

MONROE COUNTY CLERK'S OFFICE

THIS IS NOT A BILL. THIS IS YOUR RECEIPT.

Receipt # 2828982

Book Page CIVIL

No. Pages: 29

Instrument: EFILING INDEX NUMBER

Control #: 202109010960

Index #: E2021008147

Date: 09/01/2021

Time: 1:00:23 PM

Return To:
MICHAEL JOHN TALLON

Singletary, La'Ron D

City of Rochester
Warren Mayor, Lovely A

State Fee Index Number	\$165.00	
County Fee Index Number	\$26.00	
State Fee Cultural Education	\$14.25	
State Fee Records Management	\$4.75	Employee: CW
Total Fees Paid:	\$210.00	

State of New York

MONROE COUNTY CLERK'S OFFICE
WARNING – THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

JAMIE ROMEO

MONROE COUNTY CLERK



STATE OF NEW YORK SUPREME COURT
COUNTY OF MONROE

LA'RON D. SINGLETARY,

SUMMONS

Plaintiff,

-against-

Index No.

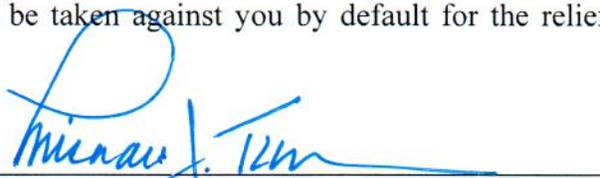
CITY OF ROCHESTER and
LOVELY A. WARREN, MAYOR,

Defendants.

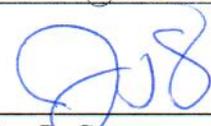
TO THE ABOVE-NAMED AS DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Verified Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on the Plaintiffs' attorneys within twenty (20) days after the service of this Summons, exclusive of the day of service (or within thirty [30] days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Date: September 1, 2021



Michael J. Tallon
Attorney for Plaintiff
45 Exchange Blvd. – Suite 500
Rochester, NY 14614
585-319-4170
mtallon@tallonlaw.com



Jon P. Getz
Attorney for Plaintiff
45 Exchange Blvd. – Suite 500
Rochester, NY 14614

Summons of La'Ron D. Singletary, Plaintiff v City of Rochester and
Lovely A. Warren, Mayor, Defendants

585-319-4170
JonGetz@jgetzlaw.com

TO: City of Rochester
Acting Corporation Counsel
30 Church St. – Room 400A
Rochester, NY 14614

Lovely A. Warren, Mayor
30 Church St
Rochester, NY 14614

STATE OF NEW YORK SUPREME COURT
COUNTY OF MONROE

LA'RON D. SINGLETARY,

VERIFIED COMPLAINT

Plaintiff,

-against-

Index No.

CITY OF ROCHESTER and
LOVELY A. WARREN, MAYOR,

Defendants.

TO THE SUPREME COURT OF THE STATE OF NEW YORK:

The above-named Plaintiff as and for his Verified Complaint against the Defendants alleges as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction over the parties pursuant to NY CPLR 301 and 302. Each Defendant either resides or resided in New York, conducts or conducted business in New York, or conducted activities that give rise to the claims asserted herein.

2. Venue for this action in the County of Monroe is proper pursuant to CPLR 503 as one or more of the parties reside in Monroe County and a substantial part of the events or omissions giving rise to the claim occurred in Monroe County.

II. PRELIMINARY STATEMENT

3. The Plaintiff herein, La’Ron D. Singletary, is a resident of the State of New York and County of Monroe.

4. Defendant City of Rochester is a municipal corporation within the County of Monroe duly organized and existing under and by virtue of the laws of the State of New York.

5. Defendant Lovely A. Warren is Mayor of the City of Rochester and a resident of the State of New York, County of Monroe, and City of Rochester.

6. Plaintiff timely filed and service a Notice of Claim upon Defendants on December 3, 2020.

III. FACTS

7. Plaintiff La’Ron D. Singletary alleges that the Mayor of the City of Rochester, Lovely A. Warren and others acting on Mayor Warren’s behalf, impugned Plaintiff’s performance as Chief of Police of the City of Rochester by making false statements and material omissions about his performance and his discharge of duties in the matter of the treatment of Daniel Prude in the custody of the Rochester Police, his subsequent death, the internal investigations conducted by the Rochester Police Department and his communication with Defendant Warren and other city officials. These false statements and material omissions of fact have damaged Plaintiff’s reputation for honesty, integrity, and truthfulness. This civil action against Defendants the City of Rochester and Defendant Lovely A. Warren seeks damages sustained and continuing to be sustained by Plaintiff La’Ron D. Singletary, including but not limited to, defamation of character, the creation of a hostile work environment preventing his fulfilling the duties of Chief of Police and his wrongful and retaliatory termination that all occurred beginning on or about September 3, 2020 and continuing thereafter.

8. All dates alleged in this Verified Complaint occur during calendar year 2020 unless otherwise noted. On September 7th, Defendant Warren asked Plaintiff to withhold full and truthful information from the City Council investigation into the matter of Daniel Prude. Defendant Warren asked Plaintiff instead, to provide false information and to omit material information to support Defendant Warren’s public narrative concerning her knowledge of the events in the matter

of Daniel Prude. Plaintiff repeatedly refused to lie for Defendant Warren. Pressure to support Defendant Warren's narrative also came from other city officials.

9. The attacks on Plaintiff's reputation by false statements about his job performance, material omissions about his job performance and the ongoing pressure to support Defendant Warren's false narrative about the Prude matter created a hostile work environment that prevented Plaintiff from performing his duties as Chief of Police.

10. These false statements and material omissions by Defendant Warren accused Plaintiff of having failed to faithfully discharge of the duties of the Office of Police Chief for the City of Rochester.

11. During Plaintiff's tenure as Chief of Police, Plaintiff faithfully discharged his oath of office and fulfilled the five pledges of the Rochester Police Department including his actively preserving, protecting, respecting human life, and the dignity of all people and his commitment to honesty and integrity and truthfulness in both his personal and professional life.

12. Plaintiff was pressured to abandon these principles by the Mayor of the City of Rochester aided by other agents or officers of the City of Rochester. They created an enduring hostile working environment damaging Plaintiff's ability to discharge his duties as Chief of the Rochester Police Department by assailing his honesty, integrity and truthfulness.

13. This hostile working environment and its continuing existence was a substantial factor in Plaintiff deciding to announce his retirement on September 8, 2020 effective September 29, 2020.

14. Plaintiff had been asked by Defendant Warren on September 7th to withhold truthful information from the City Council investigation in the matter of Daniel Prude. Instead, Plaintiff

was asked by Defendant Warren to provide false information to support the Defendant Warren's public narrative concerning her knowledge of the events in the matter of Daniel Prude.

15. Plaintiff's reputation for honesty, integrity and truthfulness has been defamed by the public statements of Defendant Warren.

16. Defendant Warren falsely and publicly declared that Plaintiff withheld information concerning the circumstances leading to the death of Daniel Prude, that Plaintiff failed to provide information concerning the Medical Examiner's report and its conclusions including the determination that Mr. Prude's death was a homicide.

17. Defendant Warren most broadly defames Plaintiff's reputation by falsely claiming that he intentionally deceived Defendant Warren, the City of Rochester, and the community of Rochester.

18. As an example of Defendant Warren's defamation, during an in interview with Channel 8 Reporter Adam Chodak, [Mayor Warren on RPD's handling of Daniel Prude death: 'Clear deception,' done purposefully | RochesterFirst](#) the Defendant publicly and falsely claimed on September 16, 2020 Plaintiff participated in *clear deception along the way and information that could've been shared and should've been shared and was not shared, and I could only surmise that it was purposefully done that way.*"

19. During that same interview with Channel 8 Reporter Adam Chodak, Defendant Warren publicly and falsely claimed on September 16, 2020 that Plaintiff intentionally withheld information: *"all of the things were done I can only surmise that it was done on purpose so that I would not know so it's not about what was said here it's about what wasn't said so that I could take decisive action as the Mayor of this City."*

20. Upon information and belief, Plaintiff alleges that his announcing his retirement on September 8th after he had been asked directly to lie by Defendant Warren on September 7th and refused to lie, was a clear indication to Defendant Warren that if Plaintiff publicly commented or testified in the course of any investigation including the City Council's investigation concerning the matter of Daniel Prude that his truthful testimony would inevitably reveal Defendant Warren's false public narrative.

21. Upon information and belief, Plaintiff alleges he was terminated on September 14th. This wrongful termination financially damaged him.

22. Upon information and belief, Plaintiff alleges this wrongful termination could be used to provide a false motive to undermine Plaintiff's truthful testimony concerning the Prude matter that contradicted the Defendant Warren's public narrative.

23. These actions by Defendant Warren have caused and continue to cause Plaintiff anguish and distress in his day-to-day living.

Timeline

24. On March 23, 2020, Plaintiff received preliminary information from Deputy Chief Morabito concerning the Daniel Prude matter. Plaintiff provided Defendant Warren with a preliminary assessment of the matter.

25. Plaintiff informed Defendant Warren that he had not watched the body worn camera (BWC) video of the officers, and he would advise Defendant Warren of further information when he did watch the BWC video.

26. After Plaintiff had reviewed the BWC video, during a phone conference with Defendant Warren at 1:30 PM that day, he further discussed the Prude matter and police officers'

involvement advising Defendant Warren that there was no punching or kicking from the officer, just stabilization techniques and the application of the spit sock.

27. Plaintiff made Defendant Warren aware that investigations by the Professional Standard Section and the Major Crimes Unit had begun.

28. There was further conversation and Plaintiff answered the few questions Defendant Warren asked who concluded this conversation asking to keep her in the loop by saying “Okay, keep me in the loop, Chief.”

29. Plaintiff contacted District Attorney Sandra Doorley on March 23rd and, thereafter, on March 24th discussed the ongoing criminal and internal investigations being conducted by the Rochester Police Department relevant to the Daniel Prude matter.

30. On March 30th at 10:55 PM, Deputy Chief Morabito communicated via text to Plaintiff that Mr. Prude had just died.

31. Plaintiff texted Defendant Warren the following morning at 8:28 AM on March 31st, “morning Mayor, the individual I gave you a briefing about last Monday (gentleman likely high on PCP from Chicago), doctors pronounced him last night.

32. Plaintiff texted Defendant Warren “The cause of death will be determined by the ME’s office at some point.”

33. Defendant Warren replied “okay.”

34. On April 10th at approximately 1:49 PM, Deputy Chief Morabito advised Plaintiff about the details of the Medical Examiner’s ruling. On April 10th at 2:14 PM, Plaintiff texted Defendant Warren “Mayor, when you have a moment can you give me a call. Want to fill you in on ME’s ruling for Daniel Prude, the gentleman from Jefferson Avenue who was on PCP.”

35. After texting Defendant Warren, Plaintiff also texted Corporation Counsel Curtin and Deputy Corporation Counsel Beath concerning the Medical Examiner's ruling of death from homicide and noting that he was waiting to hear from Defendant Warren to provide her the latest information.

36. Plaintiff also emailed Communications Director Justin Roj about the Medical Examiner's Office report.

37. Defendant Warren did not call Plaintiff back in response to his April 10th request.

38. On April 13th at approximately 11:00 AM, there was a virtual press conference in the basement of City Hall attended by Plaintiff, his Chief of Staff, Defendant Warren, members of the Communication Team, Wanda Ridgeway, and Council Vice President Willie Lightfoot.

39. At the conclusion of this press conference, Plaintiff spoke with Defendant Warren for approximately 5 minutes at the door of the basement elevator then and there informing Defendant Warren of the details of Medical Examiner's ruling concerning the cause of death of Daniel Prude.

40. Plaintiff told Defendant Warren that Mr. Prude's death was determined to be a homicide.

41. On April 17th, upon information and belief, Assistant Attorney General Sommers was sent all reports from the RPD investigation by email including documents, BWC video and pictures provided on a hard drive by Major Crimes Unit.

42. During a one-on-one meeting with Defendant Warren on April 27th by conference call, Plaintiff advised Defendant Warren that the Attorney General's Office had assumed responsibility of the investigation from the Monroe County District Attorney's Office.

43. On June 11th, Communications Director Roj requested that Plaintiff suspend the production of the BWC video in the Prude matter and instead first produce the BWC video of a 10-year-old being handcuffed on the side of the expressway.

44. On August 4th at approximately 12:19 PM, Plaintiff received the following text from Corporation Counsel Curtin “chief - did Mayor see Daniel Prude BWC footage? - they served notice of claim - \$75 mil, we should show her if she has not seen it yet. Thanks.”

45. Plaintiff replied “I don’t believe she has. I agree. Wow \$75 million.”

46. Around 4:00 PM, Plaintiff received a phone call from Defendant Warren asking a few questions about the Prude matter and was ordered to come to her office where Defendant Warren, Corporation Counsel Curtin and Deputy Mayor Smith were present.

47. Plaintiff was asked questions about the BWC video in the Daniel Prude matter.

48. At approximately 11:54 AM on September 3rd, Defendant Warren directed Plaintiff to suspend all police officers involved in the Daniel Prude matter on March 23rd and to drop all charges against those arrested at the Public Safety Building on September 2nd.

49. At approximately 1:27 PM, City Official Dr. Cephas Archie advised me, in sum and substance, that Defendant Warren would be doing a press conference that afternoon, that she was going to “beat you up a little bit, it’s not going to be pretty.” Dr. Archie suggested that “I remain quiet, humble and take it on the chin.”

50. During a press conference on September 3rd, Defendant Warren stated publicly that she had addressed with me how deeply, personally, and professionally, disappointed she was for failing to inform her [Mayor Warren] fully and accurately about what occurred with Mr. Prude.

51. Defendant Warren is inaccurate because she had not addressed with Plaintiff what she claimed she had addressed with Plaintiff in her public statement.

52. Defendant Warren falsely claimed at 2:55 of the September 3rd press conference: “addition, I have addressed with the police chief how deeply, personally, and professionally disappointed I am, for him failing to fully and accurately inform me about what occurred with Mr. Prude, he knows he needs to do better to truly protect and serve our community and I believe that he will. Experiencing and ultimately dying from a drug overdose in police custody as I was told by the Chief is entirely different than what I ultimately witnessed on the video provided to me by the Law Department on Aug. 4th.

53. Defendant Warren knowingly and falsely claimed that Plaintiff had advised her that Mr. Prude had died from a drug overdose.

54. Defendant Warren falsely claimed at 4:10 of the September 3rd press conference: “I also want to be very clear today about what I knew about Mr. Prude’s death and when I knew it. After our Police Dept. responded to the 911 call on 3/23, I was informed after that day by Chief Singletary that Mr. Prude had an apparent drug overdose while in custody. Chief Singletary never informed me of the actions of his officers to forcibly restrain Mr. Prude. I only learned of those officers’ actions on August 4 when Corporation Counsel Tim Curtin reviewed the video while fulfilling the FOIL request from Mr. Prude’s attorney. At no time prior to August 4th did Chief Singletary or anyone make me aware or show me a video of the actions of the RPD officers involved in Mr. Prudes death.”

55. Defendant Warren again knowingly and falsely claimed that Plaintiff had advised her that Mr. Prude had died from a drug overdose and, further, Defendant Warren knowingly and falsely claimed that Plaintiff never informed Defendant Warren of the actions of his officers to

forcibly restrain Mr. Prude and further falsely claimed that at no time prior to August 4 did Chief Singletary ... make me aware ... of the actions of the RPD officers involved in Mr. Prude's death."

56. Defendant Warren, in response to a reporter's question, falsely claimed at 19:47 of the September 3rd press conference:

"But what I know is what the chief explained to me on 3/23 when Mr. Prude encountered our police officers what I was told was that he had overdosed, and that they had taken him to the hospital for possible overdose and that he may die and that this would be investigated. On March 30th, the Police Chief informed me that he had passed away and that they were doing an investigation. At no time did I ever know the extent or that there was any hands-on incidents with these officers until Aug. 4th well after the AG was involved well after the DA office turned it over to the AG office it wasn't until we had received the foil request our attorneys were responding to that FOIL request that our Corporation Counsel came to me on Aug. 4th and outlined what he saw and asked me to watch the video, when I watched that video I was enraged. I wanted to come forward that day."

57. Defendant Warren again knowingly and falsely claimed that Plaintiff had advised her that Mr. Prude had overdosed and, further, Defendant Warren knowingly and falsely claimed that Plaintiff never informed Defendant Warren that there was any hands-on incidents with these officers until Aug. 4th.

58. Defendant Warren, in response to a reporter's question at 31:08 of the September 3rd press conference, "Were you aware of the case being presented or referred to the State AG back in April or aware of the ME's finding of homicide?" falsely stated in response to this question:

"No, I was aware on March 23 that I was told that Mr. Prude had overdosed and he was being taken to the hospital and that he may die and it may be investigated because he was in police

custody. On March 30, when he passed away, I was notified that he passed away and that it was being investigated. I was not informed of anything as to Mr. Prude, the Attorney General, the DA or anything until August 4 when Corporation Counsel notified me and asked me to watch the video.”

59. Defendant Warren again knowingly and falsely claimed that Plaintiff had advised her that Mr. Prude had overdosed and, further, Defendant Warren knowingly and falsely claimed that Plaintiff never informed Defendant Warren of anything as to Mr. Prude, the Attorney General, the DA or anything until August 4 when Corporation Counsel notified me.

60. After that press conference, City Official Dr. Cephas Archie texted Plaintiff twice “you okay?” (at 4:46 PM) And “Chief...?” (at 4:49 PM)

61. At 7:37 PM, Defendant Warren called to ask Plaintiff “how you doing Chief?” Plaintiff advised Defendant Warren that he was displeased with her statements.

62. Defendant Warren pleaded with Plaintiff stating in sum and substance “she was sorry, but that we needed to move forward and that we are married, that she and I are married in this together, attached at the hip and that she needs me.”

63. Plaintiff told Defendant Warren that she had ruined his character, integrity, and reputation.

64. Plaintiff was distraught by what Defendant Warren had stated about him at the press conference and recognized that his state of mind would distract him from fully discharging his duties as Chief of Police that evening.

65. For these reasons, on September 3rd Plaintiff transferred his command at 9:00 PM to Deputy Chief Simmons.

66. City Official Dr. Cephas Archie and others took Plaintiff out to dinner in attempt to calm him down.

67. At 10:29 PM, Plaintiff received another text from Defendant Warren stating, "are you okay?"

68. Plaintiff did not respond to Defendant Warren's text.

69. At approximately 10:58 AM on September 4th, Defendant Warren phoned Plaintiff stating "how you doing Chief? I know you and I have a disagreement as to how the events unfolded but that we need to move past this for the both of us."

70. Plaintiff replied: "I am good, Mayor. What's up?"

71. On September 3rd a meeting occurred at the Public Safety Building concerning protests the night before. Defendant Warrant was present at this meeting. After the meeting concluded, Defendant Warren and Plaintiff discussed the press conference the day before.

72. Defendant Warren stated, "you have to smile Chief."

73. In response, Plaintiff talked about his disappointment, the loss of his credibility, integrity, and reputation. Plaintiff told Defendant Warren he was blindsided.

74. Defendant Warren stated she thought that City Official Dr. Cephas Archie had "explained everything to me."

75. Defendant Warren subsequently sent Plaintiff and Deputy Chief Simmons a text message at 9:29 PM stating "I trust you both with my life, my future. I believe in you both and love you like brothers. Good luck tonight. God will help us save our city. You know what you're up against, but you were built and called to serve for such a time as this. I ask God to put his hedge of protection around you. You got this."

76. On Sunday, September 6th at approximately 10:00 AM, there was a meeting in the Defendant Warren's conference room. At this meeting it was decided there would be a 2:00 PM press conference at City Hall. Speaking to the media at the press conference was Defendant Warren, Rev. Myra Brown, and Plaintiff.

77. Defendant Warren during this press conference knowingly and falsely claimed "No, I was not aware of that autopsy in April." What I was aware of as I said the Chief called me at 7 am on March 23, he told me what he knew at the time. And then he did whatever he needed to do from that point forward and I think that he has the document to show that he exercised and did what he needed to do as chief from that point forward.

78. When the press conference concluded, the parties returned to the Defendant's conference room, upon information and belief, Communications Director Roj was visibly upset about the press conference.

79. Communications Director Roj began to recite a narrative --- including that Plaintiff never told Defendant Warren those police officers were physically involved --- that was inaccurate, to which Communications Director Roj said Plaintiff should agree so Communications Director Roj could then "clarify" with the media.

80. Plaintiff did not respond to Communications Director Roj's statement.

81. Plaintiff, along with his three Deputy Chiefs, then returned to the Public Safety Building.

82. At approximately 3:33 PM, Communications Director Roj requested a meeting with Plaintiff and asked if he could come to Plaintiff's office and have a conversation. During that meeting in Plaintiff's office, Plaintiff was advised by Communications Director Roj, in sum and substance, that the press conference was not ideal, that "the Chief and Mayor needed to be on the

same page, that the Mayor chose to keep you on board, that she's the boss and if she has an idea, we are her subordinates and have to roll with it whether we like it or not."

83. Communications Director Roj went on to state that he had spoken with Defendant Warren and "she recalls one thing and she's sticking to her story and that you and the Mayor need to speak with one another because you're putting me in a bad spot when it comes to the media and that without Mayor Warren, there is no Chief Singletary and without Mayor Warren and Chief Singletary, there is no all of us, so that you and Mayor Warren need to talk and hash it out."

84. Plaintiff advised Communications Director Roj that "I am not going to lie for anyone" and that my integrity had been called into question at the press conference conducted by Defendant Warren. Plaintiff stated that he will always tell the truth and will make his concerns known publicly when he has reservations when it comes to public safety, in this case, placing elders and community members in potential harm's way during protests.

85. Communications Director Roj then asked if Plaintiff would have a discussion with Defendant Warren. Plaintiff agreed.

86. At approximately 4:33 PM, Defendant Warren contacted Plaintiff and stated "Chief, Justin said you wanted to talk to me."

87. Plaintiff indicated to Defendant Warren that he did not expect to have a conversation that day and there were duties that required his participation concerning that evening's protest and a recent homicide that occurred earlier in the day.

88. Plaintiff indicated to Defendant Warren that they could meet sometime later in the week because tomorrow, Labor Day, is a holiday.

89. Defendant Warren replied "No, we can meet tomorrow as we need to discuss this matter sooner than later."

90. On September 7th, Labor Day, Defendant Warren contacted Plaintiff at approximately 12:19 PM. Defendant Warren told Plaintiff to meet her at one of her relative's house, and she texted Plaintiff that address at 12:20 PM. Plaintiff phoned his friend to advise where he would be meeting.

91. At 2:07 PM, Plaintiff's Deputy Chief, Mark Simmons called him to offer his support.

92. At 5:30 p.m., Plaintiff did call his friend to advise about the substance of the conversation he had with Defendant Warren.

93. Later in the evening, Plaintiff spoke with Deputy Chief Simmons alone in the Chief's conference room as they were preparing for the night's protests.

94. Plaintiff had the opportunity to share, in sum and substance, the conversation he had with Defendant Warren earlier that afternoon. In sum and substance, Plaintiff shared with Deputy Chief Simmons that Defendant Warren wanted Plaintiff to portray a story that just was not true and had asked Plaintiff to omit certain relevant facts when he testified before the City Council investigation of the Daniel Prude matter.

95. Plaintiff recounts pertinent portions of his September 7th meeting and conversation with Defendant Warren. Plaintiff first expressed concern that a ranking City Official was not being candid. Plaintiff asked Defendant Warren what was behind that lack of candor? Defendant Warren stated "Chief, I am so sorry. My intent was not to destroy your character, integrity, or reputation. I shouldn't have listened to them fools." Plaintiff told Defendant Warren that she was letting them run with this and "you all are throwing me under the bus for no reason." Defendant Warren replied, "I am so sorry Chief."

96. Plaintiff advised Defendant Warren that to make him the scapegoat in this was wrong and he would not lie for anyone.

97. Plaintiff stated that both his command staff and he acted by the book and to insinuate that he did not act properly as she did, publicly, is wrong.

98. Plaintiff recounted events dating back to March 23rd, including his initial notification to Defendant Warren including officers' physical involvement and that he described the findings in the Medical Examiner's report including the determination that the cause of death was homicide immediately after the April 13th press conference and as well as his informing Defendant Warren that the New York State Attorney General's Office had assumed responsibility from the Monroe County District Attorney's Office of its criminal investigation.

99. After further discussion, Plaintiff again told Defendant Warren that he was not going to lie for anyone. Defendant Warren asked, "Where do we go from here?"

100. Defendant Warren misstated that Plaintiff failed to disclose to her the officers' use of force, and that Plaintiff did not disclose to her the results of the Medical Examiner's report. Plaintiff told the Defendant "that's not accurate" and again recounted his previous conversations with Defendant Warren on these subjects.

101. In response, Defendant Warren stated she would "never ask me to lie." However, she nonetheless requested that during Plaintiff's testimony in the City Council's investigation that Defendant Warren did not want Plaintiff to mention her knowledge of the police officers' physical involvement with Daniel Prude on March 23rd on Jefferson Avenue.

102. Defendant Warren further asked Plaintiff to omit the specifics of their conversation when Plaintiff discussed the details of the Medical Examiner's report and instead testify that the

Medical Examiner's report was mentioned only in passing and to further testify that, in hindsight, Plaintiff should not have told Defendant Warren "in passing by the elevator."

103. Defendant Warren then asked Plaintiff to recite what he would say in his testimony.

104. Plaintiff began to do that and stopped. Plaintiff told Defendant Warren that no one would believe that neither he nor anyone in the City Administration had no conversation with Defendant Warren about the Prude matter from April to August. Plaintiff further told Defendant Warren that he had text messages and emails indicating there had been conversations and communications with Defendant Warren and members of her administration. Plaintiff repeated that his integrity meant too much to him and that he would never lie for anyone.

105. Plaintiff and Defendant Warren then discussed the City Council investigation. Defendant Warren stated that the investigation would involve responding to questions from an investigator and that no personal phone records would be subpoenaed "similar to the process in the Ricky Bryant probe."

106. Plaintiff replied, "I have nothing to hide."

107. Toward the end of this conversation, upon information and belief, City Council President Loretta Scott phoned Defendant Warren and, from what Plaintiff heard and understood, first advised Defendant Warren of City Council's intent to have briefings on the protests and how the briefings would be conducted.

108. Defendant Warren then asked City Council President Scott questions concerning the process of City Council's investigation of the Daniel Prude matter.

109. When Defendant Warren concluded her conversation with City Council President Scott, Defendant Warren reiterated that City Council's investigation would be asking questions only and not require production of personal cell phones and text messages.

110. Plaintiff told the Defendant that he would not lie.

111. On Tuesday, September 8th, there was a virtual Senior Management Team meeting. After the Senior Management Team meeting, Defendant Warren asked Plaintiff to stay behind on the Zoom. The meeting consisted of Defendant Warren, the Deputy Mayor, Corporation Counsel, and Plaintiff to discuss the protests the evening before.

112. In the late morning/early afternoon on September 8th, Plaintiff met with his command staff and advised them of his decision to retire due to major concerns he had with the City Administration.

113. On Tuesday, September 8th, Plaintiff announced his retirement as Chief of the Rochester Police Department effective September 29, 2020. Plaintiff's announcement stated:

After 20 years of dedicated service to the Rochester Police Department and the Rochester Community, I announce my retirement from the Rochester Police Department. For the past two decades, I have served this community with honor, pride, and the highest integrity.

As a man of integrity, I will not sit idly by while outside entities attempt to destroy my character. The events over the past week are an attempt to destroy my character and integrity. The members of the Rochester Police Department and the Greater Rochester Community know my reputation and know what I stand for.

The mischaracterization and the politicization of the actions that I took after being informed of Mr. Prude's death is not based on facts and is not what I stand for.

I would like to thank the men and women of the Rochester Police Department, as well as the Rochester Community for allowing me the honor of serving as your Chief and

fulfilling a lifelong dream. I look forward to continuing to serve our community in my next chapter.

La’Ron D. Singletary, Chief of Police, Rochester Police Department

114. During a City Council Hearing on September 8th: <https://youtu.be/ICunYxU-UpU> Defendant Warren stated (2:47 mark): “The Chief was not asked to give his resignation because I do believe that he’s given his very best and there was some information that was brought to light today that I had not previously seen before. And I think that the Chief has felt that his career and integrity has been challenged. He has dedicated 20 years to this City and to the citizens of Rochester and feels that the events that have happened were not done in a way that could have been handled differently but he didn’t in any way try to cover this up. He will be joining this call, but I just wanted to be up front with Council.”

115. During the press conference on September 14th, Mayor Warren advised the public that “today is Chief Singletary’s last day.”

116. Plaintiff while at the Public Safety Building on the afternoon of September 14, 2020 was served a letter of termination dated September 14, 2020 and signed by Defendant Warren.

September 15th Defendant Mayor Warren’s Interview with Channel 10’s Lynette Adams

117. On September 15th, Defendant Warren was interviewed by Channel 10’s reporter, Lynette Adams (See 9/15 Mayor Warren Interview with Channel 10’s Lynette Adams <https://www.facebook.com/News10NBC/videos/322324205516175/?vh=e&extid=CeNyCcq2pxjwJ1F5&d=n>)

118. At 1:45 of this interview Defendant Warren stated: “*So on March 30th I received a text from the Chief that said that the gentleman that he told me about on PCP that they had pronounced him dead and that the M.E.’s would be investigating and that was it. This incident*

and unfortunately and/or tragic situation was downplayed from the very beginning, and I should have known. I should have questioned and did more questioning on it and when it was said that it was an in-custody death.”

119. At 3:13 of this interview Defendant Warren stated: *“On Good Friday I went back and I looked the Chief sent a text and he did say I want to inform you about the M.E. report on the guy Daniel Prude and PCP and so I didn’t I for the life of me we didn’t have a conversation about it. And I don’t know why, but that is one of the failures that I see. I admit that there are things that fall solely on my shoulders as the Mayor of this city. And I should have known this situation what transpired, I should have been fully aware, but I can tell you from the very beginning that this has been played to me or said to me that this was a PCP overdose and an in custody death due to that, not due to what I saw on that video and I think that the documents yesterday showed, when I finally saw the video I was outraged.”*

120. At 5:41 of this interview Defendant Warren stated: *“Lynette I have no idea that the M.E. ruled this a homicide until August 4 when I saw the video and that I should have known. Everyone is right I should have known. But this incident, an unfortunate and tragic situation, had been downplayed from the very beginning as a PCP overdose.”*

121. At 9:19 of this interview Defendant Warren stated: *“we had many systematic failures, when the chief originally told me about this that it was an in-custody death I should have said let me see the video, that is my failing.”*

122. At 10:52 of this interview Defendant Warren stated: *“I can tell you that the information that was provided was downplayed by our police department and it was played through the eyes of the badge.”*

September 16th Defendant Warren's Interview with Channel 8's Adam Chodak

123. On September 16th Defendant Warren was interviewed by Channel 8's reporter, Adam Chodak (See [Mayor Warren on RPD's handling of Daniel Prude death: 'Clear deception,' done purposefully | RochesterFirst https://www.rochesterfirst.com/daniel-prude](https://www.rochesterfirst.com/daniel-prude))

124. At 00:24 of this interview Adam Chodak questions Defendant Warren about notification and Defendant Warren states: *"It talked about PCP and to be honest Adam, this is not about what was said, it's about what wasn't said. This was characterized from the very beginning as a person that was in a mental health distress on PCP and had an overdose and in-custody death and up until I saw the video that is the way it was characterized. And if you look at all of the information it clearly showed that from the beginning of this this was to be characterized and downplayed as a PCP overdose."*

125. At 1:58 of this interview Defendant Warren stated: *"Supposedly somebody told me that he allegedly told me in an elevator, this is not something you tell the Mayor, the leader of the city, in an elevator, I've met with him 50 times since then, the M.E.'s report hasn't been provided, was never emailed to me."*

126. At 3:40 of the interview Adam Chodak asks Defendant Warren: "Do you remember the word 'homicide' before August 4th? The Defendant replies: "I can assure you Adam this whole situation I was not given the correct information."

127. At 13:50 during the interview Adam Chodak and Defendant Warren discuss Council President Scott and Defendant Warren differing accounts. Council President indicates Defendant mentions no use of force.

128. At 16:08 during the interview Adam Chodak asks Defendant Warren about a conversation with President Scott as to whether the conversation didn't sink in as the Council President would've remembered the word "homicide."

129. At 17:18 during the interview Adam Chodak asks if Defendant Warren knew Chief Singletary downplayed the incident, then why come out and say he is the right man for the job? Defendant Warren states: *"Adam I am a black woman, and Chief Singletary is an African American man, both of us born and raised in this city, family members in this city, I did not want to fire a black man and knowing the struggles that we have and to really believe that we could get it right, that working together we could get this right, we could repair the police department. But when this report came out and I saw all the things along the way, all the times I could have been contacted, all the times that even his own people said, "tell the Mayor." And knowing what I knew and was told that this was a PCP overdose I just couldn't let it stand because it was clear deception along the way and information that could've been shared and should've been shared and was not shared, and I could only surmise that it was purposefully done that way."*

130. At 19:33 of the interview Defendant Warren states: "all of the things were done I can only surmise that it was done on purpose so that I would not know so it's not about what was said here it's about what wasn't said so that I could take decisive action as the Mayor of this City."

IV. CAUSES OF ACTION

A. Defamation

AS AND FOR THE FIRST CAUSE OF ACTION – DEFAMATION

131. Plaintiff realleges and incorporates by reference the Statement of Facts as if more fully set forth herein.

132. Defendants Lovely A. Warren, Mayor of the City of Rochester and other officials of the City of Rochester made false statements and made material omissions of fact purporting these statements and omissions to be facts about Plaintiff Singletary’s performance and discharge of his duties as Chief of the Rochester Police Department in the matter of the treatment of Daniel Prude in the custody of the Rochester Police Department, Daniel Prude’s subsequent death, the subsequent internal investigations conducted by the Rochester Police Department, the subsequent criminal investigation conducted by the New York State Attorney General’s Office and Plaintiff’s communications as Chief of the Rochester Police Department with Defendant Lovely A. Warren and other officials of the City of Rochester.

133. Defendant Lovely A. Warren and other officials of the City of Rochester had no privilege, absolute or conditional, attached to these false statements and material omissions of fact.

134. The false and defamatory statements and material omissions made by Defendant Lovely A. Warren as Mayor of the City of Rochester and other officials of the City of Rochester about Plaintiff Singletary’s performance and discharge of his duties as Chief of the Rochester Police Department have caused damage to Plaintiff’s reputation for honesty, integrity, and truthfulness.

135. Plaintiff suffered damages because of this defamation.

B. Constructive Termination

AS AND FOR THE SECOND CAUSE OF ACTION- CONSTRUCTIVE TERMINATION

136. Plaintiff repeats and realleges paragraphs 1- as if fully set forth herein.

137. Defendant, City of Rochester, was the employer for Plaintiff.

138. Defendant Warren and others working for the City of Rochester created a work-place environment against Plaintiff that was intolerable and against public Policy.

139. Defendant Warren and or her agents/employees acted deliberately in causing Plaintiff to resign and/or announce his retirement rather than be compelled to violate the law and/or public policy.

140. Defendants caused Plaintiff to be placed in a situation that was so intolerable that he had no choice but to resign/retire from his position as the Chief of the Rochester Police Department.

141. Defendants took negative employment actions by attempting to compel Plaintiff to lie.

142. Defendants took negative employment action by attempting to compel Plaintiff to violate public policy.

143. Plaintiff suffered damages because of this constructive termination.

C. Retaliatory Termination

AS AND FOR A THIRD CAUSE OF ACTION - RETALIATORY TERMINATION

144. The City of Rochester was the employer of Plaintiff.

145. On September 14,2020, Defendant Warren terminated Plaintiff prior his retirement.

146. This termination was in retaliation because Plaintiff would not comply with Defendant Warren’s and the City’s Agents to lie and/or violate public policy.

147. The termination was deliberate in nature.

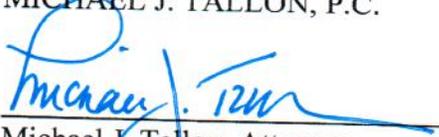
148. The termination caused Plaintiff to suffer damages, including, but not limited to, his loss of health care benefits.

IV. RELIEF REQUESTED

1. Wherefore, as and for the first cause of action, Defamation, Plaintiff demands damages in a yet to be determined amount but in no event less than \$300,000;
2. Wherefore, as and for the first cause of action, Defamation, Plaintiff demands punitive damages in a yet to be determined amount but in no event less than \$300,000;
3. Wherefore, as and for the second cause of action, Constructive Termination, Plaintiff demands damages in an amount to compensate Plaintiff for Defendants wrongful actions in an amount yet to be determined but in no event less than \$300,000;
4. Wherefore, as and for the third cause of action, Retaliatory Termination, Plaintiff demands damages in an amount to compensate Plaintiff for Defendants wrongful actions in an amount yet to be determined but in no event less than \$600,000; and
5. For such other and further relief as this Court may deem just and proper.

DATED: September 1, 2021
AT: Rochester, New York

MICHAEL J. TALLON, P.C.

By: 
Michael J. Tallon, Attorney
45 Exchange Blvd. – Suite500
Rochester, New York 14614

By: 
Jon P. Getz, Attorney
45 Exchange Blvd. – Suite500
Rochester, New York 14614

~~~~~  
Verified Complaint of La’Ron D. Singletary against City of Rochester  
and Lovely A. Warren, Mayor

~~~~~

VERIFICATION

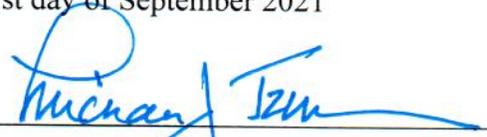
STATE OF NEW YORK)
COUNTY OF MONROE) ss:

La’Ron D. Singletary being duly sworn, says: I am the Plaintiff named in this Verified Complaint. I have read the foregoing Verified Complaint and know its contents; the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.



La’Ron D. Singletary

Sworn to before me this
1st day of September 2021



Notary Public

MICHAEL J. TALLON
Notary Public, State of New York
Monroe County #4712012
Commission Expires May 31, 2022