

STATE OF SOUTH CAROLINA	)	COURT OF COMMON PLEAS
	)	
HORRY COUNTY	)	
JODI RIDGEWAY,	)	C.A. No.: 2019-CP-____-_____
	)	
Plaintiff,	)	
v.	)	
	)	
HORRY COUNTY POLICE DEPT.,	)	
	)	
Defendants.	)	
_____	)	

**SUMMONS**  
**(JURY TRIAL REQUESTED)**

You are hereby summoned and required to answer the complaint in this action, a copy of which is hereby served upon you, and to serve copy of your Answer to the Complaint on the subscriber at her office at 4000 Faber Place Drive, Suite 300, North Charleston, South Carolina 29405 or by Mail at Post Office Box 1845, Goose Creek, SC 29445 within thirty (30) days after the service hereof, exclusive of the day of service. If you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint and judgment by default will be rendered against you.

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s/Bonnie Travaglio Hunt  
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October 28, 2019

STATE OF SOUTH CAROLINA ) COURT OF COMMON PLEAS  
 )  
 Horry County )  
 )  
 Jodi Ridgeway, ) C.A. No.: 2019-CP-\_\_\_\_ - \_\_\_\_\_  
 )  
 Plaintiff, )  
 v. )  
 )  
 Horry County Police Dept., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

**Complaint and Jury Demand**

The Plaintiff, Jodi Ridgeway, by and through her attorney, Bonnie Travaglio Hunt of Hunt Law LLC, North Charleston South Carolina, does hereby complain against the Defendant, Horry County Police Department, as follows:

**Nature of the Action**

1. This action is brought pursuant to Civil Rights Act of 1964, Title VII, Federal and South Carolina Law. The jurisdiction of this Court is invoked to secure protection of and redress deprivation of rights guaranteed by Federal Law and the Laws of the State of South Carolina which rights provide for injunctive and other relief for illegal discrimination in employment.
2. This action is brought pursuant to the laws of South Carolina.

**Parties**

3. Plaintiff, Jodi Ridgeway, is a Female over the age of 40 who at all times relevant herein was a resident of the Horry County, State of South Carolina.

4. Defendant, Horry County Police Department, is an employer in Horry County, South Carolina at the time the alleged acts of discrimination occurred hereinafter referred to as Defendant.
5. Defendant, Horry County Police Department, is subject to the laws of the United States and the laws of the State of South Carolina.
6. That at all times the Plaintiff was represented as an employee of Horry County Police Department.

### **Jurisdiction and Venue**

7. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1331 because Plaintiff's claims arise under federal statutes, specifically Title VII-Sex Discrimination, Equal Pay Act, Retaliation, Breach of Contract.
8. In addition, this Court has jurisdiction over Plaintiff's claims for declaratory relief, pursuant to 28 U.S.C. §§ 2201-02 and jurisdiction over Plaintiff's claims for injunctive relief pursuant to 15 U.S.C. § 1116.
9. Horry County is the proper venue for this action pursuant because this is the District and Division in which the Plaintiff resides and in which a substantial part of the events or omissions giving rise to the claims occurred.

### **Procedural Prerequisites**

10. That at all relevant times, the Plaintiff is an employee as defined by Title VII, Federal Law and South Carolina Law.

11. That on December 6, 2018, the Plaintiff filed her first charge of discrimination with the against the Defendant with the Equal Employment Opportunity Commission (“EEOC”).
12. The Charge of Discrimination set forth race discrimination, sex discrimination, hostile work environment and retaliation.
13. The Charge of Discrimination specifically set forth the following:
  - I. *“That I have been employed with the Employer since October 24, 2011. That I was hired as a Patrol Officer. That I am currently employed as a Recruiter.*
  - II. *That on October 9, 2018, I applied for a position to IA Inspector.*
  - III. *That I was interviewed and well qualified for the position.*
  - IV. *That I was not hired for the position. That an African American male was hired for the position.*
  - V. *That I was informed the Employer that I feel as though I have been discriminated against. That based on those complaints I was subjected to a hostile work environment that is severe and pervasive.*
  - VI. *That I have been discriminated against based on Race and Sex in violation of Title VII.*
  - VII. *That I have been subjected to hostile work environment in violation of Title VII.*
14. That the charge of Discrimination was investigated.
15. That on March 22, 2019, the Plaintiff filed a second charge of discrimination.
16. That the Plaintiff’s second charge of discrimination set forth the following:

- I. *“That I have been employed with the employer October 24, 2011. That I was hired as a Patrol Officer. That I am currently employed as a Recruiter.*
  - II. *“That I was not selected for a position previously filed a charge of discrimination for Sex, Race, and Hostile Work Environment which is still pending with the EEOC.*
  - III. *“That after my charge of discrimination was filed with the EEOC another position with the IA department came open in January 2019.*
  - IV. *I” was not permitted to apply for the position.*
  - V. *“That another male employee was selected for the position without following the proper procedures.*
  - VI. *“That I was not selected for the position in retaliation for my charge of discrimination.*
  - VII. *“That I was retaliated against in violation of Title VII for my previous complaints.*
  - VIII. *“That I have also been discriminated against based on my Sex in violation of Title VII.”*
17. The Plaintiff filed a 3<sup>rd</sup> charge of discrimination with the EEOC on July 30, 2019.
  18. That the Plaintiff’s 3<sup>rd</sup> charge of discrimination set forth the following:
    - I. *“This is my third charge of discrimination.*
    - II. *“That I previously filed charges of discrimination for Race Discrimination, Sex Discrimination, Hostile Work Environment and Retaliation.*
    - III. *“That I have been employed with the Employer since October 24, 2011. That I was hired as a Patrol Officer. That I am currently employed as a Recruiter.*

- IV. *“That I have applied for and not been selected for IA position within the Department.*
- V. *“Another position came open in the IA department that I was the most qualified candidate for and I was not selected.*
- VI. *“I was not permitted to apply for the position.*
- VII. *“That another male employee was selected for the position without following the proper procedures.*
- VIII. *“That I was not selected for the psotion in retaliation for my charge of discrimination.*
- IX. *“That I have been retaliated against in violation of Title VII for my previous complaints.*
- X. *“That I have also been discriminated against based on my Sex in violation of Title VII.”*
- 19. The Plaintiff received her right to sue for her first Charge of Discrimination from the South Carolina Human Affairs Commission on March 13, 2019.
- 20. That the Plaintiff received her right to sue for her second Charge of Discrimination from the South Carolina Human Affairs Commission on March 13, 2019.
- 21. That the Plaintiff received her right to sue for her first Charge of Discrimination from the Equal Employment Opportunity Commission on October 10, 2019.
- 22. That the Plaintiff received her right to sue for her second Charge of Discrimination from the Equal Employment Opportunity Commission on October 10, 2019.
- 23. That the Plaintiff has not received a right to sue regarding her third Charge of Discrimination.

24. That fewer than ninety days have elapsed since the Plaintiff received the Right to Sue.

**Factual Background**

25. The Plaintiff is a Female over the age of 40.

26. The Defendant, Horry County Police Department, is an employer as defined in Title VII.

27. That the Plaintiff is an employee as defined by Title VII.

28. That the Plaintiff has extensive experience in Law Enforcement.

29. That the Plaintiff was hired by the Defendant on October 24, 2011 as a Patrol Officer.

30. That the Plaintiff is currently employed with the Defendant as a Recruiter for the Department.

31. That throughout the Plaintiff's employment, the Plaintiff has been considered an exemplary employee, including exemplary evaluations.

32. In 2016, the Department suffered from significant changes including a new chief.

33. During the summer of 2018, the Plaintiff along with another officer successfully put on a 10 week program called Citizen Police Academy.

34. That the Plaintiff was required to help with the program due to the termination of the POI officer for a positive drug test.

35. In 2018, the Internal Affairs (IA) went through several changes including officers leaving.

36. In September of 2018, Don Causey was forced to resign his position with Internal Affairs as an Inspector.

37. As a result of the changes and employees leaving an inspector position became available in the IA department of the Defendant.

38. In October 2018 the position was posted on the Horry County website employment section.
39. On October 9, 2018 the Plaintiff applied for the position along with several others.
40. An interview panel was compiled to interview the applicants and determine the most qualified. There were several individuals that were selected for interview. Steve Phillips and King Hemingway were not selected for interview. Phillips was not selected due to his previously problems with Performance and demotion. Mr. Hemingway was not selected for interview because of his value in other parts of the department.
41. Interviews were conducted in Early November 2018. The interview panel was made up of six individuals.
42. That of the applicants the three highest rated individuals were the Plaintiff, Heather Wilson and a gentleman from Myrtle Beach Police Department.
43. That the Plaintiff was congratulated for performing so well in the interviews. The Interview Board believed that the Plaintiff was going to receive the position.
44. However, the Department did not hire any of the three individuals that scored highest and were the most qualified. The Chief decided to hire Eric Carpenter a less qualified African American in direct contradiction to the Interview Board's recommendation to replace Don Causey.
45. That the Chief informed the Plaintiff that he was going to hire Carpenter no matter what and that the only reason he opened the process to interviews and applicants is because he was told he had to conduct to follow the policy of the County and open the process for applicants and interviews.



46. That after the Chief made the decision to hire Eric Carpenter, the Chief informed the Plaintiff that he selected Carpenter because he was an individual that he trusted and that the Plaintiff did not understand the challenges that a black man faces in law enforcement.
47. Carpenter was not qualified for the position, he had not received training, was not licensed as an officer in South Carolina, no college education and was required to attend the training academy.
48. On December 6, 2018 the Plaintiff filed a charge of discrimination with the EEOC and the South Carolina Human Affairs Commission.
49. In December of 2018, the Plaintiff began working on another Citizen Police Academy 10 week program that was to be in February 2019.
50. As a result of filing the complaint Chief Hill began treating the Plaintiff differently.
51. As a result of filing the complaint, Chief Hill removed the Plaintiff from organizing the Citizen Poice Academy program.
52. In Janaury of 2019, John Harris was working in IA and got fed up with the job and resigned his employment. Mr. Harris' last day was January 23, 2019.
53. On January 11, 2019, Chief Joe Hill came to the Plaintiff and informed the Plaintiff that he was not happy for her filing the complaint with the EEOC but he had to hire someone in the position he trusted and did not know enough about the Plaintiff to hire her for the position.
54. John Harris was previously on the interview panel and recommended the Plaintiff for the IA position.

55. In March of 2019, Eric Carpenter resigned from Horry County prior to attending the academy. Stating that the job was too stressful for him.
56. As a result of Carpenter's resignation, Chief Hill should have offered the position to those employees who had already interviewed for the position pursuant to policy.
57. According to the Defendant's policy regarding applicants: If one applies for a position and the position opens within a year, the position is open to the applicant for a year.
58. However, after the IA position came open the Defendant refused to consider the Plaintiff for the position. Chief Hill in fact offered the position to someone who had not interviewed for the position and had been subject to an IA investigation, had been determined to be a poor supervisor and been demoted, and failed to properly perform his duties as a Patrol sergeant.
59. Despite the questionable performance of Phillips, Chief Hill offered the position vacated by John Harris to Steve Phillips. Mr. Phillips was not qualified for the position.
60. The Defendant and Chief refused to allow the Plaintiff to apply for the position. That a white male was hired for the position.
61. On March 22, 2019 the Plaintiff filed a second charge of discrimination for discrimination, retaliation, and hostile work environment based on the failure of the Defendant to open the position and the treatment by Chief Hill.
62. After the Plaintiff's second complaint one female was promoted by the Defendant and another female was placed on the Hostage Negotiation Team.
63. In May of 2019, Chief Hill promoted King Hemingway as a result of Eric Carptenter's resignation. Mr. Hemingway was chosen for the position and was not interviewed for the position. As a result of this hiring the Plaintiff filed a 3<sup>rd</sup> charge of discrimination.

64. As a result of the Plaintiff's complaints regarding Race and Sex discrimination, another Caucasian female officer who had tested on 15 different occasions and had not been promoted and was promoted.
65. A second female officer was also placed on the Hostage Negotiation Team. When questioned by another officer why Chief Hill had placed a less qualified woman on the Hostage Negotiation team the officer was informed by Chief Hill that he already had one employee mad at me and I had to place a female on the team to have more diversity.
66. That while the Plaintiff was employed with the Defendants, the Plaintiff was able and had performed her job duties in an exceeds satisfactorily level or at a satisfactorily level of the Defendant. The Plaintiff performed all duties and responsibilities as set forth in her job description.
67. That the Plaintiff was subjected to sexual discrimination by her direct supervisors and peers. That the Plaintiff made complaints regarding the differential treatment she received based on her sex and race. That the Defendants failed and refused to address the Plaintiff's complaints or investigate the complaints of discriminatory treatment.
68. The Defendant violated the Plaintiff's civil rights by discriminating against her based on her sex, retaliating against her, and perpetrating a hostile work environment that was severe and pervasive.
69. That the Defendants failed and refused to promote her, failed and refused to treat men and women the same.
70. That the Defendant is an employer as defined by State and Federal Law were required to follow the law. That the Defendants failed and refused to follow the laws of the State of South Carolina and the United States of America when they discriminated

against the Plaintiff, created and perpetrated a hostile work environment, and retaliated against her for her complaints regarding the violations of her civil rights, and hostile work environment.

71. That the Defendants are the proximate and direct cause of damage to the Plaintiff for the violations of Discrimination in violation of the Civil Rights Act for sex and race discrimination, hostile work environment, and retaliation.
72. That the Plaintiff has suffered severe emotional and career damages as a result of the Defendants discrimination against the Plaintiff.
73. That in discriminating against the Plaintiff based on consideration of her sex and race the Defendants violated 42 U.S.C. 2000e, et seq. Title VII.
74. That as a direct result of the Defendants' violation of Title VII for discrimination, hostile work environment and retaliation, the Plaintiff has suffered:
  - a. Economic damages from the loss of her promotion;
  - b. Loss of benefits associated with loss of her promotion;
  - c. Economic hardship;
  - d. Suffered anxiety, humiliation and emotional damages.
75. That the Plaintiff is entitled to recover damages from the Defendants in the amount of actual damages, consequential damages, punitive damages, reasonable attorney's fees, the costs of this action and all other damages available pursuant to Title VII.
76. That the Plaintiff is further entitled to damages as a result of the Defendant's violation of the Payment of Wages Act for the Defendants' wrongful withholding of the Plaintiff's commissions.

**FOR A FIRST CAUSE OF ACTION**

**SEX AND RACE DISCRIMINATION IN VIOLATION OF TITLE VII**

77. That Paragraphs one (1) through seventy-six (76) are hereby incorporated verbatim.
78. The Defendant is an employer as defined in Title VII.
79. That the Plaintiff is an employee as defined by Title VII.
80. That while the Plaintiff was employed with the Defendants, the Plaintiff was able and had performed her job duties in a satisfactorily level of the Defendants.
81. That the Plaintiff was subjected to sexual and racial discrimination by her direct supervisors and peers.
82. That the Plaintiff was qualified for the position of IA inspector.
83. That the Plaintiff properly applied for the position and was eligible for promotion based on the Defendant's own policies for a year after the interview process, thereby making her eligible for all IA position as mentioned above.
84. That the Plaintiff was interviewed for the position and received exemplary marks during the interview process.
85. That the Defendant failed and refused to hire a woman for the position.
86. That the Defendant hired a less qualified African American male.
87. That the Plaintiff's employer discriminated against the Plaintiff based on her sex and race by failing to promote her to the IA position, creating a hostile work environment for women, retaliating against the Plaintiff for her complaints, and failing to address the work environment, discrimination.
88. Chief Hill specifically stated that he was upset about the Plaintiff's complaints and did not trust her.

89. That the Defendant is the proximate and direct cause of damage to the Plaintiff.
90. That the Plaintiff has suffered severe emotional and career damages as a result of the Defendant's discrimination against the Plaintiff.
91. That in discriminating against the Plaintiff based on consideration of her sex and race, the Defendant violated 42 U.S.C. 2000e, et seq. Title VII.
92. That as a direct result of the Defendant's violation of Title VII the Plaintiff has suffered:
  - I. Economic damages from failure to promote;
  - II. Loss of benefits associated with failure to promote;
  - III. Future economic damages from failure to promote;
  - IV. Future loss of benefits associated with failure to promote;
  - V. Emotional damages based on failure to promote; subjecting to a hostile work environment based on her complaints;
  - VI. Economic hardship;
  - VII. Suffered anxiety, humiliation and emotional damages.
93. That the Plaintiff is entitled to recover damages from the Defendant in the amount of actual damages, consequential damages, punitive damages, reasonable attorney's fees, the costs of this action and all other damages available pursuant to Title VII.

**FOR A SECOND CAUSE OF ACTION**

**HOSTILE WORK ENVIRONMENT**

94. That Paragraphs one (1) through ninety-three (93) are hereby incorporated verbatim.
95. That the Defendant is an employer as defined by Title VII subject to the laws of the United States of America.
96. That the Plaintiff is an employee as defined by Title VII.

97. That the Plaintiff is employed with the Defendant. That the Plaintiff at all times performed her position at an exceeds satisfactory or satisfactory level.
98. That during the Plaintiff's employment the Plaintiff was subjected to hostile work environment based on her sex and race. The Plaintiff has been subjected to differential treatment based on her complaints. The Plaintiff was subjected to irrational treatment from her peers based on her sex.
99. The Plaintiff made several complaints regarding the work environment being severe and pervasive.
100. That the Defendant failed and refused to address the environment and the peers responsible for the work environment. The work environment was abusive to the point of sever and pervasive.
101. That the Defendant failed and refused to treat women equally and address the complaints.
102. That the Plaintiff suffered significant damage as a result of the Defendant's hostile work environment.
103. That the Defendant is the direct and proximate cause of the damage to the Plaintiff.
104. That the Plaintiff is entitled to actual, compensatory, consequential and punitive damages from the Defendant as a result of the severe and pervasive hostile work environment. The Plaintiff is also entitled to attorney's fees and costs from the Defendant.

**FOR A THIRD CAUSE OF ACTION**

**RETALIATION IN VIOLATION OF TITLE VII**

105. That Paragraphs one (1) through one hundred and four (104) are hereby incorporated verbatim.
106. That the Plaintiff was an employee according to the law of Title VII.
107. That the Plaintiff complained of discrimination based on her sex and race, hostile work environment and retaliation, and filed a charge of discrimination.
108. That the Chief was well aware of the Plaintiff's complaints regarding discrimination, retaliation and hostile work environment.
109. That as a result of the Plaintiff's complaints the Plaintiff suffered retaliation for each of her complaints.
110. As a result of the Plaintiff's complaints the Defendant refused to promote the Plaintiff on two additional occasions.
111. The Defendant's actions described herein were intentional and inflicted upon Plaintiff to insure severe mental and emotional distress.
112. As a result of Defendant's actions, Plaintiff has suffered irreparable injuries, including but not limited to loss of pay, benefits and other economic losses, emotional pain and suffering, mental anguish, humiliation, embarrassment, personal indignity and other intangible injuries for all of which she should be compensated.
113. That the Defendant is the direct and proximate cause of injury to the Plaintiff.
114. That the Plaintiff is entitled to an award of damages from the Defendant in the amount of actual damages, consequential damages, compensatory, punitive damages and attorneys' fees and costs.

**PRAYER FOR RELIEF**

WHEREFORE plaintiff prays that this Honorable Court:



- a) Accept jurisdiction over this matter, including the pendent claim;
- b) Empanel a jury to hear and decide all questions of fact;
- c) Award to plaintiff compensatory damages against the defendants jointly and severally;
- d) Award to plaintiff punitive damages of against defendant Defendant for their malicious and spiteful pattern of sexual discrimination harassment;
- e) Award to plaintiff the reasonable attorneys' fees and costs incurred in the prosecution of this matter;
- f) All damages available pursuant to Title VII;
- g) All damages available pursuant to South Carolina Law;
- h) All damages available pursuant to the law of the United States;
- i) Permanently enjoin the defendants, their assigns, successors, agents, employees and those acting in concert with them from engaging in sexual discrimination, disparate treatment or retaliation against plaintiff and
- j) enter any other order the interests of justice and equity require.

HUNT LAW LLC

s\Bonnie Travaglio Hunt

Bonnie Travaglio Hunt

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Dated: October 28, 2019