Bloomfield cops who claimed discrimination because of military service awarded $1 million

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For nearly a decade, several Bloomfield police officers were discriminated against, their lawyers said, because of the time they served in the military.

Earlier this month, a jury in state Superior Court in Newark awarded Officers Hector Cartagena and Michael McCracken, who both served in the Air Force, a total of $1 million in punitive damages, which Bloomfield will be held liable to pay.

The $1 million award comes after McCracken and Cartagena, along with Anthony Argento, another Bloomfield officer, and Michael Frazzano, a now-former officer, filed a lawsuit in 2014 against the township and members of the Police Department alleging a hostile work environment, disparate treatment and retaliation.

Argento and Frazzano were not awarded any damages.

It is not known when Cartagena and McCracken would be compensated, because the township has filed appeals. Both will get $400,000 in punitive damages. For past emotional damages, Cartagena will receive $125,000 and McCracken will get $75,000.



Hector Cartagena is a Bloomfield Police Officer who was in the Air Force *(Photo: Courtesy of Air Force)*

"There's been no remorse. There's been no acceptance of responsibility," their lawyer, Kevin Barber, said after the July 3 decision. The trial started in February. "The unique aspect of this case was the reputational harm and the pervasive falsehoods that were spread within the Bloomfield Police Department."

The township, according to the lawsuit, was accused of "failing to properly investigate complaints made by plaintiffs relating to ongoing discrimination, harassment and hostile work environments."

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"Defendants not only deliberately sought to punish Plaintiffs for their military service, but also made it clear to other officers that such military service was not compatible or accepted at the Bloomfield Police Department," according to the lawsuit. Both Cartagena and McCracken were deployed on nine separate occasions overseas and, according to the lawsuit, were accused of lying about military leave time.

McCracken, Cartagena and Argento did not comment after the judgment. Both Barber and Kenneth Zaremba, another attorney, said the three feared to speak after Director of Public Safety Samuel DeMaio said in a memo obtained by NorthJersey.com that officers are barred from doing interviews with the media. DeMaio and Frazzano could not be reached for comment.

David Pack, the attorney for Bloomfield in the lawsuit, said it was not fair to comment pending motions.



Michael McCracken is a Bloomfield Police Officer who was in the Air Force *(Photo: Courtesy of Air Force)*

The state Fraternal Order of Police, of which the three current officers are members, because they do not participate in the Police Department union, did not respond to a request for comment.

Though the lawsuit included former township Police Chief Christopher Goul and former Lt. Richard Chiarello, the jury found they were not liable for any punitive damages. Appeals have been filed regarding that decision, both Barber and Zaremba said.

"When all of these guys were up for retirement, they all bailed out. I think they saw the handwriting on the wall," Zaremba said about Goul and Chiarello. "I think they wanted to save their pension."

The military discrimination allegations made by Bloomfield officers in the lawsuit mirror a similar incident in Clifton.

Police officers there filed an intent to sue Clifton after they were told they would have to use vacation or personal time while on training leave for the military. The city later announced they would continue to pay regular salaries of officers during military training.

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