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## City to pay fire captain \$350,000 to settle suit

Official admits Fire Department's treatment of woman was 'unacceptable'

**By Karen Eschbacher**

[karen.eschbacher@indystar.com](mailto:karen.eschbacher@indystar.com)

The city will pay a female fire captain \$350,000 to settle a lawsuit claiming she endured taunts and unfair discipline and was wrongly passed over for promotions in the male-dominated Fire Department, a city attorney said.

Capt. Ruth M. Morrison's lawsuit had been scheduled to go to trial in U.S. District Court in Indianapolis on Wednesday before the deal was reached.

"What happened to Captain Morrison was bad and unfortunate and an unacceptable situation, and she should not have been subjected to the behavior she was subjected to," said Kobi Wright, the city and county's lead attorney. "That behavior was not consistent with the city's policy of equal opportunity employment or the values it requires of its employees."

In addition to the cash settlement, Wright said disciplinary action will be taken against Indianapolis Fire Department employees involved in the discrimination. He would not say who would be punished or what the discipline would be.

The settlement also requires the city to conduct gender sensitivity training. Such training is already in place, but "it's fair to say that we're going to increase it," Wright said.

Of 989 Fire Department employees, 59 are female, according to Mike Reeves, president of the Indianapolis Metropolitan Professional Firefighters Local 416. Morrison joined the department in 1986 and was promoted to captain in 2003.

Morrison's attorney, Kathleen DeLaney, declined to discuss the settlement and said Morrison would not comment.

The Fire Department recently tried to have the case dismissed, but U.S. District Judge Sarah Evans Barker ruled in July that there was sufficient evidence for the lawsuit to go to trial.

Morrison's lawsuit named IFD Chief James Greeson as defendant because he is the highest-ranking member of the department. The suit contained detailed examples of alleged bias and retaliation, often at the hands of department brass, that appeared to escalate as Morrison unsuccessfully sought to advance to the position of battalion chief.

In one instance, after Chiefs John Walker, Richard Longerich and Richard Van Sant were disciplined as a result of Morrison's complaints of discrimination and retaliation, other firefighters organized a party to demonstrate support for Walker and Van Sant and raised about \$700 for each, according to Barker's ruling on the request for summary judgment.

"At the party, tee shirts were auctioned to raise money, including tee shirts saying 'Ladder 31,' a reference to Morrison's company," Barker wrote in her decision.

Van Sant, who attended the party in July 2005, testified in a deposition in the case that a firefighter lit a T-shirt on fire and said, "This is more fire than Ruth Morrison has ever seen."

Van Sant, who has since retired, declined comment when reached at home Wednesday.

In another incident in August 2004, Morrison took vacation to study for the mandatory test to be considered for a promotion. She returned to learn that a radio in her station had been reported missing.

She received a written reprimand because of the missing equipment, making her ineligible for promotion until December 2005, according to Barker's ruling on the request for summary judgment. The two lieutenants who reported the missing radio were not disciplined.

Greeson testified during his deposition in the case that he thought Morrison had been treated differently than male firefighters, according to Barker's ruling. In March 2005, Greeson ordered that the written reprimand be removed from her file, but as of February 2007, the letter remained in her records.

In other cases, Morrison alleged she was called vulgar names by higher-ups and threatened for complaining, according to court records.

"Morrison's allegations of retaliation, mistreatment by her superiors, and harassment through trumped-up or inequitable disciplinary charges amount to more than 'isolated incidents,' teasing, or offhand comments, as Greeson characterizes them; in some cases, even IFD officials have directly admitted that the conduct alleged not only occurred, but was inappropriate, retaliatory, and threatening," Barker wrote when refusing to dismiss the case.

Capt. Gregg Harris, a Fire Department spokesman, directed all questions, including requests to speak with Greeson, to the city's legal department.

This is not the first discrimination suit settled by the Indianapolis Fire Department.

The highest-ranking woman in the department, and its first female captain, Nancy

Rasmussen, filed a federal lawsuit in 1994 claiming she was denied a promotion because of her race and gender and in retaliation for an earlier sexual harassment complaint. The lawsuit was settled, but terms were not disclosed. Rasmussen was promoted as the first female battalion chief in 1999 and, in 2000, the first female deputy chief.

She retired in 2003. She declined comment Wednesday.

Reeves said he would be "naive" to think discrimination didn't occur in the department, though he couldn't say how common it is.

"It's not acceptable, and we need to continue to educate," he said. "If it happens, you've got to stand and face the consequences, which is what I think this lawsuit has said."

Maureen McFadden, a board member with the Wisconsin-based Women in the Fire Service, said large judgments or settlements in court cases can prompt taxpayers to demand a change in climate in fire departments. But she said the best way to truly eliminate discrimination in a department is with a clear message from the top.

"Any infraction of the rules must be handled completely and swiftly and on the spot," she said. "These heads of departments need to take disciplinary action against these guys that (hits) them in rank and hits them in paycheck. Where that happens there is a change in culture."

**Call Star reporter Karen Eschbacher at (317) 444-6405.**