

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

83 Civ. 2737  
(FXA)

SUFFOLK COUNTY, a municipal corporation organized pursuant to the laws of the State of New York; SUFFOLK COUNTY POLICE DEPARTMENT; DONALD J. DILWORTH, Commissioner, Suffolk County Police Department; SUFFOLK COUNTY CIVIL SERVICE COMMISSION; SUFFOLK COUNTY PATROLMAN'S BENEVOLENT ASSOCIATION, INC.; and SUFFOLK COUNTY SUPERIOR OFFICERS ASSOCIATION, INC.

SUFFOLK COUNTY DEFENDANTS'  
FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS AND THINGS

Defendants.

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Pursuant to Rule 34 of the Federal Rules of Civil Procedure, the defendants SUFFOLK COUNTY, SUFFOLK COUNTY POLICE DEPARTMENT, DONALD J. DILWORTH, Commissioner of the Suffolk County Police Department and the SUFFOLK COUNTY CIVIL SERVICE COMMISSION request plaintiff UNITED STATES OF AMERICA to produce each of the documents and things that it identifies or refers to in its answers to the First Set of Interrogatories to Plaintiff, at the offices of defendants' attorneys Orenstein Snitow & Pauley, P.C., 750 Third Avenue, 26th Floor, New York, New York 10017, on September 6, 1983, at 10 a.m. in the forenoon, for

inspection and other purposes.

PLEASE TAKE FURTHER NOTICE that the requested documents shall be produced as they are kept in the usual course of business, and plaintiff shall organize and label them to correspond with its identification or reference to those documents in its answers to the First Set of Interrogatories.

PLEASE TAKE FURTHER NOTICE that the definition of a document as set forth in the Suffolk County Defendants' First Set of Interrogatories to Plaintiff is incorporated by reference in this Request for Production of Documents and Things.

Dated: New York, New York  
August 3, 1983

Yours, etc.,

JAMES M. CATTERSON, JR.  
Special Counsel to Suffolk County  
314 Main Street  
Port Jefferson, New York 11777  
(516) 473-1122

ORENSTEIN SNITOW & PAULEY, P.C.  
Special Counsel to Suffolk County

By: William H. Pauley III  
A Member of the Firm  
750 Third Avenue  
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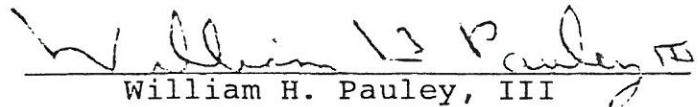
CERTIFICATE OF SERVICE

WILLIAM H. PAULEY, III, hereby certifies that he caused a copy of the within Suffolk County defendants' First Request for Production of Documents and Things to plaintiff to be personally served on August 3, 1983 on the following counsel of record:

BERYL JONES, Esq.  
Assistant United States Attorney  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza  
Brooklyn, New York 11201

and by Federal Express on August 3, 1983 on the following counsel of record:

JOHN M. GADZICHOWSKI, Esq.  
Senior Trial Attorney  
U.S. Department of Justice  
Civil Rights Division  
Washington, D.C. 20530

  
William H. Pauley, III

Dated: New York, New York  
August 3, 1983

83 Civ. 2737 (FXA)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

SUFFOLK COUNTY, a municipal corporation organized pursuant to the laws of the State of New York; SUFFOLK COUNTY POLICE DEPARTMENT, et al.,

Defendants.

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SUFFOLK COUNTY DEFENDANTS'  
FIRST REQUEST FOR PRODUCTION  
OF DOCUMENTS AND THINGS

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JAMES M. CATTERSON, JR., ESQ.  
Special Counsel  
314 Main Street  
Port Jefferson, New York 11777  
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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x

UNITED STATES OF AMERICA,  
  
Plaintiff,

83 Civ. 2737  
(FXA)

v.

SUFFOLK COUNTY DEFENDANTS'  
FIRST SET OF INTERROGATORIES  
TO PLAINTIFF

SUFFOLK COUNTY, a municipal corporation organized pursuant to the laws of the State of New York; SUFFOLK COUNTY POLICE DEPARTMENT; DONALD J. DILWORTH, Commissioner, Suffolk County Police Department; SUFFOLK COUNTY CIVIL SERVICE COMMISSION; SUFFOLK COUNTY PATROLMAN'S BENEVOLENT ASSOCIATION, INC.; and SUFFOLK COUNTY SUPERIOR OFFICERS ASSOCIATION, INC.

Defendants.

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Pursuant to Rule 33 of the Federal Rules of Civil Procedure, the defendants SUFFOLK COUNTY, SUFFOLK COUNTY POLICE DEPARTMENT, DONALD J. DILWORTH, Commissioner of the Suffolk County Police Department and the SUFFOLK COUNTY CIVIL SERVICE COMMISSION request plaintiff UNITED STATES OF AMERICA to answer each of the following interrogatories within thirty (30) days after the date of service.

These interrogatories shall be deemed to be continuing and any information secured by the UNITED STATES OF AMERICA subsequent to the filing of its answers hereto which would have been

included in the answers had such information or documents been known should be supplied by supplemental answer.

DEFINITIONS AND INSTRUCTIONS

(a) The term "Document" means any paper or writing of any kind, including but not limited to letters, telegrams, memoranda, reports, studies, calendars or diaries, minutes, pamphlets, notes, charts, tabulations, press releases, affidavits, photographs, accounting entries, accountants' work papers, receipts, vouchers, agreements, financial statements, records of meetings, conferences and telephone or other communications and each draft and each non-identical copy thereof. Any copy containing thereon or attached thereto any alterations, notes, comments or other material not included in the original or copies referred to in the preceding sentence shall be deemed a Separate Document within the foregoing definition. The term "Document" also includes every other means by which information is recorded or transmitted including but not limited to tape recordings, microfilms, punch cards, and recordings used in data processing together with the written information necessary to understand and use such films or recordings.

(b) The term "Plaintiff" means the UNITED STATES OF AMERICA, the Department of Justice, the United States Attorney for the Eastern District of New York and any agents or officers of those entities.

(c) The term "Conversation" means the act or fact of communicating including telephone conversations, letters, memoranda, or other written communication, meetings or any occasion of joint or mutual presence as well as the transfer of any document from one person to another.

(d) The term "You" or "Your" means the UNITED STATES OF AMERICA, the Department of Justice, the United States Attorney for the Eastern District of New York and any agents or officers of those entities.

(e) The term "Identify" when used with respect to an individual, means to state his or her full name and present or last known position and business affiliation and each business address, business position and business affiliation during the relevant time period.

(f) The term "Identify" when used with respect to a document, means to state its date, the type of document (i.e., letter, memorandum, telex), the author and addressee, the present location and custodian. If any such document was, but is no longer, in your possession or subject to your custody or control, state what disposition was made of it.

(g) Whenever a document dated outside of the time period described herein relates to or refers to events within the described time period then you should identify that document in your answer.

(h) The singular includes the plural and the plural includes the singular.

(i) The masculine includes the feminine.

(j) The period of time to which these interrogatories are directed is from March 24, 1972 through the present unless otherwise specified.

(k) In answering these interrogatories, although the questions may be directed to "you", furnish all information which is available to you, including information in the possession of your attorneys or investigators for you or your attorneys, and not merely such information known of your own knowledge. If you cannot answer any interrogatory in full after exercising due diligence to secure the information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portions.

(l) To the extent that you consider any of the following interrogatories objectionable, answer so much of each interrogatory and each part thereof as is not objectionable, in your view, and separately state that part of each interrogatory as to which you raise objection and each ground for each such objection.

(m) Whenever in answer to these interrogatories, you refer to a conversation or oral statement, state the date and place thereof, identify the persons speaking and all persons



present, state the substance of the conversation or oral statement and indicate whether the conversation was by telephone or other electronic means or face-to-face.

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INTERROGATORIES

1. Set forth with specificity each and every basis for plaintiff's contention that defendant SUFFOLK COUNTY received revenue sharing funds from the United States Treasury and has funded the activities of the SUFFOLK COUNTY POLICE DEPARTMENT ("SCPD") in part with such funds as alleged in paragraph "12" of the Complaint.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that the defendant SUFFOLK COUNTY has funded the activities of the SCPD in part with revenue sharing funds.

(b) Identify each agency or subdivision of the United States of America that funded SUFFOLK COUNTY with revenue sharing funds and furnish the precise amounts for each or that were supplied by each of the agencies you define.

(c) Set forth the dates when defendant SUFFOLK COUNTY received Federal revenue sharing funds and the amounts of Federal funds that were received on each date.

(d) Set forth the dates when SUFFOLK COUNTY funded the activities of the SCPD with Federal revenue sharing funds and the amount of funds that were transferred to the SCPD on each date.

(e) Set forth with specificity each and every activity of the SCPD that was funded in part of revenue sharing funds.

2. Set forth with specificity each and every basis for plaintiff's contention that defendant SUFFOLK COUNTY has received funds pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and has funded the activities of the SCPD in part with such funds as alleged in paragraph "13" of the Complaint.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that the defendant SUFFOLK COUNTY has funded the activities of the SCPD in part with funds received pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

(b) Identify each agency or subdivision of the United States of America that funded SUFFOLK COUNTY with funds pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

(c) Set forth the dates when defendant SUFFOLK COUNTY received those Federal funds and the amounts of Federal funds that were received on each date.

(d) Set forth the dates when SUFFOLK COUNTY funded the activities of the SCPD with Federal funds as alleged in paragraph "13" of the Complaint and the amount of funds that were transferred to SCPD on each date.

(e) Set forth with specificity each and every activity of the SCPD that was funded in part with Federal funds received pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

3. Define precisely what is meant by the term "blacks" in paragraph "15" of the Complaint.

(a) What is the derivation of the definition that you have supplied in answer to Interrogatory No. 3, supra.

(b) Is that definition found in statute, rule, regulation or case law.

(c) Identify each statute, rule, regulation or case citation where Your definition of blacks is explained.

4. Define precisely what is meant by the term "Hispanics" in paragraph "15" of the Complaint.

(a) What is the derivation of the definition that you have supplied in answer to Interrogatory No. 4, supra.

(b) Is that definition found in statute, rule, regulation or case law.

(c) Identify each statute, rule, regulation or case citation where Your definition of Hispanics is explained.

5. Set forth with specificity each and every basis for plaintiff's contention that "SUFFOLK COUNTY and its officials have pursued and continue to pursue policies and practices that discriminate against women, blacks and Hispanics" as alleged in paragraph "15" of the Complaint.

(a) Set forth with specificity each and every act that was taken by SUFFOLK COUNTY and its officials to pursue policies and practices that discriminate against women, blacks and Hispanics.

(b) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY and its officials acted to pursue policies and practices that discriminate against women, blacks and Hispanics.

(c) Set forth with specificity each and every act that SUFFOLK COUNTY and its officials are taking to continue to pursue policies and practices that discriminate against women, blacks and Hispanics.

(d) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY and its officials are acting to continue to pursue policies and practices that discriminate against women, blacks and Hispanics.

(e) Identify each official of SUFFOLK COUNTY who plaintiff contends has acted or continues to act to pursue policies and practices that discriminate against women, blacks and Hispanics.

6. Define precisely what is meant by the term "white Anglo males" in paragraph "15" of the Complaint.

(a) What is the derivation of the definition that you have supplied in answer to Interrogatory No. 6, supra.

(b) Is that definition found in statute, rule, regulation or case law.

(c) Identify each statute, rule, regulation or case citation where Your definition of white Anglo males is explained.

(d) Does this term exclude white males who do not have an Anglo origin.

(e) Is this term intended to identify a subset of white males.

7. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY and its officials have failed or refused to recruit women, blacks and Hispanics on an equal basis with white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support their contention that SUFFOLK COUNTY and its officials failed or refused to recruit women, blacks and Hispanics on an equal basis with white Anglo males.

(b) Identify any female, black or Hispanic whom SUFFOLK COUNTY and its officials failed or refused to recruit.

(c) Set forth with specificity how SUFFOLK COUNTY and its officials failed or refused to recruit women, blacks and Hispanics on an equal basis with white Anglo males.

(d) State with specificity what acts SUFFOLK COUNTY and its officials took to refuse to recruit women, blacks and Hispanics on an equal basis with white Anglo males.

8. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY and its officials have failed or refused to hire women, blacks and Hispanics on an equal basis with white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY and its officials failed or refused to hire women, blacks and Hispanics on an equal basis with white Anglo males.

(b) Identify any female, black or Hispanic whom SUFFOLK COUNTY and its officials failed or refused to hire.

(c) Set forth with specificity how SUFFOLK COUNTY and its officials failed or refused to hire women, blacks and Hispanics on an equal basis with white Anglo males.

(d) State with specificity what acts SUFFOLK COUNTY and its officials took to refuse to hire women, blacks and Hispanics on an equal basis with white Anglo males.

9. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY and its officials have failed or refused to assign women, blacks and Hispanics on an equal basis with white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY and its officials failed or refused to assign women, blacks and Hispanics on an equal basis with white Anglo males.

(b) Identify any female, black or Hispanic whom SUFFOLK COUNTY and its officials failed or refused to assign on an equal basis with white Anglo males.

(c) Identify each assignment that was refused to females, blacks or Hispanics on the grounds of race, sex or national origin.

(d) Identify each white Anglo male who has received an assignment over a woman, black or Hispanic and identify the assignment.

(e) Identify those officials of SUFFOLK COUNTY who failed or refused to assign women, blacks and Hispanics on an equal basis with white Anglo males.

(f) Set forth with specificity what acts SUFFOLK COUNTY and its officials took to refuse to assign women, blacks and Hispanics on an equal basis with white Anglo males.

10. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY and its officials have failed or refused to promote women, blacks and Hispanics on an equal basis with white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY and its officials failed or refused to promote women, blacks and Hispanics on an equal basis with white Anglo males.

(b) Identify each female, black or Hispanic whom SUFFOLK COUNTY and its officials failed or refused to promote on an equal basis with white Anglo males.

(c) Identify each SUFFOLK COUNTY official who failed or refused to promote women, blacks or Hispanics on an equal basis with white Anglo males.



(d) Set forth with specificity what acts SUFFOLK COUNTY and its officials took to refuse to promote women, blacks and Hispanics on an equal basis with white Anglo males. .

(e) Identify each position to which SUFFOLK COUNTY and its officials have failed or refused to promote women, blacks or Hispanics on an equal basis with white Anglo males.

(f) Identify each white Anglo male who was promoted over a woman, black or Hispanic in the SCPD.

11. Define precisely what is meant by the term "disproportionately adverse impact" in paragraph "15" of the Complaint.

(a) What is the derivation of the definition that you have supplied in answer to Interrogatory No. 11, supra.

(b) Is that definition found in statute, rule, regulation or case law.

(c) Identify each statute, rule, regulation or case citation where Your definition of "disproportionately adverse impact" is explained.

12. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY utilized qualifications for hiring for positions in the SCPD that have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY utilizes qualifications for hiring for positions in the SCPD that

have a disproportionately adverse impact on women, blacks and Hispanics.

(b) Identify each qualification for hiring that plaintiff contends has a disproportionately adverse impact on women and supply any empirical data in your possession to support that contention.

(c) Identify each qualification for hiring that plaintiff contends has a disproportionately adverse impact on blacks and supply any empirical data in your possession to support that contention.

(d) Identify each qualification for hiring that plaintiff contends has a disproportionately adverse impact on Hispanics and supply any empirical data in your possession to support that contention.

(e) Identify each analysis, report or study that concludes that any of the qualifications described in answer to Interrogatory Nos. 11(b), 11(c) or 11(d), supra, have a disproportionately adverse impact on women, blacks and Hispanics.

(f) Identify each analysis, report or study that concludes that any of the qualifications described in answer to Interrogatory Nos. 11(b), 11(c) or 11(d), supra, do not have a disproportionately adverse impact on women, blacks and Hispanics.

13. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY utilized tests for hiring for positions in the SCPD that have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY utilizes tests for hiring for positions in the SCPD that have a disproportionately adverse impact on women, blacks and Hispanics.

(b) Identify each test for hiring for positions in the SCPD that plaintiff contends have a disproportionately adverse impact on women.

(c) Identify each test for hiring for positions in the SCPD that plaintiff contends have a disproportionately adverse impact on blacks.

(d) Identify each test for hiring for positions in the SCPD that plaintiff contends have a disproportionately adverse impact on Hispanics.

(d) State with specificity how each test identified in Interrogatory Nos. 13(b), 13(c) or 13(d), supra, has a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(f) Identify each analysis, report or study that concludes that any of the tests identified in answer to Interrogatory Nos. 13(b), 13(c) or 13(d), supra, have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(g) Identify each analysis, report or study that concludes that any of the tests identified in answer to Interrogatory

Nos. 13(b), 13(c) or 13(d), supra, do not have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

14. Set forth with specificity any "other selection standards" that SUFFOLK COUNTY uses in hiring for positions in SCPD which plaintiff contends have a disproportionately adverse impact on women as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that any "other selection standards" utilized by SUFFOLK COUNTY have a disproportionately adverse impact on women as compared to white Anglo males.

(b) State with specificity how each "other selection standard[s]" identified in answer to Interrogatory No. 14, supra, has a disproportionately adverse impact on women as compared to white Anglo males.

(c) Identify each analysis, report or study that concludes that any of the selection standards identified in answer to Interrogatory No. 14, supra, have a disproportionately adverse impact on women as compared to white Anglo males.

(d) Identify each report, analysis or study that concludes that any of the selection standards identified in answer to Interrogatory No. 14, supra, do not have a disproportionately adverse impact on women as compared to white Anglo males.

(e) Identify each municipality or police department that has demonstrated that any of the selection standards described in

answer to Interrogatory No. 14, supra have been shown to be required by business necessity.

(f) Identify each municipality or police department that has validated any of the selection standards described in answer to Interrogatory No. 14, supra, as being predictive of successful job performance.

15. Set forth with specificity any "other selection standards" that SUFFOLK COUNTY uses in hiring for positions in SCPD which plaintiff contends have a disproportionately adverse impact on blacks as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that any "other selection standards" utilized by SUFFOLK COUNTY have a disproportionately adverse impact on blacks as compared to white Anglo males.

(b) State with specificity how each "other selection standard[s]" identified in answer to Interrogatory No. 15, supra, has a disproportionately adverse impact on blacks as compared to white Anglo males.

(c) Identify each analysis, report or study that concludes that any of the selection standards identified in answer to Interrogatory No. 15, supra, have a disproportionately adverse impact on blacks as compared to white Anglo males.

(d) Identify each report, analysis or study that concludes that any of the selection standards identified in answer to Interrogatory No. 15, supra, do not have a disproportionately ad-

verse impact on blacks as compared to white Anglo males.

(e) Identify each municipality or police department that has demonstrated that any of the selection standards described in answer to Interrogatory No. 15, supra, have been shown to be required by business necessity.

(f) Identify each municipality or police department that has validated any of the selection standards described in answer to Interrogatory No. 15, supra, as being predictive of successful job performance.

16. Set forth with specificity any "other selection standards" that SUFFOLK COUNTY uses in hiring for positions in SCPD which plaintiff contends have a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that any "other selection standards" utilized by SUFFOLK COUNTY have a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(b) State with specificity how each "other selection standard[s]" identified in answer to Interrogatory No. 16, supra, has a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(c) Identify each analysis, report or study that concludes that any of the selection standards identified in answer to Interrogatory No. 16, supra, have a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(d) Identify each report, analysis or study that concludes that any of the selection standards identified in answer to Interrogatory No. 16, supra, do not have a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(e) Identify each municipality or police department that has demonstrated that any of the selection standards described in answer to Interrogatory No. 16, supra, have been shown to be required by business necessity.

(f) Identify each municipality or police department that has validated any of the selection standards described in answer to Interrogatory No. 16, supra, as being predictive of successful job performance.

17. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY utilized qualifications for promotion for positions in the SCPD that have a disproportionately adverse impact on women as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY utilizes qualifications for promotion for positions in the SCPD that have a disproportionately adverse impact on women.

(b) Identify each qualification for promotion for positions in the SCPD that plaintiff contends have a disproportionately adverse impact on women.

(c) State with specificity how each qualification for promotion identified in answer to Interrogatory No. 17(b), supra,

has a disproportionately adverse impact on women.

(d) Identify each report, analysis or study that concludes that any of the qualifications for promotion described in answer to Interrogatory No. 17(b), supra, have a disproportionately adverse impact on women.

(e) Identify each report, analysis or study that concludes that any of the qualifications for promotion described in answer to Interrogatory No. 17(b), supra, do not have a disproportionately adverse impact on women as compared to white Anglo males.

(f) Identify each police department or municipality that has demonstrated that any of the qualifications for promotion described in answer to Interrogatory No. 17(b), supra, have been shown to be required by business necessity.

(g) Identify each police department or municipality that has validated any of the qualifications for promotion described in answer to Interrogatory No. 17(b), supra, as being predictive of successful job performance.

18. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY utilized qualifications for promotion for positions in the SCPD that have a disproportionately adverse impact on blacks as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY utilizes qualifications for promotion for positions in the SCPD that have a disproportionately adverse impact on blacks.



(b) Identify each qualification for promotion for positions in the SCPD that plaintiff contends have a disproportionately adverse impact on blacks.

(c) State with specificity how each qualification for promotion identified in answer to Interrogatory No. 18(b), supra, has a disproportionately adverse impact on blacks.

(d) Identify each report, analysis or study that concludes that any of the qualifications for promotion described in answer to Interrogatory No. 18(b), supra, have a disproportionately adverse impact on blacks.

(e) Identify each report, analysis or study that concludes that any of the qualifications for promotion described in answer to Interrogatory No. 18(b), supra, do not have a disproportionately adverse impact on blacks as compared to white Anglo males.

(f) Identify each police department or municipality that has demonstrated that any of the qualifications for promotion described in answer to Interrogatory No. 18(b), supra, have been shown to be required by business necessity.

(g) Identify each police department or municipality that has validated any of the qualifications for promotion described in answer to Interrogatory No. 18(b), supra, as being predictive of successful job performance.

19. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY utilized qualifications

for promotion for positions in the SCPD that have a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY utilizes qualifications for promotion for positions in the SCPD that have a disproportionately adverse impact on Hispanics.

(b) Identify each qualification for promotion for positions in the SCPD that plaintiff contends have a disproportionately adverse impact on Hispanics.

(c) State with specificity how each qualification for promotion identified in answer to Interrogatory No. 19(b), supra, has a disproportionately adverse impact on Hispanics.

(d) Identify each report, analysis or study that concludes that any of the qualifications for promotion described in answer to Interrogatory No. 19(b), supra, have a disproportionately adverse impact on Hispanics.

(e) Identify each report, analysis or study that concludes that any of the qualifications for promotion described in answer to Interrogatory No. 19(b), supra, do not have a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(f) Identify each police department or municipality that has demonstrated that any of the qualifications for promotion described in answer to Interrogatory No. 19(b), supra, have been shown to be required by business necessity.

(g) Identify each police department or municipality that has validated any of the qualifications for promotion described in answer to Interrogatory No. 19(b), supra, as being predictive of successful job performance.

20. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY utilized tests for promotion to positions in the SCPD that have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY utilizes tests for promotion to positions in the SCPD that have a disproportionately adverse impact on women, blacks and Hispanics.

(b) Identify each test for promotion to positions in the SCPD that plaintiff contends have a disproportionately adverse impact on women.

(c) Identify each test for promotion to positions in the SCPD that plaintiff contends have a disproportionately adverse impact on blacks.

(d) Identify each test for promotion to positions in the SCPD that plaintiff contends have a disproportionately adverse impact on Hispanics.

(e) State with specificity how each test for promotion identified in answer to Interrogatory No. 20(b), 20(c) and 20(d), supra, has a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(f) Identify each report, analysis or study that concludes that any of the tests identified in answer to Interrogatory No. 20(b), 20(c) and 20(d), supra, have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(g) Identify each report, analysis or study that concludes that any of the tests identified in answer to Interrogatory No. 20(b), 20(c) and 20(d), supra, do not have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo Males.

(h) Identify each municipality or police department that has demonstrated that on any of the tests identified in answer to Interrogatory No. 20(b), 20(c) and 20(d), supra, have been shown to be required by business necessity.

(i) Identify each municipality or police department that has validated any of the tests for promotion described in answer to Interrogatory No. 20(b), 20(c) and 20(d), supra, as being predictive of successful job performance

21. Set forth with specificity any "other selection standards" that SUFFOLK COUNTY uses in making promotions to positions in SCPD which plaintiff contends have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that any selection

standard utilized by SUFFOLK COUNTY has a disproportionately adverse impact on women, blacks and Hispanics.

(b) State with specificity how each selection standard identified in answer to Interrogatory No. 21, supra, has a disproportionately adverse impact on women as compared to white Anglo males.

(c) State with specificity how each selection standard identified in answer to Interrogatory No. 21, supra, has a disproportionately adverse impact on blacks as compared to white Anglo males.

(d) State with specificity how each selection standard identified in answer to Interrogatory No. 21, supra, has a disproportionately adverse impact on Hispanics as compared to white Anglo males.

(e) Identify each report, analysis or study that concludes that any of the selection standards identified in answer to Interrogatory No. 21(b), 21(c) and 21(d), supra, have a disproportionately adverse impact on women, blacks and Hispanics as compared with white Anglo males.

(f) Identify each report, analysis or study that concludes that any of the selection standards identified in answer to Interrogatory No. 21(b), 21(c) and 21(d), supra, do not have a disproportionately adverse impact on women, blacks and Hispanics as compared to white Anglo males.

(g) Identify each municipality or police department that has demonstrated that any of the selection standards described in answer to Interrogatory No. 21(b), 21(c) and (d), supra, have been shown to be required by business necessity.

(h) Identify each municipality or police department that has validated any of the selection standards described in answer to Interrogatory No. 21(b), 21(c) and 21(d), supra, as being predictive of successful job performance.

(i) Identify each and every document that concludes either that any of the selection standards described in answer to Interrogatory No. 21(b), 21(c) and 21(d), supra, are required by business necessity or have been validated as being predictive of successful job performance.

22. Define precisely what You mean by the term "sufficiently objective to prevent continuing discrimination" in paragraph "15" of the Complaint.

(a) Is the term "sufficiently objective to prevent continuing discrimination" found in statute, rule, regulation or case law.

(b) What is the derivation of the term "sufficiently objective to prevent continuing discrimination".

(c) Identify each statute, rule, regulation or case citation where the term "sufficiently objective to prevent continuing discrimination" is explained.

23. Set forth with specificity each and every basis for plaintiff's contention that SUFFOLK COUNTY has failed or refused to

establish valid qualifications and other selection standards that are sufficiently objective to prevent continuing discrimination in hiring and promotion.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY has failed or refused to establish valid qualifications or other selection standards sufficiently objective to prevent continuing discrimination in hiring and promotion.

(b) Identify each person who has failed or refused to establish valid qualifications or other selection standards sufficiently objective to prevent continuing discrimination in hiring and promotion.

24. What qualifications and selection standards does plaintiff contend are sufficiently objective to prevent continuing discrimination in the SCPD.

(a) Identify those municipalities or police departments where the qualifications or selection standards identified in answer to Interrogatory No. 24, supra, are used to hire and promote police officers.

(b) Identify those qualifications and selection standards that have been validated for the hiring or promotion of police officers in municipal police departments serving suburban and metropolitan areas and having in excess of 1,000 sworn officers.

(c) What is the basis for your contention that the qualifications and selection standards identified in answer to Interrogatory No. 24, supra, are sufficiently objective to prevent continuing discrimination in the SCPD.

(d) Identify each document which plaintiff relies upon

in whole or in part to support its contention that the qualifications and selection standards identified in answer to Interrogatory No. 24, supra, are sufficiently objective to prevent continuing discrimination in the SCPD.

25. Define precisely what You mean by the term "appropriate action to correct the present effects of past discriminatory policies and practices" in paragraph "15" of the Complaint.

(a) Is the term "appropriate action to correct the present effects of past discriminatory policies and practices" found in statute, rule, regulation or case law.

(b) What is the derivation of the term "appropriate action to correct the present effects of past discriminatory policies and practices".

(c) Identify each statute, rule, regulation or case citation where the term "appropriate action to correct the present effects of past discriminatory policies and practices" is explained.

26. What action does plaintiff contend would be appropriate to correct the present effects of past discriminatory policies and practices in the SCPD.

(a) Identify those municipalities or police departments where such actions as described in answer to Interrogatory No. 26 have been taken.

(b) What is the basis for your contention that the actions described in answer to Interrogatory No. 26, supra, are appropriate.

(c) What is the basis for your contention that the action identified in answer to Interrogatory No. 26, supra, would be appropriate to correct the present effects of past discrimination.



(d) Identify each document which plaintiff relies upon in whole or in part to support its contention that the actions described in answer to Interrogatory No. 26, supra, are appropriate.

27. Define precisely what You mean by the term "pattern or practice of resistance to the rights of women, blacks and Hispanics" in paragraph "16" of the Complaint.

(a) Is the term "pattern or practice of resistance to the rights of women, blacks and Hispanics" found in statute, rule, regulation or case law.

(b) What is the derivation of the term "pattern or practice of resistance to the rights of women, blacks and Hispanics".

(c) Identify each statute, rule, regulation or case citation where the term "pattern or practice of resistance to the rights of women, blacks and Hispanics" is explained.

28. Set forth with specificity each and every basis for plaintiff's contention that the acts and practices of defendant SUFFOLK COUNTY constitute a pattern or practice of resistance to the rights of women, blacks and Hispanics to equal employment opportunities in the SCPD.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that acts and practices of SUFFOLK COUNTY constitute a pattern or practice or resistance to the rights of women, blacks and Hispanics to equal employment opportunities in the SCPD.

(b) Identify each act by SUFFOLK COUNTY or its officials that plaintiff contends constituted a part of the pattern or practice of resistance to the rights of women, blacks and Hispanics in the SCPD.

(c) Identify each practice by SUFFOLK COUNTY or its officials that plaintiff contends constituted a part of the pattern or practice of resistance to the rights of women, blacks and Hispanics in the SCPD.

29. Set forth with specificity each and every basis for plaintiff's contention in paragraph "16" of the Complaint that the acts and practices of SUFFOLK COUNTY are "intended" to deny the full exercise of rights secured under the statutes enumerated therein.

(a) Identify each document which plaintiff relies upon in whole or in part to support its contention that SUFFOLK COUNTY "intended" to deny the full exercise of rights secured by the statutes enumerated therein.

(b) Identify each official of SUFFOLK COUNTY whom plaintiff contends "intended" to deny the full exercise of rights secured by the statutes enumerated therein.

30. What is the source for the statistical data for women, blacks and Hispanics that is set forth in paragraph "14" of the Complaint.

(a) If you claim that this information was supplied by SUFFOLK COUNTY, then identify the document and/or the person that was the source of such information.

(b) If you contend that plaintiff obtained this information from a source other than SUFFOLK COUNTY, then identify the document and/or the person that was the source of such information.

31. Set forth with specificity each and every basis for plaintiff's contention in paragraph "9" of the Complaint that the defendant SUFFOLK COUNTY PATROLMAN'S BENEVOLENT ASSOCIATION, INC. is an industry affecting commerce.

32. Set forth with specificity each and every basis for plaintiff's contention in paragraph "11" of the Complaint that the defendant SUFFOLK COUNTY SUPERIOR OFFICERS ASSOCIATION, INC. is an industry affecting commerce.

33. Identify each and every civil action in which plaintiff is or has been a party that has challenged any qualification for hiring police officers that is identical to or substantially similar to any qualification that plaintiff challenges in this action.

(a) With respect to each civil action identified in answer to Interrogatory No. 33, supra, state what qualifications were challenged, what disposition was made and what the present status of the action is.

(b) With respect to each civil action identified in answer to Interrogatory No. 33, supra, state the civil action number, the Federal judicial district in which the action was commenced and the name of the United States District Judge who was assigned to hear the action.

34. Identify each and every civil action in which plaintiff is or has been a party that has challenged any selection standard for hiring police officers that is identical to or substantially similar to any qualification that plaintiff challenges in this action.

(a) With respect to each civil action identified in answer to Interrogatory No. 34, supra, state what selection standards for hiring police officers that is identical to or substantially similar to any selection standard that plaintiff challenges in this action.

(b) With respect to each civil action identified in answer to Interrogatory No. 34, supra, state the civil action number, the Federal judicial district in which the action was commenced and the name of the United States District Judge who was assigned to hear the action.

35. Identify each and every civil action in which plaintiff is or has been a party that has challenged any qualification for promoting police officers that is identical to or substantially similar to any qualification that plaintiff challenges in this action.

(a) With respect to each civil action identified in answer to Interrogatory No. 35, supra, state what qualifications for promoting police officers were challenged, what disposition was made and what the present status of the action is.

(b) With respect to each civil action identified in answer to Interrogatory No. 35, supra, state the civil action number, the Federal judicial district in which the action was commenced and the name of the United States District Judge who was assigned to hear the action.

36. Identify each and every civil action in which plaintiff is or has been a party that has challenged any selection standard for promoting police officers that is identical to or substantially similar to any qualification that plaintiff challenges in this action.

(a) With respect to each civil action identified in answer to Interrogatory No. 36, supra, state what selection standard for promoting police officers that is identical to or substantially similar to any selection standard that plaintiff challenges in this action.

(b) With respect to each civil action identified in answer to Interrogatory No. 36, supra, state the civil action number, the Federal judicial district in which the action was commenced and the name of the United States District Judge who was assigned to hear the action.

37. Does plaintiff contend that a pattern or practice of resistance to the rights of women, blacks and Hispanics is tantamount to a pattern or practice of discrimination under Title VII of the Civil Rights Act of 1964, as amended.

(a) If your answer to Interrogatory No. 37, supra, is in the affirmative, then identify any statute, rule, regulation or case citation that supports that contention.

(b) If your answer to Interrogatory No. 37, supra, is in the affirmative, then set forth each and every basis for your contention.

38. Identify each and every person who supplied information for your answers to these interrogatories or who participated in any way in the preparation of your answers to this First Set of Interrogatories.

Dated: New York, New York  
August 3, 1983

Yours, etc.,

JAMES M. CATTERSON, JR.  
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CERTIFICATE OF SERVICE

WILLIAM H. PAULEY, III, hereby certifies that he caused a copy of the within Suffolk County defendants' First Set of Interrogatories to Plaintiff to be personally served on August 3, 1983 on the following counsel of record:

BERYL JONES, Esq.  
Assistant United States Attorney  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza  
Brooklyn, New York 11201

and by Federal Express on August 3, 1983 on the following counsel of record:

JOHN M. GADZICHOWSKI, Esq.  
Senior Trial Attorney  
U.S. Department of Justice  
Civil Rights Division  
Washington, D.C. 20530

  
\_\_\_\_\_  
William H. Pauley, III

Dated: New York, N.Y.  
August 3, 1983