

Lawsuit Claims Black LAPD Officer Faced Harassment and Discrimination Over Inability to Shave Due to Skin Condition

Veteran Black LAPD officer endured racial and disability discrimination after being diagnosed with a skin disease that affects Black men

LOS ANGELES, CALIFORNIA, UNITED STATES, February 28, 2024 /EINPresswire.com/ -- Nathaniel

“

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Employment Attorney Ron Zambrano

Bender was a decorated officer with the Los Angeles Police Department until he was diagnosed with a painful skin condition that disproportionately impacts Black men. But LAPD rebuffed his requests for an exemption from shaving and launched a retaliatory campaign of racial and disability discrimination and harassment, forcing him to resign, according to a lawsuit filed Feb. 27..

The lawsuit against the City of Los Angeles Police Department alleges disability and racial discrimination, and wrongful constructive termination, meaning he quit because his employer created intolerable working conditions.

“Nathaniel dedicated his life to the LAPD. As a Black man, he had to fight his way into the department, enduring all sorts of discrimination but he powered through because he believed so deeply in the mission to protect and serve,” said plaintiff’s attorney [Ron Zambrano](#), a partner and Employment Litigation Chair at West Coast Employment Lawyers. “Now, the agency is acting not only in callous disregard of the law but has turned its back so shamefully on a devoted police officer who suffers from a disability and merely wanted a small concession to remain on the job he loved. The department instead harassed him into submission, forcing him to resign. It’s despicable.”

Bender was hired by the department in April 2010. In September 2022, he was diagnosed with Pseudofolliculitis barbae, a skin condition that disproportionately affects Black men and is painful when shaving, and can cause bumps and rashes on the face, and even scarring.

Several weeks later, Bender provided the department with a note from his doctor stating that

“due to Plaintiff’s medical condition, Plaintiff was advised to stop shaving his face permanently,” according to the lawsuit.

While the department has a policy that officers’ faces must be kept clean-shaven, it also has a history of making exemptions in certain cases. In 2022, the LAPD updated its policies to include a religious exemption, allowing Sikhs, for example, to wear their turbans on the job.

No such effort was made to accommodate Bender, the lawsuit states.

On Oct. 5, 2022, Bender was contacted by the department’s Medical Services Division, according to the complaint, advising him that they would conduct their own examination to determine if he was eligible for an exemption, despite having already provided a note from his doctor.

About three weeks later, Bender was seen at the Medical Services Division, and told that he needed to provide his medical records, yet his own doctor told him he was under no obligation to hand them over as it would be an invasion of privacy.

However, MSD’s doctor ultimately told Bender he would approve the medical exemption, according to the lawsuit. Around the end of 2022, Bender ended up providing the records to his superiors and was told there was no further need to be in touch with the department’s doctors.

But around April 24, 2023, Bender received an email from MSD, according to the lawsuit, stating that if he wanted an exemption, he needed to provide medical records, and that if he was no longer interested, “you will have to follow policy in regards to being ‘clean shaven.’”

Bender replied, puzzled, given he had already been told his exemption would be approved and had provided his records, the lawsuit states.

The confusion and intimidation continued with Bender receiving an email from MSD on May 1, 2023, telling him he needed to meet with the agency’s chief physician. Months passed and in September 2023, Bender received a distressing letter that read, in part, “Please note that LAPD is unable to continue temporarily accommodating you, as there is no medical certification on file approving your request for a Shaving Exemption. You are therefore required to be in compliance with LAPD grooming standards and requirements.”

Throughout this entire ordeal, making matters even worse, Bender was subjected to a repeated pattern of harassment, with the agency once even sending uniformed officers in a patrol car to his home while he was on leave under the pretext of a “wellness check,” Zambrano said. Bender was forced to resign in November 2023 after exhausting his efforts to remedy the situation.

“I’m absolutely heartbroken,” Bender said. “When I first came onto the job, a captain asked me how I was going to prove to them that I deserved to have a chance, and I told them I believe I can change the world, and I shed a tear because for the first time in my life, I believed that I could be

somebody, be the type of man that I admire.

"I genuinely believed in what I was becoming a part of," he added, "and it turned out to be just a dream, all of it was ripped away from me. I thought I had rights."

It's not the first time the LAPD has been hit with such allegations. Last year, a Black officer cited in a complaint that he felt harassed and discriminated against after he had been granted a medical exemption from shaving. The man suffered from the same skin condition as Bender.

The lawsuit was filed in Superior Court of The State of California in Los Angeles; Nathaniel Bender v. The City of Los Angeles Police Department, et. al; Case 24STCV04730. (Feb. 27, 2024)

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