

STATE OF MINNESOTA**DISTRICT COURT****COUNTY OF RAMSEY****SECOND JUDICIAL DISTRICT**

Axel C. Henry,

Case Type: Civil/Other

Plaintiff,

Court File No.: 62-CV-26-6829

v.

COMPLAINT

Kaohly Her and City of St. Paul,

JURY TRIAL DEMANDED

Defendants.

Plaintiff Axel Henry (“Chief Henry”), by and through his undersigned counsel, for his Complaint against Defendants Kaohly Her, in her individual capacity, and the City of St. Paul, states and alleges as follows:

INTRODUCTION

1. Chief Henry is the highly decorated Chief of Police of the City of St. Paul (“the City”). This case arises from a simple but disturbing sequence of events: Mayor Her sexually harassed St. Paul Police Department (“SPPD”) employees, including Chief Henry; Chief Henry reported that misconduct; rather than protect him or address the misconduct, the Mayor and her administration embarked on a campaign to retaliate against him.

2. Beginning in late December 2025 and continuing through the first quarter of 2026, Mayor Her engaged in a repeated pattern of sexually harassing conduct directed at Chief Henry. Her conduct included, but was not limited to:

- a. Inviting Chief Henry out on a Saturday night, repeatedly telling him that her marriage was in trouble, and telling him that the two of them needed to be “friends” or “this was not going to work”;

- b. Doctoring photographs of Chief Henry and other SPPD officers and displaying the altered, sexualized images, including placing three in a gold frame in Chief Henry's own office;
 - c. Describing herself to Chief Henry as a "MILF"—an acronym for the vulgar phrase "mother I'd like to fuck";
 - d. Making sexual innuendos to Chief Henry concerning the size of his penis;
 - e. Driving to Woodbury, Minnesota, while Chief Henry was taking personal time to use a golf simulator, in an apparent effort to surprise him there;
 - f. Subjecting Chief Henry to unwanted and nonconsensual physical contact, including placing her hand on his upper thigh beneath a conference-room table—not once, but twice—during a SPPD budget meeting, an incident witnessed by another person;
 - g. Coming to the SPPD gym at the time she knew Chief Henry worked out, approached Chief Henry who was working out with two other police employees, and referred to them as "beefy"; and
 - h. Making noises simulating an orgasm as she worked out in the police gym.
3. In March 2026, Chief Henry learned that Mayor Her's conduct was not limited to him. Among other things alleged herein, he learned that Mayor Her sent text messages to SPPD employees concerning what they looked like after having a "good weinering." Chief Henry thus learned that Mayor Her's sexually inappropriate conduct had created a hostile and demeaning environment affecting other City employees as well.
4. Chief Henry therefore did what he believed was necessary, and what was right: he reported the Mayor of St. Paul for sexual harassment. He understood the professional and

personal consequences of doing so. He knew that accusing the Mayor of St. Paul of sexual harassment could jeopardize his career. He reported it anyway. He did so because he recognized the seriousness of the misconduct, the vulnerability of those subjected to it, and the likelihood that the conduct would continue if no one spoke up.

5. But instead of accountability, the retaliation began.

6. Rather than confront Mayor Her's misconduct, her administration, and those acting at her direction, embarked on a campaign to retaliate against and discredit Chief Henry. Mayor Her directed a paid media campaign through a public-relations firm and others designed to attack Chief Henry and cast doubt on his motives for reporting her conduct. The City and its officials have also selectively withheld public records concerning Mayor Her's driver despite requests made under the Minnesota Government Data Practices Act. As alleged herein, that failure violates Minnesota law and may constitute a crime. (*See* Minn. Stat. § 13.09(a).) Chief Henry will not participate in, facilitate, or remain silent about that misconduct.

7. The retaliation did not stop there. As detailed throughout this Complaint, Mayor Her and City officials engaged in a series of retaliatory acts directed at Chief Henry and others because of his complaint. Those acts include, but are not limited to:

- a. Issuing a public-facing "summary" of the City's investigation that falsely minimized and disputed conduct reported by Chief Henry and witnessed by multiple people;
- b. Causing public statements to be made attacking and disparaging Chief Henry's motives for reporting Mayor Her;
- c. Excluding Chief Henry from personnel decision-making processes after he objected to the process;

- d. Withholding driver-related records requested under the Minnesota Government Data Practices Act, thereby placing Chief Henry in legal jeopardy;
- e. The City Attorney falsely claiming that Mayor Her had authority for all SPPD personnel decisions, and then walking it back when Chief Henry asked for that opinion in writing; and
- f. Otherwise subjecting Chief Henry to disparate and retaliatory treatment concerning the terms and conditions of his employment, as described throughout this Complaint.

8. Chief Henry's complaint resulted in an investigation into Mayor Her's conduct. On Thursday, September 17, 2026, Chief Henry received a letter from the City acknowledging that Chief Henry had reported both (a) Mayor Her's violation of the City's Workplace Conduct Policy and (b) retaliatory conduct against him. The letter further stated that the "investigation was completed on [Monday], September 14, 2026."

9. But the City did not release the investigation report—not to the public or the complainant, Chief Henry. Instead, on September 18, 2026, the City had one of its own employees—handpicked by Mayor Her—issue a purported "summary" of the investigation. That "summary" does not merely omit important facts. It contains false statements, including the claim that Mayor Her did not make sounds resembling an orgasm in the SPPD gym. At least five people have heard Mayor Her make those sounds.

10. That same day, September 17, 2026, Chief Henry demanded the actual investigation report "immediately" pursuant to the Minnesota Government Data Practices Act. The City has not produced it. Chief Henry seeks the actual report—not the City's sanitized version of it. The City's refusal to produce the report is consistent with the broader pattern

alleged throughout this Complaint: selectively disclosing information favorable to Mayor Her while withholding information concerning Chief Henry and the conduct he reported.

11. Chief Henry has no objection to doing the business of the City of St. Paul with any mayor, including Mayor Her; he has done so with honor, even after he made his sexual-harassment complaint against Mayor Her. He expects only what every City employee should be entitled to expect from the Mayor of St. Paul: professionalism, appropriate conduct, and compliance with the law.

12. Sexual harassment is wrong regardless of who commits it. It does not become acceptable because the alleged harasser is a woman, because the target is a man, or because the alleged harasser happens to be the Mayor. And reporting sexual harassment should not make the person who reports it the target of retaliation. Yet that is precisely what happened here.

13. This lawsuit seeks to hold the City and those responsible accountable for that conduct.

PARTIES

14. Chief Henry resides in St. Paul, Minnesota.

15. The City is a Minnesota Municipal corporation organized under the laws of the State of Minnesota, with its principal offices located in St. Paul, Ramsey County, Minnesota.

16. The City is a political subdivision of the State of Minnesota.

17. Defendant Kaohly Her is the Mayor of the City of St. Paul. She is sued in her individual capacity for the acts and omissions described herein.

18. At all relevant times, employees, and agents of the City were acting within the course and scope of their employment with the City.

JURISDICTION & VENUE

Jurisdiction

19. This Court has jurisdiction over this matter pursuant to: Minn. Stat. § 13.08, Subd. 4.

20. This Court also has subject-matter jurisdiction over Chief Henry's other claims pursuant to Minn. Const. art. VI, § 3; Minn. Stat. § 484.01, subd. 1; Minn. Stat. § 363A.33, subd. 1 (Minnesota Human Rights Act); and Minn. Stat. § 181.935 (Minnesota Whistleblower Act). This Court has personal jurisdiction over Defendant Her because she resides and/or is employed in Ramsey County, Minnesota, and because the acts and omissions giving rise to the claims against her occurred in Ramsey County, Minnesota.

21. Mayor Her was elected Mayor of St. Paul on November 4, 2025. All of the material acts constituting violations of Minnesota law occurred after November 4, 2025.

Venue

22. Venue is proper in this Court pursuant to Minn. Stat. § 13.08, Subd. 3.

23. Venue is also proper in this Court pursuant to Minn. Stat. § 542.09 because Defendants reside in, and the events giving rise to this action occurred in, Ramsey County, Minnesota.

JURY TRIAL DEMAND

24. Chief Henry demands a jury trial on all counts so triable.

FACTS

I. Chief Axel Henry

25. Chief Henry is a highly respected member of the St. Paul Police Department having served for over 28 years, and 31 years in law enforcement overall, having begun his career with the Roseville, Minnesota Police Department from 1995 to 1998 before joining SPPD

in 1998. During his time with the SPPD, Chief Henry has held a variety of roles including Commander in the Narcotics, Financial Intelligence, & Human Trafficking Division, Logistics Chief for the City of St. Paul Emergency Pandemic Response Team, Senior Commander of the Eastern District, Commander as the Executive Officer to the Chief, Commander with the Office of the Chief, Central District Patrol Commander, Commander of Family and Sexual Violence Unit, Commander in the Watch Commander's Office, Sergeant in Investigations and Patrol, and Police Officer. He is currently the Chief of Police for the SPPD and has served in that role since 2022.

26. Chief Henry's record includes numerous additional notable achievements. He led SPPD's body-camera initiative, which was more favorably regarded than the programs of the Minneapolis Police Department and other departments nationally; the U.S. Department of Justice advised Chief Henry that SPPD's related grant application, which was written by Chief Henry before he was the chief, was the first it had received that included letters of support from both the NAACP and a domestic-violence advocacy organization. Chief Henry has received six medals of commendation and two-unit citations, including one for his role in developing SPPD's gun-violence strategy and another related to arrests stemming from the 2020 civil unrest, as well as an Honorable Mention for Officer of the Year in 2008. Chief Henry also served as lead instructor for the domestic-violence "Blueprint for Safety" training program, which he has taught nationally and internationally, including presenting jointly to the Irish National Police Force and Irish judges—the first time that had been done. Chief Henry is also a use of force and firearms instructor with over 25 years of experience teaching police officers.

27. Chief Henry's commitment to serving his community has been on display throughout the entirety of his 28 years at the SPPD. He has shown ability as a police officer and

as a leader that has gained him the respect of his peers. These traits, along with a record free of disciplinary issues, earned him his spot as the Chief of Police.

II. December 2025 – January 2026: Inappropriate Sexual Comments from Mayor Her to Chief Henry Begin

28. Mayor Her began her term as Mayor of St. Paul on January 2, 2026.

29. In or around late December 2025 through January 2026, Mayor Her made the following comments on multiple occasions to Chief Henry:

- a. “I go weeks without ever seeing my husband.”
- b. “I’m all by myself at that house most of the time.”
- c. “My husband is never there with me.”
- d. “I connect better with men than women.”

III. The December 29, 2025 Meeting at A Cigar Lounge

30. On or about December 29, 2025, Chief Henry was invited to a meeting which included St. Paul Port Authority President Todd Hurley (“Hurley”), and Mayor Her at a cigar lounge. The purpose of the meeting was supposed to deal with potentially moving the SPPD police station to the downtown area to aid with drawing businesses downtown. At that meeting, the Mayor again made the comment that “she connects better with men than women.”

31. Mayor Her also said that if she doesn’t get what she wants that she would tell people that Hurley “grabbed her ass.”

32. At the time, the comment struck Chief Henry as reflecting a crude sense of humor; he later came to believe that Mayor Her likely had not been joking. Mayor Her’s statement communicated to Chief Henry that Mayor Her would say anything to defend herself—even if it was false.

IV. December 2025–January 2026: Mayor Her’s Conduct at the SPPD Gym

33. Beginning in or around late November or December 2025, and continuing regularly throughout January 2026, Mayor Her began visiting and using the SPPD gym. Chief Henry did not invite Mayor Her to the gym; he initially assumed she was attending to get to know SPPD personnel, but her visits quickly became a daily occurrence. To Chief Henry’s memory, while the previous Mayor, Melvin Carter (“Mayor Carter”), visited the gym, he never used it regularly.

34. Mayor Her approached Chief Henry, SPPD Sergeant Toy Vixayvong (“Sergeant Vixayvong”), and Deputy Chief of Major Crimes, Jeff Stiff (“Deputy Chief Stiff”) several times at the gym located on the fourth floor of SPPD and made comments such as “You’re so beefy.”

35. All three discussed the comments, felt the comments were inappropriate and bizarre, and they each hoped the comments would stop.

36. Chief Henry, Sergeant Vixayvong, and Deputy Chief Stiff initially believed Mayor Her’s presence in the gym would be temporary, so they largely tried to ignore her conduct, notwithstanding its inappropriateness.

37. During her visits to the SPPD gym, Mayor Her would make grunting and moaning noises that sounded like she was having an orgasm. Mayor Her made these noises while seemingly exerting herself, such as while stretching or lifting weights.

38. At least four witnesses told the City’s investigators that Mayor Her made grunting and moaning noises that sounded like she was having an orgasm.

39. Chief Henry provided a fifth name to the City’s investigators. The City’s investigators never spoke to the fifth person.

V. January 2026: Mayor Her Repeatedly Asks Chief Henry Odd, Immature Questions

40. Throughout January 2026 Mayor Her repeatedly made inappropriate and flirtatious comments to Chief Henry including, “Are you mad at me?” and “You know I’m not mad at you.” These sorts of questions were and are, at a minimum, unbecoming a mayor of a major city.

41. First Assistant Mayor Erica Schumacher (“Schumacher”) witnessed some of these questions/comments. Schumacher later told Chief Henry that when she heard these comments, she assumed that Chief Henry and Mayor Her had a much closer relationship than she had previously thought.

42. Chief Henry advised Schumacher that was not the case.

VI. January 2026: Mayor Her Links SPPD Pay Raises to SPPD’s Lack of an “Endorsement” of Her Campaign, Even Though SPPD Cannot, and Did Not, Endorse Anyone

A. Background

43. The last time that the City addressed SPPD salaries was in late 2025. At that time, Mayor Carter agreed to give Chief Henry and his leadership team a notable, but modest, pay raise with some backpay. While the raise was not enough to put Chief Henry on par with similar city directors, Chief Henry knew that the city needed to change the pay brackets and a job study had already been conducted to confirm the large pay disparity. These factors influenced Chief Henry to see the modest raise as a sign of good faith from Mayor Carter. Mayor Carter made this decision prior to losing the election but followed through on its approval after he lost but before he left office.

B. Mayor Her's harassment impacts the pay of SPPD members

44. In or about January 2026, Chief Henry had a meeting with Mayor Her in Chief Henry's office. During this meeting, Mayor Her brought up the SPPD's lack of endorsement of her campaign to become mayor of St. Paul. Specifically, Mayor Her told Chief Henry, "You need to be nice to me. The fire department [St. Paul Fire Department "SPFD"] endorsed me, and you didn't."

45. Chief Henry replied that the SPPD did not, and more importantly cannot, endorse any political candidate. Chief Henry explained SPPD is a nonpolitical organization, it is legally prohibited from endorsing political candidates, and for good reason: it must have the trust of St. Paul's citizens, and it cannot do so if it is partisan.

46. Indeed, Chief Henry believes that police departments becoming enthralled with politics risks using public resources and the department's official authority to influence an election.

47. St. Paul law makes this restriction explicit and applies it to every city employee, including uniformed police officers: the City Charter, adopted pursuant to Minn. Stat. § 410.12, provides that "[n]o person in the service of the city shall use his or her official authority to influence or coerce the political action of any person or body or to interfere with any nomination or election to any public office, or during his or her hours of duty engage in any political activities." (St. Paul City Charter § 12.11.2.)

48. Beyond this legal requirement, Chief Henry believes that a police department's endorsement should be avoided because it compromises the department's core operational need for perceived neutrality: officers must be able to enforce the law evenhandedly and the public must trust that policing decisions are not being made to reward or punish people based on which

candidate they supported, and any hint that the department is under the political control of, or politically aligned with, a specific officeholder or campaign undermines that trust regardless of whether the endorsement is formal or symbolic.

49. Chief Henry further explained to Mayor Her that the SPPD has a union, the Federation, that can but did not currently endorse political candidates. Chief Henry noted to Mayor Her that he had, and has, no participation in, or control over the Federation or their endorsement decisions. He further advised Mayor Her that the Federation was independent of him and made its own decisions.

50. Chief Henry also told Mayor Her that the Federation did not endorse any mayoral candidate in the 2025 mayoral election.

51. Chief Henry told Mayor Her that he found the conversation inappropriate, i.e., Chief Henry told Mayor Her, “I don’t even think this is a conversation we should be having,” because he believed it was likely unlawful for Mayor Her to use her elected position and authority to try to compel an endorsement. Mayor Her responded, “They [the SPFD] will get things because they are being nice to me... You are going to need to be extra nice to me.” This concerned Chief Henry because now the inappropriate comments and advances were tied to his department’s funding, including SPPD salaries. Chief Henry was also concerned because he didn’t know what “being nice to [Mayor Her]” would entail.

52. Mayor Carter had approved the retroactive pay raise described above for SPPD leadership before leaving office. Although the resulting backpay was distributed to SPPD leadership in January 2026, after Mayor Her took office, the City distributed the funds in a manner that Chief Henry later learned would negatively affect the SPPD leadership team’s pensions, as described below.

53. In or around the end of January and beginning of February 2026, the Minnesota Public Employees Retirement Association (“MN PERA”) notified Chief Henry’s deputy chiefs that the way the City made the backpay payments was incorrect and would negatively impact the SPPD leadership team’s pensions. They also advised Chief Henry that they checked with the SPPD and confirmed that their backpay had been paid the standard way without impacting their backpay. When members of Chief Henry’s team tried to point out the error to City staff, the City staff pushed back and communicated that they would not change the process.

54. Chief Henry tried to stay out of the payroll conversations because he is appointed, not hired, the way other members of the SPPD are. Because he was concerned about his employees’ pensions, however, Chief Henry eventually reached out to City staff to see if he could resolve the issue. He was informed by City staff that they would not address the SPPD’s request because there was a mediation regarding a collective bargaining agreement. At the time, Chief Henry believed some of Mayor Her’s unusual behavior might simply reflect her inexperience as a new mayor; only with time did he come to understand that this conduct instead reflected efforts to assert power and exert pressure on him.

VII. January 2026: Mayor Alters Photographs to Harass Chief Henry and SPPD Members

55. In or around January 2026, without Chief Henry’s knowledge, Mayor Her came to Chief Henry’s office and removed a personal framed photograph of Chief Henry with Deputy Chief Stiff and Sergeant Vixayvong from his office. The photograph was from an event where Sergeant Vixayvong won City of St. Paul Detective of the Year. It was the personal property of Chief Henry.

56. On multiple occasions in January, Mayor Her created photoshopped images of different members of the SPPD, including Chief Henry.

- A. **Mayor Her Alters pictures of Chief Henry and other SPPD members as bodybuilders with prominent bulges in the crotch area of their compression shorts, puts the picture in a gold frame, and places it in Chief Henry's office.**

57. Mayor Her placed altered pictures of Chief Henry and other SPPD members on the bodies of bodybuilders with prominent bulges in the crotch area of their compression shorts in Chief Henry's office.



58. The faces of SPPD members in this above picture from left to right are Deputy Chief Stiff, Chief Henry, then-Sergeant Toy Vixayvong.

59. Mayor Her altered this photograph to place the faces of Stiff, Henry, and Vixayvong in it. When Sergeant Vixayvong and Deputy Chief Stiff saw the altered photograph,

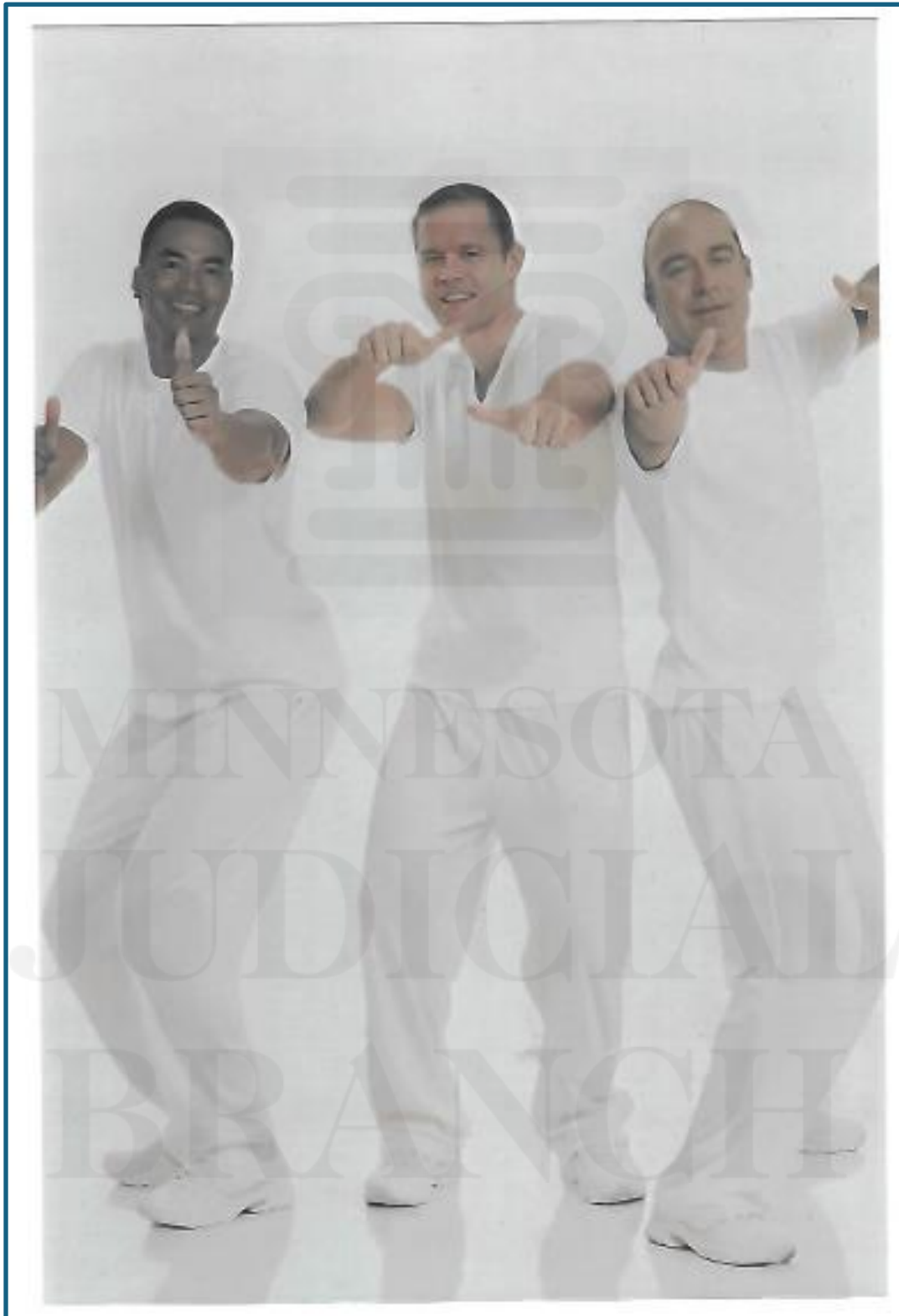
they both remarked that their wives would be offended if they saw it. Chief Henry's long-time partner found the photograph offensive and utterly inappropriate.

60. Mayor Her put the above picture in a gold frame, as shown in the below picture, and placed it in Chief Henry's office while he was not there.



B. Mayor Her Alters pictures of Chief Henry and other SPPD members as members of a boy band, puts the picture in a gold frame, and places it in Chief Henry's office.

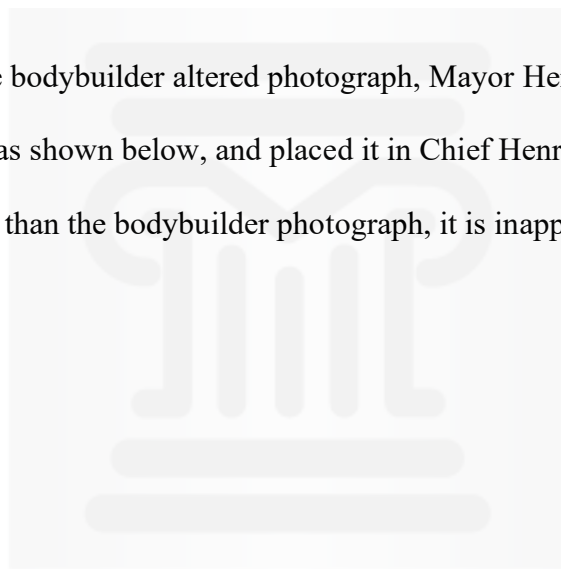
61. Mayor Her placed altered pictures of Chief Henry and other SPPD members on the bodies of boy band members in Chief Henry's office. As with the altered photographs described above, this photograph was placed in Chief Henry's office without his knowledge or consent.



62. The faces of SPPD members in this above picture from left to right are then-Sergeant Toy Vixayvong, Chief Henry, Deputy Chief Stiff.

63. Mayor Her altered this photograph to place the faces of Vixayvong, Stiff, and Henry in it.

64. As with the bodybuilder altered photograph, Mayor Her put the altered boy band picture into a gold frame, as shown below, and placed it in Chief Henry's office. While the boy band picture is less sexual than the bodybuilder photograph, it is inappropriate and undermining.



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C. Mayor Her Alters pictures of Chief Henry and other SPPD members as Ultimate Fighting Championship (“UFC”) fighters, places it in the hallway outside of SPPD leadership’s offices, and places her own photograph over other SPPD leaders.

65. SPPD maintains a wall display on the sixth floor of SPPD headquarters, just outside the office and reception area for the Deputy Chiefs, on which official black-and-white photographs of former Deputy Chiefs. Directly across the hall from that doorway is a large

wooden Deputy Chief badge, flanked on both sides by photographs of SPPD's four current Deputy Chiefs, who at that time were Deputy Chiefs Falkowski, Hallstrom, Stiff, and Flynn.

66. Mayor Her caused her own photograph to be substituted for, and/or placed over, the official photographs of SPPD command staff displayed on that wall. More specifically, Mayor Her placed her own picture over the photographs of Deputy Chief Hallstrom and Deputy Chief Flynn and placed an altered UFC-fighter photograph over Deputy Chief Stiff's photograph, in the hallway outside of SPPD leadership's offices. Mayor Her also attempted to place her own picture over then-Deputy Chief Falkowski's photograph but was interrupted, as described below, before she could do so.

67. Mayor Her's placement of her own image over the official photographs of Department command staff communicated to SPPD command and other staff that she held authority and power over each of them individually and over the Department's chain of command as a whole.

68. In addition to the foregoing, Mayor Her also altered pictures of UFC fighters and placed the same in the same hallway accessed by the sixth floor of SPPD, including SPPD's leadership. This was a location where both civilian and sworn staff would walk through and see the pictures of their leadership being mocked and sexualized.



69. Then-Deputy Chief Falkowski interrupted Mayor Her and prevented Mayor Her from covering her picture. During this encounter, then-Deputy Chief Falkowski told Mayor Her that she “worked very hard to have her picture on that wall” and that Mayor Her should not cover it. Deputy Chief Falkowski was a female officer with over 30 years of experience who had worked hard to attain the rank of a Deputy Chief.

70. Below is a copy of the “UFC” fighter picture altered by Mayor Her, alongside the original image (available at https://www.reddit.com/r/MMA/comments/1lq23gl/the_10_fighters_in_ufc_history_to_be_twodi_vision/):



71. The faces of people in the above picture (the “UFC Fighter Picture”) are:

- a. Top row, from left to right: Deputy Chief Shari Falkowski, possibly then-Officer Jordan Walker (a former inspector), then-Sergeant Toy Vixayvong, and Deputy Chief Jeff Stiff;
- b. Middle row, from left to right: Officer Avery Yager, an unidentified individual, and Deputy Chief Tim Flynn;
- c. Bottom row, from left to right: an unidentified individual, Chief Henry, and Assistant Chief Paul Ford.

72. Like the bodybuilder picture, Mayor Her placed Chief Henry’s face on the body of a UFC fighter with a prominent bulge in the crotch area of a man’s compression shorts.

73. Chief Henry knew that if he altered a photograph to place a woman’s image, let alone the Mayor of St. Paul, to replace the face of a female bodybuilder wearing a bikini, he

would be immediately terminated. Chief Henry also realized because these photographs had been intentionally placed in public places where any staff member with access to that area would see them, that an inappropriate example was being modeled for SPPD's employees.

D. Mayor Her places her own photograph over the SWAT retirement plaque.

74. In addition to placing her own photograph over SPPD leadership's photographs, Mayor Her also placed a picture of herself over the SWAT Retirement Plaque in Deputy Chief Flynn's office:



E. Mayor Her places her own photograph over Chief Henry in another Deputy Chief's office.

75. Mayor Her also placed a picture of her face over a picture of Chief Henry in Deputy Chief Stiff's office:



F. Mayor Her places her own photograph over Chief Henry in another Deputy Chief's office.

76. Mayor Her placed her own picture over an award in Deputy Chief Kurt Hallstrom's office. In each of the instances described above regarding the altered photographs,

Mayor Her entered private, identified SPPD office spaces—where access is normally restricted to trained, escorted, or otherwise authorized personnel—without Chief Henry’s knowledge, the Deputy Chiefs’ knowledge or an SPPD escort: This behavior was additionally concerning because Erica Schumacher had told Chief Henry on multiple occasions that the mayor had stated she “could go where she wants, whenever she wants, and say what she wants” because she was the mayor. Chief Henry told Erica Schumacher that was not true or appropriate.



G. Mayor Her’s reaction to Chief Henry taking issue to her doctored photographs.

77. Chief Henry became aware of these pictures when he noticed one of the gold framed photographs behind a family photograph in his office. When he looked further, he then found two more gold-framed pictures with his face and the faces of his coworkers on them.

Chief Henry immediately took the pictures off his shelves and had the SPPD Office Manager for the Chief of Police, Kelly Herzog (“Herzog”), put them in a cabinet so no one would see them. Herzog found these photographs so inappropriate that she moved them to Chief Henry’s desk to ensure they were out of view from others in the office. Later, Herzog rhetorically asked what would happen if Chief Henry or another SPPD employee did something similar to a woman in the office.

78. Chief Henry did not find the pictures funny for several reasons, including the facts that the Mayor placed her own picture over brave and valiant heroes, and that she doctored pictures of SPPD personnel in a sexualized manner—including the City’s police chief. Chief Henry knew the pictures were unprofessional and unbecoming of a leader of a major city, and he hated the notion that SPPD members would believe this was the way to run a professional department. Furthermore, Chief Henry knew that Mayor Her’s removal of his personal photograph, and her placement of the altered photographs, meant she had been in his office without his knowledge or permission.

79. When Mayor Her saw that Chief Henry did not find humor in the situation, she scolded him—in front of Schumacher and, Chief Henry believes, Herzog—and told him that he did not have a sense of humor.

VIII. February 2026: Mayor Her’s Harassment Occurring Outside the Workplace

A. February 6, 2026: Mayor Her surprises Chief Henry during his vacation time.

80. On or about February 6, 2026, Chief Henry and Sergeant Vixayvong, using their vacation time, scheduled time to visit a golf simulator at X Golf in the City of Woodbury, Minnesota.

81. Without notice, Mayor Her drove to the X Golf location in Woodbury and surprised Chief Henry and Sergeant Vixayvong. Mayor Her told them that she “had to come like this because you guys wouldn’t invite me.” Mayor Her left after approximately 20 minutes.

82. Neither Chief Henry nor Sergeant Vixayvong informed Mayor Her that they would be at X Golf. Chief Henry had marked on his calendar would be at X Golf, but he did not include the address for the specific X Golf.

83. It is believed, but not known, that Mayor Her contacted Chief Henry’s staff to ascertain where he was and then traveled from St. Paul to Woodbury to find him. Mayor Her was with her SPPD assigned driver, Fahim Mursal when she came to Woodbury, MN, where Chief Henry was, i.e., it appears Mayor Her used a SPPD driver to drive her to Woodbury.

B. February 19, 2026: Mayor Her makes sexually suggestive remarks to Chief Henry.

84. On February 19, 2026, the Police Academy held a graduation ceremony at St. Paul Harding High School. On the stage before the event started, Chief Henry spoke with Mayor Her about how these events generally proceed because this was Mayor Her’s first one. Chief Henry told Mayor Her that after they both gave speeches they would go stand on the “X” marks laid down on the floor and shake hands with the graduates.

85. Chief Henry was wearing his Class A uniform, i.e., the most formal dress attire for SPPD.

86. Chief Henry has earned numerous medals of commendation for his service for SPPD, and these medals adorn his Class A uniform. These awards are displayed in the form of ribbons placed on the front of the Class A uniform.

87. Deputy Chief Tim Flynn was also present at the ceremony and was also wearing his Class A uniform. Like Chief Henry, Deputy Chief Flynn has earned numerous medals of commendation for his service for SPPD, and these medals adorn his Class A uniform.

88. While showing the “X” that Mayor Her would stand on, Mayor Her looked at Chief Henry and asked, “Why is Tim’s bigger?” with a facial expression that suggested to Chief Henry the comment was meant to be a sexual innuendo regarding the size of his penis.

89. Chief Henry responded by asking what she was talking about. Mayor Her pointed at his ribbon bar on his Class A uniform. Chief Henry responded, “Oh, because he probably has more medals than I do.”

90. Chief Henry was wearing a ribbon on his uniform from his time with SPPD’s Mobile Field Force that had the abbreviation “MFF.” SPPD’s MFF is a specialized tactical unit within the department’s Support Services & Administration division. It helps manage large public gatherings, demonstrations, and protests, and employs an array of deescalation techniques to maintain peaceful public speech environments.

91. Mayor Her asked Chief Henry what “MFF” stood for. Chief Henry knew that Mayor Her already knew that because she had been briefed on the events where MFF was used. Nevertheless, Chief Henry answered, “Mobile Field Force.”

92. Mayor Her responded, “Oh, I thought it said MILF so maybe I could get one.”

93. “MILF” is a slang acronym that stands for “mother I’d like to fuck.” It describes an older woman, usually a mother, who is seen as sexually attractive.

94. Chief Henry responded, “No,” and removed himself from the conversation.

95. Both of Mayor Her's comments (i.e., "Why is Tim's bigger" and "MILF") made Chief Henry uncomfortable as they were sexually explicit delivered by a person in a position of authority and power, not to mention the Mayor of St. Paul.

C. February 24, 2026: Mayor Her complains that Chief Henry was not calling her back and trying to "ignore" her.

96. On or about February 24, 2026, Mayor Her called Chief Henry sometime around 8:30 p.m. Chief Henry missed the call as he was asleep. (Chief Henry typically wakes up around 4 a.m.)

97. The following day, Mayor Her asked Chief Henry why he did not answer the call. Chief Henry informed Mayor Her that he was in bed already to which Mayor Her replied, "No you weren't," and "You're trying to ignore me."

98. When Chief Henry asked why he would ignore a call from the Mayor, she sidestepped the question and responded that the two of them needed to have a "close relationship." Mayor Her's tone throughout this exchange struck Chief Henry as similar to that of a jilted or slighted high-school girlfriend.

99. This sort of thing occurred several times. That is, on at least two occasions in February/March 2026, Schumacher asked Chief Henry why he did not call the Mayor back after she called Chief Henry. Chief Henry told Schumacher he did not know what she was talking about because either (a) Chief Henry investigated his iPhone and found Mayor Her never called him; or (b) Chief Henry's iPhone showed that he did, in fact, return Mayor Her's phone call or spoken to her.

100. Chief Henry reported all of this to Schumacher. Schumacher said that she would discuss the same with the Mayor and get back to Chief Henry regarding the same. She never did.

101. Mayor Her made these false allegations against Chief Henry as a means to retaliate against Chief Henry for failing to succumb to her advances.

D. The Mayor requires Chief Henry to meet her at a bar on a Saturday night.

102. On or about February 21, 2026, the Mayor's office called SPPD's Office Manager, Herzog. The Mayor's scheduler informed Herzog that the Mayor desired to have a meeting with Chief Henry.

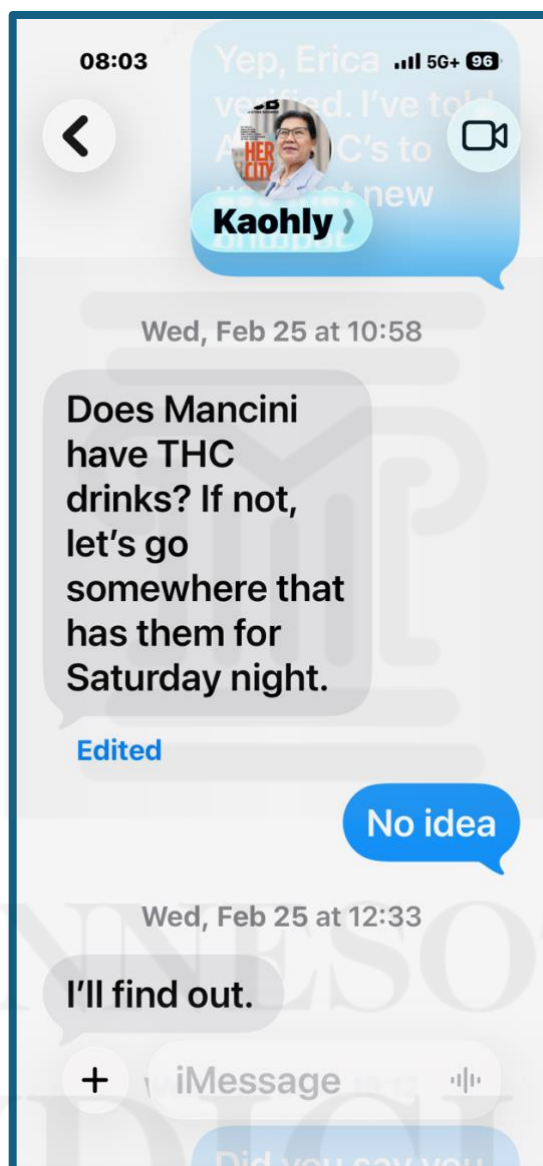
103. Herzog asked for the subject matter of the meeting. The Mayor's scheduler informed Herzog that the Mayor wanted to get to know Chief Henry better.

104. Chief Henry and Herzog assumed Mayor Her intended to meet with each St. Paul director-level employee.

105. Previously, Schumacher told Chief Henry that Mayor Her was spending "way more time at the police department" than anywhere else. Consequently, Chief Henry was confused regarding why Mayor Her would need to "get to know him better."

106. Given the stated goal of getting to know Chief Henry better and the fact that the meeting was scheduled for a Saturday night (February 28, 2026), Chief Henry asked the Mayor if spouses were invited. The Mayor said words to the effect of, "Not this time." Upon information and belief, no other City director-level employee was invited to a similar meeting with Mayor Her without their spouse.

107. Although the meeting was originally set for Mancini's, a St. Paul restaurant, the Mayor changed the location of the meeting to Sweeney's Saloon ("Sweeney's") because Sweeney's served THC-infused drinks, which the Mayor specifically stated she wanted to be able to drink:



108. On February 28, 2026, Chief Henry met Mayor Her at Sweeney's. When Mayor Her arrived, she told Chief Henry that she "heard [he was] a really good shooter." Chief Henry responded he probably was not as good as he used to be because he does not train as much in his new position. Chief Henry was confused by the comment until he left the restaurant and saw John O'Halloran ("O'Halloran") was Mayor Her's driver for the evening. Chief Henry trained with O'Halloran and O'Halloran works at the gun range where Chief Henry was a firearms

instructor. It became clear to Chief Henry that Mayor Her was likely asking other employees about him.

109. At Sweeney's, Mayor Her asked Chief Henry about his personal background. Chief Henry was happy to share, as much of this information is public. He even originally told the Mayor that he did not want to discuss work that night, so he provided Mayor Her with his background, including facts about his parents, growing up, why he became a cop, etc.

110. But the personal conversations did not stop with background personal facts. Throughout the evening, Mayor Her repeatedly initiated inappropriate conversations. These included Mayor Her volunteering the poor status of her marriage and how her marriage was "wrecked" by her career. Mayor Her also volunteered to Chief Henry that she was frequently alone at her home at night, including that Saturday night.

111. The Mayor drank THC-infused drinks. Chief Henry drank non-alcoholic beer. Mayor Her asked why he was not drinking alcohol. Chief Henry responded he did not want to drink and drive. Mayor Her smiled and said, "I can give you a ride home. You should have some drinks." Chief Henry declined her offer.

112. Throughout the meeting, Chief Henry and Mayor Her sat across from each other at a square, high-top table. Mayor Her repeatedly leaned forward across the table toward him while Chief Henry did his best to maintain his physical distance.

113. After several inappropriate conversations, Mayor Her asked Chief Henry, "Do you want to be friends, colleagues, or neither?" Confused by the question, Chief Henry responded that he wanted to be her friend, like he was with other work colleagues. Undeterred, Mayor Her continued to ask Chief Henry if he wanted to be her friend, that they must work closely together.

114. Due to the Mayor's statements regarding her marriage, Chief Henry decided to begin initiating work-related conversations. For example, Chief Henry tried to engage the Mayor in a conversation regarding the Police and Fire Plan of the Minnesota Public Employees Retirement Association ("PERA"), i.e., the pension plan covering full-time licensed peace officers and firefighters.

115. Chief Henry told Mayor Her that the City had not processed his employees' backpay correctly, including his own, and it was now beginning to feel retaliatory because the deputy chiefs had chosen to organize and seek union representation. Mayor Her responded that the City had addressed the issue, so Chief Henry asked why the backpay for SPPD and SPFD were being paid out differently. Mayor Her smiled, shrugged and said she didn't know why that was happening. Chief Henry understood her gesture and smile to mean she did know but she wasn't planning on doing anything about it. Chief Henry recalled the mayor's comments about the SPFD endorsement and him needing to be nice to the mayor.

116. Instead of addressing the PERA issue head on, Mayor Her said, several times, that Chief Henry needed to make a choice, either be her friend, be just an employee/colleague, or "go." Chief Henry understood that to "go" meant resign.

117. Mayor Her then sat with her elbows on the table, hands on her cheeks, and kept saying that she didn't "think this is going to work." Chief Henry responded with, "Well, I agreed to come here, didn't I?" to which she replied, "I'm the Mayor, you had to." Chief Henry responded, "What do you want me to say?" During this meeting, Chief Henry told Mayor Her at least twice that "[t]here is a power dynamic here you aren't accounting for." When Mayor Her asked what he meant, Chief Henry told her, "You are the mayor, you can fire me [:] I can't fire you."

118. Mayor Her's conduct was quite similar to President Trump's treatment of then-FBI Director James Comey. That is, in January 2017, shortly after his inauguration, President Trump ("Trump") invited then-FBI Director James Comey ("Comey") to a private dinner at the White House, where Comey reported that Trump told him, "I need loyalty, I expect loyalty" and pressed Comey to pledge personal loyalty. Comey has said he offered only "honesty" and, when pushed again, "honest loyalty," rather than the personal relationship Trump was seeking. Comey later testified about this dinner before the Senate Intelligence Committee in June 2017, and it became a central episode in the broader controversy over Trump's subsequent firing of Comey in May 2017. Trump's statements regarding "loyalty" were widely understood as the president's attempt to induce Comey to show Trump personal loyalty as opposed to loyalty to our country and our Constitution.

119. But the Mayor's remarks went a step further than Trump, crossing into a direct sexual request, i.e., be "friends" with her in a sexual relationship or lose your job.

IX. March 2026: Mayor Her's Harassment Occurring Outside the Workplace

A. March 2, 2026: The City follows up about the meeting at Sweeney's

120. On March 2, 2026, Schumacher called Chief Henry and the two discussed the Saturday-night "meeting" with Mayor Her. Schumacher told Chief Henry she was concerned because of how the mayor described the meeting to her.

121. Chief Henry told Schumacher that this is "like the most unusual time in his 31-year police career," and that "these things...they're not even waters you would think to chart because they're so bizarre."

122. Schumacher told Chief Henry that Mayor Her told Schumacher that she told Chief Henry that "we can either be friends, we cannot be friends and just be like professional colleagues, or you can decide like, this isn't what you want to do."

123. Schumacher told Chief Henry that her responses to Mayor Her's statement were, "And I was like, What?"

124. Schumacher told Chief Henry that after listening to what Mayor Her said, Schumacher thought, "Where did that come from?"

125. Schumacher then told Chief Henry that is why she wanted to reach out to Chief Henry and say, "I hope you're not thinking like...like she's trying to push you out or get rid of you or something."

126. Schumacher added, "I don't want you going anywhere.... I think like what you bring to this job is, uh, and your orientation to the job is critically important. And I think your ability to bring like you, you have to be in a position to lead people. You have to have credibility with them. I think you have a significant amount of credibility with the folks that you lead, um, which also means that you have the ability to, you know, inform them and lead them. Um, and that doesn't happen overnight... it's something that you've earned over time."

127. Chief Henry told Schumacher how he told Mayor Her that he "obviously would like to be [her] friend," and that he came to meet her on a Saturday night. Chief Henry told Schumacher how the Mayor stated, "Well, I'm the mayor [and] you had to come." Chief Henry told Schumacher, "it was kind of weird."

128. Chief Henry summed up the "friends/colleagues" conversation by noting that he was "fine with it because I'm not going to go running off or whatever" but he told Schumacher that from a human-resources perspective, if "the mayor was going around and telling directors, you need to tell me what your answer is. Do you want to be friends? Or do you want to be whatever—they'd be like, you can't talk to employees that way. You can't."

129. Also on March 2, 2026, Schumacher texted Chief Henry that “the Mayor went rogue last night since [Schumacher] was on a plane and couldn’t say no... she stopped by [the] 4pm east roll call & 10 pm west [roll call].” SPPD has a practice, which applies even to Chief Henry, of confirming with the officer in charge of a division before visiting, due to the sensitive issues discussed at roll call and out of respect for that officer’s authority over the division.

130. During this conversation, Schumacher also told Chief Henry about a meeting between Mayor Her and Chief Henry’s longtime partner, Mikeya Griffin (“Griffin”). Griffin is President and CEO of the Rondo Community Land Trust, which works to make housing and commercial properties attainable for low-to-moderate-income families in St. Paul.

131. As part of Griffin’s job, she works on several large land deals. Griffin strives to have a positive relationship with the mayor of St. Paul, whomever that person may be. This made the situation even more complicated for Chief Henry as he did not want Mayor Her’s anger with him to disrupt his longtime partner’s business.

132. The following day, March 3, 2026, Chief Henry met with Mayor Her and Schumacher. Mayor Her wanted to meet with Chief Henry one-on-one but Chief Henry did not want that to happen. Chief Henry tried to make the portion of the meeting where Schumacher was present as long as possible to avoid being one-on-one with Mayor Her. Eventually, Schumacher left and Chief Henry and Mayor Her met for about 15 minutes. Thankfully, they only discussed City business. Beginning around this time, Chief Henry started taking precautions to avoid being alone with Mayor Her, including ensuring a witness was present, avoiding her attempts to hug him or sit next to him, and using pretextual excuses—such as a scheduled phone call or having his executive officer interrupt a meeting—to limit one-on-one contact. Chief

Henry also began faking phone calls so he could be the last person to sit down at a meeting, or stand at the outside, so as to not have to sit next to the mayor.

B. March 5-6, 2026: Mayor Her repeatedly calls Chief Henry with no clear reason and more odd, immature behavior.

133. On March 5, 2026, at approximately 8:05 p.m., Mayor Her called Chief Henry. The call lasted approximately eight to nine minutes, during which Mayor Her did not discuss or add any new information about the gun-range visit scheduled for the next day. The call felt to Chief Henry like a pretext to contact him after hours—the kind of call that might be followed by a question like, “What are you doing?”

134. Chief Henry kept the conversation strictly professional. Chief Henry believes that Mayor Her placed these after-hours calls in part hoping to catch him relaxed or drinking so that she might flirt with him.

135. This call became significant because Mayor Her later told Schumacher that Chief Henry had not called her back; Chief Henry (again) informed Schumacher that he had, in fact, spoken with Mayor Her that night.

136. Again, this was part of a pattern in which Mayor Her and her staff fabricated slights or perceived failures by Chief Henry—falsely claiming, for example, that he had not answered a call, text, or email—which eventually led Chief Henry to begin tracking his calls and messages.

137. The next day, Chief Henry spoke with Schumacher on the phone. Schumacher told Chief Henry that he missed a call from Mayor Her the night before. Chief Henry informed Schumacher that he had spoken with Mayor Her the night before and did not understand the confusion.

138. Schumacher told Chief Henry that Mayor Her said to Schumacher, “He likes you more than me” and “Maybe he would rather talk to you.” Chief Henry was concerned this was a continuation of the “high school” like behavior that he was already experiencing.

C. March 15, 2026: Mayor Her calls Chief Henry again after hours.

139. On March 15, 2026, Mayor Her called Chief Henry after hours. When Mayor Her asked Chief Henry how his weekend was, he said it was “alright” without elaborating. After a few moments of awkward silence, the Mayor chuckled as if she wanted Chief Henry to expand on the topic.

140. All these calls seemed to Chief Henry as excuses to contact him outside the workplace. On all these calls Mayor Her tried to make room for Chief Henry to get into other, non-City-related topics. Chief Henry did not start other conversations because he was uncomfortable speaking with her.

141. Chief Henry believes Mayor Her intentionally placed these after-hours calls to draw him into personal or social conversation, in apparent disregard of his personal time. Virtually none of these calls involved anything that would qualify as an emergency.

X. Chief Henry Learns that the SPPD driver is Speaking with Mayor Her Regarding Non-Protection Issues

142. SPPD provides a driver for the mayor of St. Paul for protection of the mayor. The SPPD driver’s role is limited to protection and logistics, so straying into substantive policy, political discussions, or personal issues risks blurring the line between a neutral security function and an advisory one, while also raising concerns about political impartiality, confidentiality, and conflicts of interest. Keeping conversation confined to scheduling and protective matters limits the officer’s exposure to sensitive information and preserves both operational security and the appearance of neutrality expected of police personnel.

143. In or around March 2026, Schumacher spoke with Chief Henry about her SPPD driver attending meetings with Mayor Her. Schumacher said that the driver would tell things to Mayor Her because the driver “couldn’t tell the Mayor no” because Mayor Her would get upset with him.

144. Schumacher later told Chief Henry that Mayor Her “needs” the SPPD driver to be her driver because that man “centers” Mayor Her. Chief Henry repeatedly insisted that his working relationships with Mayor Her remain strictly professional, but City staff dismissed his concerns by characterizing Mayor Her’s conduct as simply her being a “relationship person” or “folksy.”

XI. March 2026: Schumacher tells Chief Henry that the St. Paul City Attorney Advised the Mayor That She’s Being Too Familiar & Close to Staff

145. In or around March 2026, Schumacher met with Chief Henry and informed him that the City Attorney for St. Paul, Irene Kao (“Kao”), spoke with Mayor Her about being too close and familiar to staff.

146. According to Schumacher, Kao also told Mayor Her that it was inappropriate for Mayor Her to show up and walk around the SPPD office without notice.

147. After this conversation, Mayor Her stopped visiting the SPPD gym, temporarily.

XII. March 17, 2026: Chief Henry Follows Up on the SPPD Payment Issue

148. On or about March 17, 2026, Chief Henry had not received an update about his request for the City to review SPPD compensation, including his own salary. Accordingly, he forwarded a related email to Schumacher to see if she had any updates.

149. The City’s agent responded that there will be no compensation adjustments.

150. That same day, Chief Henry told Schumacher this entire issue seems “retaliatory,” especially because of the harassment he has been experiencing. Chief Henry also told Schumacher this is making him fear that his job is in jeopardy.

151. Schumacher told Chief Henry that she will look into it further.

152. Schumacher never got back to him. At the time, Chief Henry did not realize that Mayor Her and City staff were, in effect, mobilizing against him. In retrospect, Chief Henry believes Mayor Her had a practice of creating burdens or obstacles that only she could relieve, reinforcing a power dynamic and creating a sense that Chief Henry “owed” her. Chief Henry did not recognize this pattern as it was unfolding because he was trying to lead the police department and did not have time to be preoccupied with responding to Mayor Her’s ongoing inappropriate and bizarre conduct.

153. The City has retaliated against Chief Henry with respect to his pay. Indeed, the City recently increased all other command-staff salaries except his. In the past month the deputy chief’s salaries have been adjusted to be 25% above commander pay (the highest rank in the Federation/Union collective bargaining unit). This raise caused their salaries to exceed the Assistant Chief rank, so the city restored that separation by increasing Assistant Chief’s salary to 10% above the deputy chief rank, as it previously was. Prior to this change, Chief Henry’s salary was 15% above the Assistant Chief. When Chief Henry and Assistant Chief Ford explained that Assistant Chief Ford’ salary would now exceed Chief Henry’s, Schumacher said it would not and said Chief Henry would not receive a raise.

154. A short time later, Schumacher acknowledged she had been wrong and to prevent the Assistant Chief from making more than Chief Henry changed his salary to \$2.00 an hour more—just 1.8%—separation between him and the Assistant Chief.

XIII. March 18, 2026: Mayor Her Places Her Hand on Chief Henry's Upper Thigh During a Budget Meeting

155. On March 18, 2026, Mayor Her held an in-person budget meeting in the Mayor's conference room with Schumacher, Chief Henry, Assistant Chief Paul Ford, two accountants, and two finance people.

156. Chief Henry purposefully sat as far away from Mayor Her as he could. In fact, Chief Henry faked being on the phone prior to this meeting so he would be the last person to sit down.

157. During the meeting, Chief Henry's team—which included two civilian accountant staff members and Assistant Chief Ford—used a PowerPoint presentation on a large television to display SPPD budget numbers; Chief Henry was not the one operating the presentation. Mayor Her said she could not read the numbers that were on the television screen. Chief Henry was seated at the opposite end of the room and table from Mayor Her. Because Chief Henry was sitting next to the screen, he offered to switch seats with her—to maintain the distance between them. Mayor Her said, “No, I'll come over there.” She then stood up, pulled a chair immediately to Chief Henry's right side, and sat down.

158. During this March 18, 2026 meeting, on two separate occasions, Mayor Her put her left hand on Chief Henry's upper right thigh beneath the conference-room table.

159. The first time, the Mayor's fingers were spread across Chief Henry's middle and upper thigh.

160. The second time, the Mayor's fingers were closer to, but not directly at, Chief Henry's hip crease—farther up his leg than the first time—with her fingers extending toward the area of his groin.

161. The first time that the Mayor touched Chief Henry's thigh in the meeting, Chief Henry was too shocked to immediately react. The second time Mayor Her placed her hand on Chief Henry's upper thigh, Chief Henry pushed away from the table to get away from Mayor Her and began speaking to Schumacher about the budget.

162. After the meeting, Assistant Chief Ford told Chief Henry that he saw Mayor Her put her hand on Chief Henry's upper thigh once. Assistant Chief Ford was seated next to Chief Henry, on his left side.

163. In August 2026, KSTP reporter Jay Kolls reported Mayor Her's talking points when he implied that Chief Henry filed his sexual-harassment complaint against Mayor Her because he was upset about the SPPD budget. Upon information and belief, Kolls' report was induced by Mayor Her's public-relations firm to spread lies about Chief Henry's motives. Kolls further compounded the lies by failing to contact Chief Henry or his representatives for comment before the story was published. The irony is thick, insofar as Mayor Her placed her hand near Chief Henry's groin under a conference-room table during a meeting discussing SPPD's budget.

XIV. March 23, 2026: Mayor Her's Trip to Washington D.C.

164. On March 23, 2026, Mayor Her was planning her trip to Washington D.C. and requested that her SPPD driver accompany her. This trip was scheduled for the middle of May 2026.

165. It has never been the practice for St. Paul mayors to bring SPPD personnel when they leave the state because the SPPD officer would not be considered law enforcement in another jurisdiction. The SPPD officer might be able to provide some security for the Mayor and carry a firearm under HR218, but they would not have police power and the laws of Washington

D.C. would not permit a Minnesota state employee to be considered a law-enforcement officer within Washington D.C., even when traveling with the mayor.

166. SPPD was asked to research what would be required to approve this new practice and they spoke with numerous departments and developed a protocol of best practices, if the department and city were to consider this. The St. Paul City Attorney provided Mayor Her with a brief explaining the relevant law regarding this issue which determined bringing a driver from the SPPD was not an option. Mayor Her still insisted on taking her SPPD driver with her to Washington D.C.

167. Part of the protocol laid out in the brief was that for out of state and/or overnight trips, two officers should attend to ensure safety, backup, relief, and coverage. This would have been the recommendation even if there were no concerns about the mayor's behavior. This protocol was being developed prior to Chief Henry making a complaint but after Chief Henry learned about the inappropriate texts at the end of March, the two-person requirement became even more imperative.

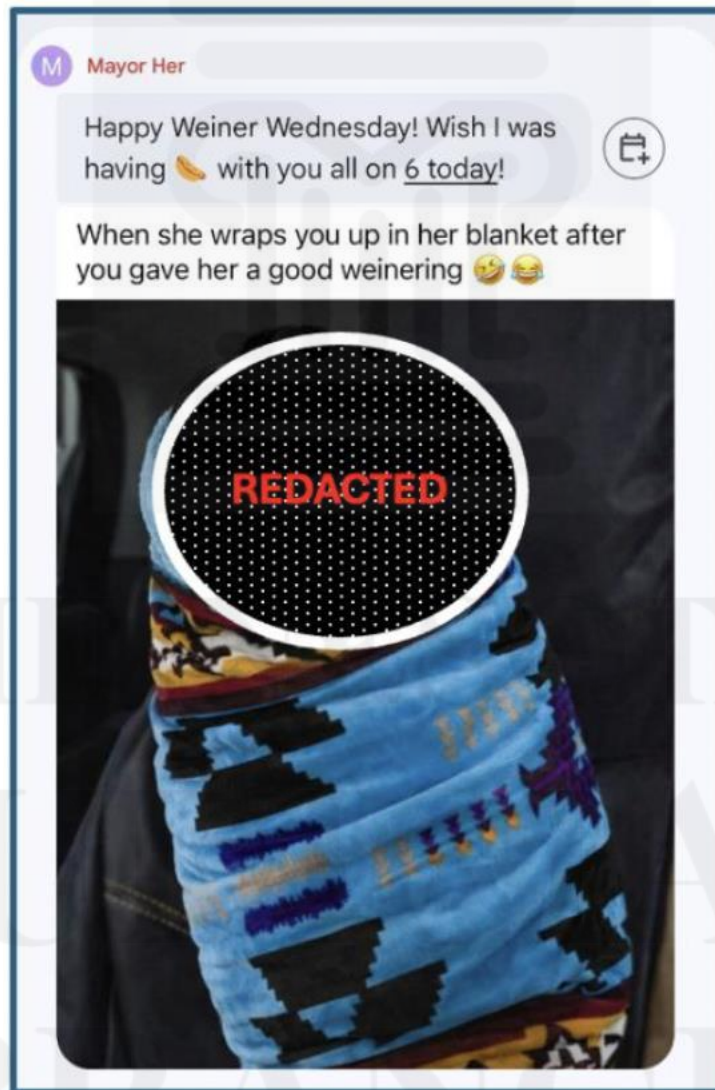
XV. In or around March 2026: Chief Henry Learns of Mayor Her's Harassment to Other SPPD officers

168. In or around March 2026, Chief Henry later learned that Mayor Her had previously approached then-Deputy Chief Shari Falkowski ("Deputy Chief Falkowski") in the women's locker room at SPPD gym and asked, "How do my boobs look?" Deputy Chief Falkowski also stated that Mayor Her complimented Deputy Chief Falkowski's breasts. Deputy Chief Falkowski reported that Mayor Her's question and statement regarding her breasts was inappropriate and made her uncomfortable.¹

¹ Former Deputy Chief Falkowski retired from SPPD. Recent reports have quoted her decision to retire as based in large measure on Mayor Her's inappropriate behavior.

169. Chief Henry later learned that Mayor Her also complimented the breasts of a separate SPPD officer.

170. In or around March 2026, Chief Henry learned that Mayor Her sent the following text message to SPPD officers:



171. Chief Henry has redacted the face in this text message because it is a SPPD officer.

172. When Mayor Her referred to “weinering,” she referred to sexual intercourse.

173. This was the proverbial “straw that broke the camel’s back.” Chief Henry was not going to allow someone to treat his subordinates in this manner. Chief Henry could not have this behavior be modeled to the St. Paul Police Department.

174. On Thursday, March 26, 2026, Chief Henry reported his sexual-harassment complaint against Mayor Her to Schumacher and City Attorney Kao.

175. In that meeting, Chief Henry stated he believed by making this report he was effectively ending his career and that he was, in essence, “jumping out of a plane without a parachute.” Chief Henry provided Schumacher and Kao with information and photographs related to the complaint. Chief Henry was told that a follow-up, in-person meeting would be required because the City’s newly hired HR director was not in attendance. (Kamaria Kassim, (“Kassim”) the City’s new Head of Human Resources, was on vacation at the time and was told to be expected back the following week, and so did not attend.)

176. The second meeting occurred on Monday, March 30, 2026, in Chief Henry’s office with Chief Henry, Assistant Chief Ford, SPPD Senior Commander Eric Vang-Sitcler (“Vang-Sitcler”), Schumacher, Kao, the City’s Human Resources Director, and two additional attorneys for the City, with Chief Henry’s counsel participating by phone.

177. During the March 30 meeting, Chief Henry went into more depth about his sexual-harassment complaints regarding Mayor Her, including the text message from Mayor Her to the SPPD driver. Chief Henry believes that this was the first time Kao heard many of these complaints, a statement Chief Henry had first made when he reported the complaint on March 26. During this meeting, Chief Henry also pointed out that the City Charter states that the Chief of Police reports directly to the Mayor, and Kao agreed. Chief Henry also raised his concern that Mayor Her appeared to be inventing pretexts—such as the false claim that Chief Henry was not

returning her calls—to build a case against him or assert power. Again, Chief Henry was not certain if Mayor Her wanted to get rid of him or just create a situation where she could control him by having leverage over him and his job.

178. Chief Henry stated that he feared retaliation, noting that he oversaw more than 700 employees and was concerned about the consequences of retaliation against him. Schumacher and others on the call repeatedly assured Chief Henry that nothing would be made public.

179. Kassim told Chief Henry that his concern about retaliation was legitimate, and City staff stated that they would remain closely “connected to” Chief Henry going forward—an assurance that did not come to pass.

180. Kassim also noted that, according to the City’s organizational chart, Chief Henry reported directly to Mayor Her, and that Schumacher could serve as a “buffer” between them.

181. Kao then returned to the idea of a process designed to keep Chief Henry out of the complaint and limit its scope.

182. Chief Henry responded that he felt he owed it to the department to stand up and be the complainant, even though he did not feel he had a real choice in the matter.

183. Schumacher advised Chief Henry that the substance of his complaints would be investigated, and she asked Chief Henry if he actually desired to be the complainant. Chief Henry felt that Schumacher was trying to persuade him not to be the complainant because it would look bad for the City.

184. Chief Henry stated that he felt he had a duty to speak up about the behavior, and he could not expect other employees to do so if he was not willing to face the risk himself.

Schumacher asked Chief Henry to think about it and get back to Kassim or Kao regarding his decision.

185. Two days later, i.e., April 1, 2026, Chief Henry's counsel wrote a letter to Kao stating that Chief Henry desired to be the official complainant. As the letter stated:

Chief Henry asked me to convey his sincere appreciation of your offer to give him the space and autonomy to decide whether to proceed as a formal complainant. That respect for his judgment allowed him to make a thoughtful, deliberate decision.

Please accept this correspondence as Chief Henry's decision to designate himself as a formal complainant against Mayor Her for illegal employment practices against City employees,

including himself. Chief Henry has reached this decision to step forward as a formal complainant against the Mayor after becoming aware that the Mayor's conduct has extended beyond isolated incidents and has included sexual harassment of subordinate City employees, including members of the Saint Paul Police Department. Recognizing both the seriousness of that misconduct and the vulnerability of those directly affected, he is concerned that, absent a formal complaint, the behavior will continue unchecked and may expose others to retaliation for speaking out. In choosing to act, Chief Henry is not only seeking to address the wrongdoing but also to create a measure of protection for his team, signaling that such conduct will not be tolerated. His decision reflects a willingness to lead by example—accepting personal and professional risk in order to uphold workplace standards and encourage accountability. We expect, of course, that the City shall conduct a thorough and independent investigation, and to that end, Chief Henry will provide all relevant facts to the investigator(s).

186. In this letter, Chief Henry's counsel also asked that the City immediately perform a “full filesystem extraction” of Mayor Her's multiple cell phones. The City delayed doing this for at least a month, and it only did so after Chief Henry's counsel threatened not to allow him to be interviewed unless the City promised it was done in writing.

187. It remains unclear if any data was destroyed.

188. After he submitted his complaint against Mayor Her, Chief Henry was advised not to discuss the investigation with anyone besides counsel.

189. Within a week after this conversation, Chief Henry received a letter from MN PERA. In this letter, MN PERA notified Chief Henry that the pension and backpay issue was

resolved, however the period from November 28, 2024, through October 31, 2025, would be considered an “omission period.” This meant the City did not add the amount to their pension and they would not be required to pay the additional 17% they would have included if it was considered backpay. The pension issue had been unresolved for some time, and the City appeared to reverse course and address it only after Chief Henry’s counsel became involved.

XVI. April 8, 2026: Deputy Chief Flynn Relays Hurley’s Concerns About Mayor Her’s Conduct to Chief Henry

190. In a conversation between Chief Henry and Deputy Chief Flynn, Deputy Chief Flynn informed Chief Henry that Hurley asked Deputy Chief Flynn about the sexual-harassment complaint.

191. Deputy Chief Flynn told Chief Henry that Hurley was asking “what was going on” between Mayor Her and Chief Henry.

192. Hurley then told Deputy Chief Flynn, “I have warned her she can’t talk to people the way she does, she’s going to get in trouble.”

193. Chief Henry has not spoken to, or met with, Hurley since Chief Henry made his sexual-harassment complaint against Mayor Her. It was clear that someone was speaking about the investigation to third persons. Chief Henry immediately reported this to his attorney and subsequently to the investigator when he was interviewed.

XVII. April 21, 2026: Mayor Her’s Retaliatory Harassment and Intimidation at the Harriet Island Budget Retreat

194. Chief Henry was aware of a budget retreat coming up that would involve a variety of City employees. Chief Henry requested Assistant Chief Ford be allowed to join him for the retreat because Chief Henry wanted Assistant Chief Ford to be present for the budget discussions. Chief Henry also wanted to have a witness with him in case Mayor Her engaged in further misconduct. Chief Henry submitted this request to Schumacher and she denied it.

195. At the retreat, other City directors were permitted to bring their second-in-command or other staff members with them.

196. During the retreat, City employees did an exercise where they had everyone write something that motivated them on an index card. Mayor Her then read these cards off and asked the group who they thought wrote each card. For more than half of the cards, Mayor Her would single out Chief Henry and say, "I bet this is the Chief." It was so noticeable that Chief Henry overheard people talking about it at lunch while commenting that Chief Henry and Mayor Her must have a very close relationship.

197. Chief Henry deliberately sat next to Kassim because he knew she was aware of the complaint and as the Director of HR, she would be the perfect person to catch the inappropriate behavior.

198. At one point Chief Henry asked Kassim and the others at their table why Mayor Her was constantly singling him out. Chief Henry was hoping to alert Kassim to the behavior, if she had not already noticed. Kassim did not respond, which surprised Chief Henry because Kassim was aware of his complaint against Mayor Her.

199. During lunch, Chief Henry got up from the table where he was seated to get a water. He was then approached by Mayor Her and Schumacher. Mayor Her, in front of Schumacher put her hand on Chief Henry's arm and said, "Hey Chief." Chief Henry was startled by the interaction and froze because he did not know how to react, then he looked at Schumacher expecting her to say something.

200. True to form, Schumacher did nothing.

201. During the same interaction Mayor Her then said, "Your collar is crooked" and reached up to Chief Henry's collar and adjusted it. Chief Henry was so uncomfortable that he

pretended to receive a phone call and removed himself from the situation. Chief Henry eventually backed away and changed the subject.

202. Later at the same retreat, Mayor Her pulled Chief Henry aside to address him in private. Mayor Her explained that she was sending letters to directors of various City departments about the status of their employment (they were being removed as directors), but that Chief Henry had nothing to worry about because his job was “different.” Chief Henry knew he was under contract and couldn’t be removed without cause and a vote from city council. Chief Henry felt like this conversation was the Mayor’s continued attempt to illustrate she could do whatever she wanted. Chief Henry got the impression that Mayor Her was reminding Chief Henry that she could fire him if she wanted to while mixing that with other physical advances. Chief Henry understood this to mean that his job was safe for the time being, but that Mayor Her could change that at her discretion.

203. During this one-on-one conversation, Mayor Her brought up potentially promoting Sergeant Vixayvong to Director of the Office of Neighborhood Safety (“ONS Director”). During this conversation, Chief Henry told Mayor Her he did not feel comfortable giving Sergeant Vixayvong too much advice. Chief Henry wanted Sergeant Vixayvong to do well in his career but also knew that he could not tell Sergeant Vixayvong about his complaint due to the orders he was given from the City. Because of his friendship with Sergeant Vixayvong, Chief Henry knew that Sergeant Vixayvong would likely ask for his advice about the promotion, and that, because of the confidentiality he had been ordered to maintain, he would be unable to honestly explain to Sergeant Vixayvong why he would have discouraged him from taking the position—which Chief Henry otherwise would have done.

XVIII. Mayor Her and the City's Discussions of Sergeant Vixayvong being Hired as ONS Director

204. On April 27, 2026, Chief Henry was asked to join a conference call with the Deputy Director of Human Resources for the City of St. Paul, Jason Schmidt ("Schmidt"), Kassim, Schumacher, and Kao, about Sergeant Vixayvong potentially being hired as the ONS Director. This would result in a substantial increase in pay for Sergeant Vixayvong. (Recall that Sergeant Vixayvong's face had also been used, without his consent, in several of the altered photographs Mayor Her created and displayed, as described above, and that Sergeant Vixayvong was the only person who accompanied Chief Henry to the Woodbury golf simulator when Mayor Her "dropped in." (*See above.*))

205. Chief Henry told Schmidt, Kassim, Schumacher, and Kao that he should not be on the call for a "multitude of reasons." Mayor Her was attempting to promote and give a large pay raise to a witness in an active sexual-harassment complaint against her. Chief Henry did not want to give his input because he was the complainant and he did not want to give the seal of approval for one of his officers to work for someone who was harassing SPPD employees. At the same time, Chief Henry did not want to prevent Sergeant Vixayvong from pursuing a career opportunity he might actually enjoy. Chief Henry had also been told by Sergeant Vixayvong that he was going to receive a substantial pay raise by taking this position.

206. Chief Henry remained on the call temporarily but made it clear he wanted to have no influence over the decision to promote Sergeant Vixayvong. Kassim went on to say Mayor Her wanted Sergeant Vixayvong to take the position and that he could earn overtime pay by being her substitute driver. Chief Henry immediately exited the call. Chief Henry knew that the role of "driver" for the Mayor would only further expose Sergeant Vixayvong to inappropriate

conduct by the Mayor, and the suggestion of Sergeant Vixayvong stepping into that environment troubled him.

207. That same day, Chief Henry sent an email to Schumacher, Kao, and Kassim formally requesting to be removed from conversations about Sergeant Vixayvong's potential promotion. In sending this email, Chief Henry did not explicitly reference his complaint, but because he knew that Schumacher, Kao, and Kassim were aware of the complaint, and of Sergeant Vixayvong's connection to it, Chief Henry intended to signal the untenable position in which Mayor Her's conduct had placed him.

208. Schumacher responded that night to Chief Henry, Kao, and Kassim, stating "Mayor Her made it clear to me that she is handling this," and that Chief Henry would no longer be involved in Sergeant Vixayvong's promotion process.

209. Notwithstanding Schumacher's promise, the next day, Mayor Her called Chief Henry and immediately initiated a conversation about hiring Sergeant Vixayvong as the ONS Director.

210. Mayor Her continued the conversation by telling Chief Henry that she would not have a phone for about 45 minutes after the call. Chief Henry believed Mayor Her was saying this because the City was finally doing the forensic extraction of her phones—something that his attorneys had repeatedly demanded, but the City failed to do until they conditioned Chief Henry's interview on the promise that the City would perform a "full filesystem extraction" of Mayor Her's multiple cell phones to avoid spoliation of evidence.

211. Chief Henry understood Mayor Her's comment as an implicit acknowledgment that she knew Chief Henry had made the complaint, and as a challenge or veiled threat about the consequences he might face.

212. Later that morning, Sergeant Vixayvong approached Chief Henry to discuss his potential promotion to head ONS. Sergeant Vixayvong appeared upset and wanted advice from Chief Henry. Chief Henry informed Sergeant Vixayvong he could not be involved in this conversation but did not explain why. (Again, Chief Henry was explicitly told not to discuss the investigation with anyone.) Sergeant Vixayvong said that Mayor Her spoke with him the night before and Schumacher met with him that morning about the role and that one of them encouraged him to speak with Chief Henry about the position.

213. After Chief Henry spoke with Sergeant Vixayvong, he sent an email to Schumacher, Kassim, and Kao telling them he did not want to be a part of Sergeant Vixayvong's promotion decision—again.

214. The next day, April 29, 2026, Schumacher replied she would discuss the situation with the other people involved and get back to Chief Henry. Kao followed up a few hours later, apologized for Mayor Her's actions, and said she told Mayor Her to cease communication to Chief Henry about this subject.

215. On May 4, 2026, Chief Henry received a phone call from Schumacher. Schumacher immediately started discussing Sergeant Vixayvong's new position, the potential transfer, and logistical issues with Sergeant Vixayvong's promotion. Once again, Chief Henry told Schumacher he did not want to be involved in this process. Schumacher's behavior and "gaslighting" Chief Henry was another pattern in the retaliation and Chief Henry began to believe Schumacher and the mayor were trying to provoke him into losing his temper, giving them cause to fire him.

216. Later that day, Chief Henry received a text message, and then a call, from the then-current ONS Director, Cedrick Baker ("Baker"), about Sergeant Vixayvong's potential

promotion.² Baker stated that Mayor Her told him to call Chief Henry for more information. Chief Henry then sent yet another email to Schumacher, Kao, and Kassim reiterating that he did not want to be a part of these conversations.

217. Chief Henry viewed the City's repeated insistence on involving him in conversations about Sergeant Vixayvong's promotion—despite his clearly and repeatedly stated objections—as a form of retaliation and believes City staff selectively enforced their own stated rules and practices to favor Mayor Her.

XIX. Mayor Her's Interference with Chief Henry's Responsibilities as Chief of Police and Failure to Follow the Minnesota Government Data Practices Act

218. On May 8, 2026, during a meeting with Mayor Her and Schumacher about an unrelated topic, Mayor Her's travel protocol came up. Schumacher brought up the SPPD driver and the question of whether he should be removed from his position as Mayor Her's driver. Schumacher stated that the SPPD driver enjoyed his role as Mayor Her's driver and should not be moved.

219. Assistant Chief Ford then pointed out to Schumacher that the amount of overtime being spent on Mayor Her's driver will be a subject of media scrutiny. Schumacher agreed but stated she desired to keep things the way they are for now.

220. In that same meeting, the topic shifted to the SPPD driver potentially providing confidential law-enforcement information to Mayor Her and her team. This could be a violation of law. *See, e.g.*, Minn. Stat. §§ 13.09, 13.82.

221. Chief Henry told Schumacher that if this is happening, the SPPD driver must be removed as Mayor Her's driver. Schumacher stated that the SPPD driver “might overshare” “at times” because “[t]he Mayor is probably asking him.”

² Baker has since been promoted to Assistant Mayor. Baker is Vixayvong's supervisor.

222. Chief Henry later learned that Mayor Her requested, and was being provided, confidential law-enforcement information in violation of Minnesota law. Because that information is nonpublic, it is not detailed here but will be in discovery.

223. In the summer of 2026, various media outlets requested, pursuant to the Minnesota Government Data Practices Act, documents relating to Mayor Her's driver. Chief Henry knows that email responsive to those requests has not been produced to the media.

XX. May 19, 2026: Further Harassment at Town Hall Meeting

224. On May 19, 2026, the Czech-Slovak Protective Society held a meeting at 383 W. Michigan in St. Paul. The Mayor and Chief Henry were expected to attend.

225. Chief Henry arrived at the event and went to the back of the theater. Chief Henry did this because of his developed practice to prevent seating opportunities by Mayor Her. When he arrived, he was told there was a seat assigned to him in the front row. The meeting was held in an old theater, and the seats were very small, and close together. When he got to the front row, he found Mayor Her and her staff already seated. His name was on a piece of paper in the seat directly next to Mayor Her.

226. This made Chief Henry uncomfortable, particularly because it was unnecessary and easily preventable by Schumacher, who was aware of the complaint and could have taken the seat next to the mayor herself. Schumacher, seated several seats away, looked at Chief Henry and smiled, as though she found it amusing that he had been placed next to Mayor Her. Nevertheless, and because he is a professional, Chief Henry went forward with the event, sitting so close to Mayor Her that their thighs touched.

XXI. Mayor Her Continues to Use the SPPD Driver Issue to Interfere with Chief Henry's Role as Chief of Police

227. In late May and early June 2026, Mayor Her and Schumacher repeatedly addressed how Mayor Her wanted one specific driver to drive Mayor Her.

228. Mayor Her also claimed that she worked 16 hours per day, seven days per week, and needed a driver for her personal security during those "work" hours.

229. On multiple occasions, Chief Henry told Mayor Her and Schumacher that one driver could not work 16-hour days, seven days a week.

230. Mayor Her and Schumacher saw that as Chief Henry trying to decide a mayoral issue. It never was.

231. Chief Henry, and other SPPD members, have informed the Mayor's office that the amount of time she used SPPD drivers was excessive from a financial standpoint. There is no budget for the Mayor's driver and Chief Henry is responsible for reducing the SPPD's overtime (OT) use. Mayor Her's use of the driver position has been, and is, substantially more than other mayors, and now includes out of state and overnight travel requests, which was never the case before.

232. The amount of time that Chief Henry has expended on Mayor Her's driver is absurd. Mayor Her appears obsessed with her current SPPD driver.

XXII. May 28, 2026: Mayor Her Calls Chief Henry About an Inquiry Claiming Chief Henry was Covering Up Sexual Misconduct

233. On May 28, 2026, Mayor Her called Chief Henry and told him she received an anonymous email from "Alpha News" saying that Chief Henry was covering up sexual misconduct in the department. Mayor Her claimed that the email called out Chief Henry in particular, that there was an internal investigation into Chief Henry, and that he was preventing promotions to further cover up these allegations.

234. Chief Henry asked Mayor Her to forward him the email. Mayor Her said that she would not forward him the email but could print it off and show it to him. Mayor Her did not ultimately provide the email to Chief Henry; Schumacher later provided it to him.

235. When Chief Henry read the email, it was from “alphanews@gmail.com.” Chief Henry knew Alpha News had its own domain at alphanews.org. It was a fake email unrelated to the actual Alpha News organization.

236. Mayor Her told Chief Henry that she believed the fake email was related to recent, unrelated controversies involving Police Chief O’Hara, and she never suggested that Chief Henry had done anything wrong.

XXIII. June 16, 2026: Meeting with SPPD and Attorneys to get an Answer to Who Has the Legal Authority to Make Personnel Decisions

237. On June 16, 2026, Chief Henry met with Schumacher, Kao, Assistant Chief Ford, and SPPD Senior Commander Vang-Sitcler in person with Kassim on the phone.

238. Once again, this meeting centered on Mayor Her’s driver. The mayor and Schumacher consistently asserted they had the power to override Chief Henry’s personnel decisions. Numerous times verbally and in writing Chief Henry had disputed this but added, if that was their position, they would need to get legal clarity. Schumacher agreed to arrange a meeting which was delayed numerous times. Chief Henry and his staff believed this was intentional because the mayor’s office and city attorney knew they didn’t have authority of personnel decisions. These delays also allowed for the mayor’s office to continue the status quo and allow them to dictate personnel decisions, in an area where Chief Henry had serious concerns about the non-professional interactions which appeared to be occurring.

239. Kao told the group that Mayor Her had final say on personnel decisions generally, including but not limited to who would drive Mayor Her. Chief Henry said he didn't understand how that was possible, so he wanted Kao to put that in writing.

240. Kao refused to do so and then stated she would have to do more legal research regarding the question. This meeting had already been postponed multiple times at the City's request; Chief Henry believes the repeated postponements reflected the City's awareness that its position was incorrect.

241. Near the end of the meeting, Chief Henry said that he felt the entire driver issue was another avenue for Mayor Her to harass him and is retaliation against him for not reciprocating her advances. It had also caused the city to spend a large amount of money unnecessarily, which created another burden on the police department. Chief Henry did not feel like he was violating his restrictions related to the complaint because everyone in the room was aware of the issue.

242. The meeting closed with Schumacher saying the status quo will remain until everything is resolved.

243. Kao never sent Chief Henry anything in writing backing up the claim that the Mayor had the final say on personnel decisions, including who would drive her—let alone a driver that would be paid 16 hours a day, seven days a week.

244. Chief Henry has wondered if the Mayor and her staff desired to provide her SPPD driver with excessive overtime pay to ensure that he would provide testimony favorable to Mayor Her in this matter. On July 2, 2026, while Chief Henry and Assistant Chief Ford were on vacation playing golf, Schumacher called them and stated that City Attorney Kao needed to hold an emergency meeting at her office. At that meeting, City staff acknowledged that Mayor Her

and Schumacher had been wrong, and that neither had the authority to dictate the personnel decision regarding Mayor Her's driver in the manner they had.

XXIV. July 2026: Mayor Her's Shifting Responses

245. Thus far, Mayor Her and her lackeys have spun several responses to Chief Henry's sexual-harassment complaint.

246. The first was a halfhearted apology that tried to frame her misconduct as failed humor. Her written statement stated, "[a]s Mayor, I take my responsibility to treat every employee with professionalism and respect very seriously. I recognize that some of my attempts at humor fell short of the standard I expect of myself." (*See, e.g.*, <https://www.cbsnews.com/minnesota/news/st-paul-mayor-kaohly-her-sexual-harassment-investigation/>.)

247. Next, as reported by KARE-11, Mayor Her blamed the internal culture of the police department for mischaracterizing her communications, including presumably her pretend orgasming in the SPPD gym. (*See, e.g.*, <https://www.youtube.com/watch?v=R0NfwSzMvRI>.)

248. And then, as noted above, Mayor Her's representatives, including her paid media consultants, found willing reporters (*e.g.*, KSTP's Kolls) to spin that Chief Henry made his sexual-harassment complaint against Mayor Her because of some vague budget-related disagreements with the Mayor. (*See, e.g.*, <https://www.youtube.com/watch?v=YfIEDIzqK1E&t=6s>).

249. On September 18, 2026, Mayor Her stated publicly that she had never made the statements attributed to her, and that it was her own family—not Chief Henry—who had been harmed by the disclosure of information about this matter. (*See e.g.*, <https://www.stpaul.gov/news/statement-mayor-her-summary-investigative-findings>).

250. All of these responses from Mayor Her and her sycophants to date are not only factually baseless but are also offensive to anyone who has experienced the consistent sexual harassment, persistent boundary crossing, and retaliatory misconduct by Mayor Her. The lack of accountability shown by the Mayor, the City, and her lackeys who instead continue to try to minimize her misconduct would be shocking if it were not their apparent modus operandi.

XXV. Other Forms of Retaliation, Adverse Employment Action, and Reprisal Against Chief Henry

251. Chief Henry has been subjected to additional forms of retaliation, adverse-employment actions, and reprisals, including, but not limited to, intentionally creating obstacles for Chief Henry to properly do his job. The conflicts Mayor Her provoked were needless and designed to try to assert her authority of Chief Henry, even in areas she did not have that authority in the first place. These include, but are not limited to, the following:

- a. Schumacher would fail to inform Mayor Her of issues in her role as a purported “buffer,” only to later allow Mayor Her to confront and criticize Chief Henry and Assistant Chief Ford over those same issues while denying that the issues had previously been discussed. Examples of this include when SPPD informed Schumacher of the procedures for Mayor Her’s driver, and then when the Mayor was present, Schumacher acted as if the procedures were new to her.
- b. Schumacher has also bypassed Chief Henry to communicate directly with his subordinate staff, even after being asked not to do so, and attributed statements to individuals who, when asked, denied having made them. This occurred so many times that Assistant Chief Ford was finally forced to instruct the top leadership to divert Schumacher’s inquiries to either him or Chief Henry to prevent these actions. This has created more needless wasted time as the subordinates either (i)

tell the Mayor's staff they must address the issue with Chief Henry; or (ii) tell Chief Henry they feel uncomfortable discussing the issue with the Mayor's staff without him.

- c. Schumacher additionally shared isolated pieces of information with other City department heads, including the St. Paul Fire Department, creating friction between departments; as a result, SPFD has been instructed to independently verify anything Schumacher tells them regarding SPPD.
- d. Mayor Her's staff brings up wild, false accusations against SPPD that she expects Chief Henry and his command staff to explain. For example, Schumacher has claimed the impound lot was closed, when it wasn't (claiming she heard it from a tow-truck driver). She claimed SPPD officers were shooting their guns off at a homeless encampment, which was untrue. She later admitted she heard this from a mentally ill camp member.

252. The City was aware of these acts and did not take the proper steps to correct the behavior. Multiple people within the City's staff witnessed the harassment and creation of a hostile work environment. Some even confirmed and acknowledged that Mayor Her's conduct was inappropriate and still did not take proper corrective action.

XXVI. September 2026: The City Issues a Purported "Summary" of the Report That is a Whitewash

253. On September 17, 2026, the City, through Human Resources Director Kassim, sent Mayor Her, the respondent in the investigation of Chief Henry's sexual-harassment complaint, a letter setting forth the specific findings of the City's investigation. Kassim's letter to Mayor Her stated that the investigation "did not substantiate" several allegations, including that Mayor Her "made sexual noises while exercising at a City facility."

254. That same day, September 17, 2026, the City sent Chief Henry, *the complainant*, a separate and far less detailed letter. Unlike the letter to Mayor Her, the City's letter to Chief Henry identified no specific allegation, substantiated or unsubstantiated, and stated only that "[t]he City will comply with relevant laws regarding the investigation and the results of the investigation." On information and belief, the City provided Mayor Her, the accused, with a detailed accounting of the investigation's findings while withholding that same information from Chief Henry, the victim and complainant—an asymmetry that itself evidences the City's institutional bias in Mayor Her's favor, not to mention further retaliation against Chief Henry.

255. Among other things, the City's representation that its investigation "did not substantiate" that Mayor Her "made sexual noises while exercising at a City facility" is false. At least five (5) individuals, each an SPPD officer or employee who was present in the SPPD gym, will testify that Mayor Her made sounds consistent with sexual climax while exercising in front of other SPPD officers at the SPPD gym, a City facility.

256. The City's summary was not a neutral, good-faith account of its investigative findings. It was retaliation against Chief Henry for reporting Mayor Her's misconduct and for continuing to press that complaint. By issuing a public-facing summary that falsely minimized and disputed conduct that multiple witnesses will confirm occurred, the City punished Chief Henry for his protected reports, in violation of the Minnesota Whistleblower Act and the Minnesota Human Rights Act, and in violation of the City's own Workplace Conduct Policy, which Kassim's letter to Mayor Her itself acknowledged prohibits "retaliation toward anyone who complains about such behavior."

257. On September 18, 2026 at 8:05 a.m., Kao instructed all city directors, including Chief Henry, on a directors call that they were forbidden to discuss the investigation, even

though the news was already reporting the results. Immediately thereafter, Mayor Her issued statements, posted exonerating messages on the city website, and began to schedule media interviews which Chief Henry learned about from media sources.

XXVII. September 2026: Chief Henry's Request for the Complete Investigative Report Under the Minnesota Government Data Practices Act

258. On September 17, 2026, at 1:04 p.m., Chief Henry emailed Kassim, the City's Director of Human Resources, copying his counsel, and stated: "Pursuant to the Minnesota Data Practices Act, please send me a copy of the report relating to my sexual-harassment complaint against Mayor Her immediately."

259. At 1:07:28 p.m. that same day, Kassim responded to Chief Henry's request with a single sentence: "Your request has been received." Kassim's response did not produce the report, did not identify when or whether the report would be produced, and did not assert any claimed basis for withholding it.

260. The City has not produced the complete investigative report to Chief Henry in response to his September 17, 2026 request.

261. Chief Henry, as the complainant in the underlying investigation and the subject of the City's and Mayor Her's public statements about that investigation, is entitled under the Minnesota Government Data Practices Act, Minn. Stat. § 13.01 et seq., to the data the City compiled about him and about the investigation of his own complaint.

COUNT 1
Violation of the Minnesota Government Data Practices Act
Minn. Stat. Ch. 13
Against Defendant City of St. Paul

262. Chief Henry realleges and incorporates by reference the allegations set forth in the foregoing paragraphs of this Complaint as if fully set forth herein. This Count is asserted against Defendant City of St. Paul only.

263. The report of the City's investigation into Chief Henry's sexual-harassment complaint against Mayor Her, and the underlying investigative file, constitute government data in the possession of the City within the meaning of Minn. Stat. § 13.02, subd. 7.

264. On September 17, 2026, Chief Henry made a proper request under the Minnesota Government Data Practices Act for a copy of that report.

265. The City was required to provide Plaintiff with government data to which he was entitled under Chapter 13, including Plaintiff's own statement submitted in connection with his complaint and other data concerning Plaintiff that are accessible under Minn. Stat. § 13.04. To the extent other data became public upon completion of the investigation, the City was likewise required to provide those data, subject to any applicable statutory classification or lawful redaction. Under the circumstances, the City must provide Chief Henry with the complete report and underlying investigative data.

266. Kassim's letter to Mayor Her dated September 17, 2026 is a purported "final disposition" of any disciplinary action against Mayor Her.

267. The City's failure to provide the requested data violates Minn. Stat. § 13.03 and related provisions of Chapter 13.

268. As a direct and proximate result of the City's violation, Chief Henry has been damaged and is entitled to the relief provided by Minn. Stat. § 13.08, including actual damages in excess of \$50,000,³ costs, disbursements, and reasonable attorney's fees.

COUNT 2
Violation of the Minnesota Whistleblower Act
Minn. Stat. §§ 181.931–181.935
Against Defendant City of St. Paul

269. Chief Henry realleges and incorporates by reference the allegations set forth in the foregoing paragraphs of this Complaint as if fully set forth herein. This Count is asserted against Defendant City of St. Paul only.

270. Chief Henry made good-faith reports of conduct he reasonably believed violated federal, state, or local law, including his reports of Mayor Her's sexual harassment and unauthorized physical contact.

271. Chief Henry's reports constitute protected conduct under Minn. Stat. § 181.932.

272. In direct and proximate response to Chief Henry's protected reports, the City took adverse action against him, including, but not limited to, (a) issuing a public-facing summary of its investigation that falsely minimized and disputed conduct that Chief Henry had reported and that multiple witnesses will confirm occurred; (b) publicly stating or implying that the employee lied about the alleged legal violation; (c) causing public statements to be made that disparage Chief Henry's motives for making his complaint against Mayor Her, implying that he fabricated his complaint; (d) being cut out of promotion decision-making after objecting; (e) falsely

³ Minnesota Rule of Civil Procedure 8.01 provides that "[i]f a recovery of money for unliquidated damages is demanded in an amount less than \$50,000, the amount shall be stated. If a recovery of money for unliquidated damages in an amount greater than \$50,000 is demanded, the pleading shall state merely that recovery of reasonable damages in an amount greater than \$50,000 is sought." Chief Henry will seek damages far in excess of \$50,000.

claiming that Mayor Her had “final say” over personnel/staffing decisions squarely inside Chief Henry’s own department, including her driver; (f) failing to produce driver-related documents pursuant to the Minnesota Government Data Practices Act, so as to put Chief Henry in legal jeopardy; (g) causing statements to be made that could damage Chief Henry’s professional reputation; and (h) otherwise treating Chief Henry unfairly with respect to the terms and conditions of his employment as described throughout this Complaint. These satisfy, individually and collectively, Minn. Stat. § 181.932, subd. 1. These further constitute, individually and collectively, “conduct that might dissuade a reasonable employee from making or supporting a report.” (Minn. Stat. § § 181.931, subd. 5.)

273. A causal connection exists between Chief Henry’s protected reports and the adverse actions the City took against him.

274. As a direct and proximate result of the City’s retaliation, Chief Henry has suffered damages, including but not limited to reputational harm, emotional distress, and other injury, and is entitled to the relief provided by Minn. Stat. § 181.935, including compensatory damages in excess of \$50,000⁴ and reasonable attorney’s fees and costs.

COUNT 3
Sexual Harassment in Violation of the Minnesota Human Rights Act
Minn. Stat. § 363A.08
Against Defendant City of St. Paul

275. Chief Henry realleges and incorporates by reference the allegations set forth in the foregoing paragraphs of this Complaint as if fully set forth herein. This Count is asserted against Defendant City of St. Paul only.

⁴ See footnote 3, *supra*.

276. Mayor Her was Henry's supervisor because of her authority over his employment. The Minnesota Supreme Court held that supervisor harassment can establish employer liability without requiring the plaintiff to prove the employer independently knew or should have known about the harassment. *Frieler v. Carlson Marketing Group, Inc.*, 711 N.W.2d 811 (Minn. 2006).

277. Defendant Her engaged in unwelcome sexual conduct toward Chief Henry, including unwelcome sexual comments, communications, advances, and intentional sexualized physical contact.

278. Mayor Her's conduct had the purpose or effect of substantially interfering with Chief Henry's employment and created an intimidating, hostile, and offensive work environment.

279. Among other things, Mayor Her is the City's highest elected official and exercised supervisory and appointing authority over Chief Henry, such that her conduct is imputed to the City.

280. The City knew of Mayor Her's conduct no later than March 26, 2026, when Chief Henry reported his sexual-harassment complaint to Schumacher and City Attorney Kao.

281. Rather than committing to a prompt, independent investigation, the City's initial response was to propose a process that Kao herself described as designed to keep Chief Henry out of the complaint and limit its scope, and to direct him to route his complaint through a newly appointed Head of Human Resources rather than pursue it directly.

282. When the City's investigation concluded on or about September 14, 2026, the City did not discipline Mayor Her or correct her conduct. Instead, it had an employee handpicked by Mayor Her issue a public summary that affirmatively minimized and disputed conduct Chief Henry had reported and that multiple witnesses corroborated, including the false claim that Mayor Her did not make sounds like she was having an orgasm in the SPPD gym.

283. The City's course of conduct was not reasonable care to promptly correct Mayor Her's harassment; it was an effort to limit the scope of the investigation, control who could participate in it, and then publicly misstate its own findings in Mayor Her's favor.

284. Chief Henry did not unreasonably fail to take advantage of any preventive or corrective opportunity the City made available. He reported Mayor Her's conduct promptly, in writing, to the City Attorney and the First Assistant Mayor; he submitted to the process the City itself designed; and he has since sought the underlying investigative file so the record can be corrected—each of which the City has resisted.

285. The City knew or should have known of Mayor Her's conduct and failed to take prompt and effective remedial action.

286. Because Defendant Her exercised supervisory authority over Plaintiff, the City is liable for actionable harassment committed by its supervisor under the Minnesota Human Rights Act.

287. As a direct and proximate result of the sexual harassment, Chief Henry has suffered damages in excess of \$50,000⁵ and is entitled to the relief provided by Minn. Stat. § 363A.29 and § 363A.33.

COUNT 4
Reprisal in Violation of the Minnesota Human Rights Act
Minn. Stat. § 363A.15
Against Defendant City of St. Paul

288. Chief Henry realleges and incorporates by reference the allegations set forth in the foregoing paragraphs of this Complaint as if fully set forth herein. This Count is asserted against Defendant City of St. Paul only.

⁵ See footnote 3, *supra*.

289. Chief Henry engaged in statutorily protected activity and conduct by opposing practices he reasonably believed constituted sexual harassment and by filing a complaint regarding Mayor Her's conduct.

290. After Chief Henry engaged in that protected activity, Defendants intentionally retaliated against Chief Henry because of his opposition to and reporting of the unlawful conduct. By way of example, in direct and proximate response to Chief Henry's protected reports, the City took adverse action against him, including, but not limited to, (a) issuing a public-facing summary of its investigation that falsely minimized and disputed conduct that Chief Henry had reported and that multiple witnesses will confirm occurred; (b) publicly stating or implying that the employee lied about the alleged legal violation; (c) causing public statements to be made that disparage Chief Henry's motives for making his complaint against Mayor Her, implying that he fabricated his complaint; (d) being cut out of promotion decision-making after objecting; (e) falsely claiming that Mayor Her had "final say" over personnel/staffing decisions squarely inside Chief Henry's own department, including her driver; (f) failing to produce driver-related documents pursuant to the Minnesota Government Data Practices Act, so as to put Chief Henry in legal jeopardy; (g) causing statements to be made that could damage Chief Henry's professional reputation; and (h) otherwise treating Chief Henry unfairly with respect to the terms and conditions of his employment as described throughout this Complaint. These satisfy, individually and collectively, reprisals under Minn. Stat. § 363A.15.

291. As alleged herein, a direct and proximate causal connection exists between Chief Henry's protected conduct and the City's adverse actions. Indeed, the City made the adverse actions alleged herein because of Chief Henry's sexual-harassment complaint against Mayor Her.

292. As a direct and proximate result of the City's reprisal, Chief Henry has suffered damages in excess of \$50,000⁶ and is entitled to the relief provided by Minn. Stat. § 363A.29 and § 363A.33.

COUNT 5
Aiding and Abetting in Violation of the Minnesota Human Rights Act
Minn. Stat. § 363A.14
Against Defendant Her, Individually

293. Chief Henry realleges and incorporates by reference the allegations set forth in the foregoing paragraphs of this Complaint as if fully set forth herein. This Count is asserted against Defendant Her, in her individual capacity, only.

294. Minn. Stat. § 363A.14 makes it an unfair discriminatory practice for any person to aid, abet, incite, compel, or coerce a person to engage in any of the practices forbidden by the Minnesota Human Rights Act.

295. The City engaged in conduct constituting violations of the Minnesota Human Rights Act as alleged above.

296. Defendant Her knew that the City's conduct constituted, or would constitute, violations of the Minnesota Human Rights Act.

297. With that knowledge, Defendant Her intentionally aided, abetted, encouraged, and/or substantially assisted the City's unlawful conduct, including by, upon information and belief, supervising, participating in, and/or directing the City's response to Chief Henry's complaint and the subsequent actions taken against Chief Henry.

298. Defendant Her's assistance was substantial and was undertaken with knowledge of the unlawful nature of the conduct.

⁶ See footnote 3, *supra*.

299. Defendant Her is therefore individually liable under Minn. Stat. § 363A.14.

300. As a direct and proximate result of Mayor Her's conduct, Chief Henry has suffered damages in excess of \$50,000⁷ and is entitled to the relief provided by Minn. Stat. § 363A.29 and § 363A.33.

COUNT 6
Common-Law Battery
Against Defendant Her, Individually

301. Chief Henry realleges and incorporates by reference the allegations set forth in the foregoing paragraphs of this Complaint as if fully set forth herein. This Count is asserted against Defendant Her, in her individual capacity, only.

302. On March 18, 2026, during an SPPD budget meeting, Mayor Her, without Chief Henry's consent, placed her hand beneath the conference-room table on Chief Henry's upper thigh, with her fingers spread across his thigh.

303. Moments later, again without Chief Henry's consent, Mayor Her placed her hand on Chief Henry's upper thigh a second time, with her fingers extending farther up his leg toward his groin, causing Chief Henry to push away from the table.

304. Mayor Her's physical contact with Chief Henry was intentional, unpermitted, and offensive to a reasonable person in Chief Henry's position.

305. Assistant Chief Ford witnessed Mayor Her place her hand on Chief Henry's upper thigh.

306. As a direct and proximate result of Mayor Her's battery, Chief Henry has suffered damages in excess of \$50,000,⁸ the specific amount to be proven at trial.

⁷ See footnote 3, *supra*.

⁸ See footnote 3, *supra*.

PRAYER FOR RELIEF

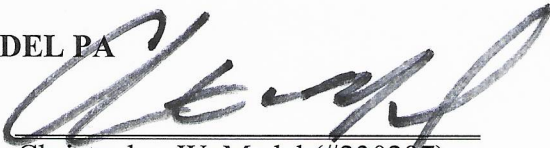
WHEREFORE, Chief Henry respectfully requests that this Court:

1. Enter judgment in favor of Chief Henry and against Defendant City of St. Paul on Counts 1 through 4;
2. Enter judgment in favor of Chief Henry and against Defendant Her, in her individual capacity, on Counts 5 and 6;
3. Order Defendant City of St. Paul to produce to Chief Henry the complete report and underlying investigative file concerning Chief Henry's sexual-harassment complaint against Mayor Her, pursuant to Minn. Stat. § 13.08, or alternatively, all government data to which Chief Henry is entitled under Chapter 13, including Plaintiff's own statement submitted in connection with his complaint and other data concerning Plaintiff that are accessible under Minn. Stat. § 13.04;
4. Award Chief Henry compensatory damages, including but not limited to damages for lost wages and benefits, emotional distress, humiliation, and harm to reputation, in an amount to be proven at trial;
5. Award Chief Henry his reasonable attorney's fees, costs, and disbursements, including under Minn. Stat. § 13.08, Minn. Stat. § 181.935, and Minn. Stat. § 363A.33;
6. Award Chief Henry pre-judgment and post-judgment interest as allowed by law; and
7. That the Court grant such other and further relief as it deems fair and equitable.

DATED: September 23, 2026

MADEL PA

By:



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ACKNOWLEDGMENT

The undersigned hereby acknowledges that sanctions may be imposed under Minn. Stat. § 549.211 if the requirements of Minn. Stat. § 549.211, Subd. 2 are satisfied.

DATED: September 23, 2026



Christopher W. Madel

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