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Suit claims sexual discrimination by Lexington chief

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LEXINGTON, Ky.

A former Lexington police captain filed a lawsuit against the city yesterday, claiming that police Chief Larry Walsh sexually harassed her and discriminated against her until she took disability retirement.

Melinda J. Massarone, a member of the Lexington-Fayette County Division of Police for more than 15 years, claims Walsh promoted her to captain in 1997 only under threat of a sexual-discrimination suit and then transferred her to the communications department as punishment.

Walsh, in a statement released yesterday, said that the suit was "without merit" and that he promoted Massarone three times while he was chief. Walsh said Massarone's last assignment was "supervising a critically important unit within the division, and (she) was commanded by a female assistant chief."

In the suit filed in Fayette Circuit Court, Massarone alleges that Walsh referred to women officers seeking promotions as "bitch" or "whore" and accused others who complained about discriminatory practices of instigating a "coup."

Walsh, who has been police chief in Lexington since 1990, will step down next week to become the city's public safety commissioner. He is currently serving as police chief and acting public safety commissioner.

Walsh said his decision to step down as police chief had nothing to do with the suit, which asks the city and Walsh to pay unspecified compensatory and punitive damages.

Robert Abell, a Lexington lawyer representing Massarone, refused to discuss the case but said he will present witnesses to vouch for the claims made in the suit.

The suit said Walsh condoned and tolerated sexual discrimination, made statements ``that women are subordinate to and inferior to men" and treated women differently than male employees. The discrimination was ``intended to make the job of female employees more difficult to perform" because, according to Walsh, they ``were not `one of the boys,' " the suit said.

The suit claims Walsh promoted Massarone to captain only after she threatened to sue for gender discrimination, and then ``stated that he intended to render plaintiff's working conditions intolerable by assigning (her) to the division's communications department."

After a year and a half in communications, Massarone asked to be transferred but was denied. She took disability retirement in May 2000.

Abell would not say what made the assignment in communications intolerable or from what medical disability his client suffers. At the time of her promotion to captain, Massarone was the highest-ranking woman on the force who was not a political appointee, Abell said.

Walsh didn't respond to the individual allegations but defended his record on hiring and promoting women. ``It has been a priority of mine to hire the best applicants for the Division of Police, with emphasis placed on increasing our minority and female ranks," he wrote. ``Since I became chief in 1990, the number of female officers has increased from 28 to 48."

He said he has promoted 13 women officers during his tenure, three of them - Massarone included - multiple times.

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