

# CHARGE OF DISCRIMINATION

ENTER CHARGE NO.

510-2016-05106

Florida Commission on Human Relations and EEOC

Name (Indicate Mr., Ms., or Mrs.), Social Security Number  
Patrick McNally

Telephone Number

Street Address

City, State and Zip Code

County

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below)

Name  
City of North MiamiNo. of Employees/Members  
501+Telephone Number  
(305) 893-6511Street Address  
776 N.E. 125th StreetCity, State and Zip Code  
North Miami, FL 33161Date of most recent continuing  
discrimination  
June 24, 2016

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))



RACE



COLOR



SEX



RELIGION



NATIONAL ORIGIN



AGE



RETALIATION



OTHER (Specify)

THE PARTICULARS ARE:

**I. Personal harm.** I am a white, American-born police sergeant whom the City of North Miami's Haitian-born police chief, Gary Eugene, passed over for promotion to commander in favor of a Haitian and a Hispanic sergeant (Emile Hollant and Raphael Estrugo, respectively, each of whom has a significant disciplinary history, and an African-American, Angelo Brinson. None of the positions were posted. I am qualified for promotion: I have 21 years on the department, four as the sergeant of the motorcycle unit; I supervise more direct reports (11 police officers and 13 crossing guards) than any other sergeant, and my last eight reviews have been "outstanding.

**II. Respondent's reason for personal harm.** Chief Eugene stated in a U-Tube interview that he wants the department to "mirror the community," which is primarily Haitian and Hispanic. He also stated in a meeting with the command staff that the promotions "were not based on performance." The police department has a history of discrimination against whites in promotions.

**III. Discrimination statement.** I have discrimination because of my race in violation of Title VII of the Civil Rights Act of 1964, as amended by the Civil Rights Act of 1991, and of the Florida Civil Rights Act of 1992.

I also want this charge filed with the FCHR. I will advise the agency if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY PUBLIC - State of Florida  
and Local RequirementsYABMIN P. HARRIS  
Notary Public - State of Florida  
My Comm. Expires Jun 11, 2017  
Commission No. 26262

I declare under penalty of perjury that the foregoing is true and correct.

I swear under penalty of perjury that I have filed this charge and that it is true to the best of my knowledge, information and belief.

Date

8/22/16

Charging Party (Signature)

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this 22 day of August, 2016.