

PRESS RELEASE

Plaintiffs Hail U.S. Department of Justice Intervention in Pocomoke City Race Discrimination and Retaliation Case

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Washington, DC— Yesterday, the plaintiffs in a complex civil rights case challenging a conspiracy of race discrimination and retaliation against African American police officers on Maryland's rural Eastern Shore, *Savage et. al. v. Pocomoke City et. al.*, received a major showing of support when the U.S. Department of Justice (DOJ) moved to join the case as a plaintiff-intervenor. Through the intervention, the United States will pursue claims under Title VII of the Civil Rights Act of 1964 against three defendants in the case: Pocomoke City, Worcester County Sheriff Reggie T. Mason, in his official capacity, and the State of Maryland, among others. Previously, the U.S. Equal Employment Opportunity Commission (EEOC) had found "reasonable cause" to believe that the plaintiffs' claims of discrimination and retaliation against multiple defendants were well founded. By statute, the DOJ is the sole federal entity with authority to sue state and local governments for such violations of Title VII.

This intervention is the latest development in the case, which has been proceeding in the U.S. District Court for the District of Maryland before Judge J. Frederick Motz. Most notably, late last month, Wiley Rein LLP, the Washington Lawyers' Committee for Civil Rights and Urban Affairs (WLC), and the ACLU of Maryland jointly filed a second amended complaint on behalf of the plaintiffs Franklin Savage, Kelvin

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Sewell, and Lynell Green. The second amended complaint adds Title VII counts for hostile work environment, discrimination in pay and benefits, and retaliation against the police officer-plaintiffs who had filed charges with the EEOC. The suit alleges a conspiracy of race discrimination and retaliation among white officials of Pocomoke City, Worcester County, the Worcester County State's Attorney's Office, and the Maryland State Police.

"The DOJ's intervention reflects the merits of this important case before Judge Motz and validates all the hard work already devoted to the case by numerous attorneys and support staff," said Theodore A. Howard, Wiley Rein's full-time Pro Bono Partner. "This action also underscores the important efforts that lie ahead to remedy what this case has shown to be a deep-seated, well-coordinated pattern of discrimination and retaliation among many members of the Eastern Shore's law enforcement community."

The lawsuit, as amended, asserts numerous causes of action on behalf of three African American police officers including Pocomoke City's former police chief, based on the racial discrimination and retaliation they endured, which are "clearly prohibited by federal and state laws as well as [the] Constitution." The asserted causes of action seek to remedy violations of Title VII, the First and Fourteenth Amendments, the federal Fair Labor Standards Act, and other Reconstruction-era civil rights laws. Both damages and an injunction against further discrimination are sought by the plaintiffs. A prior [release](#) chronicled some of the appalling facts that prompted the suit.

"Our clients are grateful for the involvement and support of the DOJ," said Dennis A. Corkery, senior staff attorney with the WLC and plaintiffs' co-counsel. "We look forward to working with them to achieve justice and real change for the Eastern Shore."

"It is highly unusual in Maryland for the Justice Department to jump in to a pending employment discrimination case, which speaks volumes about the egregiousness of the abuse African Americans have faced in Worcester County," said Deborah A. Jeon, Legal Director of the ACLU of Maryland and plaintiffs' co-counsel. "We are confident that with the United States behind us, we can finally put a stop to the civil rights violations that have continued for far too long in police departments on Maryland's Eastern Shore."

The case was certified as a matter of public importance by Vanita Gupta, Principal Deputy Assistant Attorney General in DOJ's Civil Rights Division.

To view the Pocomoke City Motion to Intervene, please [click here](#).

Representing the plaintiffs on a pro bono basis, Andrew G. McBride of Wiley Rein serves as lead counsel. Mr. Corkery and Director of Litigation Matthew Handley of the WLC, and Ms. Jeon and Sonia Kumar of the ACLU of Maryland, serve as co-counsel. The Wiley Rein team includes numerous associates; those appearing on the plaintiffs' behalf are Christen B'anca Glenn, Dwayne D. Sam, Brian G. Walsh, Craig Smith, Craig G. Fansler, and Jillian D. Laughna.