

COURTS

NJ troopers who oversee State Police diversity unit claim anti-gay bias in lawsuit

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FREEHOLD - Two veteran high-ranking members of the New Jersey State Police, both charged with heading the agency's diversity efforts, are suing the state, claiming they have been targets of anti-gay discrimination throughout their careers.

John Hayes and Jamie Lascik, both lieutenants who have been on the State Police force for 20 years, claim in a lawsuit filed in state Superior Court in Monmouth County that they not only have been subjected to hostility, discrimination and "countless" homophobic comments because of their sexual orientation, they also have suffered retaliation after complaining about the treatment.

Hayes, a Monmouth County resident, is a gay white man who hid his sexual orientation from his co-workers for seven years, according to the lawsuit. Lascik, who lives in Ocean County, is the first openly gay black woman to graduate from the State Police academy, the suit said.

Both joined the State Police in 2001 and worked their way up to the rank of lieutenant, "despite experiencing considerable discrimination against them due to their sexual orientation over their many years of employment," the suit said.

The pair is suing the state, the State Police and its superintendent, Col. Patrick J. Callahan, as well as some of their supervisors, Major Carla Thomas, Capt. Phil Buck and Lt. Col. Geoffrey Noble, who is deputy superintendent of the state police.

Leland Moore, a spokesman for the state Attorney General's Office, said he couldn't comment on the lawsuit, citing pending litigation. The State Police is a division of the attorney general's office.

Firearms in NJ: Gun sales are still up, and background checks have skyrocketed this past year

'You're not gay, are you?'

The suit alleged Hayes suffered discrimination from his first day on the job.

On that day, after Hayes introduced himself to his squad, his then-sergeant asked him if he was married or had a girlfriend, the suit said. When Hayes answered, "no," his sergeant said, "You're not gay, are you?" the suit said.

Terrified and fearful for his job, Hayes responded, "No, not me," the suit said.

Lascik experienced discrimination soon after joining the force, according to the suit. When she expressed an interest in joining the Tactical Patrol Unit in 2001 or 2002, "a white male member of the unit pulled her aside and told her that the station commander said he would never put her or any female in that unit," the suit said.

Hayes continued to hide his sexual orientation from his co-workers for seven years after joining the force, the suit said.

"Even after (former) Gov. (James) McGreevey came out as gay in 2004, Hayes' then-captain turned to him and said, 'Christ, Hayes, you better not be next,'" the suit said.

When Hayes worked up the courage to reveal his sexual orientation to his then-lieutenant in 2008, the superior officer "basically equated his homosexuality to being a pedophile" the suit said.

"Not long thereafter, an email was sent to many current and retired troopers, taunting Hayes, saying, 'Can you believe some trooper came out to his unit. ... What is this division becoming?'" the suit said.

Ten years later, as the political climate in the United States and New Jersey "began to shift toward more inclusive practices," Hayes was asked to be liaison to Garden State Equality, at the urging of the LGBTQ advocacy group, the suit said.

"When he met with his superior regarding this new role, the major at the time said, 'Just don't go around wearing a--less chaps and your hat,' in a discriminatory and mocking way," the suit said.

Popular spot for LGBTQ community: Hotel Tides in Asbury Park to close Oct. 1 for renovations under new ownership

Backlash over Asbury Park Pride parade

In 2019, Hayes received approval to have a uniformed troop car in Asbury Park's gay pride parade for the first time ever, according to the lawsuit. During the parade, someone took a picture of a trooper holding hands with his husband, and the photo wound up on the page of a Facebook group composed of active troopers, the suit said.

Not only did the photo elicit many discriminatory comments about how "disgusting" it was, Hayes received a call from Noble, his superior, telling him the troopers should not have held hands and were not "marching" correctly, the suit said.

"Hayes was lambasted for a picture of a trooper holding hands with his husband, yet there are many pictures posted of troopers hugging and holding their heterosexual wives, which have never been criticized," the suit said.

Parade pushed back: NJ LGBTQ+ Pride parade and festival in Asbury Park postponed until 2022 due to COVID

Hayes currently is assistant chief of the State Police's Employee Health and Wellness Bureau. As such, he oversees the Employee Assistance Program, Peer Assistance Unit, Medical Services Unit and Diversity and Inclusion Unit. The bureau comes under the Office of Employee Relations and Community Outreach.

Lascik is unit head of the Diversity and Inclusion Unit and reports to Hayes.

Both the Office of Employee Relations and Community Outreach and its Diversity and Inclusion Unit were created in January, according to a news release issued then by the State Police.

The Office of Employee Relations and Community Outreach is under the command of Thomas, one of the defendants in the suit, according to the news release.

The mission of the Employee Health and Wellness Bureau is to provide services to employees to "support their physical, mental and emotional health and well-being," in accordance with the attorney general's "Officer Resiliency Directive," designed to help officers handle the stress of police work and avoid burnout, the news release said.

Members of the Diversity and Inclusion Unit are “tasked with developing strategic plans to create inclusive and respectful workplaces throughout the Division (of State Police),” the January news release said.

“The importance of creating an internal culture that embraces diversity and inclusion will create an environment where current members of different races, genders, ethnicities and sexual orientations can flourish,” the news release said.

He backed up fellow cop's sex claim: Then Matawan fired him for using CBD oil:
lawsuit

Paying 'lip service'

However, the lawsuit, filed on behalf of Hayes and Lascik by Northfield attorneys Philip S. Burnham II and Michelle J. Douglass, described Thomas as “obviously anti-gay” and said both plaintiffs, because of their sexual orientation, were subjected to hostile work environments that caused them to suffer anxiety, depression, sleeplessness, high blood pressure and worsening of intestinal illnesses.

Hayes and Lascik worked together in 2019 on a proposal for the Diversity and Inclusion Unit, according to the suit. Their proposal called for the unit to be staffed by nine persons, including a LGBTQ liaison required by state law, it said. But Noble questioned why it included the LGBTQ liaison, the suit said. He paid only “lip service” to the plaintiffs’ diversity efforts and he “took no action that would allow plaintiffs to meaningfully implement the cultural diversity plan,” the suit said.

Thomas was promoted and put in charge of the office overseeing the Diversity and Inclusion Unit, which was staffed with only three persons, not the nine that were asked for, the suit said.

Within a couple of months, Lascik noticed she was being excluded from conversations and initiatives in the unit, while a male sergeant was being given opportunities in the unit that she was not informed about, according to the suit.

“Lascik began to question her decision to join the Diversity and Inclusion Unit because she was consistently being excluded as a homosexual black female from decisions and opportunities within the unit,” the suit said.

When a promotion created a vacancy in the unit, Lascik, Hayes and their captain

“Defendant Thomas tensed up and said that she needed someone in the unit that can relate to the community if something like George Floyd happened there,” the suit said, referring to the 2020 murder of a Minneapolis man by police which led to massive nationwide protests.

“That was clearly a pretext because Lascik, the unit head, is a black female,” it said.

Monmouth's acting prosecutor: Fighting bias, like LGBTQ bigotry, is in her blood

Soon afterward, Lascik learned that Thomas had told impressionable junior officers, “I’m not creating no Lady Blue and Gold Unit and I’m not creating no LGBT Unit,” the suit said.

Lady Blue and Gold, a group of female troopers who hold meetings and play golf and softball together, had earned the stigma throughout the years as “a bunch of lesbians,” the lawsuit said.

“Defendant Thomas is the chief diversity officer, and to hear such discriminatory comments from someone whose central job is ensuring equality is disheartening, offensive and particularly unwelcome conduct,” the suit said. “Lascik was immediately offended by Defendant Thomas’ statement and her hatred toward her and her sexual orientation.”

The following day, Lascik reported Thomas’ comment to Hayes, who advised her to file an Equal Employment Opportunity complaint against Thomas.

Fear of retaliation

Hayes joined Lascik in filing a complaint against Thomas in late April, and both began working in their sub-office at the State Police training academy in Sea Girt to distance themselves from her, out of fear of retaliation, the suit said.

Lascik in mid-May filed an internal affairs complaint against Thomas alleging discrimination due to her sexual orientation, according to the suit.

In late May, Buck, who supervises Hayes and Lascik, informed Hayes that Thomas and Noble were aware of the complaints made against Thomas, the suit said. Noble ordered Hayes and Lascik to report to work at division headquarters in Ewing, or else “he would stick them somewhere not even close to Sea Girt, threatening to send plaintiffs to a station far away from home,” the suit said.

Thomas also ordered the pair to report daily to division headquarters so she could see them, even though they didn’t have computers or a printer there, and Lascik didn’t have an office

there, the suit said. Thomas instructed Lascik to provide her with weekly updates from her unit, even though no other unit was required to provide the updates, it said. Meanwhile, a sergeant was transferred into Lascik's unit without her consultation, it said.

"As a three-year lieutenant, Lascik being denied her own office space and excluded from decisions about who is placed in her unit is retaliatory behavior," the lawsuit said.

In June, Hayes and Lascik were told by their supervisor, Capt. Lori Andrews, that they "were no longer welcome in Sea Girt," the suit said.

Hayes was forced to attend a meeting with Thomas, Andrews and Buck to discuss the complaint he filed against Thomas, according to the suit. In late June, Hayes and Lascik amended their complaints because they were facing retaliation for information they submitted confidentially to the Equal Employment Opportunity Office, and that confidential information was being shared with others on the force "in an obvious attempt to embarrass and humiliate the plaintiffs," the suit said.

After Hayes and Lascik requested the investigation of their complaints be moved to a different forum, Hayes arrived at their office on June 30 to find it had been emptied of equipment, at Noble's direction, and the contents of his and Lascik's desks and their personal belongings were left on a table, the suit said.

The events corresponded with other unwelcome conduct, including repeated negative comments by members of the force about the LGBTQ community, according to the lawsuit.

"The homophobic comments and discriminatory statements about plaintiffs being "gay" and "f---" (an offensive term for a gay man) occurred on almost a daily basis for a year, and is severe and pervasive," the suit said.

In addition, the suit alleged Thomas rushed through a promotion so that Hayes and Thomas would be ineligible for it. And, the suit claimed that Hayes had promotional interviews with a major "who made homophobic comments" during the interviews. Hayes, who had a score of 100, "did not get the position due to his sexual orientation," the suit alleged.

Hayes and Lascik are seeking unspecified compensatory and punitive damages, court costs and attorneys' fees.

Kathleen Hopkins, a reporter in New Jersey since 1985, covers crime, court cases, legal issues, unsolved mysteries and just about every major murder trial to hit Monmouth and Ocean counties. Contact her at khopkins@app.com.

