

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

v.

THE SHERIFF OF McLENNAN COUNTY,  
in his official capacity; and  
McLENNAN COUNTY,  
Defendants.

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Civil Action No.

COMPLAINT

Plaintiff, United States of America, alleges:

1. This action is brought on behalf of the United States to enforce the provisions of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000e, et seq. ("Title VII").
2. This Court has jurisdiction of the action under 42 U.S.C. §2000e-5(f) and 28 U.S.C. §1345.
3. Defendant, the Sheriff of McLennan County ("Sheriff"), named in his official capacity, is an elected official in the State of Texas.
4. The Sheriff has responsibility for the employment of persons in the McLennan County Sheriff's Department, including the employment of persons in the position of Field Deputy.
5. The Sheriff is a person within the meaning of 42 U.S.C. §2000e(a) and an employer or agent of an employer within the meaning of 42 U.S.C. §2000e(b).
6. Defendant McLennan County is a political subdivision of the State of Texas. Through its Commissioners Court, McLennan County appropriates monies for the operation of the McLennan County Sheriff's Department.
7. Defendant McLennan County is named as a party pursuant to Rule 19(a) of the Federal Rules of Civil Procedure.
8. Until some time in 1996, when he ended the practice of using substitute night Field Deputies, the defendant Sheriff allowed males, but did not allow females, employed in the McLennan County Sheriff's Department in positions other than Field Deputy the opportunity to obtain training and experience as Field Deputies by serving as substitute night Field Deputies.
9. Vacancies in permanent Field Deputy positions traditionally have been filled by the defendant Sheriff by promotion from within the McLennan County Sheriff's Department. From 1991 through 1997 the Sheriff promoted 14 males to permanent Field Deputy positions. Each of these 14 males promoted to a

permanent Field Deputy position had previously obtained training and experience serving as a substitute night Field Deputy.

10. Upon information and belief, the defendant Sheriff has never promoted a female to a permanent Field Deputy position. The only female who has been allowed to fill a permanent Field Deputy position in the McLennan County Sheriff's Department was involuntarily transferred to that position in 1996 from an Investigator position.

11. Wanda J. Price, a female who was then a Deputy Jailer in the McLennan County Sheriff's Department, filed a timely charge of discrimination (Charge No. 310 95 0423) with the Equal Employment Opportunity Commission (EEOC) in November, 1994, alleging that because of her sex she was denied the opportunity to obtain job experience needed to qualify for a Field Deputy position. Pursuant to Section 706 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-5, the EEOC investigated the charge of discrimination, found reasonable cause to believe that sex discrimination had occurred, attempted unsuccessfully to achieve through conciliation a voluntary resolution of the charge, and subsequently referred the matter to the Department of Justice.

12. The defendant Sheriff has discriminated against Wanda J. Price and similarly situated females who have been employed in the McLennan County Sheriff's Department in violation of Section 703(a) of Title VII, 42 U.S.C. 2000e-3(a), among other ways, by:

a. Failing or refusing to allow Ms. Price and similarly situated females the opportunity to obtain training and experience as Field Deputies by serving as substitute night Field Deputies;

b. Failing or refusing to take appropriate action to remedy the effects of the discriminatory treatment of Ms. Price and similarly situated females.

13. All conditions precedent to the filing of suit have been performed or have occurred.

WHEREFORE, plaintiff United States prays for an Order enjoining the defendant Sheriff and the defendant County, as appropriate, from failing and refusing to:

(1) provide sufficient remedial relief to make whole Wanda J. Price and all other similarly situated female victims of the Sheriff's discriminatory employment practices as alleged in this complaint; and

(2) take other appropriate nondiscriminatory measures to overcome the effects of the discriminatory practices.

The plaintiff prays for such additional relief as justice may require, together with its costs and disbursements in this action.

JANET RENO  
Attorney General

By:

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Acting Assistant Attorney General  
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