

10 minority firemen sue Paterson

Cite lack of promotions and hostile atmosphere

By **ASHANTI M. ALVAREZ**
STAFF WRITER

PATERSON — Ten minority firefighters are suing the city, claiming its Fire Department is a hostile, racist work environment that gives preferential treatment to whites who sometimes don't even meet residency requirements.

The allegations range from minorities being routinely passed over for promotions and not receiving proper exam training to firefighters putting pictures of the character Buckwheat from "The Little Rascals" and Confederate flags in their lockers. The lawsuit also alleges that several firefighters routinely used the words "nigger," "spic," and "beaner."

The 51-page lawsuit was filed by Firefighters Andrew Selby, Hector Almeyda, Victor Frierson, Victor Stewart, Wayne Walden, William Pierce, Alton Dickson, Lynn Tolbert, Tyrone Johnson, and Capt. Larry Franklin.

Lawyer Mark Frost of Marlton filed the lawsuit last Wednesday in U.S. District Court in Camden. It was then transferred to the federal court in Newark. The suit names the city of Paterson and the Fire Department as defendants, along with Fire Chief James Pasquariello, Deputy Chiefs Norman Morley, James Tasca, and James Tice; Capts Mark and Chris Riccardi; and Firefighters Lee Mondelli and Frank Crampton Jr.

The lawsuit alleges a sequence of racially motivated confrontations between white and minority firefighters from 1999 to early this year and claims ranking officers turn a deaf ear to complaints. The department is all-male, and the men work in a fraternal, home-like atmosphere where they sleep and cook meals together, often while working 24-hour shifts.

The claimed confrontations include:

- The Fire Department denying the use of apparatus in the 2000 Juneteenth parade, celebrating the anniversary of blacks' freedom from slavery, even though trucks are routinely used in other parades.

- The use of racial slurs during meetings regarding union elections.

- A white firefighter saying he celebrates the day Martin Luther King Jr. was shot instead of the civil rights leader's birthday; another wearing T-shirts depicting lynchings and reading, "100% cotton, picked by your granddaddy."

- A white firefighter who brought a loaded gun to the firehouse against the rules and, when someone told higher-ups, blamed a Hispanic firefighter.

- A black firefighter forced by a superior to clean up trash outside a fire scene even though other, white firefighters volunteered.

The firefighters say that because they have filed complaints with the department, they have had to endure retaliation in the form of racial insults and being disregarded for special assignments and training.

The chief did not return calls to his office.

The issue of racial divisions in the department has flared before. In 1980, the city voluntarily agreed to enter into a consent decree to ensure that minority firefighters are hired and promoted within the department. The decree established a minority staffing goal of 50 percent. But out of 254 firefighters, 32 are Hispanic and 17 are black, giving minorities only 20 percent of the total positions. According to the 2000 Census, blacks and Hispanics made up 84 percent of the city's population.

Mayor Marty Barnes "would dearly love to have a police and fire department that looked like the city," said mayoral spokesman Bob Grant. "There's a number of different factors which have to do with why minorities don't apply."

Grant said that the city is bound to the civil service system, which requires that applicants take exams to be hired and promoted within the department. He said minorities in the past have complained that the tests are biased.

The city has outreach programs, Grant said, in which police and firefighters visit schools and discuss their jobs.

"I don't know what the answer is," Grant said. "We encourage young minorities and women to take the test."

Applicants are also required to live in the city during their first year with the department. Frost said that rule is routinely broken. Grant acknowledged that while the city catches some cheaters, many buck the system.

Frost said he is seeking compensatory and punitive damages, in addition to reform within the department.

"We're demanding that hirings and promotions within the department not be based on race and that [the city gives] an equal opportunity to minorities," he said. "The current system favors Caucasian firefighters."

In February this year, Selby and five other non-white firefighters complained to Public Safety Director Ernest Hutchinson, alleging rampant racial discrimination and disparate treatment.

Hutchinson, who could not be reached for comment Tuesday and was not named in the lawsuit, forwarded the complaint to the Police Department's Internal Affairs division.

Ashanti M. Alvarez's e-mail address is alvarez@northjersey.com