, Sgt. Sharon Blackmon-Malloy and over 250 other African-American United States Capitol Police Officers, many of whom were, and are, members of the United States Capitol Black Police Association, male and female, present and former, See, EXHIBIT 1, hereby bring this Complaint pursuant to The Congressional Accountability Act of 1995 (Public Law 104-1) and the Federal Rules of Civil Procedure 23, et al. and et seq. Plaintiffs have completed both

counseling and mediation with the Office of Compliance. Plaintiffs' Class-Action Complaint is hereby timely filed pursuant to the Congressional Accountability Act of 1995.

3. The Congressional Accountability Act ("CAA" or the "Act") became effective on January 23, 1996, and it deals with employee rights and protections, and with dispute resolution procedures. The Act was the first law passed by the 104th Congress. It applies eleven (11) civil rights, labor and workplace laws to employees of the legislative branch of the federal government, and it establishes dispute resolution procedures and judicial remedies for employees.
4. Covered under the Act are employees of the House of Representatives and the Senate, the Capitol Guide Service, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, and the Office of Technology Assessment. This includes those currently working, job applicants, and former employees who may file in certain cases.
5. The Office of Compliance is an office within the legislative branch, with a five (5) member Board of Directors, an Executive Director, a Deputy Executive Director for the Senate, a Deputy Director for the House of Representatives, and a General Counsel. The Office provides education and information to employees and

employing offices, and administers a procedure to resolve disputes and to provide remedies if violations are found.

6. Pursuant to Federal Rule of Civil Procedure 23, the “Class Action” Rule, one or more members of a class may sue or be sued as representative parties on behalf of all if (1) the class is so numerous that joinder of all members is impracticable, (2) there are questions of law or fact common to the class, (3) the claims and defenses of the representative parties are typical of the claims or defenses of the class, and (4) the representative parties will fairly and adequately protect the interest of the class.

7. Over two hundred (250) African-American United States Capitol police officers (See, **EXHIBIT 1**) ---- women and men, active and retired, present and former --- - join Sgt. Sharon Blackmon-Malloy in this class action Complaint.

8. There are currently 350-plus African-American/Black United States Capitol police officers on the 1300-plus force.

9. The Court has jurisdiction of all counts in this action by virtue of §408, et al., of the Congressional Accountability Act of 1995 (“CAA”), 2 U.S.C. §1408. Section 201 of the CAA, 2 U.S.C. §1311, incorporates by reference and makes applicable to victims of race discrimination, inter alia, and related reprisals/retaliations who are covered by the CAA rights and remedies of Title VII of the Civil Rights Act of

1964, 42 U.S.C. §§2000 (e) et seq. and of 42 U.S.C. §1981 (a).

10. Because Plaintiffs were and are employed by the Capitol Police in the District of Columbia and this Court is also an alternative venue for suits under the CAA, 2 U.S.C. §1404(2), this is the proper venue for this class action.

BACKGROUND

A. History of the U.S. Capitol Police

11. **The United States Capitol Police** began with a single guard in 1801, when the seat of government was moved from Philadelphia to Washington. John Golding, the initial guard was paid \$371.75 annually, was instructed to “... take as much care as possible of the property of the United States.” However, the guard had no legal police authority, and a marine detachment aided him in his duties from 1823 to 1827. In 1825, the position received the authority of a constable and the marine contingent was removed in 1827, when President John Quincy Adams established a “watch.”
12. The first move toward a systematic policing of the Capitol was made in legislation passed in 1828, which empowered the Washington municipal police to do the job. But pleading that his force was overworked and underpaid, in 1834 David M. Wilson, Captain of the police working at the Capitol, asked for authorization to

hire more men. At that time he had only three men assigned to him, and these stalwarts labored 10 hours a day during congressional recess and 15 hours daily when they were in session.

13. The title "Capitol Police" was first used in legislation in 1851, in the Appropriations Act for fiscal year 1852. The measure established a total annual salary for Captain C.W.C. Dunnington and his seven men of \$3, 565.00. This small force was not provided uniforms and badges until the late 1850's.

14. As of February 2001 Capitol Police force is comprised of 1, 221 sworn officers. This number includes 357 African-American officers, including 1-Inspector, 3-Lieutenants, 23-Sergeants, 5-Detectives, 2-Technicians, 229-Privates First Class, 60-Privates w/Training, and 34-Privates. Therefore, African-American officers comprise only twenty-nine percent (29%) of the current force, and are even more severely under-represented in the ranking positions of the Department. (See, **EXHIBIT 6**).

In sum, the Capitol Police is an agency of the United States Congress entrusted with responsibility for guarding and policing the United States Capitol and grounds and the buildings used by Congress and agencies of Congress, together with the adjacent public areas.

B. 1993 U.S. Capitol Police Statistics

15. In 1993, the *Washington Post* newspaper published an article on the U.S. Capitol Police, titled “**Minorities Hold Just 16% of the Top Ranks of U.S. Capitol Police, Profile Shows,**” by staff writer Kenneth J. Cooper. (**EXHIBIT 2**)
16. The article presented a statistical personnel profile compiled by the National Black Police Association, U.S. Capitol Police Chapter (**EXHIBIT 3**).
17. The U.S. Capitol Police never challenged or disagreed with the personnel statistics (supra, at 15 and 16).
18. The personnel statistics showed that racial minorities, in 1993, made up only thirty-one percent (31%), or 341 officers, of the 1, 100-member police force, and held no more than sixteen percent (16%) of ranking positions, from detective to chief. (**EXHIBITS 2 & 3**).
19. Only twenty-nine percent (29%) of the officers in 1993 was black, and only two percent (2%) was “other minorities”. (**EXHIBITS 2 & 3**)
20. Only sixteen (16%) of the force in 1993 was female, and only six percent (6%) was black female. (**EXHIBITS 2 & 3**).

21. The total 1993 population of Washington, DC was 576, 358 (Source: U.S. Census Bureau; DC Office of Planning/State Data Center; **EXHIBIT 4**).
22. Blacks/African Americans comprised over sixty percent (60%) of the total DC population in 1993; i.e., over 345, 815 black residents.
23. The general consensus is that females represented over 50 percent (50%) of the total 1993 DC population; i.e., 288, 179 female residents. Further, over 60% of these females were black; i.e., 172,907.
24. These figures, supra, reveal in graphic and staggering detail the overwhelming under-representation that black males and black females accounted for on the U.S. Capitol Police force in 1993.

C. 1999 U.S. Capitol Police Statistics

25. As previously stated in 8 and 14, supra, the present (year 2001) U.S. Capitol Police force is comprised of over 1, 300 sworn officers, men and women.
26. Only 350 or so (or 29%) of those 1, 300 sworn officers are African-American men and women.

27. Since the population figures for the District of Columbia have not been tabulated as yet for the year 2000 (nor for the year 2001), the nearest DC population statistics available for comparison and analysis are those for the year 1999 (See, **EXHIBITS 4 and 5**).
28. The total 1999 population of Washington, DC was 519,000 (Source: U.S. Census Bureau; DC Office of Planning/State Data Center; **EXHIBIT 4**).
29. Blacks/African-Americans comprised over sixty percent (60%) of the total DC population in 1999, i.e., over 311, 400 black residents (**EXHIBIT 5**).
30. These figures (25, 26, 27, 28 and 29, supra) speak for themselves in demonstrating the sever under-representation of African-American men and women on the U.S. Capitol Police force.

But, the statics are even worse for African-Americans (and other minorities) for representation in the ranking Capitol Police positions, as revealed hereafter in 31, infra (And, See, **EXHIBIT 6**).
31. **Exhibit 6** reveals the ranks of the sworn officers in the U.S. Capitol Police as of February 2001, from the rank of detective to chief.
32. According to the current (February 2001) personnel statistics of the U.S. Capitol

Police (**EXHIBIT 6**), no improvement whatsoever has been made by the force in the areas of minority recruitment and promotions. White men continue to be at the top of the force and racial minorities (particularly African-Americans) continue to be clustered at the bottom of the ranks, just as was reported by the Washington Post in 1993. (**EXHIBIT 2**).

33. The figures and statics in **EXHIBIT 6** do not lie, and are revealing in their composition and simplicity:

---- As of February 2001 ----

- (a) There are 1, 221 sworn Capitol Police officers.
- (b) 244 or (20%) of the sworn officers hold ranks from detective up to chief.
- (c) Minorities hold just 16% (39 positions) of the top ranks of the U.S. Capitol Police.
- (d) Of that 16%, or 39 positions, African-Americans hold just 13% (32 positions).
- (e) Of the 16%, or 39 positions, other minorities (one (1) American Indian, two (2) Asians and four (4) Hispanics account for 3% (7 positions).
- (f) Of the top five (5) positions on the force, all (100%) are white males.
- (g) The highest ranking African-American is a male inspector (1 of 8 inspectors on the force): four ranks down from the top (chief).
- (h) The highest ranking African-American females are sergeants (8 of 145 sergeants/special technicians): seven ranks down from the top (chief).

- (i) There are 93 African-American females on the force. Therefore, African-American females represent only 7.6% of the officers.
- (j) There are 264 African-American males on the force. Therefore, African-American males represent only 21.6% of the officers.
- (k) There are 114 white females on the force (9.3% of officers)
- (l) There are 703 white males on the force (58% of officers).
- (m) There are 4 American Indian females on the force (0.32% of officers).
- (n) There is one (1) American Indian male on the force (0.08% of officers).
- (o) There are no (0) Asian females on the force.
- (p) There are 12 Asian males on the force (0.98% of officers).
- (q) There are 4 Hispanic females on the force (0.32% of officers).
- (r) There are 26 Hispanic males on the force (2.0% of officers).
- (s) Out of 15 captains on the force, there are no (0) minorities represented. Three (20%) captains are white females and 12 (80%) captains are white males.
- (t) No (0) black females are represented in the 36-member lieutenant rank.

34.

35. The graphic in 34A, supra, demonstrates strikingly the overwhelming domination of the top ranks in the force by white males, primarily, and white females, secondarily.
36. As 34B, supra, clearly reveals, even in the lower ranks of the force African-Americans and other minorities are severely under-represented; since white males comprise at least 54.35% (531) of officers in the lower ranks and white females constitute 8.3% (81) of the lower ranks.
37. **With little to no positive and unbiased recruitment of African-American males and females, and other minorities, into the upper (top) and lower ranks of the force, the Capitol Police will continue to be a modern day version of a 19th Century Southern Plantation in law enforcement.**
38. In sum, racial discrimination is rampant in the ranks of the U.S. Capitol Police.

COUNT ONE

RACE DISCRIMINATION

39. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 38.
40. The statistics presented, supra, are compelling and revealing, and undeniable:

employment discrimination is rampant within the U.S. Capitol Police force.

41. Considering the location of the Capitol (in Washington, DC) and the overwhelming numbers of highly-qualified African-American males and females in Washington, DC and its surrounding communities, inter alia, it is virtually impossible for black males and females to be under-represented as they are in both the top and lower ranks of the Capitol Police force without the intervention of race discrimination against them.

42. Since 1993, the U.S. Capitol Police has experienced three (3) promotional cycles for the ranks of lieutenant and sergeant: 1994-1995, 1996-1998, and 1998-2000, for the total of a six (6) year period.

43. During the 1994-1995 promotional cycle, the promotions among the ranks of lieutenant and sergeant were as follows:

Lieutenants (1994-1995)		Sergeants (1994-1995)	
Black Males	0 (0%)	Black Males	2 (8.7%)

Black Females	0	(0%)	Black Females	2	(8.7%)
Hispanic Females	1	(9%)	White Males	14	(60.86%)
White Females	2	(18%)	White Females	5	(21.74%)
White Males	8	(73%)			
TOTAL	11	(100%)	TOTAL	23	(100%)

44. Black/African-American males and females were clearly under-represented in the 1994-1995 promotional cycle in the ranks of lieutenant and sergeant.

45. During the 1996-1998 promotional cycle, the promotions among the ranks of lieutenant and sergeant were as follows:

Lieutenants (1996-1998)			Sergeants (1996-1998)		
Black Males	1	(11%)	Black Males	3	(9.67%)
Black Females	0	(0%)	Black Females	0	(0%)
White Males	7	(78%)	White Males	19	(61.3%)
White Females	1	(11%)	White Females	9	(29.03%)
TOTAL	9	(100%)	TOTAL	31	(100%)

46. Black/African-American males and females were clearly under-represented in the 1996-1998 promotional cycle in the ranks of lieutenant and sergeant.

47. During the 1998-2000 (as of 6/00) promotional cycle, the promotions among the ranks of lieutenant and sergeant were as follows:

Lieutenants (1998-6/2000)			Sergeants (1998-6/2000)		
Black Males	0	(0%)	Black Males	5	(20%)
Black Females	0	(0%)	Black Females	3	(12%)
White Males	4	(100%)	White Males	15	(60%)
White Females	0	(0%)	White Females	1	(4%)
			Other Minority Males	1	(4%)
TOTAL	4	(100%)	TOTAL	25	(100%)

48. In sum, during the six (6) year period of 1994 to 2000 (and in one case of sergeant promotions from 1998 to 3/01), covering three (3) promotional cycles, promotions of lieutenants and sergeants were as follows:

1994-2000 (3 Promotional Cycles)

Lieutenants	Sergeants
--------------------	------------------

Black Males	1	(4%)	Black Males	10	(12.65%)
Black Females	0	(0%)	Black Females	5	(6.33%)
Hispanic Females	1	(4%)	White Males	48	(60.67%)
White Males	19	(80%)	White Females	15	(18.99%)
White Females	3	(12.0%)	Other Minority Males	1	(1.26%)
TOTAL	24	(100%)	TOTAL	79	(100%)

49. Black/African-American males and females were severely under-represented during the three (3) promotional cycles from 1994 to 2000 in the ranks of lieutenant and sergeant.

50. Plaintiffs believe, aver and allege that they, individually and as a class of African-Americans/Blacks have been denied promotions and promotional opportunities because of their race, and that their race (African-American/Black) has/had no relation whatsoever to the qualifications of the positions/promotions of which they have been denied and continue to be denied in the U.S. Capitol Police.

51. A specific, egregious and human example of race discrimination on the Capitol Police force is the case of Sgt. Sharon Blackmon-Malloy, a black female, who recently applied for a promotion to the position of lieutenant. First of all, it should be noted that in all of the 200 year history of the force, there has never been a black female lieutenant; and there have only been a few black male

lieutenants on the force.

52. In Sgt. Blackmon-Malloy's case, she actually passed the promotional examination, only to have her scores deliberately and maliciously down-graded to below passing after the promotion authorities became aware that the passing grades were hers (a black female officer).

There are other examples, as well, of race discrimination on the force. Officers Gary D. Goines and Earl Allen, Jr. have been subjected to race discrimination, harassment, and hostile work environments while serving on dignitary protection details in Ohio, Tennessee, et al.

53. Another example of race discrimination is the case of Sgt. Frank Adams, a black male officer. Despite the recommendation of his Section Commander, Lt. Don Dixon, that he be promoted to the rank of lieutenant, Sgt. Adams was denied his promotion, he believes, solely on the basis of his race.

Retired officer Duvall W. Phelps has been the target (during his service on the force) of race discrimination, hostile work environment, and intentional infliction of emotional and/or mental distress or anguish along with many other black officers. Phelps was forced to retire by the force.

54. And again, another of many examples of race discrimination on the force is the case of Officer Larry Ikard, who has repeatedly been denied his request for assignment to the K-9 Unit. Officer Ikard believes his denial of assignment to K-9 has been due to his race, black.

Black officers Linval Jones, Alfred Moffet, and Leroy T. Shields have been abusively discharged. Sgt. Sharon Blackmon-Malloy, David Fleming and LaVerne Johnson-Reynolds have received disparate treatment and have been subjected to hostile work environments.

COUNT TWO

SEX/GENDER DISCRIMINATION

55. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 54.
56. Female Plaintiffs believe, aver and allege that they, individually and as a class of African-American/Black females, have been denied promotions and promotional opportunities because of their sex/gender (female) and that their sex/gender (female) has/had no relation to the qualifications of the positions/promotions of which they have been denied and continue to be denied in the U.S. Capitol Police.

57. Black female officers Regina Bolden-Whittaker, Sharon Blackmon-Malloy, Teresa Bradby, and others on the force have been victims of sex/gender discrimination in the areas of promotions, discipline, assignments, et al.

COUNT THREE

ABUSIVE DISCHARGE

58. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 57. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
59. Numerous Plaintiffs, 55 infra, believe, aver and allege that Defendants are liable to them for abusive discharge.
60. These Plaintiffs include, inter alia, Alfred L. Moffett, Linval Jones, Derek Waters, and Leroy T. Shields (See, **EXHIBITS 7, 8, 9, 9(a), 10 and 11**).
61. These Plaintiffs, and other in this class of litigants, were abusively discharged when the Defendants fired them for reasons that violate policy or their firings were prohibited by law.

62. Members of this class of Plaintiffs continue to this day to be abusively discharged from the U.S. Capitol Police.
63. Abusive discharges, race discrimination and sex/gender discrimination of African-American males and females has been, and continues to be, severe and pervasive within the U.S. Capitol Police.

COUNT FOUR

INTENTIONAL INFLICTION OF EMOTIONAL AND/OR MENTAL DISTRESS OR ANGUISH

64. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 63. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
65. Plaintiffs believe, aver and allege that Defendants has intentionally or recklessly caused, and continue to cause them, individually and as a class, emotional or mental distress or anguish.
66. As presented in this Complaint, supra and infra, the conduct of Defendant towards Plaintiffs has been, and continues to be, intentional and/or reckless; extreme and outrageous; and the conduct caused, and continues to cause, emotional and/or

mental distress and/or anguish to the Plaintiffs; and the emotional and/or mental distress and/or anguish was, and continues to be, severe. (See, **EXHIBITS 13, 14, 15, and 16**, *inter alia*).

67. The referenced exhibits, *inter alia*, are insightful with regards to this Count:
- (a) “[U.S.C.P. officer] Millham repeatedly called women bitches and dykes. His excuse for calling them these names was he was preparing them for the street. I remember Millham telling the class how one female in a previous class was not performing up to standards. So he ‘had to take her under his wing’. He then winked to the class and said ‘if you know what I mean’. Which means he had sexual relations with a fellow officer which is strongly discouraged by the department.” (**EXHIBIT 13**)
 - (b) “ ... Lt. Reynolds was pressuring Mr. [Derek L.] Waters (**EXHIBIT 9**) to admit he had cheated on the exam, but Mr. Waters insisted that he did not.” (**EXHIBIT 14**)
 - (c) “GET THE FUCK OUT OF THE STREET YOU FUCKIN’ NIGGER!” - White officer/driver of a U.S.C.P. scout car yelled to an elderly black male attempting to cross the street (but, obviously too slowly for the white officer). (**EXHIBIT 15**)
 - (d) “ ... we are being served last because you are black.” (**EXHIBIT 16**)

68. On several levels and through numerous factual circumstances Defendant is liable to Plaintiffs for the tort of intentional infliction of emotional distress and/or mental anguish.

COUNT SIX

**DISPARATE TREATMENT/HOSTILE
WORK ENVIRONMENT**

69. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 68. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
70. Plaintiffs believe, aver and allege that Defendant has subjected them, individually and as a class, to disparate treatment and a hostile work environment.
71. This disparate treatment and hostile work environment that Defendant has inflicted upon Plaintiffs was, and continues to be, unwelcome, severe and pervasive.
72. This disparate treatment and hostile work environment is in violation of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991,

which states in pertinent part that it is illegal “to discriminate against any individual with respect to his [or her] compensation, terms, conditions, or privileges of employment because of such individual’s race, color, religion, sex or national origin.” §2000e-2(a)(1) of Title VII.

73. The following exhibits, inter alia, are insightful with respect to this Count (Six):

- (a) **EXHIBIT 17:** David Fleming (November 2000).
- (b) **EXHIBIT 18:** Sharon Blackmon-Malloy (February thru March 2001).
- (c) **EXHIBIT 19:** Laverne M. Johnson-Reynolds (May-July 2000)
- (d) **EXHIBIT 20:** June 06, 2000 Agenda for Meeting with Chief Varey.

74. The clear mandate of public policy and federal law is that the federal workplace not tolerate a hostile work environment of its protected class of employees.

75. **Capitol Hill, where the laws were, and are, written must not be an exception to the enforcement of them.**

COUNT SEVEN

SEXUAL HARASSMENT

76. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 75.

Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.

77. Some of the Plaintiffs believe, aver and allege that they have been, and continue to be, subjected to sexual harassment by the Defendant.
78. This sexual harassment was and is known to the Defendant, and/or should have reasonably been known to the Defendant, and appropriate actions meant to end the harassment were not, and are not being, taken.
79. Sexual harassment is the unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
80. This harassment may take place in two major forms: (i) an employee may be subjected to a situation in which sexual favors are demanded from her or him as a condition of maintaining employment (See, EXHIBIT 13, inter alia); and (ii) another form of sexual harassment is termed “hostile environment,” which occurs when unwelcome sexual advances, comments, or references are severe and pervasive and a “reasonable woman or reasonable man,” or “a reasonable person,” or a “person in the position of Plaintiffs” would find the conduct offensive.
81. Using Section 201 of the Congressional Office of Accountability Act of 1995 (2

U.S.C. 1301 et seq.), Title VII and the Equal Employment Opportunity Commission (hereinafter “EEOC”) guidelines, federal courts have consistently held sexual harassment to be a form of employment discrimination based on sex, thereby actionable under Title VII. (See, Meritor Savings Bank v. Vinson, 477 U.S. 57, 66-67, 106 S. Ct. (1986).

COUNT EIGHT

DISCRIMINATION IN PROMOTIONS BASED ON RACE AND COLOR

82. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 81. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
83. Section 201 of the Congressional Accountability Act (“CAA”) provides that all hiring, promotions, pay, benefits, discipline, discharge, and other personnel actions affecting covered employees shall be free from discrimination based on race and color, within the meaning of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.
84. Plaintiffs believe, aver and allege that, as individuals and as a class, they have

been denied promotions based on their race and color (African-American/Black).
(See, *inter alia*, **EXHIBITS 21, 22**, *et al.*)

85. Plaintiffs reference in pertinent, relevant and material part, in support of all counts, averments and allegations of their Complaint, all exhibits included with this Complaint.

COUNT NINE

DISCRIMINATIONS IN PROMOTIONS BASED ON SEX

86. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 85. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
87. Section 201 of the Congressional Accountability Act (“CAA”) provides that all hiring, promotions, pay, benefits, discipline, discharge, and other personnel actions affecting covered employees shall be free from discrimination based on sex, within the meaning of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.

88. Plaintiffs believe, aver and allege that the law has been violated by the Defendant in this regard.
89. Plaintiffs reference in pertinent, relevant and material part, in support of all counts, averments and allegations of their Complaint, all exhibits included with this Complaint.

COUNT TEN

DISCRIMINATION IN HIRING BASED ON RACE AND COLOR

90. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 89. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
91. Section 201 of the Congressional Accountability Act (“CAA”) provides that all hiring shall be free from discrimination based on race and color, within the meaning of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.
92. Plaintiffs believe, aver and allege that the law has been violated by the Defendant in this regard. (See, inter alia, **EXHIBITS 9, 9(a), 23, 26**, and See, **Graphs 34A**

and 34B, et al.).

93. Plaintiffs reference in pertinent, relevant and material part, in support of all counts, averments and allegations of their Complaint, all exhibits included with this Complaint.

COUNT ELEVEN

DISCRIMINATION IN ASSIGNMENTS BASED ON SEX

94. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 93. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
95. Section 201 of the CAA forbids discrimination in assignments based on sex, within the meaning of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.
96. Plaintiffs believe, aver and allege that the law has been violated by the Defendant in this regard. (See, inter alia, **EXHIBIT 24, 26**, inter alia).

97. Plaintiffs reference in pertinent, relevant and material part, in support of all counts, averments and allegations of their Complaint, all exhibits included with this Complaint.

COUNT TWELVE

DISCRIMINATION IN ASSIGNMENTS BASED ON RACE AND COLOR

98. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 97. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
99. Section 201 of the CAA forbids discrimination in assignments based on race and color, within the meaning of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.
100. Plaintiffs believe, aver and allege that the law has been violated by the Defendant in this regard.
101. Plaintiffs reference in pertinent, relevant and material part, in support of all counts, averments and allegations of their Complaint, all exhibits included with

this Complaint.

COUNT THIRTEEN
DISCRIMINATION IN HIRING
BASED ON SEX

102. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 101. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
103. Section 201 of the CAA forbids discrimination in hiring based on sex, within the meaning of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.
104. Plaintiffs believe, aver and allege that the law has been violated by the Defendant in this regard.
105. Plaintiffs reference in pertinent, material and relevant part, in support of all counts, averments and allegations of their Complaint, all exhibits included with this Complaint.

COUNT FOURTEEN

**DISCRIMINATION IN DISCIPLINE
BASED ON RACE AND COLOR**

106. Plaintiffs incorporate by reference as if fully stated herein averments 1 through 105. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.
107. Section 201 of the CAA forbids discrimination in discipline based on race and color, within the meaning of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991.
108. Plaintiffs believe, aver and allege that the law has been violated, and continues to be violated, by the Defendant in this regard.
109. Plaintiffs reference in pertinent, relevant and material part, in support of all counts, averments and allegations of their Complaint, all exhibits included with this Complaint.

COUNT FIFTEEN

REPRISAL AND/OR INTIMIDATION

110. Plaintiffs incorporate by reference as if fully stated herein averments 1 through

109. Plaintiffs also incorporate by reference as if fully stated herein other averments, infra, of this Complaint.

111. Section 207 of the CAA makes it unlawful for any employing office (including the U.S. Capitol Police) to intimidate, take reprisal against, or otherwise discriminate against a covered employee, or class of covered employees, for (i) opposing an unlawful practice, (ii) initiating proceedings or making a charge under the CAA, or (iii) testifying, assisting, or participating in a proceeding under the CAA.

112. Plaintiffs believe, aver and allege that the law has been violated, and continues to be violated, by the Defendant against them and their witnesses.

113. For instance, it is noted that at least three (3) black officers who gave supporting statements on behalf of wrongfully-terminated black recruit officer Derek L. Waters were retaliated or reprisal against by the Defendant with reassignments, intimidation and other personnel actions.

114. Plaintiffs reference in pertinent, relevant and material part, in support of all counts, averments and allegations of their Complaint, all exhibits included with this Complaint.

CLASS ACTION PREREQUISITES

115. For purposes of all relief sought in this case, Plaintiffs Sharon Blackmon-Malloy, currently the president of the United States Capitol Black Police Association, et al., bring this action pursuant to Sections 201 and 207 of the Congressional Accountability Act of 1995 (CAA) and Rule 23(a), (b) (2) and (b)(3) of the Federal Rules of Civil Procedure, on behalf of themselves and all other persons similarly situated. Each of these individual class representatives is an African-American/black male or female U.S. Capitol officer or police recruit, past or present, active or retired, whose employment rights have been violated by the Defendant. Thus, each is a member of the proposed class. Plaintiffs seek declaratory and injunctive relief, pursuant to Rule 23 (a) and (b)(2), on behalf of themselves, and the Plaintiff class.
116. There are questions of law and fact common to all members of the class and all class members are and/or will be directly affected by the challenged actions of the Defendant. Each putative class member has been or will be subjected to varying forms of discrimination and/or reprisal from the Defendant. These common questions predominate over any minor potential variances in the circumstances of the individual complaints by the class members.
117. The claims of the representative Plaintiffs are typical of the claims of the class as

a whole.

118. Plaintiffs, working with the Executive Council of the United States Capitol Black Police Association, will be adequate representatives of the class in that all of the relevant questions of fact and law applicable to the class also apply to each of them.
119. Plaintiffs are individuals of high integrity, and will responsibly and vigorously pursue the claims of the class.
120. Plaintiffs are adequately represented by legal counsel, Charles Jerome Ware, P.A., Attorneys & Counsellors, who has litigated numerous civil rights cases in Federal Court, including, inter alia, the class action lawsuit: *Hall, et al. v. Burger King, et al.*, in the United States District Courts for the District of Columbia and the District of Florida - Southern Division. (See, **EXHIBIT 25**).

In addition to the requested remedies and damages, Plaintiffs seek their attorneys' fees, expert fees and other costs in this action.

121. Individual members of the putative class have not indicated to counsel any desire to pursue their claims independently of the class, and to Plaintiffs' knowledge, except for the filing by former recruit officer Derek L. Waters and perhaps Sgt.

Reynolds, there currently exists no pending litigation of claims by individual class members.

122. The prosecution of separate actions by individual members of the class would create a risk of adjudications which would be inconsistent or varying with respect to the individual class members, establishing incompatible standards of conduct for the Defendant, or which would as a practical matter be dispositive of the interests of other members of the class who are not parties to the adjudication.
123. Separate actions also would create a risk of adjudications disposing of interests of unnamed parties or impairing their ability to protect their interests.

RELIEF REQUESTED

WHEREFORE, Plaintiffs respectfully request the following relief:

- A. That Defendant be immediately, temporarily and permanently enjoined (cease and desist) from committing the unlawful behavior outlined in this Complaint.
- B. That each of the Plaintiffs be awarded adequate monetary damages in compensation for their damages and injuries immediately.

- C. That the Plaintiffs who have been fired/terminated be rehired or reinstated to their positions immediately.
- D. That the Plaintiffs who have been denied promotions be granted those promotions immediately.
- E. That the number and percentage of black/African-American male and female new hires (officers) be increased substantially and immediately.
- F. That the number and percentage of black/African-American male and female promotions in the “top ranks” (from detective to chief) be increased substantially and immediately.
- G. That the individuals within the U.S. Capitol Police who have been, and will be, identified as violators of Sections 201 and 207 of the CAA with regard to unlawful treatment of Plaintiffs, be disciplined appropriately with, inter alia, discharge from the U.S. Capitol Police.
- H. That Plaintiffs be awarded other monetary damages, including back pay, front pay and other financial awards.

- I. That Plaintiffs be awarded attorneys' fees, expert fees, deposition costs and other associated costs and fees for pursuing this lawful action.
- J. That Plaintiffs be awarded such other and further relief and remedies as the nature of their cause may require, invite or warrant.

Respectfully submitted,
SHARON BLACKMON-MALLOY,
(A CLASS ACTION)

Date

By: _____

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