

# Sergeants in Rehoboth police force sue over promotions



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(Photo: Chuck Snyder)

Three sergeants in the Rehoboth Beach Police Department have sued their police chief and mayor in federal court, protesting that the elevation of two other officers to the rank of lieutenant sidestepped the town's rules for how police promotions should be carried out.

One of the two lieutenants was unqualified because he had never been a sergeant, and the rules say lieutenant candidates must work as sergeants for at least two years, the lawsuit alleges. And the three officers say Police Chief Keith Banks tried to eliminate that requirement after the fact by floating the change before a three-day weekend, after which it would be too late for the union to object to it.

Only after an officer happened to stop by the office on the weekend and see the chief's fax was the union able to object to the rules change, the lawsuit says.

The plaintiffs in the lawsuit are Sgt. Benjamin R. Mitchell II, Sgt. Scott O'Bier and Sgt. Victor Letonoff. The suit names Rehoboth Beach Mayor Sam Cooper and Banks as defendants, and also names the municipal government as a defendant. Wilmington attorney John M. LaRosa is representing the plaintiffs.



Rehoboth Beach Police Chief Keith Banks (pictured) and Mayor Sam Cooper are named as defendants, along with the municipal government, in a federal suit that claims the town's rules for how police promotions should be carried out were sidestepped.

The two promoted lieutenants, Jaime B. Riddle and William L. Sullivan, are identified in the lawsuit but are not named as defendants, and the suit doesn't ask the court to strip them of their ranks.

The three sergeants "have seen their stellar police careers dead-ended by a Mayor and a Chief who think they do not have to obey Police Department directives, the City Code, or the U.S. Constitution," LaRosa said in a statement. "Mayor Cooper and Chief Banks are not above the law. They cannot make up the rules as they go along."

The promotions the lawsuit opposes happened in December 2013, according to the suit. It alleges Banks created two lieutenant vacancies and asked for a special meeting with the city commissioners to start the process of promoting Riddle and Sullivan to fill them, but says Banks did not advertise the vacancies to officers inside or outside the department, as a police personnel manual requires.

The suit says Banks acted out of "bias, bad faith or improper motive," denying the defendants a chance to be promoted because of "personal reasons which were discriminatory and not job related."

Banks did not immediately return a message seeking comment. Cooper declined to comment about the details of the lawsuit.

"It's obviously a legal matter, so we'll be following the advice of our attorney," Cooper said.

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