

Firefighter wins \$1.17 million

Jurors find black man was forced to retire

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A black former Pasadena firefighter was wrongfully forced into disability retirement after complaining about harassment and hazing by colleagues, a jury found Friday and awarded him \$1.17million.

A racially mixed Los Angeles Superior Court panel of eight women and four men, including a black female, deliberated for less than half a day before finding in favor of Carter Stephens.

Stephens, noticeably moved, nodded and smiled at jurors as he heard the verdict. He later shook hands with each of them as they left the courtroom.

Stephens sued in November 2006 for wrongful termination and discrimination.

According to the lawsuit, supervisors and co-workers harassed Stephens by leaving blood, urine and feces on his bedding, putting mucous on his uniform and drawing a swastika on his firefighter hood.

In 2001, Stephens worked at a station where he overheard another captain refer to him by the "N" word, according to his suit.

Stephens joined the department in 1987 and members of the Pasadena Fire and Police Retirement Board approved his disability retirement against his wishes in February 2005, according to court papers.

"I'm extremely happy," Stephens said outside the courtroom. "A million bucks - I can start putting my life back together; I can go back to school."

Stephens testified during the trial that he has worked low-paying jobs since being retired, including a stint as a shoe salesman at Macy's.

Brent S. Buchsbaum, one of Stephens' lawyers, said that although Stephens was the victim of racial discrimination, the focus of his suit was on the retaliation he believed he suffered after complaining about the pranks and other actions against him.

Assistant City Attorney Hugh A. Halford said he was disappointed with the verdict and that it would be appealed. He declined further comment. During final arguments Thursday, he said that the 55-year-old Stephens was out for cash, not justice.

In 2000 and 2001, Stephens underwent therapy for stress he experienced on the job because of the alleged harassment, the lawsuit stated.

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Stephens injured his knee in June 2002, but his doctor told him the following year he was fit to return to work, according to the lawsuit.

However, a city doctor in April 2004 declared Stephens "unfit for duty at this time" and city officials prepared a disability retirement application for him, according to the lawsuit.

According to Buchsbaum, the finding was not supported by any facts and was used by city officials as justification for retiring Stephens.

Juror Louis Ceballos, a 57-year-old nightclub disc jockey from Glendale, said he initially decided to vote in favor of Stephens. He said he then reconsidered for a while because none of Stephens' bedding or clothing was brought into the courtroom, nor were there any photographs.

However, Ceballos said he eventually returned to his original position in favor of Stephens, in large part because he believed the city's human resources director, Karyn Ezell, did not properly investigate his complaints.

"She should have taken him under her wing and found out what was going on," Ceballos said.

Ceballos said jury members were not swayed by and never talked about news accounts of hazing and retaliation against other firefighters, including that of Tennie Pierce. Pierce claimed his Los Angeles Fire Department colleagues at the Westchester station fed him dog food.

Pierce sued the city of Los Angeles and later settled for \$1.43million. Mayor Antonio Villaraigosa vetoed an earlier \$2.7million accord after seeing photographs of Pierce participating in hazing incidents himself.

Ceballos said that unlike Pierce, Stephens did not pull pranks on other firefighters.

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