

CHARGE OF DISCRIMINATION Prepared by Legal Counsel	
	MN Department of Human Rights 540 Fairview Ave N Ste 201 Saint Paul MN 55104 651-539-1100 Toll-Free 1-800-657-3704 TTY 651-296-1283
EEOC # 26E-2021-00191	
DEPARTMENT OF HUMAN RIGHTS OFFICE USE	
Case Number: 72843	
Acknowledged by: JW (t)	
Date Filed: 08/24/2021	Date Docketed: 08/30/2021
Any person claiming to have been discriminated against because of age, color, creed, disability, familial status, local HR Commission activity, marital status, national origin, public assistance, race, religion, sex or sexual orientation, as provided for in Chapter 363A of the Minnesota Statutes in the areas of business or credit contracts, education, employment, housing, public accommodations, public services or reprisal, may file a charge within one (1) year after the alleged discriminatory act with the Minnesota Department of Human Rights.	
1. CHARGING PARTY Amy Sweasy Tamburino 545 S 2nd Street #210 Minneapolis, MN 55401	2. RESPONDENT Hennepin County C-2000 Government Center 300 South Sixth Street Minneapolis, MN 55487
3. The discrimination was on the basis/bases of: <input type="checkbox"/> Age <input type="checkbox"/> Familial Status <input type="checkbox"/> Religion <input type="checkbox"/> Color <input type="checkbox"/> Marital Status <input checked="" type="checkbox"/> Sex <input type="checkbox"/> Commission Activity <input type="checkbox"/> National Origin <input type="checkbox"/> Pregnancy <input type="checkbox"/> Creed <input type="checkbox"/> Public Assistance <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Disability <input type="checkbox"/> Race <input type="checkbox"/> Gender Identity	4. The discrimination was in the area(s) of: <input type="checkbox"/> Business <input type="checkbox"/> Housing/Real Property <input type="checkbox"/> Credit <input type="checkbox"/> Public Accommodation <input type="checkbox"/> Education <input type="checkbox"/> Public Services <input checked="" type="checkbox"/> Employment <input checked="" type="checkbox"/> Reprisal
5. I allege the following discriminatory act(s) in violation of the Minnesota Human Rights Act (MHRA), Minn. Stat. § 363A et seq. I am a woman who has been employed as a prosecutor with the County from 1995-present and suffered sex discrimination and reprisal. County Attorney ("CA") made sexist remarks—e.g., in a meeting with CA and Senior Assistant County Attorney ("SACA") in or about June 2019, CA said a female Assistant County Attorney ("Female ACA") had the "judgment of a toad," and "big white boys like us aren't going to be ruling the world anymore," referring to himself and SACA. CA said, "we already had to let the white girls in because...we need someone to keep our feet warm at night." I reported CA's discriminatory comments to the County, including Deputy-Crim 1, Deputy-Civ and Deputy-Crim 2. When I told Deputy-Crim 1, he said he was unsurprised and knew CA made similar remarks. When I told Deputy-Crim 2, he said he knew CA made other sexist remarks, including disparaging comments about a female legislator's appearance. CA also removed female, but not male, managers and replaced female managers with men. I believe others complained about CA's sex discrimination and harassment but the County did nothing. In or about June 2020, I disagreed with CA about the charging in a case, told CA I believed the charges he recommended violated professional and ethical rules and withdrew from the case. Around this time SACA, Deputy-Crim 2 and a male Assistant County Attorney ("Male ACA") also stated their disagreement with CA and refused to work on the same case. After I stated my disagreement with CA and reported his discrimination, he treated me less favorably than similarly situated male employees including, but not limited to, SACA and Male ACA. CA engaged in discrimination and reprisal against me which included, but was not limited to, ostracizing me, treating me hostilely, removing job duties and refusing to assign me to the role for which I was trained. When I stated my disagreement to CA in a meeting with Deputy-Civ and Deputy-Crim 2, CA said "I'm worried about your career now," threatening	

(OVER)

my job. CA and the County then began removing my Use of Deadly Force ("UDF") cases and told BCA Agent not to contact me though I had worked on UDF cases for years, drafted the UDF Protocol and was regarded by my-then APD Manager and many others as one of the best lawyers in the country on UDF cases. CA refused to give me meaningful assignments and I and others questioned whether CA was trying to force me to quit or discharge me.

On or about 8/28/2020, CA told me in a meeting with Deputy-Crim 2 and Deputy-Civ that he was leaving me in the Community Prosecution Division and appointing Male ACA as Head of APD. Male ACA had less experience and skill than me. From the time of my hiring, I trained to become the Head of APD and was told by many I would assume this role. CA said there had been a lot of changes that summer. I told CA I knew he was upset with me for withdrawing from the June 2020 case. CA replied, "things have changed," confirming that he chose not to appoint me as the Head of APD because I was a woman who had disagreed with him and had reported his discrimination. I told CA that he said in February 2020 that no one could be the Head of APD without managing a division first and I had managed a division but Male ACA had not. CA replied, "things have changed."

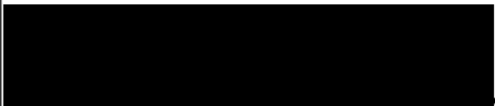
Fatal UDF cases continued to be diverted from me. In or about spring 2021, I told Deputy-Crim 2 and Deputy-Civ my job was unfulfilling and reduced to ministerial duties and I believed CA was trying to force me to quit. The County's and CA's discrimination and reprisal continued and included, but was not limited to, ignoring my requests for new initiatives and offering weak performers for staffing. Others noted CA rejected anything with my name attached. I believe CA interfered in my application for a judicial appointment.

I believe the County and CA engaged in sex discrimination and reprisal as they made discriminatory comments about women; treated me less favorably than similarly situated males (including SACA, Deputy-Crim 2 and Male ACA, who also disagreed with CA and withdrew from the same case without punishment—in fact Male ACA was made Head of APD despite failing to meet the qualifications and having less experience and skill than me); and treated me less favorably than those who did not report discrimination.

The discrimination and reprisal affected the terms, conditions and privileges of my employment and prevented me from being made the Head of APD and is a continuing violation.

6. I therefore allege that the above-named respondent has discriminated against me in the area(s) and basis/bases listed above in sections 3 and 4 of this form, and has violated the following subdivisions of the MHRA (Minn. Stat. § 363A): 363A.08, subd. 2(3) and 363A.15(1)

Under Minn. Stat. § 358.116 and in compliance with Minnesota Rule 5000.0050, subp. 12, I declare under penalty of perjury that everything I have stated in this document is true and correct.


Signature of the Charging Party

Attorney Information

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