

IN THE CIRCUIT COURT OF ST. LOUIS CITY
22ND JUDICIAL CIRCUIT
STATE OF MISSOURI

STEVE CHALMERS)	
)	
Plaintiff,)	
)	
vs.)	Cause No:
)	
VERNON BETTS , in his official)	
and individual capacities as Sheriff of)	
the City of St. Louis)	Division No:
)	
Serve at 10 N.Tucker Blvd.-8th Floor)	
St. Louis, MO 63101)	
)	
Defendant.)	

PETITION FOR DAMAGES
UNDER THE MISSOURI HUMAN RIGHTS ACT

COMES NOW Plaintiff, Steve Chalmers (“Chalmers”), by and through counsel, and for his Petition against Vernon Betts, (“Betts”), states and alleges as follows:

Jurisdiction And Venue

This action arises under Missouri Human Rights Act, Mo Rev. Stat. §§ 213.010- §§ 213.126 (“MHRA”).

The unlawful employment practices complained of herein were committed in St. Louis, Missouri.

Plaintiff STEVE CHALMERS is a Dark Black Male resident of Missouri, over the age of Forty, and an employee of the City of St. Louis, Missouri, Sheriff’s Department (“the Department”).

Defendant VERNON BETTS is the Sheriff of the City of St. Louis, sued in both his individual and official capacities.

The adverse employment actions Chalmers suffered occurred in the city of St. Louis, Missouri.

The adverse employment actions Chalmers suffered constitute a continuing violation.

Venue is proper in the Circuit Court of the City of St. Louis by reason of

§ 213.11 1.1, R.S.Mo., as the county in which the unlawful discriminatory practices occurred.

Administrative Procedures

On September 22, 2021, Plaintiff timely filed a Charge of Discrimination with the Missouri Commission on Human Rights (“MCHR”).

Thereafter, Plaintiff received a Notice of Right to Sue from the MCHR, and has initiated this action within ninety (90) days of the date of the notice.

Facts Common to All Counts

Background and Summary

Chalmers has been employed by the Department as a Deputy Sheriff since 2013.

In 2016, Chalmers was promoted to the Civil Process Server Unit.

Chalmers has never received an unsatisfactory evaluation while employed by the Department.

Betts was elected Sheriff of the City of St. Louis, Missouri, in November 2016 and took office in January 2017. He has supervisory authority over the Department and all its employees, including Chalmers.

As detailed below, Betts has a continuous pattern and practice of harassment and discrimination against Chalmers as a result of his race, color, age and/or gender. This includes threatening comments about firing Chalmers, use of racial epithets and threats, demotion to less

favorable assignments, and denial of requested secondary employment.

Betts had a false expectation of political loyalty (**election support**) from Chalmers because Chalmers is Black.

Similarly situated White or Lighter Black employees were not subjected to such conduct, including threats and punishments for lack of political loyalty (election support) for Betts.

Similarly situated Younger employees were not subjected to such conduct, including threats and punishments for lack of political loyalty (election support) for Betts.

Similarly situated Female employees were not subjected to such conduct, including threats and punishments for lack of political loyalty (election support) for Betts.

None of this conduct by Betts would have occurred but for Chalmers' Race, Color, Age, and/or Gender.

Betts' Use of Racial Epithets in Connection with Chalmers

Betts had a practice of referring to Chalmers as "Nigger" or "Nigga," "Negro," "Boy," and "Black Ass."

In June 2021, Chalmers received a recording of Betts discussing Chalmers on the phone. In this recording Betts made numerous comments expressing anger with Chalmers.

A number of these comments in the recording of Betts expressly used racial epithets, as follows:

- "He [Chalmers] had no business messing with me, the nigga is lucky I didn't fire him."
- "That Negro [Chalmers] didn't help me, he didn't put out one damn sign for me."
- "He [Chalmers] is going to get worse than that if somebody else calls me about what I have done to that black ass nigga."
- "I'm mad because the nigga didn't help me."

Betts' Threatening Conduct

In January 2017, shortly after Betts took office, Betts told Chalmers he needed to get rid of him.

In July 2019, Betts told Chalmers' sister he had received five phone calls about who Chalmers was supporting for State Sen. in the upcoming election. Betts told her Chalmers should be supporting his candidate, Steve Roberts, Junior, because Roberts' father was Betts's Chief of Staff. Betts further stated he had heard Chalmers was planning on running for Sheriff against Betts. Chalmers sister denied Chalmers was planning on running and told Betts she was voting for Betts. Betts responded in a threatening manner, saying, "You may not after I talk to your brother."

In November 2019, in a supervisors' meeting, Betts said he would deal with Chalmers for not supporting him in the election.

In October, 2020, Betts called Chalmers into a meeting and said he had to move him, saying his "money man," Steve Roberts Junior, was mad at Chalmers and was pressuring Betts to "do something" with Chalmers.

On November 4, 2020, Betts berated Chalmers for not helping Betts in his election. He reminded Chalmers that he told him both times he ran for Sheriff that if Chalmers didn't run against him he would make Chalmers a Lieutenant or Captain, implying that since Chalmers did not help Betts in the election, he would not receive such a promotion. Chalmers responded that he never intended on running against Betts and was satisfied with the work he was doing.

On December 7, 2020, after Judge Clark walked by, Betts told Chalmers Judge Clark would do what Betts says because he is scared of Betts, that if he told the Judge "to shit in the middle of the court building" he would do it, that's how much power Betts has.

On February 23, 2021, in roll call, Betts said he had people in brown uniforms that didn't like Betts and wanted to sue Betts. Betts said he should have fired him, referring to Chalmers.

Other comments in the above-referenced recording of Betts that Chalmers received on June 21 were of a threatening nature and/or referred to Chalmers lack of political support of Betts, as follows:

- “You know what I’m going to do since he [Chalmers] going to tell you shit, I’m going to do his ass worse than that when I see him on Monday. I should have fired his ass for fucking with me. You don’t mess with me.”
- “I’m telling you he [Chalmers] didn’t do for me what he should have done, so he getting what I give him and he better stay out my way.”
- “I talked to Steve Chalmers four years ago about not supporting me. Steve knew what he was supposed to do.”
- “Steve Chalmers ain’t done shit for Vernon Betts and you don’t fuck with me.”

Betts’ Demotion of Chalmers

On November 5, 2020, Betts sent out an internal memo demoting Chalmers from the Civil Process Servers Unit to the Security Unit effective November 9, 2020. Chalmers was placed in the Carnahan courthouse for the second shift, from 3 PM to 11 PM, put back in uniform, and given Thursday and Friday as his days off.

This demotion was punishment to harass, humiliate and discriminate against Chalmers, and it sent Chalmers into a deep depression.

On December 3, 2020, Deputy Sheriff Alfred Montgomery called Chalmers to warn him Betts was very mad at Chalmers because the President of the Board of Aldermen, Lewis Reed, called Betts and questioned him about Chalmers’ demotion.

On December 7, 2020, Betts confronted Chalmers at the Sheriff’s office timeclock. Betts told Chalmers it was a good thing Chalmers was gone on vacation. Betts said he was “pissed” at

Chalmers for telling Lewis Reed to call him about his demotion. Chalmers told Betts he did not tell Reed to call him. Betts went on to say Reed called Steve Roberts, Sr. two times about Chalmers demotion. Betts said he did not talk to Lewis Reed and it's a good thing he didn't because if he had Chalmers would have been fired.

On December 7, 2020, Chalmers asked Betts why he was demoted; stating he never missed an assignment. Betts responded that he demoted Chalmers because he didn't help Betts with his election. Chalmers asked Betts who put him on second shift. Betts said he did that as punishment. Betts went on to berate Chalmers about not helping him in his election. Betts said Chalmers didn't have one of Betts' yard signs on his property. Betts then called Michael Cain over and asked him how many yard signs he put up. Betts then called another deputy, Sheriff B.J., over and asked how many yard signs he put up. Betts did this in an open area in front of everyone to publicly humiliate Chalmers.

These statements made Chalmers feel harassed and fearful he would be terminated at any moment.

Betts's Retaliation Against Chalmers for Pursuing a Discrimination Claim

On February 21, 2021, Chalmers retained counsel, who requested Chalmers' employment records, implying to Betts that Chalmers was contemplating legal action against Betts.

On May 20, 2021, Chalmers worked in the Civil Courts building to earn additional compensatory time, but on May 24, 2021, he was notified by Sgt. Buchanan that Sheriff Betts had ordered that he could no longer work there.

In July 2021, in a supervisors meeting, Betts told the participants that Chalmers was suing him.

On July 17, 2021, Sgt. Buchanan assigned Chalmers to the civil courts building. Chalmers reminded Buchanan that Betts had banned him from working in the building as a punishment. Buchanan replied that because it was the weekend Betts would not know Chalmers was in the building.

On September 18, 2021, Chalmers's submitted an application for secondary employment as a security officer for Imperial Security. Betts denied this application, with no reason given.

On October 12, 2021, Chalmers again submitted an application for secondary employment, this time with B.M.W. Entertainment Service. Again, Betts denied this application, with no reason given.

On October 13, 2021, Betts made comments to multiple news outlets about a lawsuit filed against him that the City had settled. In these comments, Betts said the City's actions set a bad precedent for others to sue him and noted another deputy had already filed a discrimination charge against him with the Equal Employment Opportunity Commission (believed to be a reference to Chalmers).

In his comments to the media on October 13, 2021, Betts also said, "I tried to tell the lawyers, I'll have another clown do the same thing, and sure enough, another deputy has filed a discrimination complaint against me. A Black Guy" (Believed to be a Reference to Chalmers).

On October 20, 2021, Deputy Sheriff Yosai Yasharahla told Chalmers that Betts had announced in roll call that he would not sign applications for Deputy Sheriffs to do secondary work if they have filed Human Rights complaints against him.

January 5, 2022, Deputy Sheriff Lieutenant Walter Allen told Chalmers he had received a call from Betts asking him to move Chalmers to an undesirable shift or worse. Allen was the supervisor of secondary employment at Metrolink, where Chalmers had been performing

secondary security work.

On February 10, 2022, Deputy Sheriff Danny McGinnis asked Betts for permission to use Deputy Sheriffs as security guards for a series of one-day events for which he was responsible, such as football and basketball games, etc. Betts approved this request but said he did not want Chalmers working any of the events and was not going to approve any secondary work for Chalmers.

Count I
Unlawful Employment Practice (Race/Color Discrimination)
in Violation of MHRA §213.055 R.S.Mo.

Plaintiff Steve Chalmers incorporates and re-alleges paragraphs 1-46 and for his MHRA race discrimination in employment claim against Defendant Vernon Betts, states and alleges as follows:

Betts' repeated use of racial epithets regarding Chalmers establishes racial animus underlying his employment actions impacting Chalmers and also is evidence of a racially hostile work environment.

Betts racially discriminated against Chalmers by creating a racially hostile, offensive and intimidating work environment which had the purpose and effect of substantially interfering with Chalmers ability to work as a Black employee.

Betts racially discriminated against Chalmers with respect to compensation, terms, conditions, or privileges of employment by demoting him.

Betts racially discriminated against Chalmers by denying him more desirable assignments and secondary employment opportunities available to White and Lighter Color employees.

Chalmers' Race and/or Dark Skin Color were contributing and motivating factors in Betts' unfair treatment of Chalmers compared to his White co-workers.

As a direct and proximate result of Betts' actions, Chalmers has suffered damages, including but not limited to, lost income and benefits, and suffered emotional and mental distress, embarrassment, humiliation, and loss of enjoyment of life, all to Chalmers' damage and detriment.

Betts' actions complained of herein were outrageous because of Betts' evil motive or reckless indifference to the rights of Chalmers, thereby entitling Chalmers to an award of punitive damages in an amount that will punish Betts and will deter Betts and others from like conduct.

WHEREFORE, Plaintiff Chalmers prays for Judgment against Defendant Betts on his Petition awarding: (i) compensatory damages in an amount the jury deems fair and reasonable in excess of \$25,000.00 according to proof at trial; (ii) separate punitive damages awards against Defendant in such amounts as the jury deems just, proper and sufficient to punish Defendant and to deter like future conduct; (iii) for his attorneys fees and costs of suit; and (iv) such other and further relief as the Court deems just and proper under the circumstances.

Count II
Unlawful Employment Practice (Age Discrimination)
in Violation of MHRA §213.055 R.S.Mo.

Plaintiff incorporates and re-alleges paragraphs 1-46 and for his MHRA age discrimination in employment claim against Defendant, states and alleges as follows:

Defendant Betts discriminated against Plaintiff Chalmers because of age by demoting him.

Betts discriminated against Chalmers because of age by denying him more desirable assignments and secondary employment opportunities available to Younger employees.

Chalmers' age was a contributing and motivating factor in Betts' unfair treatment of Chalmers compared to his Younger co-workers.

As a direct and proximate result of Betts' actions, Chalmers has suffered damages, including but not limited to, lost income and benefits, and suffered emotional and mental distress, embarrassment, humiliation, and loss of enjoyment of life, all to Chalmers' damage and detriment.

Betts' actions complained of herein were outrageous because of Betts' evil motive or reckless indifference to the rights of Chalmers, thereby entitling Chalmers to an award of punitive damages in an amount that will punish Betts and will deter Betts and others from like conduct.

WHEREFORE, Plaintiff Chalmers prays for Judgment against Defendant Betts on his Petition awarding: (i) compensatory damages in an amount the jury deems fair and reasonable in excess of \$25,000.00 according to proof at trial; (ii) separate punitive damages awards against Defendant in such amounts as the jury deems just, proper and sufficient to punish Defendant and to deter like future conduct; (iii) for his attorneys fees and costs of suit; and (iv) such other and further relief as the Court deems just and proper under the circumstances.

Count III
Unlawful Employment Practice (Sex Discrimination)
in Violation of MHRA §213.055 R.S.Mo.

Plaintiff incorporates and re-alleges paragraphs 1-46 and for his MHRA sex discrimination in employment claim against Defendant, states and alleges as follows:

Defendant Betts discriminated against Plaintiff Chalmers because of sex by demoting him.

Betts discriminated against Chalmers because of sex by denying him more desirable assignments and secondary employment opportunities available to Female employees.

Chalmers' sex was a contributing and motivating factor in Betts' unfair treatment of Chalmers compared to his Female co-workers.

As a direct and proximate result of Betts' actions, Chalmers has suffered damages, including but not limited to, lost income and benefits, and suffered emotional and mental distress, embarrassment, humiliation, and loss of enjoyment of life, all to Chalmers' damage and detriment.

Betts' actions complained of herein were outrageous because of Betts' evil motive or reckless indifference to the rights of Chalmers, thereby entitling Chalmers to an award of punitive damages in an amount that will punish Betts and will deter Betts and others from like conduct.

WHEREFORE, Plaintiff Chalmers prays for Judgment against Defendant Betts on his Petition awarding: (i) compensatory damages in an amount the jury deems fair and reasonable in excess of \$25,000.00 according to proof at trial; (ii) separate punitive damages awards against Defendant in such amounts as the jury deems just, proper and sufficient to punish Defendant and to deter like future conduct; (iii) for his attorneys fees and costs of suit; and (iv) such other and further relief as the Court deems just and proper under the circumstances.

Count IV
Unlawful Employment Practice (Retaliation)
in Violation of MHRA §213.055 R.S.Mo.

Plaintiff incorporates and re-alleges paragraphs 1-46 and for his MHRA Retaliation claim against Defendant, states and alleges as follows:

Plaintiff Chalmers engaged in conduct protected against retaliation by filing a charge of discrimination.

Defendant Betts repeatedly made plain that he was angered by Chalmers' filing of a charge of discrimination.

Betts retaliated against Chalmers because of his filing of a charge of discrimination by demoting him.

Betts retaliated against Chalmers because of his filing of a charge of discrimination by denying him more desirable assignments and secondary employment opportunities available to other employees who had not engaged in such protected conduct.

Chalmers' filing of a charge of discrimination was a contributing and motivating factor in Betts' unfair treatment of Chalmers compared to other employees who had not engaged in such protected conduct.

As a direct and proximate result of Betts' actions, Chalmers has suffered damages, including but not limited to, lost income and benefits, and suffered emotional and mental distress, embarrassment, humiliation, and loss of enjoyment of life, all to Chalmers' damage and detriment.

Betts' actions complained of herein were outrageous because of Betts' evil motive or reckless indifference to the rights of Chalmers, thereby entitling Chalmers to an award of punitive damages in an amount that will punish Betts and will deter Betts and others from like conduct.

WHEREFORE, Plaintiff Chalmers prays for Judgment against Defendant Betts on his Petition awarding: (i) compensatory damages in an amount the jury deems fair and reasonable in excess of \$25,000.00 according to proof at trial; (ii) separate punitive damages awards against Defendant in such amounts as the jury deems just, proper and sufficient to punish Defendant and to deter like future conduct; (iii) for his attorneys fees and costs of suit; and (iv) such other and further relief as the Court deems just and proper under the circumstances.

Respectfully Submitted,

By: s/Jerryl T. Christmas
Jerryl T. Christmas, #45370
Attorneys for Plaintiff
6101 Delmar Blvd
Saint Louis, Missouri 63112
Phone: 314-588-7105
Fax : 314-361-2525