

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

Laurie Segura,	§	CIVIL ACTION NO. _____
Plaintiff,	§	
	§	
vs.	§	
	§	
	§	
Sheriff Louis Ackal and	§	
Iberia Parish Sheriff's Department,	§	
Defendants.	§	A JURY IS DEMANDED

Laurie Segura brings this lawsuit to challenge both sexual harassment and the retaliation she has suffered for telling the truth about her treatment. No one should have to work under these conditions.

Parties

1. The plaintiff Laurie Segura is an individual who resides in Iberia Parish, Louisiana.
2. Sheriff Louis Ackal is a resident of Iberia Parish, Louisiana, who may be served in his official capacity as Sheriff for Iberia Parish at 300 Iberia Street, Room 120, New Iberia, Louisiana 70560.
3. The defendant Iberia Parish Sheriff's Office is a Louisiana political entity, and may be served with process by serving the Sheriff, Louis Ackal, at 300 Iberia Street, Room 120, New Iberia, Louisiana 70560.

Jurisdiction

3. This case is brought under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq., and to redress the deprivation, under color of statute, ordinance, regulation, custom or usage of rights, privileges and immunities secured to the plaintiff under the First and Fourteenth Amendments of the United States Constitution and 42 U.S.C. § 1983.

5. This Court has jurisdiction of this case according to 28 U.S.C. §§ 1331 and 1343 and 42 U.S.C. § 2000e.

6. Venue is invoked pursuant to 28 U.S.C. § 1391 and 42 U.S.C. § 2000e-5(f)(3).

Statement of the Plaintiff's Case

7. Segura started working for the Iberia Parish Sheriff's Office in July 2008. During her employment, she served as the Sheriff's administrative assistant and consistently received excellent ratings.

8. In November 2012, Bert Berry, who was serving as Chief of the Criminal Department, moved into the suite of offices where Segura worked. Instead of conducting himself with dignity, Berry took a diametrically different course and started to egregiously harass Segura beginning in January 2013. Berry's advances were totally unwelcome and he knew that.

9. Berry's misconduct included rubbing his hands and crotch against Segura's body, sneaking up behind her and kissing her, making inappropriate inquiries about her sex life, talking graphically about his fantasies of having sex with her, trying to convince her to engage in phone sex with him, simulating sex in her presence, and talking about his penis. These are just a few examples of the inappropriate behavior he engaged in while he should have been focusing on his law enforcement duties,

10. Berry would not listen to Segura's repeated requests that he leave her alone, so Segura tried to avoid Berry whenever she could. When the security cameras showed he was coming into the office, she immediately picked up the phone and pretended she was in the middle of a phone call in the hopes that he would walk by and not bother her. Likewise, if he got up to go to the restroom, she left her desk until she thought enough time had passed for him to go back to his desk.

11. Segura suffered Berry's vulgar comments for 10 months because she feared that things would get even worse if she reported. In order to intimidate her from taking action, Berry constantly brought up his relationship with Sheriff Ackal and how the sheriff had practically raised him. Finally, Segura reached the end of her rope and went to human resources with her complaint even though she was very fearful of retaliation and also well-aware it was her word against the Chief Criminal Deputy.

12. After her complaint, Segura's worst fears were realized. The retaliation was swift and sustained. Sadly, the Sheriff sanctioned it even though Berry admitted to the Sheriff that he had committed the harassment. Segura had suggested that both parties submit to a polygraph to see who was telling the truth and Berry told the Sheriff there was no need for that, because he had done what he was accused of doing.

13. The retaliation started the very evening she made her complaint. The sheriff had a choice that night. He could have done the right thing and made the difficult choice to relieve Berry of duty. But he took a different course. That night, the Sheriff called a group over to his home that included the Sheriff Office's attorney Steve Elledge, the Chief Civil Deputy Edward Fremin, and Bert Berry by phone. Together, they prepared a letter of accusations against Segura that was prepared to try to get her to drop her complaint.

14. The Sheriff read the letter to Segura the next day. It included scurrilous allegations that Segura had exposed her breasts in public and bragged about sexual activities. Even though Segura had anticipated retaliation, she was shocked at this letter and asked who had made these false allegations. The Sheriff would not tell her. But he did tell her that he would communicate with Berry that she denied the allegations, making clear that Berry was involved with the letter.

15. Instead of taking action and dismissing a man who had admittedly engaged in egregious harassment, the Sheriff tried to make Segura guilty for making the complaint. He talked about how hard this situation was for him, because he basically raised Berry. And he studiously avoided taking any action. He would not even put a reprimand in Berry's file after he learned it would be part of Berry's public record. The Sheriff also refused to move Berry, even as he conceded that Berry had admitted his misconduct. He claimed there was nowhere to put him, which was absolutely untrue.

16. That was just the beginning. Within weeks of her complaint, Berry gave substantial and unscheduled raises to three subordinates: Debra Lourd, Edward Fremin and Gerald Savoy. The Sheriff's office ended up paying almost \$35,000 more a year to these people and they, in turn, responded to the additional monies by following Berry's instructions to make Segura's life very difficult. When Segura complained about the raises, Sheriff claimed he did not know about them but admitted the obvious: Berry was buying support. The Sheriff took no action to reverse these clearly improper raises. Thereafter, these individuals tried in a variety of different ways to intimidate Segura into dropping her complaint.

17. They started off by suggesting that it was her fault - that she had really egged on the perpetrator. Then they tried to guilt trip her with statements about how hard the situation was for the Sheriff. Then they started following her and videotaping her to intimidate her. They were never punished for any of their actions.

18. Two of those individuals, Fremin and Savoy, went so far as to invent allegations of supposed criminal behavior against Segura and then told employees that Segura was going to be arrested for forgery and that they should avoid her. They accused her of forging a signature on a

Sheriff's office gun order years earlier, in 2009. She had nothing to do with this purchase. Again, she complained but no action was taken against either man.

19. Once Segura filed an EEOC charge, the efforts turned to getting Segura to drop her EEOC charge. When the Parish was served with the EEOC charge, the Sheriff and the in-house lawyer called her in. The lawyer said she could no longer work under the Sheriff because of her complaint. She packed up her office. The next day, the Sheriff changed his mind and brought her back.

20. Things got so toxic that a group of female employees asked for a meeting with the Sheriff at which they said the work environment was poisonous and described the negative treatment they experienced just for speaking to Segura. They told the Sheriff that Segura was working in an incredibly hostile environment. No action was taken.

21. The Sheriff also tried to get Segura to dismiss her complaint. He told Segura repeatedly that her complaint needed to "go away" because it was like having two children and he could not choose between them. He also has told her that this case would ruin his chances in the upcoming election and he needed four more years on the job.

22. Berry continued to try to dig up dirt both himself and through his group. He ordered an audit of her – and only her – computer after she filed her EEOC charge. Segura informed the Sheriff, but again, no action was taken against him. And some of Segura's job duties were taken away by Berry and the group leading the retaliation. Again, the Sheriff took no action against those responsible even after being informed of it.

23. Nearly a year after Berry admitted to the harassment, he finally retired from the Sheriff's Office. At a staff meeting, the Sheriff admitted that Berry had engaged in inappropriate behavior

and told employees they were not to speak to him. Berry's paid supporters violated those instructions and spent hours on the phone with him, even during work hours. But even after finding out that the employees had violated his direct order, the Sheriff did nothing.

24. Finally, the retaliation got to the point of physical threats and Segura realized she had no choice but to leave the Sheriff's office, which she did in January of 2015. But even then the retaliation did not cease. Instead, the Sheriff began falsely accusing her of stealing his campaign funds. Naturally, he never discussed this with Segura because the point was not to address any problem, but just to make her suffer.

25. Segura timely filed charges of discrimination with the Equal Employment Opportunity Commission to challenge the sexual harassment and retaliation she experienced. She was advised that the Sheriff's Office never even had the courtesy to answer her complaints.

26. Segura received a right to sue letter from the United States Department of Justice on August 28, 2015, and timely files this complaint.

Causes of Action

1. Gender Discrimination and Retaliation

The defendant's conduct violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination against an individual on the basis of sex and retaliation against an individual for reporting such discrimination.

2. Constitutional Violations

The defendant's conduct also violates 42 U.S.C. §1983, which prohibits deprivation of rights, privileges, or immunities secured by the Constitution and law by those acting under color of law.

The defendant's conduct violates both the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and the First Amendment of the United States Constitution. Segura had a right to present her complaint about harassment without being targeted for relentless retaliation. The Sheriff's Office is well-aware of this unwritten code of the department that punishes anyone who speaks out about misconduct of a law enforcement officer. By its conduct, it ratifies and continues to sanction this long-standing custom. A custom that ignores harassment and punishes truthful testimony about the practice is especially shocking when officers of the law are involved. Obviously, such a custom makes it very unlikely that bad law enforcement officers will be reported and properly disciplined.

Damages

The damages suffered by the plaintiff include actual economic and compensatory damages for the injuries she suffered at the hands of the defendant including, but not limited to, her lost income and mental anguish, and the devastating effect that the sex harassment and retaliation have had and continue to have on her.

Relief Requested

The plaintiff asks this court to enter a judgment:

1. Declaring that the acts and practices complained of in this Complaint are in violation of Title VII;
2. Enjoining and permanently restraining these violations of Title VII;
3. Declaring that the acts and practices complained of in this Complaint are in violation of the United States Constitution;
4. Enjoining and permanently restraining these Constitutional violations;
5. Directing the defendant to pay plaintiff actual economic and compensatory damages that she suffered, past and future;

6. Awarding plaintiff pre-judgment interest on the amounts owed at the maximum rate allowed by law;

7. Awarding plaintiff the costs of this action, together with reasonable attorneys' fees and expert witness fees;

8. Awarding plaintiff post-judgment interest on the amount of judgment until paid at the maximum rate allowed by law; and

9. Awarding plaintiff such other relief, legal or equitable, as may be warranted.

Respectfully submitted,

/s/ Jason M. Welborn

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