

CITY OF NEW YORK
COMMISSION OF HUMAN RIGHTS

In the Matter of the Complaint of:

[REDACTED]

Complainant

-against-

MIDNITE GROUP, INC.

JOEL BROOKS, (Corporation President)

MICHAEL PADULA (Group Overall)

Respondents.

Verified Complaint

Case No.

[REDACTED] (“Complainant”), Complaining of Respondents, alleges as follows:

PRELIMINARY STATEMENT

1. This is an action seeking redress for discriminatory and retaliatory conduct in violation of the New York City Human Rights Law, N.Y.C. Admin. Code § 8-101 et seq. (“NYCHRL”). Respondents engaged in a pattern of discrimination against Complainant based on his race and retaliated against him for opposing discriminatory practices.

JURISDICTION AND VENUE

2. The Commission has jurisdiction over this matter pursuant to § 8-109 of the Administrative Code of the City of New York.

PARTIES

3. Complainant is a 26-year-old African American male residing at [REDACTED], New York, NY 10035, who qualifies as a “person” under § 8-102 of the Administrative Code of the City of New York.
4. Complainant has not previously filed any other civil or administrative action alleging an unlawful discriminatory practice, act of discriminatory harassment or violence, or act of bias-based profiling with respect to the allegations that are the subject of the complaint.
5. Respondent Midnite Group, Inc. is a public charity and public accommodation per § 8-102(9), located at 220 W Houston Street, 2nd Fl, New York, NY 10014.
6. Respondent Joel Brooks is the Corporation President of Midnite Group, Inc.
7. Respondent Michael Padula serves as Group Overall of Midnite Group, Inc.

8. Respondents Brooks and Padula are members of Alcoholics Anonymous ("AA"), a self-help treatment program. Pursuant to AA's governing literature, "the only requirement for membership is a desire to stop drinking." AA does not require any dues or fees for membership.

STATEMENT OF FACTS

Initial Incident and Protected Activity

9. On August 24, 2024, Complainant intervened to protect [REDACTED] White, a 36-year-old white woman, from a racially motivated assault outside the Respondents' premises. This incident marked only the second time Complainant had encountered Ms. White at Respondents' facility.
10. On August 27, 2024, Complainant engaged in protected activity by raising concerns to Respondents regarding racial discrimination and unequal enforcement of governance. Respondents failed to provide an adequate response.

Discriminatory and Retaliatory Conduct

11. On August 28, 2024, Respondent Padula imposed an unjustified ban on Complainant from the premises (See Exhibit A), in temporal proximity to Complainant's protected activity regarding racial discrimination.
12. [REDACTED], Complainant's sponsor and one of only two African American individuals regularly conducting meetings, questioned the racial motivation behind Complainant's ban. Subsequently, Respondents banned Mr. A [REDACTED] after he confronted Respondent Padula about these discriminatory practices (See Exhibit B).
13. Mr. A [REDACTED]'s tenure with Midnite spans over two decades, predating Respondent Brooks's incorporation and recent acquisition of control over the facility.
14. Respondents manufactured pretextual justifications for these bans, falsely accusing both Complainant and Mr. A [REDACTED] of violent conduct. These allegations originated from a recently joined homeless attendee, Julio Gallego, whose credibility was questionable.
15. Mr. Gallego alleged that Mr. A [REDACTED] attempted to assault him during a meeting led by Mr. A [REDACTED]. This allegation was subsequently refuted by "Joe," a longstanding white member present throughout the alleged incident.
16. Despite Mr. A [REDACTED]'s position as meeting leader, Respondents failed to contact him before imposing the ban based on Mr. Gallego's uncorroborated statement.

17. Respondent Padula subsequently rescinded Mr. A [REDACTED]'s ban, demonstrating the arbitrary nature of Respondents' actions and their complete disregard for due process and group bylaws.
18. Mr. A [REDACTED] provided Complainant with written authorization to return (Exhibit C). Nevertheless, Respondents continued to enforce the ban against Complainant and initiated multiple police interventions, as detailed below.
19. On August 29, 2024, Ms. White contacted Respondents, requesting they cease utilizing her situation to pursue their "personal vendetta" against Complainant. Ms. White provided a signed statement vindicating Complainant. Respondents ignored her communication and instead intensified their campaign of harassment against Complainant.
20. Another trusted member of over 10 years' standing, identified as "S [REDACTED]," informed Respondents that Mr. Gallego had departed the scene with her immediately upon the first sign of conflict involving Ms. White and had not witnessed the encounter.
21. Despite this contradictory testimony, Respondents continued to rely on Mr. Gallego's allegations to advance their discriminatory agenda.

Defamatory Ban List and Public Disclosure

22. Respondents placed Complainant on a publicly posted "ban list" displayed at their premises' literature counter.
23. The ban list contained false accusations against Complainant regarding weapon possession and violent behavior, in violation of § 8-107(4)(2).
24. These allegations were conclusively refuted by witness testimony, including statements from the alleged victim of the initial incident.
25. The sole purported corroboration Respondents presented was testimony from Mr. Gallego, whose previous false allegations of violence against Mr. A [REDACTED] had been discredited, thereby undermining Respondents' retaliatory campaign.
26. Complainant transmitted multiple written communications regarding this publication, demanding retraction and evidence preservation.
27. Respondents failed to acknowledge or respond to these communications, demonstrating deliberate indifference. Upon information and belief, Respondents also failed to implement appropriate evidence preservation protocols when initially requested.

False Allegations and Discriminatory Treatment

28. On August 31, 2024, Respondent Brooks transmitted an email falsely stating that Complainant's ban resulted from knife possession and denied the defamatory nature of Respondent Midnite's assertions (See Exhibit D).
29. The communication suggested that even if Respondent Padula had exceeded his authority, Complainant's sole recourse was to defend himself at a business meeting scheduled several weeks hence.
30. Respondents directed Complainant to attend alternative meeting groups, displaying deliberate indifference to the substantial reputational harm caused by their widely disseminated, baseless accusations.
31. Notably, weapon possession did not constitute grounds for exclusion under the group's then-effective bylaws, further evidencing the pretextual nature of Respondents' racially motivated exclusion. Respondents failed to address this procedural deficiency or rescind their ban despite this information.
32. In contravention of AA's Second Tradition, Respondents fabricated defamatory allegations against Complainant and Mr. A [REDACTED], both racial minorities, attributing accusations of violence to a recently arrived homeless attendee of questionable credibility.
33. Mr. A [REDACTED]'s ban was promptly reversed following corroboration from a white male witness that the alleged incident never occurred.
34. On August 29, 2024, Ms. White requested that Respondents cease utilizing her situation to pursue a "personal vendetta" against Complainant, but Respondents refused to acknowledge her request (Exhibit E).

Law Enforcement Abuse and Harassment

35. Respondents Padula and Brooks repeatedly instructed volunteers to contact law enforcement upon Complainant's arrival. While numerous volunteers declined to comply, others did so without full awareness of the pending racial discrimination claims against Respondents, potentially exposing themselves to liability.
36. Respondents' repeated misuse of emergency services constitutes particularly egregious conduct, given: a) The traditionally anonymous nature of the program; b) The weaponization of law enforcement against multiple minorities; c) Respondents' willingness to repeat false allegations of weapon possession and violence; and d) Respondents' creation of the very disturbances they sought to report.

37. Respondents were repeatedly informed that the NYPD's 6th Precinct declined to remove Complainant, citing the civil nature of the dispute. Despite knowledge of the false nature of their weapons and violence claims, Respondents Brooks and Padula persisted in attempting to create sufficiently lengthy detentions to effectively deny Complainant access to approximately one-hour meetings.

Business Meeting Retaliation

38. At the September 8, 2024, business meeting, Respondents escalated their discriminatory and retaliatory conduct by: a) Making false allegations; b) Preventing a vote on Complainant's ban; c) Suppressing dissenting voices; d) Denying open discussion in violation of AA principles and due process. These actions, intended to intimidate Complainant for opposing discrimination, constitute retaliation under § 8-107(7). The hybrid meeting format resulted in nationwide dissemination of these statements, causing substantial reputational harm to Complainant, specifics of which will be addressed in subsequent legal proceedings.

39. During this meeting, Respondents Brooks and Padula: a) Muted participating members; b) Restricted discussion to ten minutes; c) Omitted their statements from official minutes; and d) Distributed false meeting summaries to further damage Complainant's reputation. Respondents selectively enforced exclusions against Complainant while ignoring similarly situated white members and arbitrarily reversed Mr. A [REDACTED]'s ban without convening a meeting.

40. These actions demonstrate a sustained pattern of retaliation and discrimination, obstructing Complainant's efforts to address these issues. Upon information and belief, Respondents enacted punitive bans in retaliation for Complainant's exposure of these practices. Specific allegations regarding false police reports and their implications will be addressed in separate legal proceedings.

Misrepresentation of Group Governance

41. While Respondents maintain that Complainant's removal received "group conscience" support, they systematically prevented any meaningful group discussion or vote, thereby misrepresenting both the intent and practice of "group conscience" within Alcoholics Anonymous and Respondent Midnite's bylaws.

42. Complainant's repeated attempts to participate in group meetings regarding his status have been met with systematic obstruction, including: a) Denial of votes on alleged violations or exclusion; b) Silencing of Complainant and supporters through electronic muting; c) Dissemination of false claims in Complainant's absence; and d) Implementation of measures to suppress Complainant's attempts to address his treatment.

43. Upon information and belief, Respondents have orchestrated a campaign to portray Complainant as violent and criminally inclined, even in his absence, despite: a) His requests for fair hearing; b) Willful violation of decades-long tradition against negative discussion of absent members; and c) Multiple requests by Complainant and others to cease such conduct.
44. Respondents have disseminated false accusations of criminal activity and subsequent violent behavior, attempting to weaponize law enforcement and enlist volunteers to intimidate and exclude Complainant, thereby isolating him and preventing his self-defense.
45. These actions fundamentally undermine "group conscience" principles through: a) Suppression of discussion; b) Denial of participation; c) Implementation of coercive tactics; and d) Subversion of collective decision-making processes.
46. During meeting participation attempts, Respondents: a) Imposed restrictive speaking limitations; b) Electronically muted supporters; c) Voiced unsubstantiated grievances; and d) Prevented fair voting procedures. Respondents even requested Complainant's sponsor to initiate law enforcement contact.
47. Respondents' dissemination of false information has caused severe reputational damage to Complainant within the group and throughout AA facilities citywide.
48. Respondents' misappropriation of "group conscience" principles to justify discriminatory actions, combined with systematic silencing tactics and discriminatory bans, violates public policy and contravenes both AA's Second Tradition and New York City law mandating non-discriminatory access to public accommodations.
49. As of this Complaint's filing, Respondents have never permitted a vote regarding Complainant's ban at any business meeting.

Anniversary Celebration Retaliation

50. The following events occurred in connection with Complainant's one-year anniversary: a) September 24, 2024: Complainant emailed Respondents confirming attendance at the upcoming public celebration and requesting inclusion on the anniversary cake; b) September 27, 2024: Complainant met with 6th precinct officers, delivering correspondence explaining the civil nature of the dispute (Exhibit F); c) September 28, 2024: Complainant forwarded said correspondence to Respondent Brooks, advising of NYPD's civil characterization, requesting cessation of 911 calls, and noting Community Affairs referral (Exhibit G).

51. During the anniversary event, Complainant: a) Attended as planned; b) Distributed informational materials regarding Human Rights Protection in Public Accommodations (Exhibit H); c) Engaged in legally protected activity opposing unlawful discriminatory practices. While Respondent Brooks avoided direct confrontation, he contacted law enforcement, alleging prior weapon possession and violent behavior—allegations he knew or should have known were false. Although officers declined removal, their investigation effectively prevented Complainant's participation in the event, resulting in his voluntary departure.
52. Additionally, Respondents: a) Excluded Complainant's name from the anniversary cake; and b) Denied access to a subsequent virtual meeting regarding organizational bylaws, despite prior invitation.

Bylaws Meeting Exclusion

53. The following day, Respondents: a) Barred Complainant from participating in a second business meeting regarding bylaw finalization and ratification; b) Rescinded previous invitation extended following Complainant's discrimination complaints; c) Through bylaws committee member ██████████ "Azo" Michels, acting on behalf of committee member Respondent Brooks, informed Complainant that "banned members" were prohibited from speaking or participating; d) Failed to respond to Complainant's documented objection to this exclusion (Exhibit I); e) Proceeded without anti-discrimination policy inclusion in organizational bylaws.

CCHR Complaint Retaliation

54. Following Respondents' repeated failure to address their unlawful conduct, Complainant notified them of intended CCHR complaint filing (Exhibit J). In response: a) Respondents Brooks and Padula announced resignation plans; b) Attended October 6th meeting in Complainant's absence; c) Falsely alleged Complainant's involvement in: i) Criminal activity; ii) Group extortion attempts; iii) Legal action intended to terminate operations; d) Intended to deter others from seeking CCHR intervention.
55. Respondents violated Midnite's prohibition against discussing absent members, disregarding explicit requests from both Complainant and his Sponsor.
56. Upon information and belief, despite announced resignation intentions, Respondents maintain premises control and continue directing unlawful, discriminatory actions.

FIRST CAUSE OF ACTION

Discrimination in Public Accommodation

(NYC Admin. Code § 8-107(4)(2))

57. Complainant repeats and realleges paragraphs 1 through 55 as if fully set forth herein.
58. Respondents have discriminated against Complainant in violation of NYC Admin. Code § 8-107(4)(2) by: a) Imposing unjustified bans from Midnite Group's premises; b) Restricting meeting participation; c) Initiating repeated false police reports; d) Engaging in racially motivated retaliation following Complainant's expression of discrimination concerns.
59. Respondents' public posting of a "ban list" containing false accusations of weapon possession and violent behavior constitutes further violation of NYC Admin. Code § 8-107(4)(2).
60. Respondents' discriminatory enforcement of exclusions, targeting Complainant as an African American male while similarly situated white members remained unaffected, represents unlawful denial of public accommodation access under § 8-107(4)(2).

SECOND CAUSE OF ACTION

Retaliation

(NYC Admin. Code § 8-107(7))

61. Complainant repeats and realleges paragraphs 1 through 59 as if fully set forth herein.
62. Respondents' interference with Complainant's governance and business meeting participation, including supporter muting and law enforcement intervention to disrupt lawful participation, violates § 8-107(7)'s prohibition against retaliation for opposing discriminatory practices.

THIRD CAUSE OF ACTION

Discriminatory Harassment

(NYC Admin. Code § 8-107(19))

63. Complainant repeats and realleges paragraphs 1 through 61 as if fully set forth herein.
64. Respondents' conduct in circulating defamatory statements and engaging in harassing behavior violates NYC Admin. Code § 8-107(19), which protects individuals from harassment intended to interfere with fair public accommodation access. These cumulative actions demonstrate a sustained pattern of discrimination and retaliation against Complainant.

PRAYER FOR RELIEF

65. WHEREFORE, Complainant respectfully requests that the Commission on Human Rights:

A. Issue an IMMEDIATE INJUNCTION:

1. Restraining Respondents from:

- a. Enforcing any ban against Complainant;
- b. Interfering with Complainant's access to meetings and facilities;
- c. Making false reports to law enforcement regarding Complainant;
- d. Discussing Complainant in his absence at meetings;
- e. Maintaining or displaying any "ban list" containing Complainant's name;
- f. Engaging in any retaliatory conduct against Complainant or his supporters;

2. Requiring Respondents to:

- a. Immediately remove all posted materials regarding Complainant;
- b. Issue written notice to all members rescinding prior false statements;
- c. Notify local law enforcement of the withdrawal of all complaints against Complainant; and
- d. Preserve all evidence related to this matter;

B. Issue a final Order requiring:

1. Restoration of Complainant's rights and privileges by all Respondents;
2. Cessation of all unlawful discriminatory practices by Respondent Midnite, including any further acts of discrimination, retaliation, or harassment against the Complainant and any other protected classes of individuals;
3. Implementation of a comprehensive anti-discrimination policy by Respondent Midnite;
4. Public notification to the group and its members regarding the Commission's Order and decision, to promote awareness and compliance;
5. Implementation of mandatory anti-discrimination training for all officers and leadership positions;
6. Appointment of an independent monitor to oversee compliance for a period of not less than two years; and

C. Grant such other and further relief as the Commission deems just and proper.

Dated: New York, New York

October 30, 2024

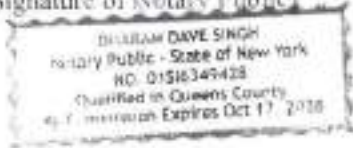
VERIFICATION

[REDACTED] being duly sworn, deposes and says: I am the Complainant herein. I have read (or had read to me) the foregoing complaint and know the content thereof; that the same is true of my own knowledge except as to the matters therein stated on information and belief, and that as to those matters, I believe the same to be true.

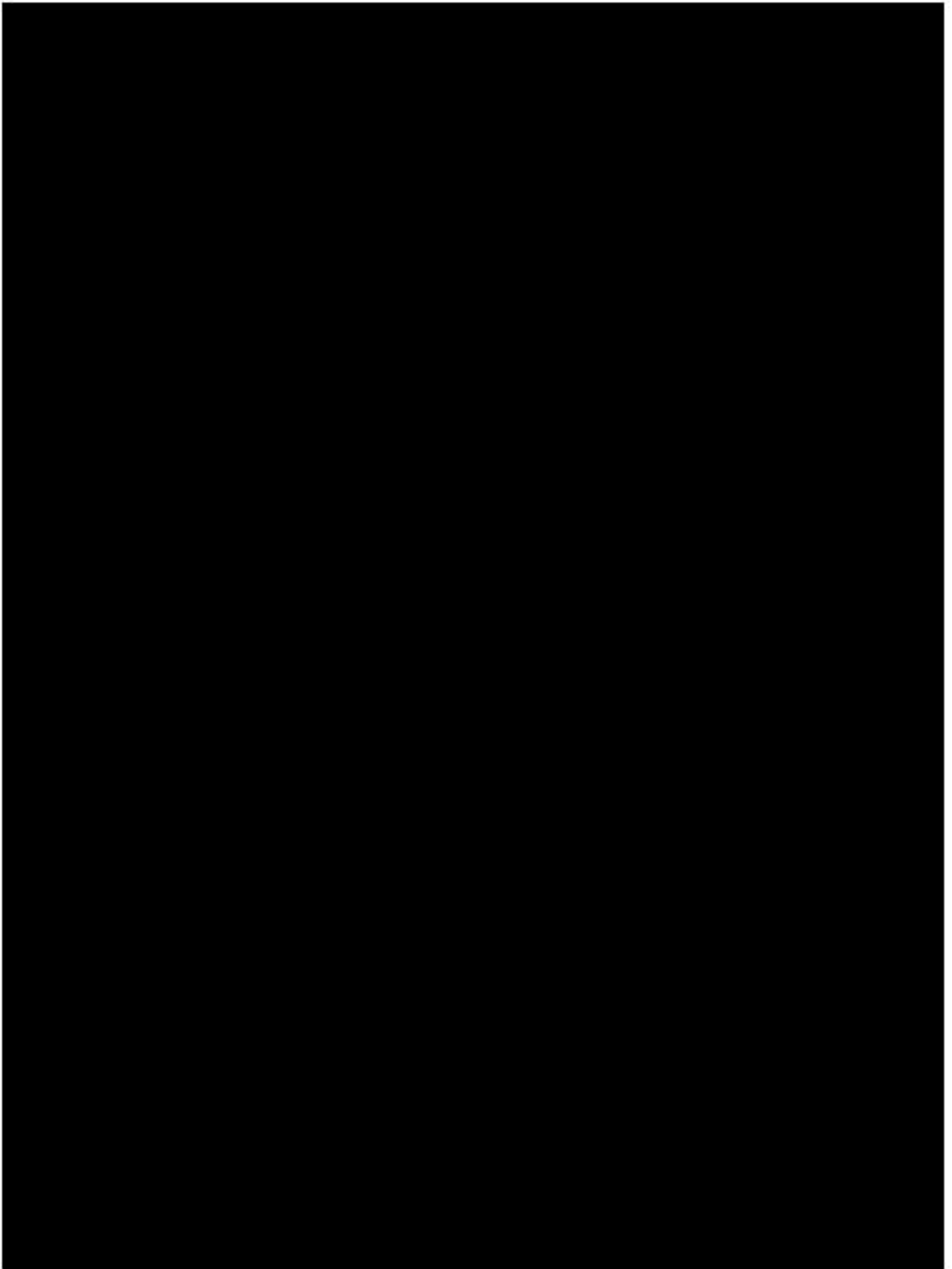
[Handwritten Signature]
[REDACTED]

Subscribed and sworn to me before
the 25 day of October 2024

(Signature of Notary Public)



Reviewed By: **PERKINS COIE LLP**
1155 Avenue of the Americas
22nd Floor
New York, NY 10036



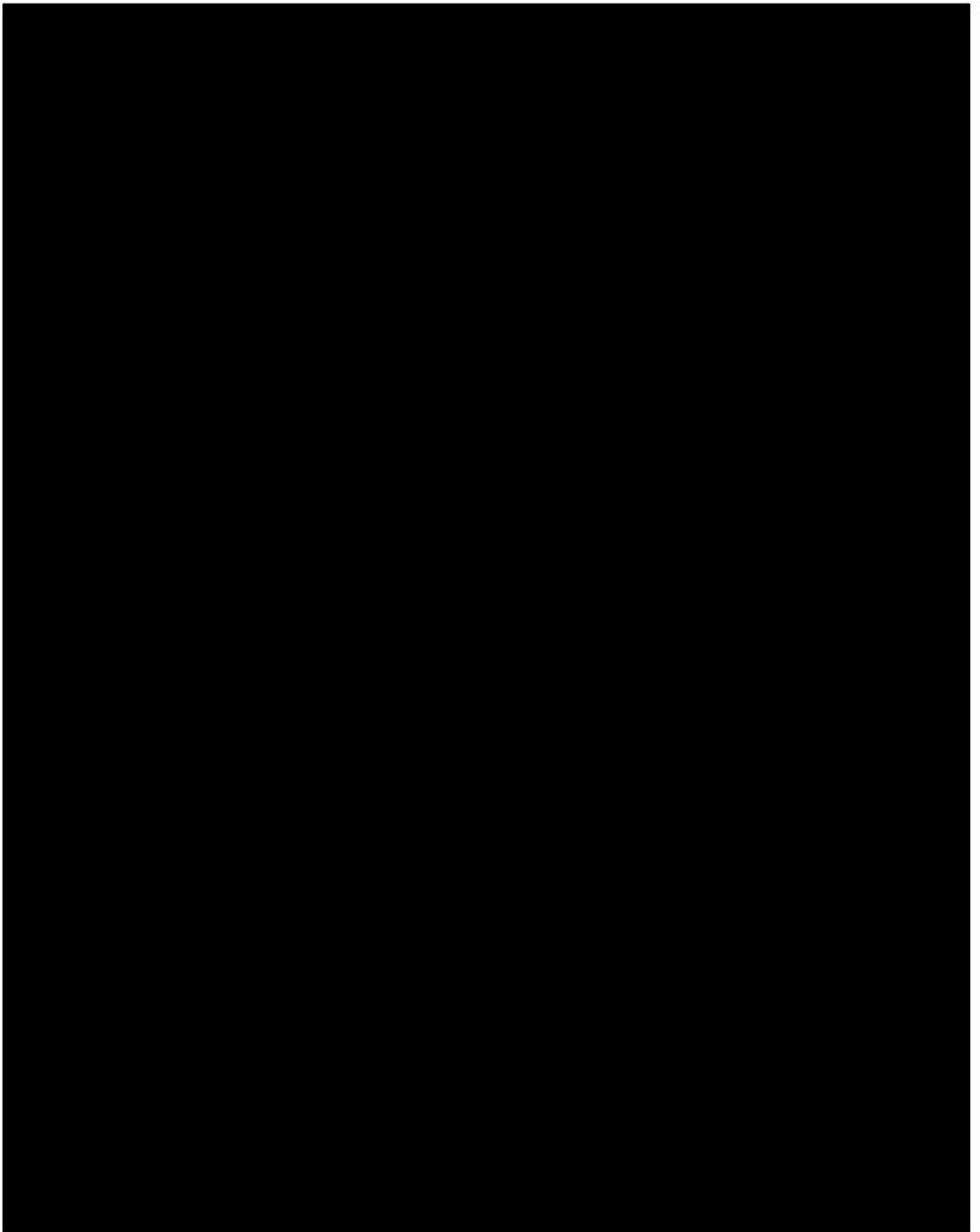
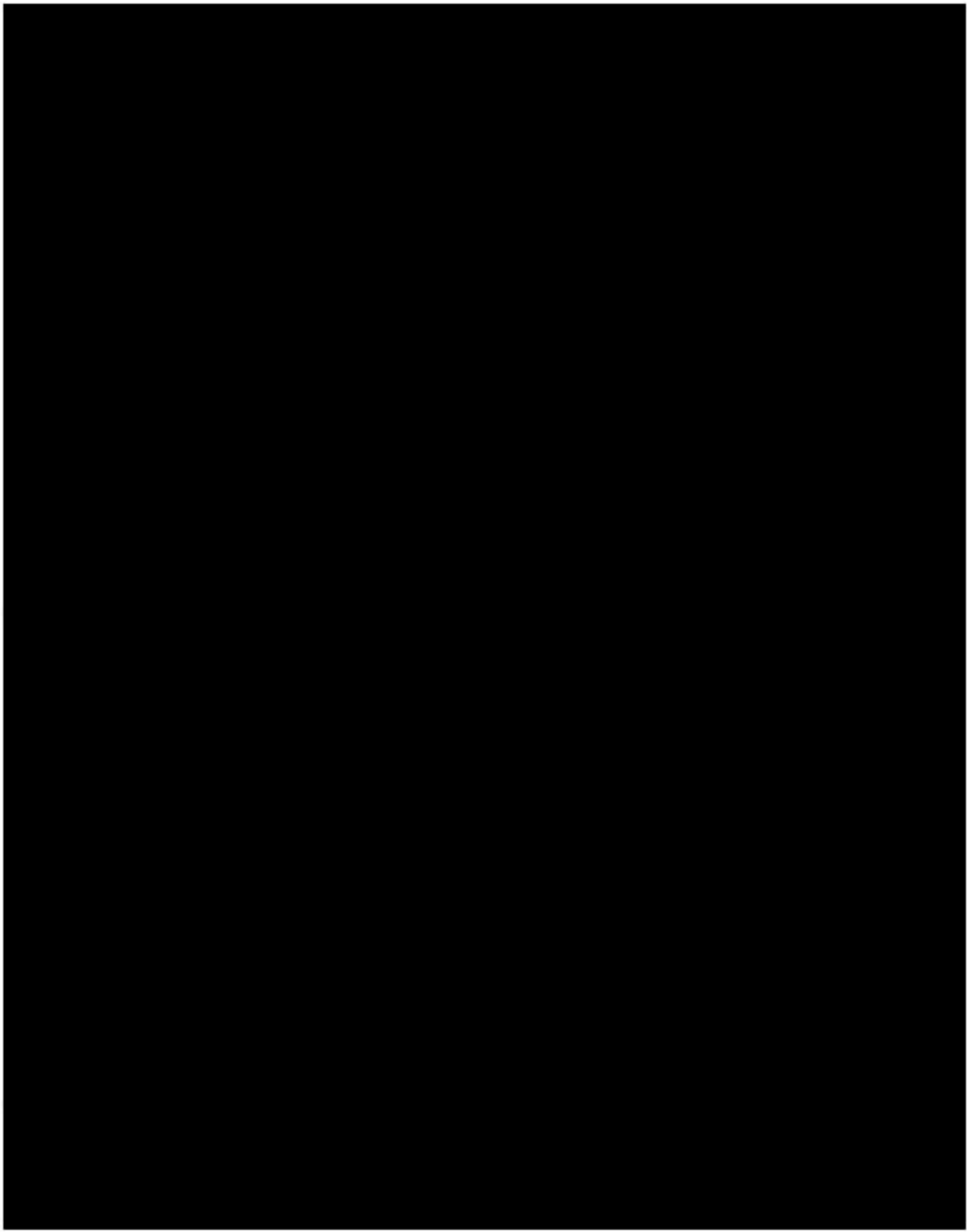


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EXHIBIT A

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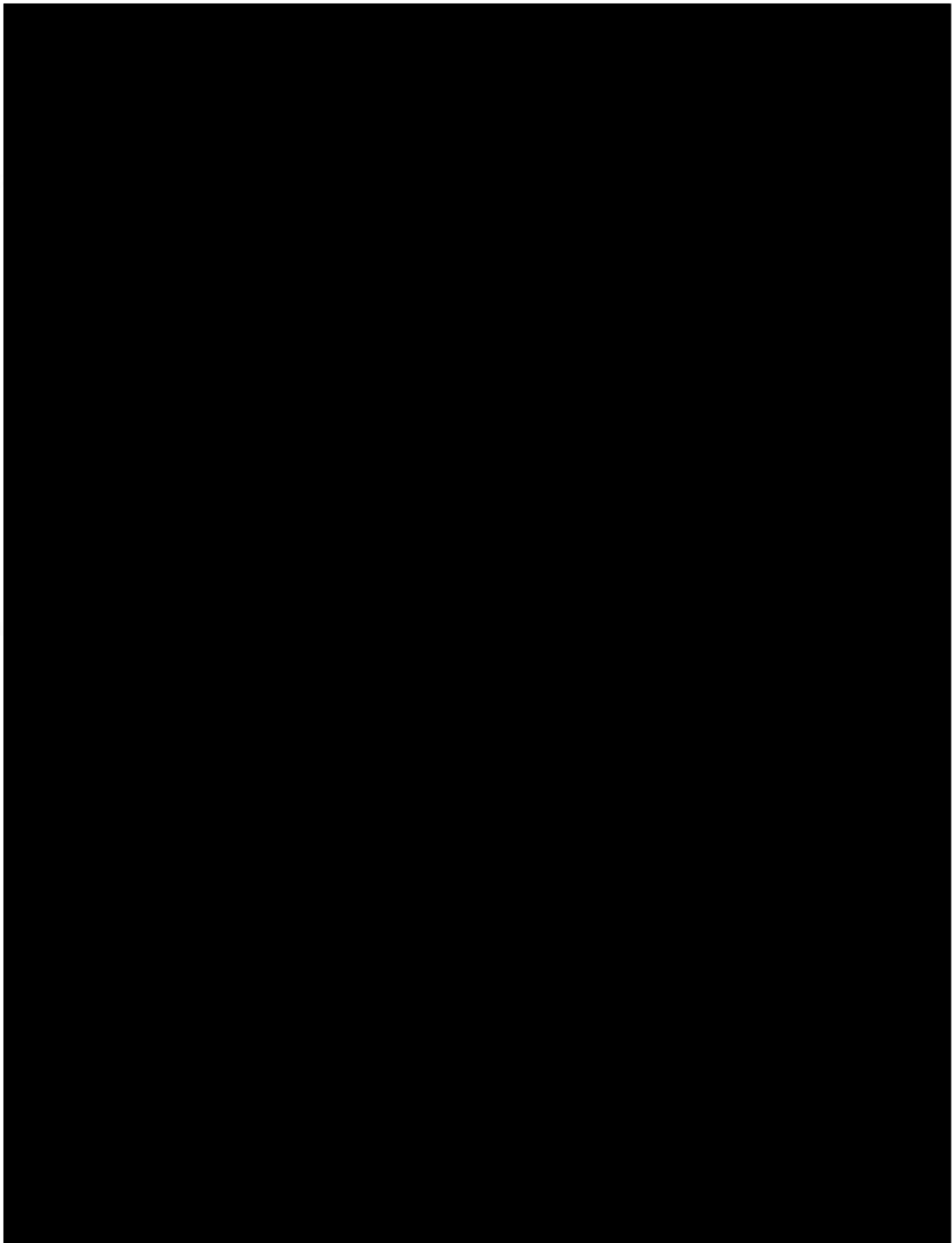
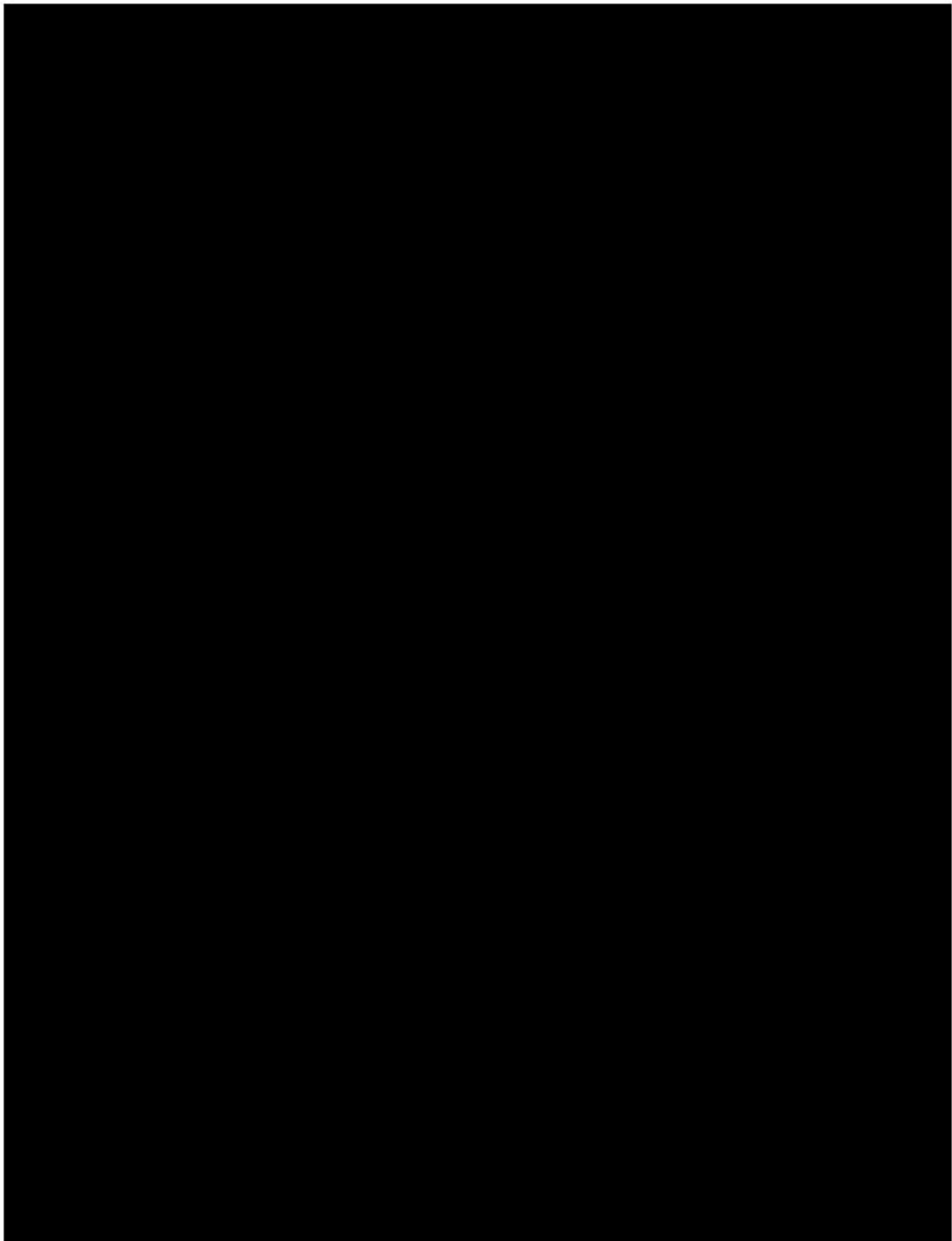
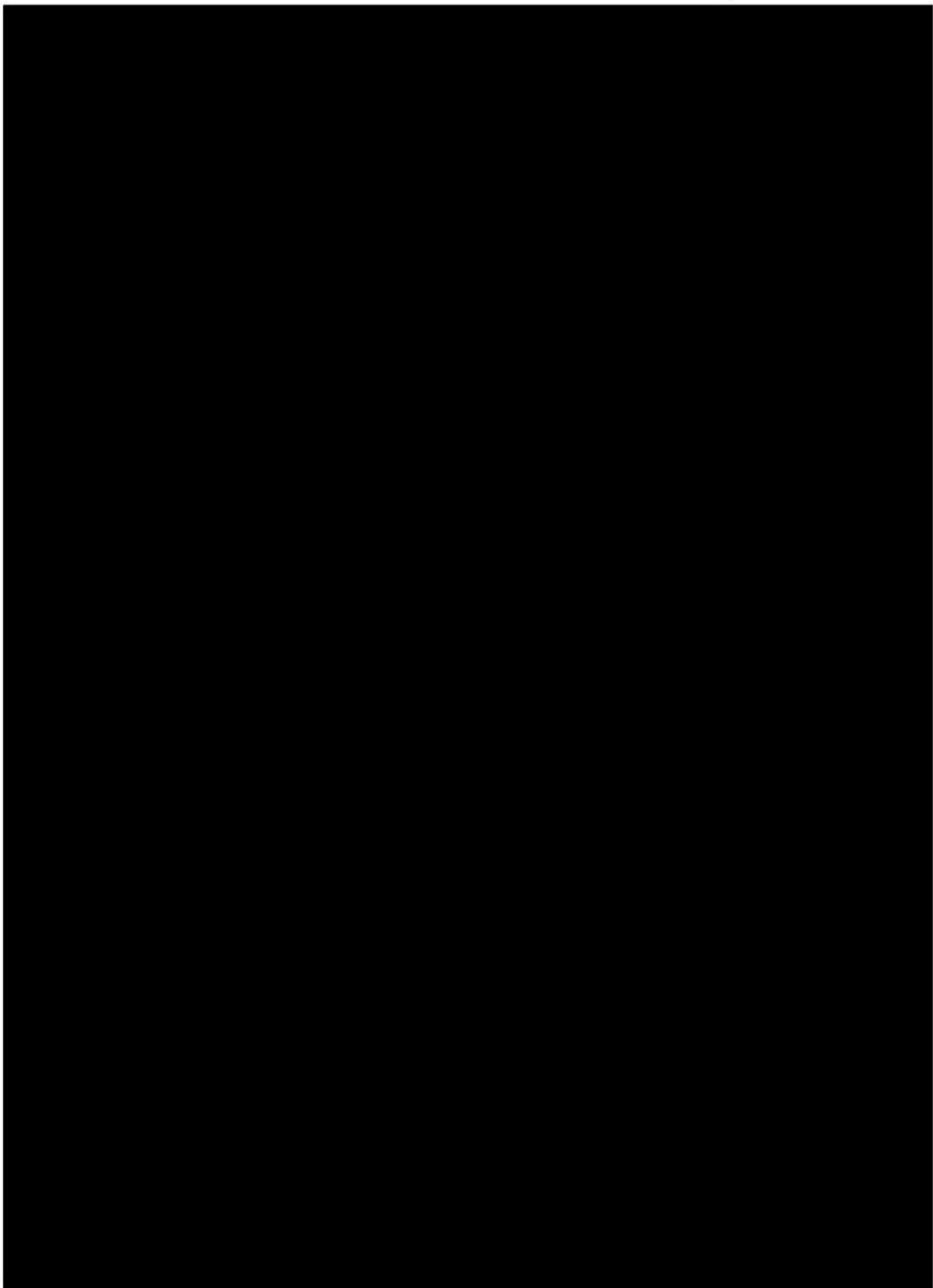


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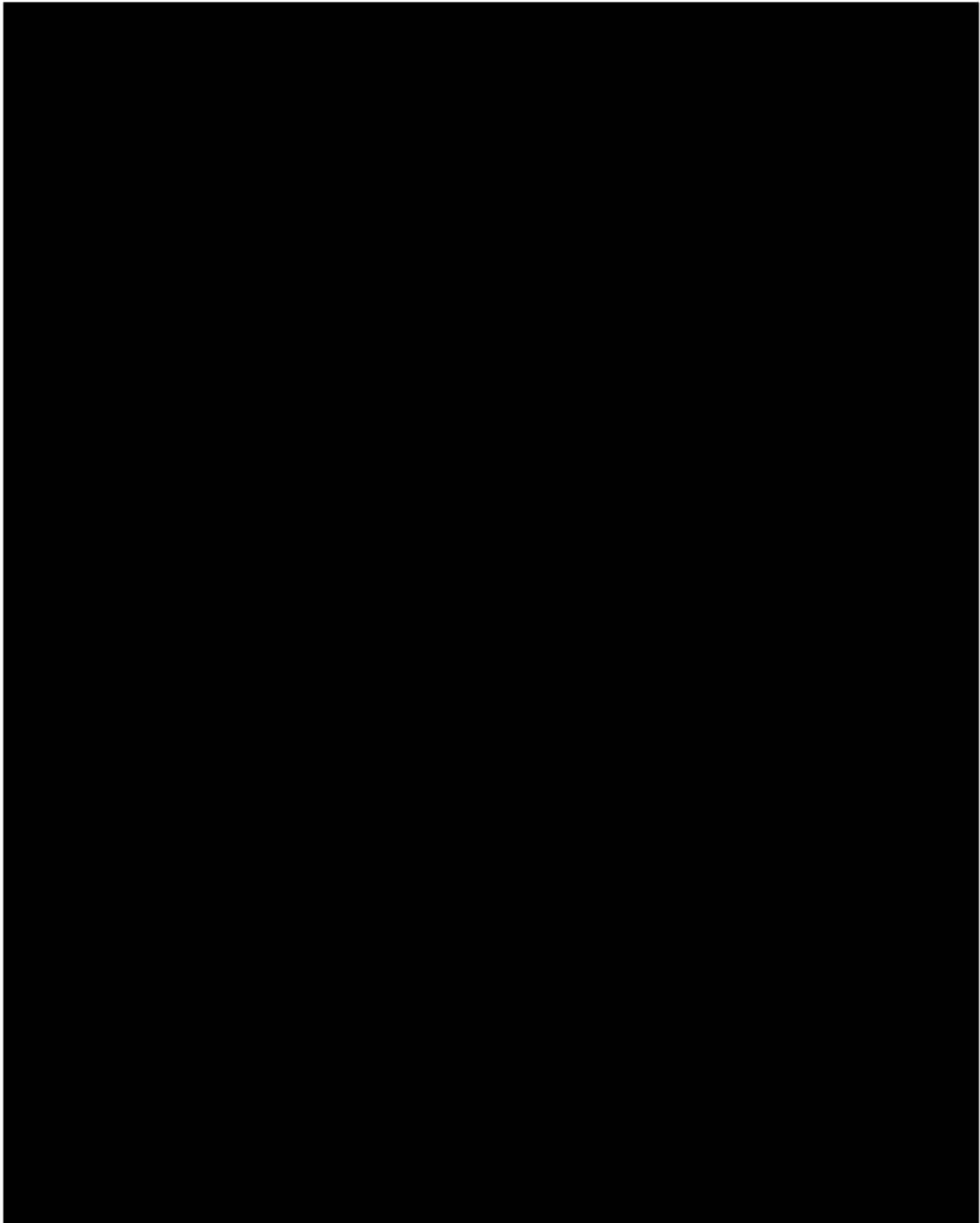


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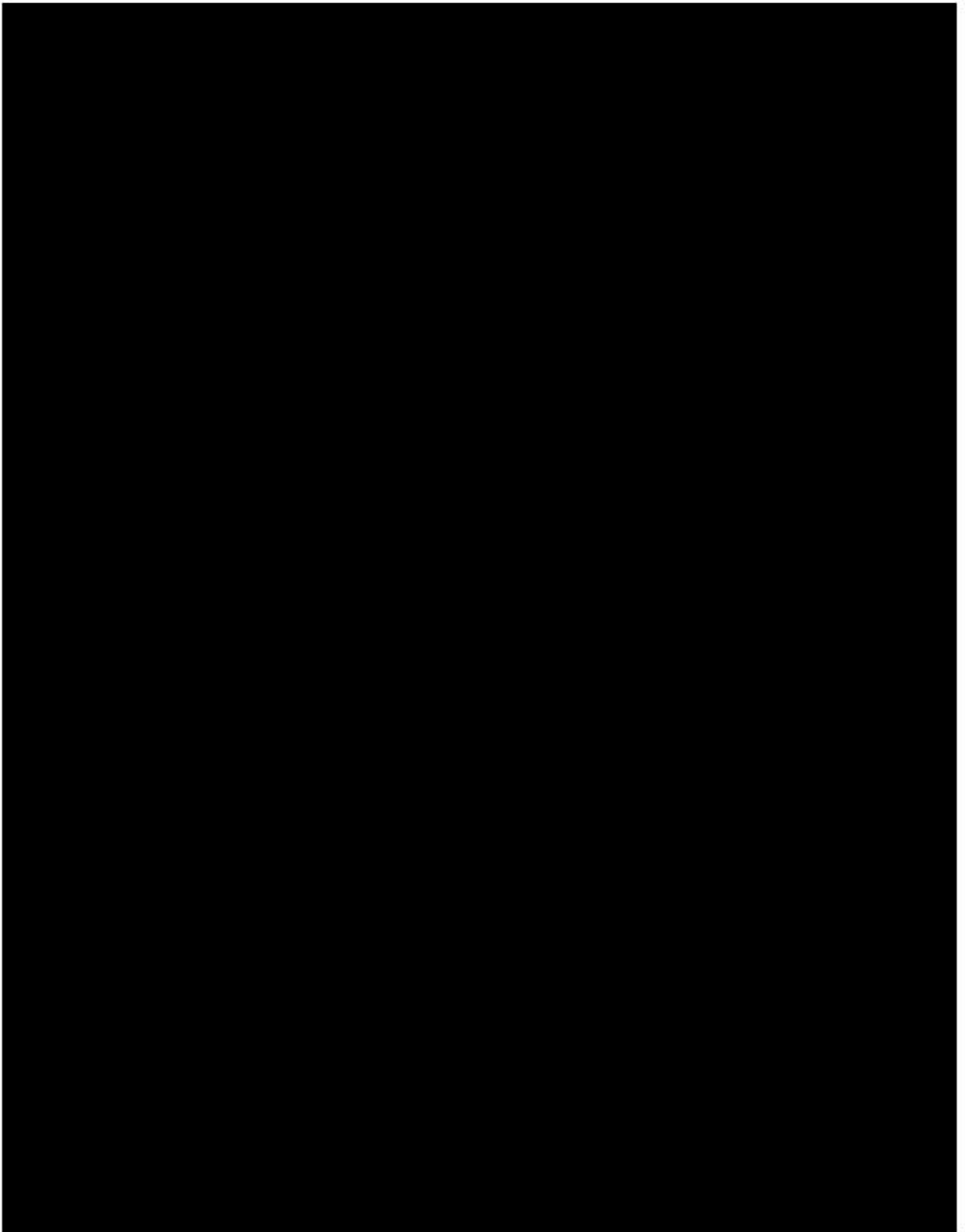
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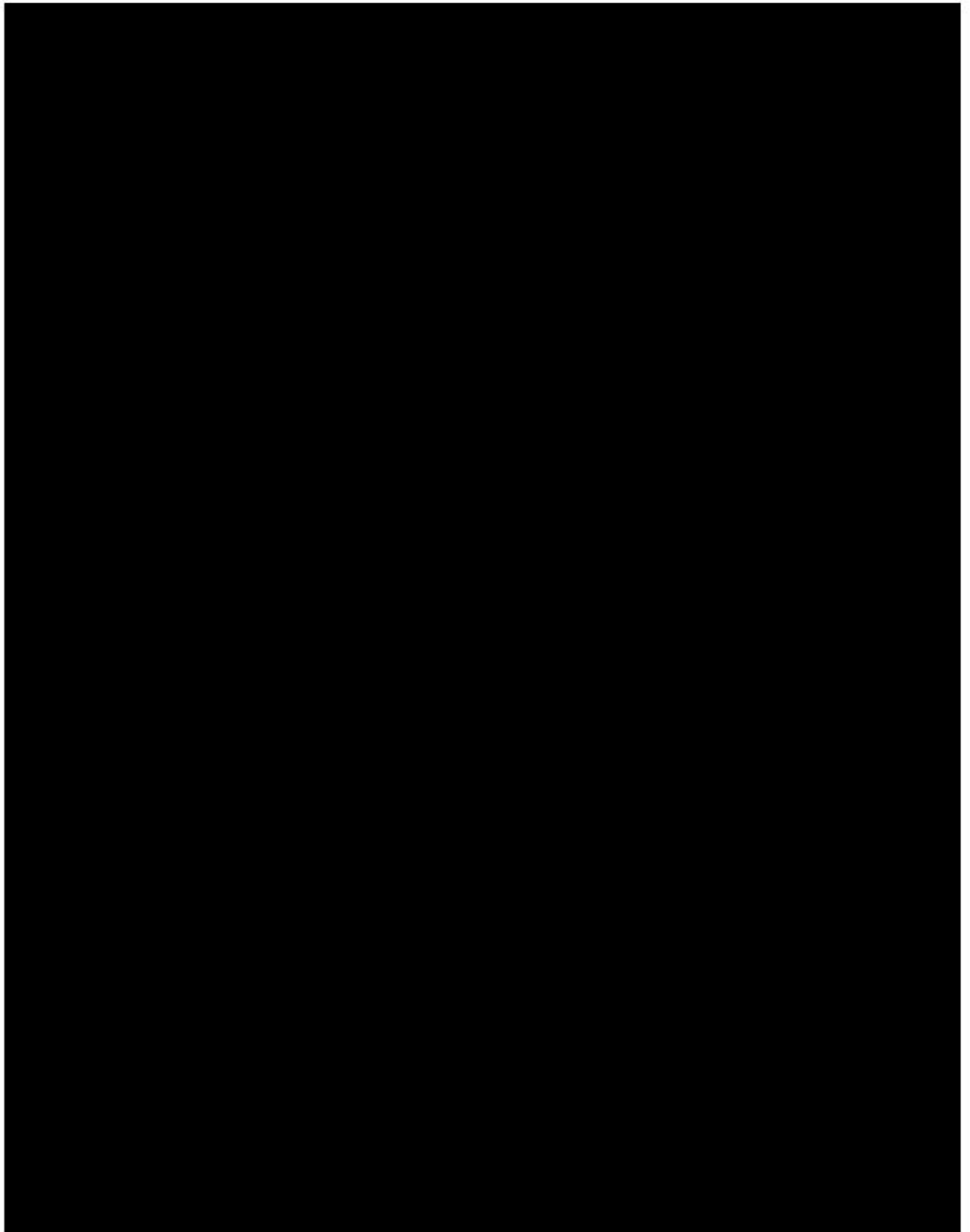
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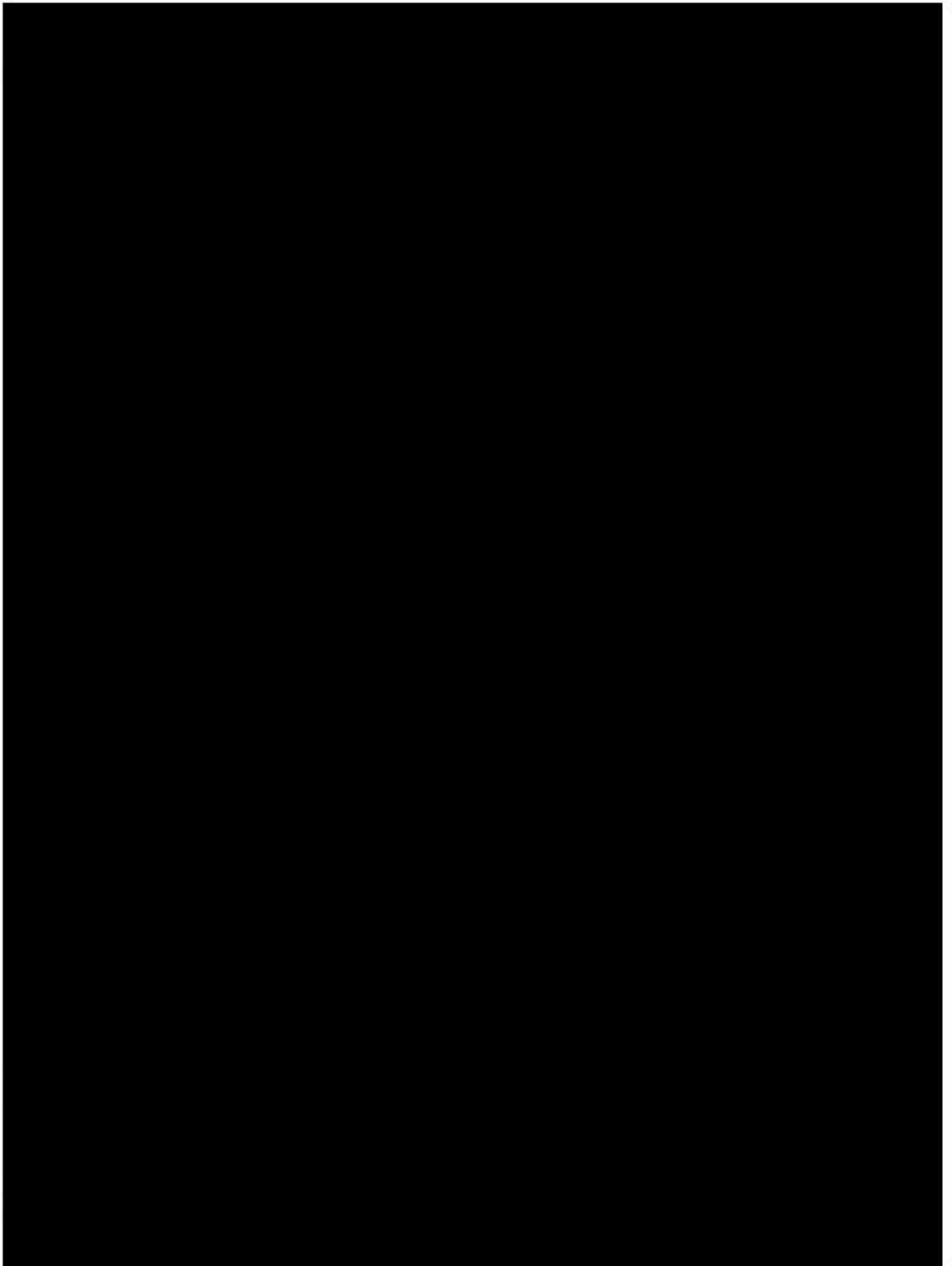
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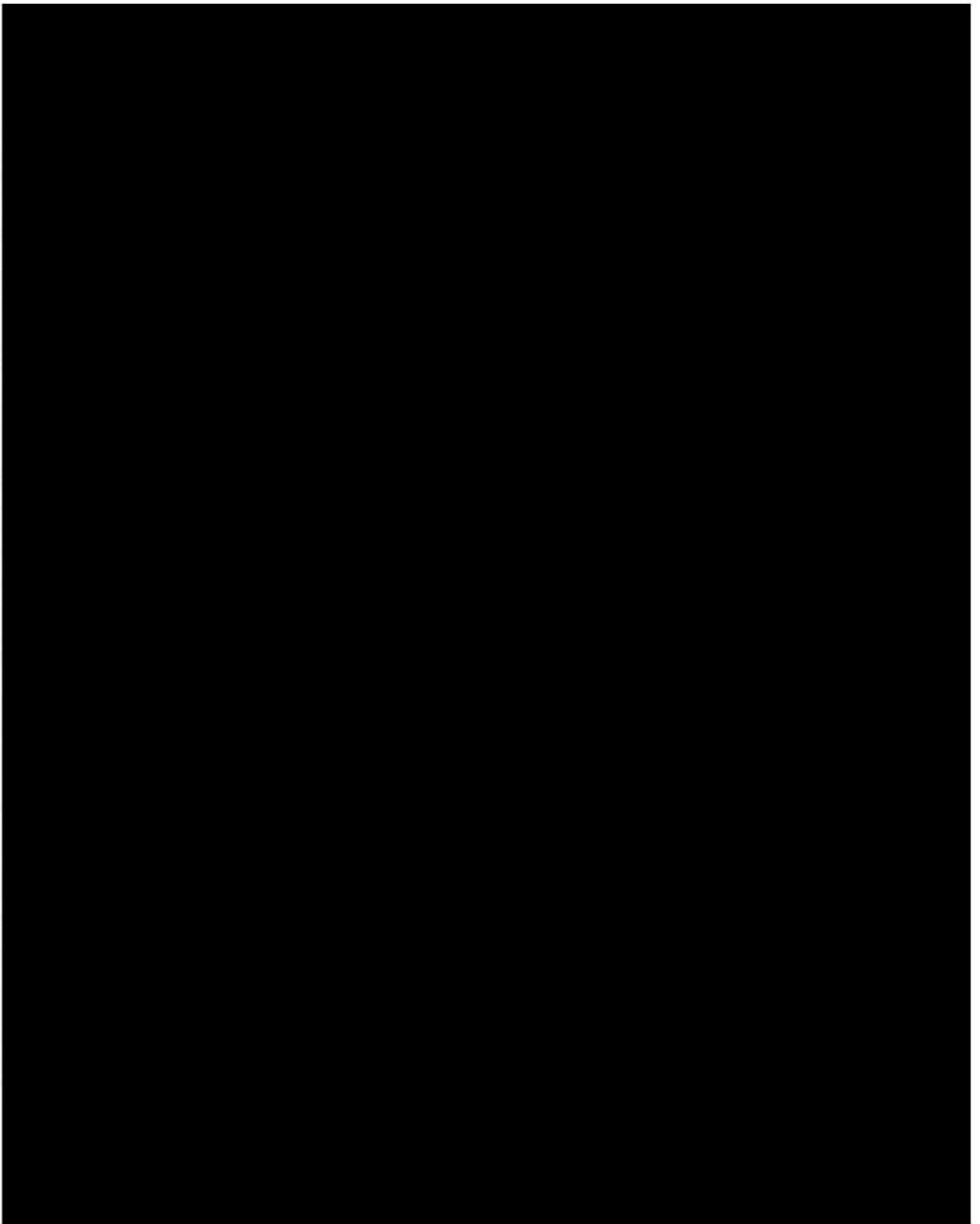
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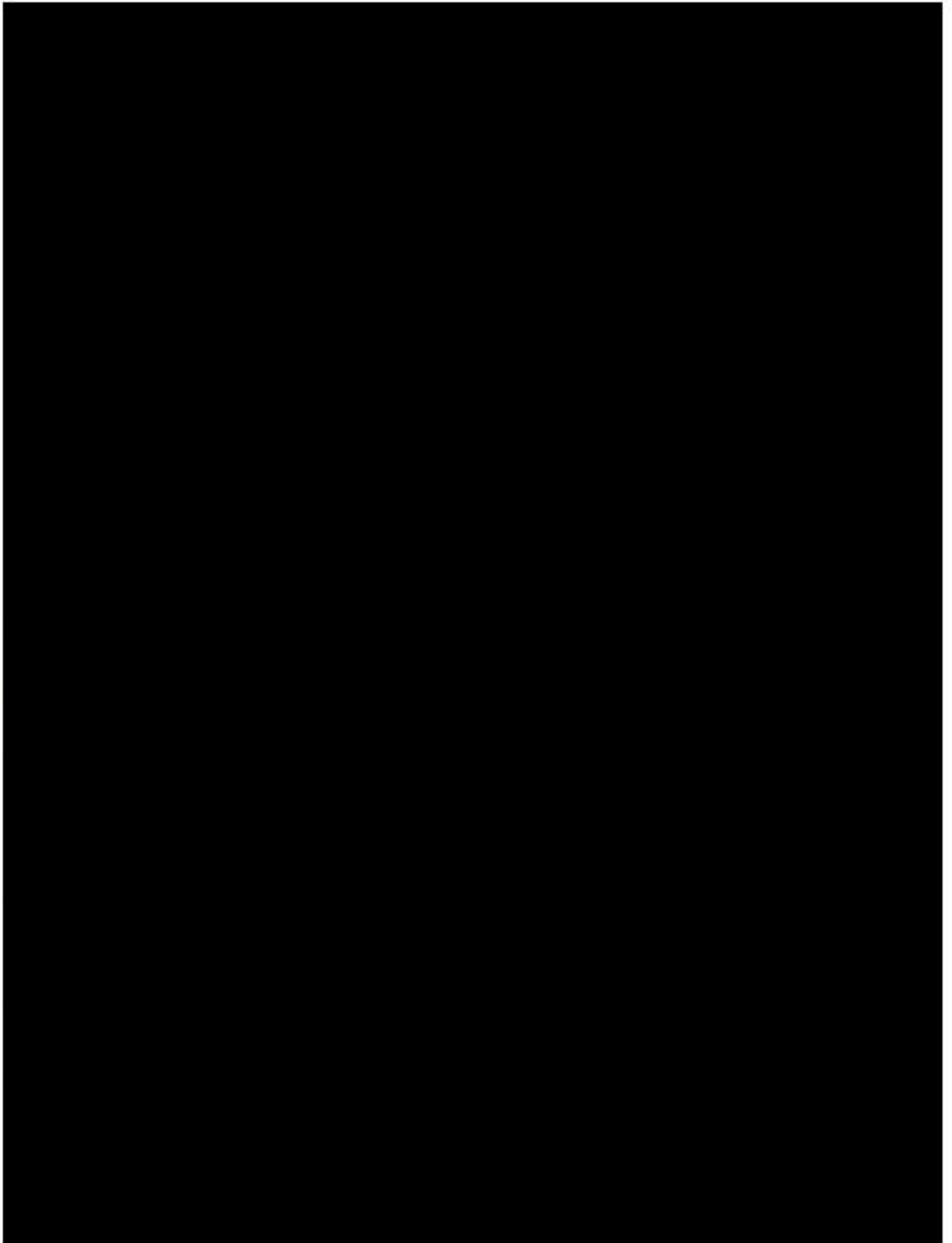
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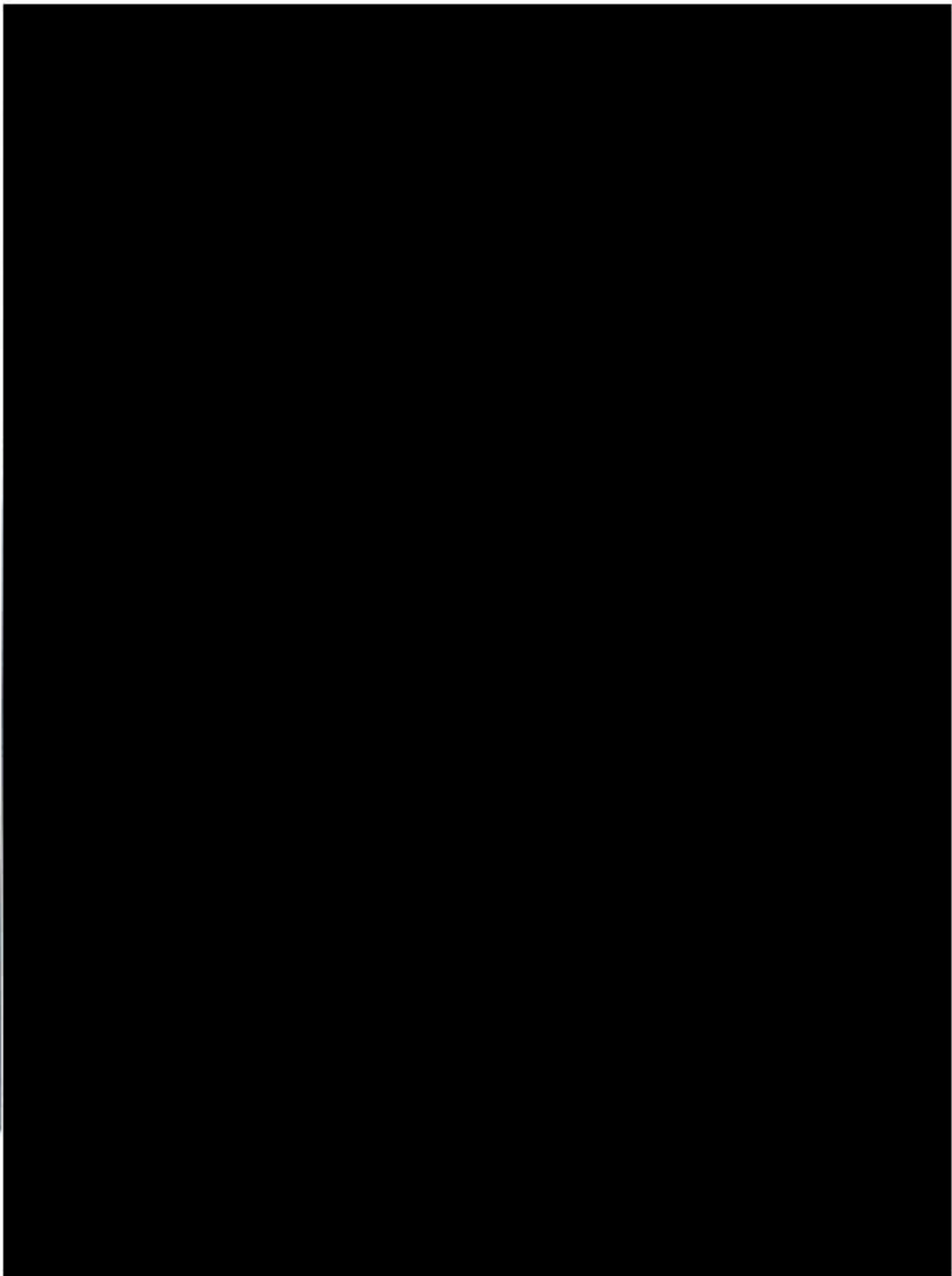












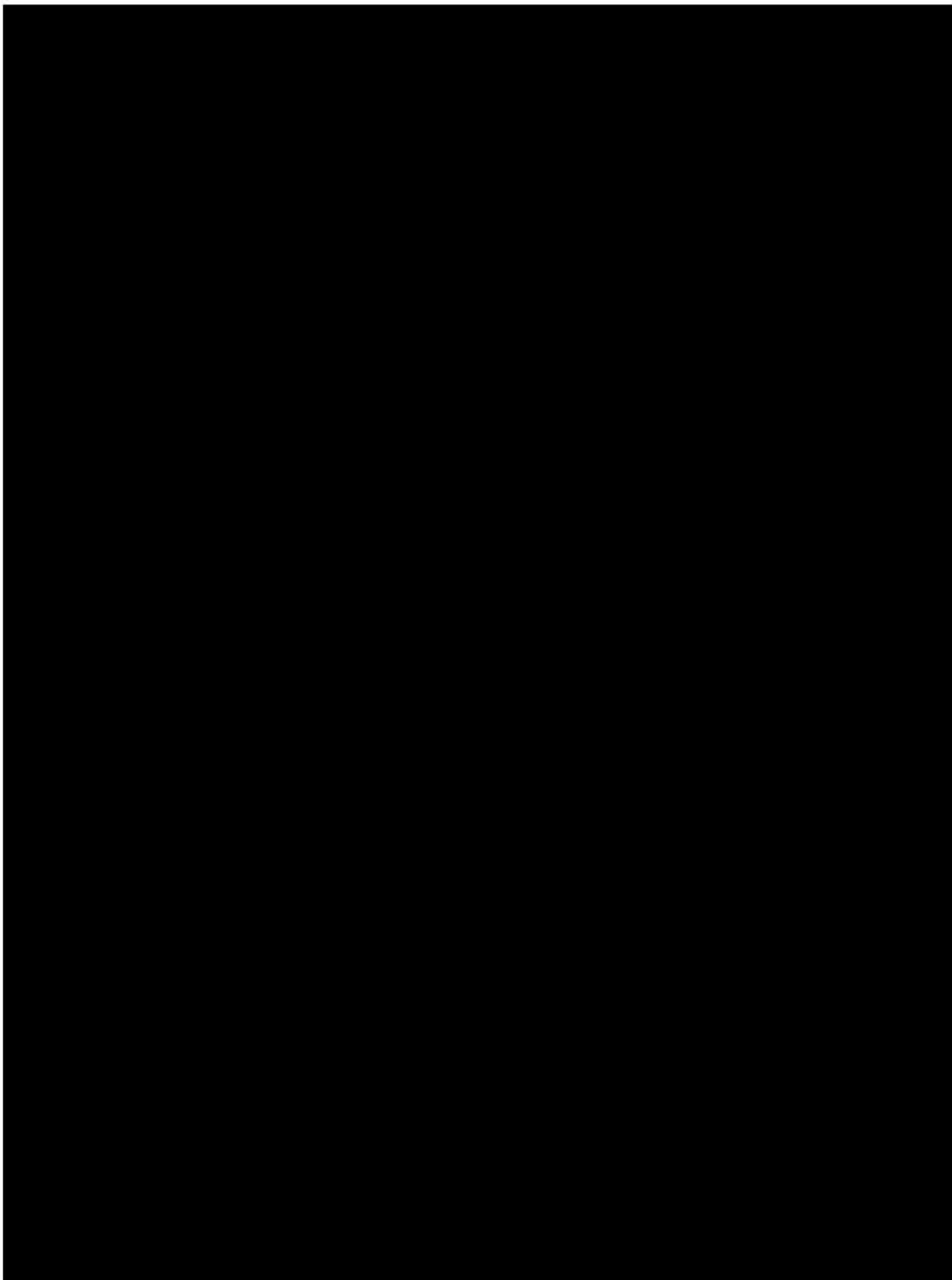
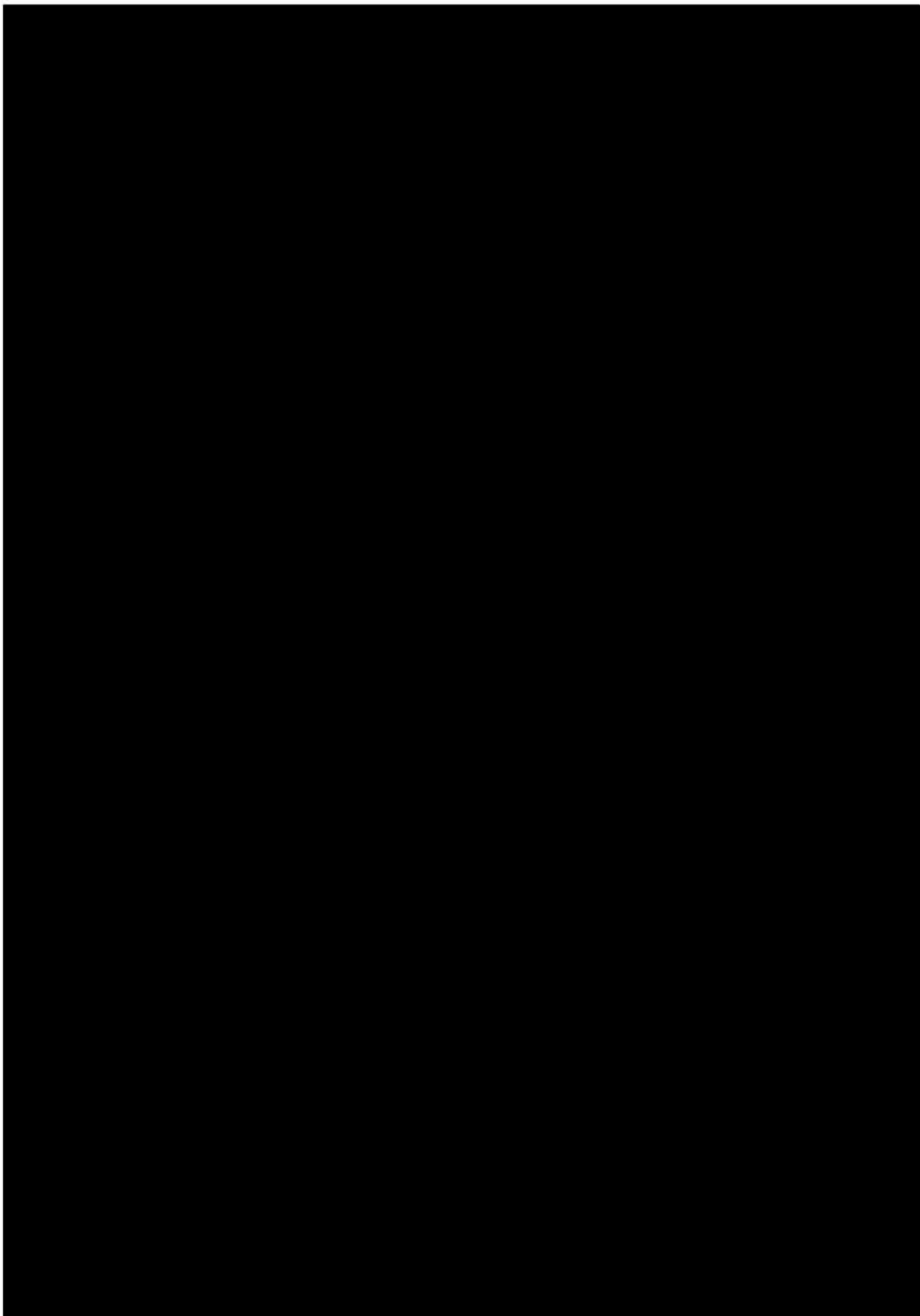


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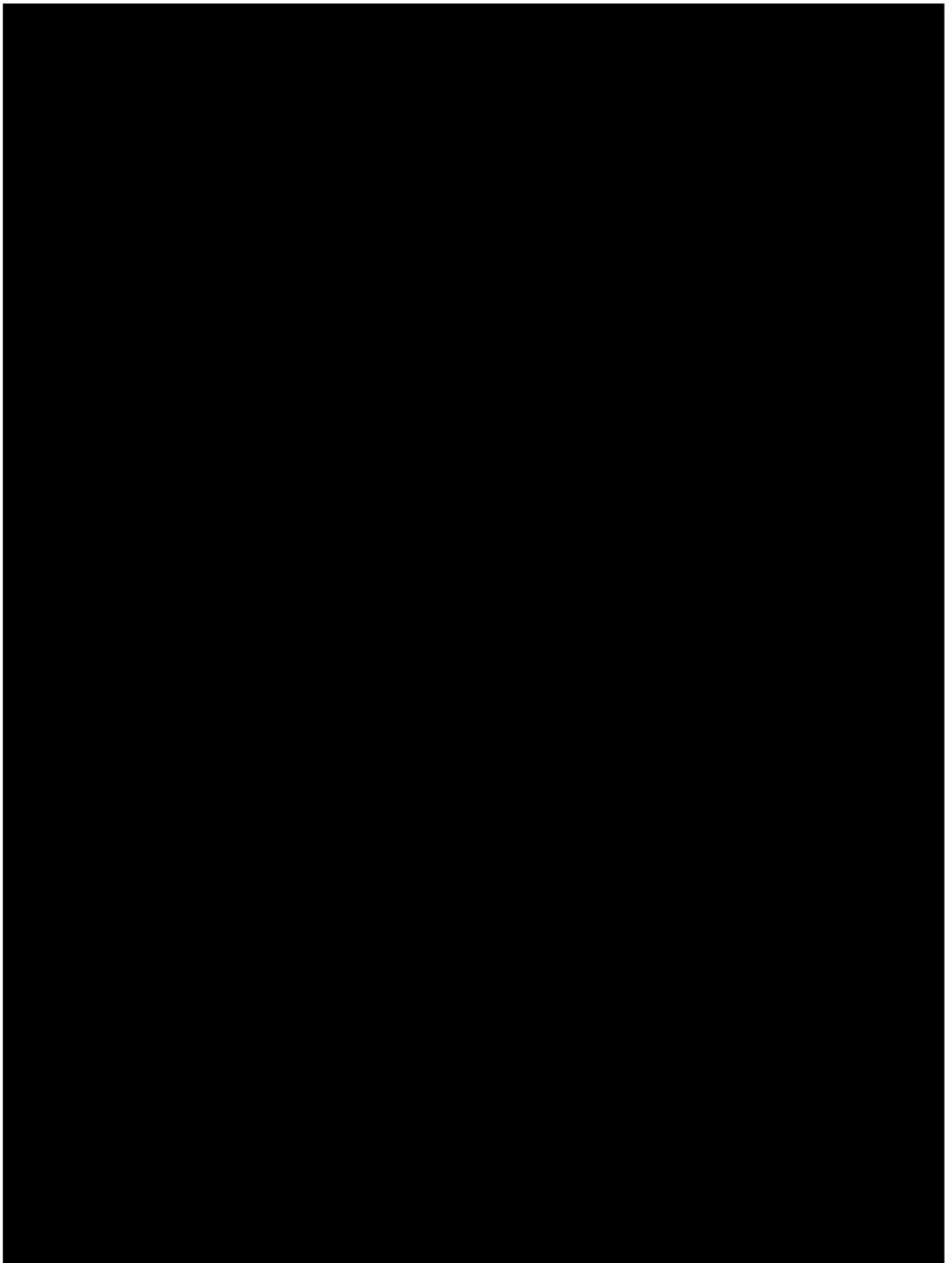


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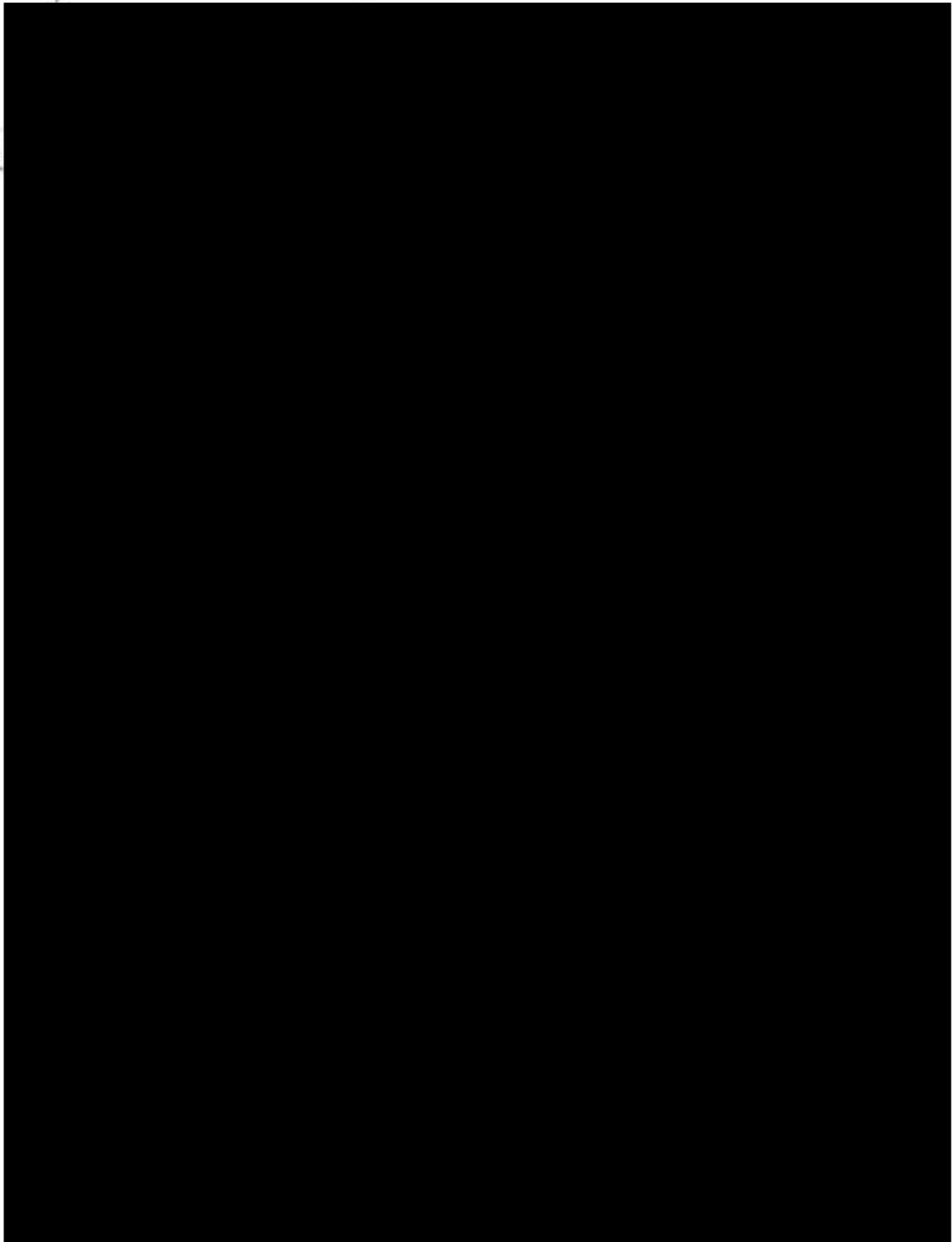
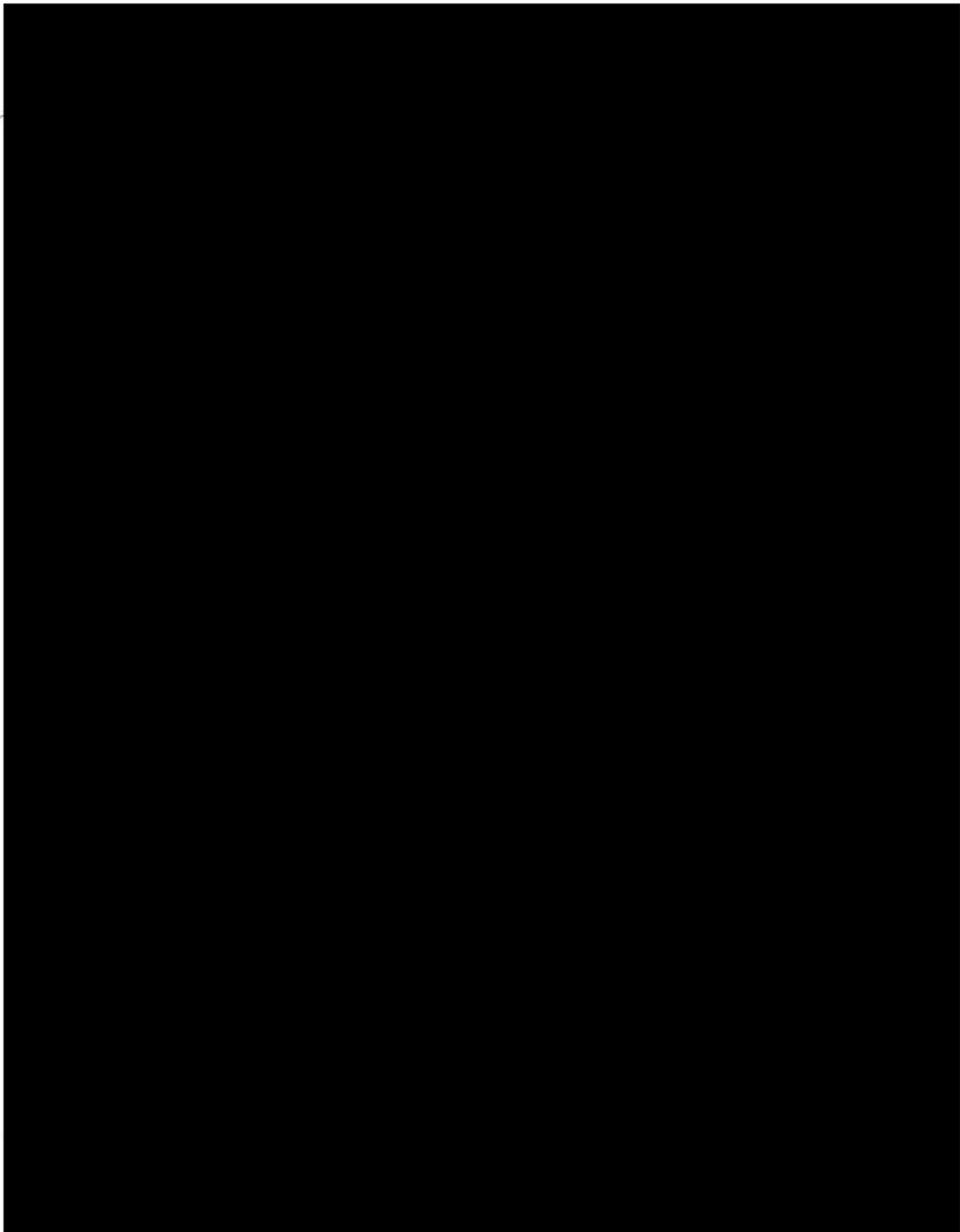
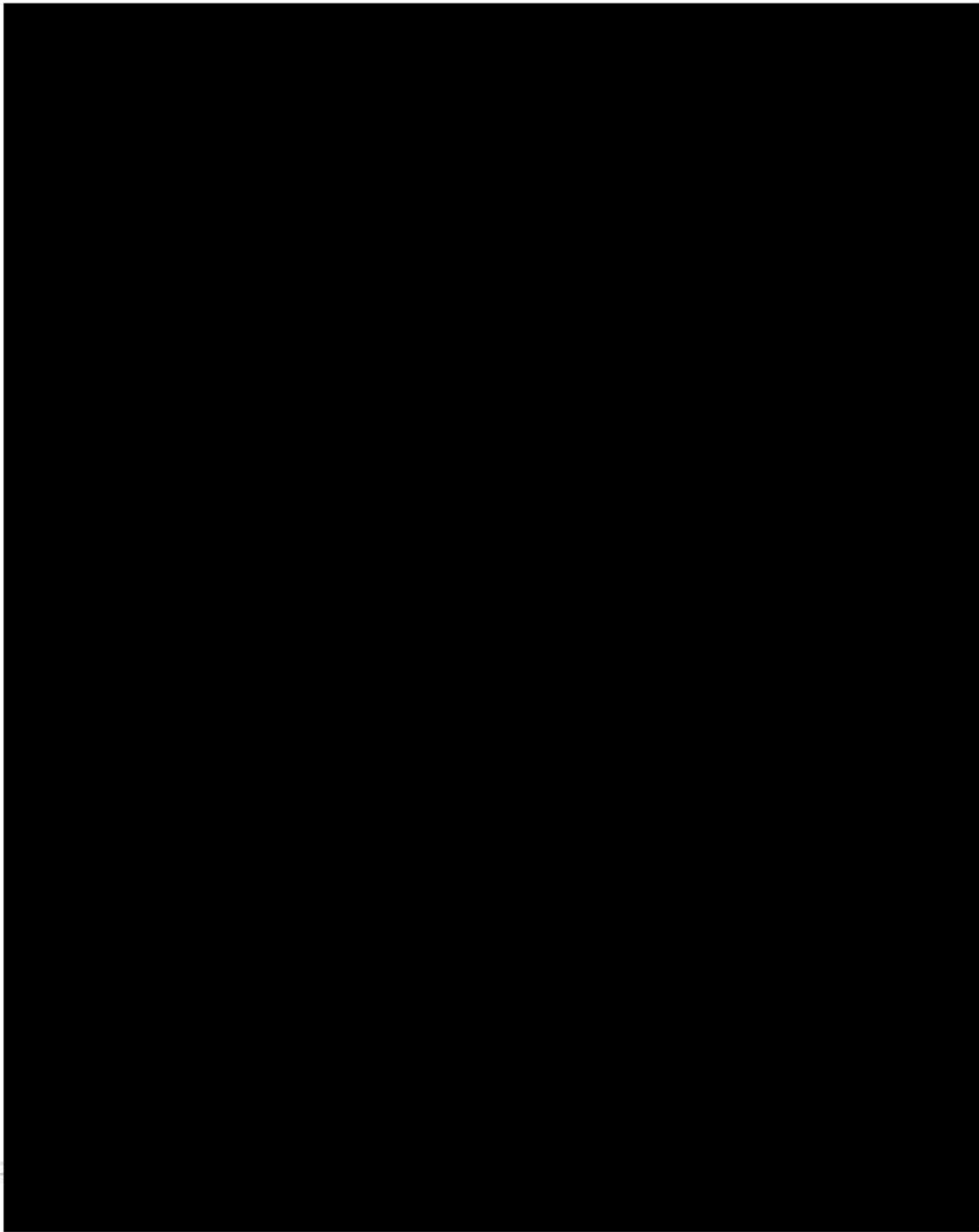


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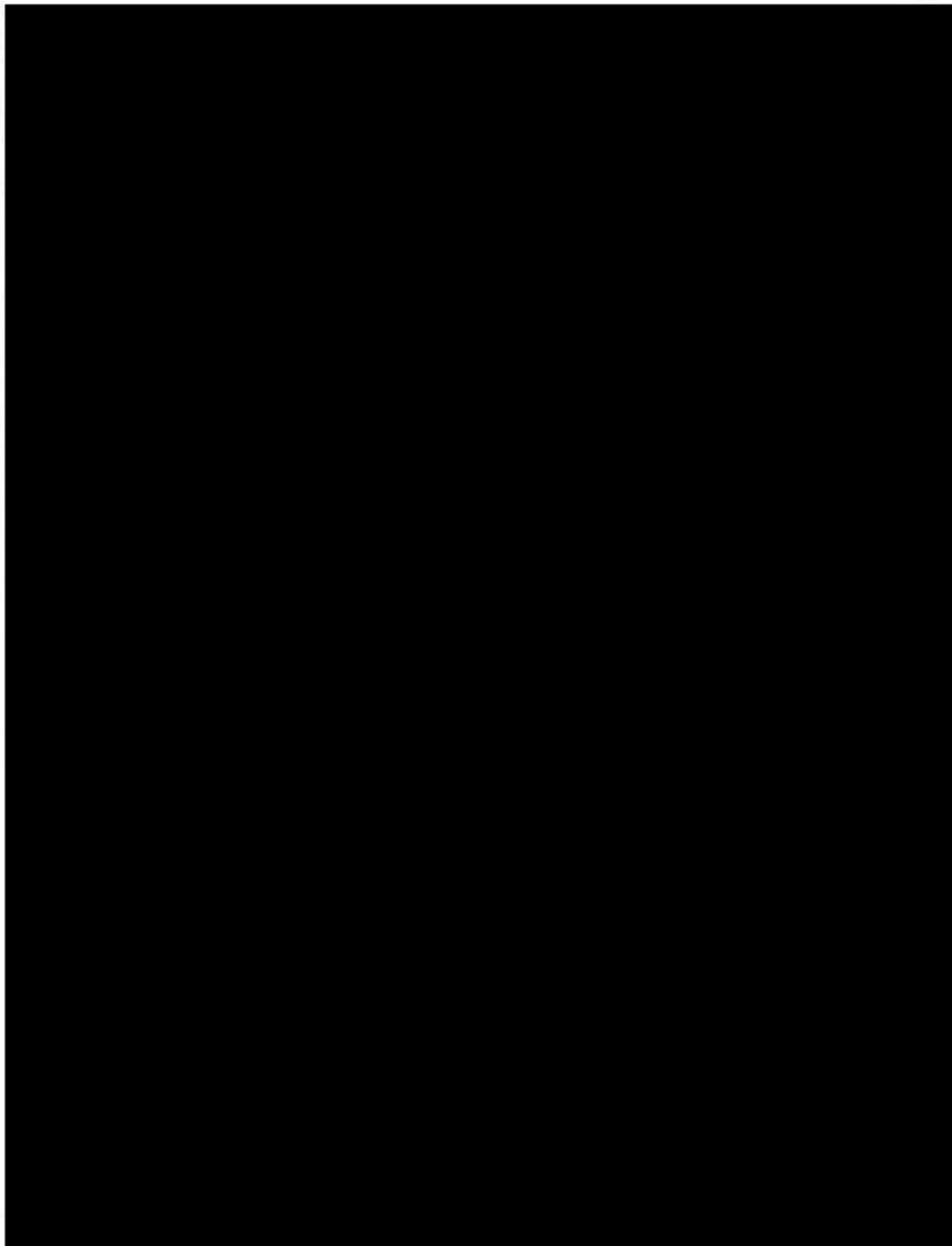


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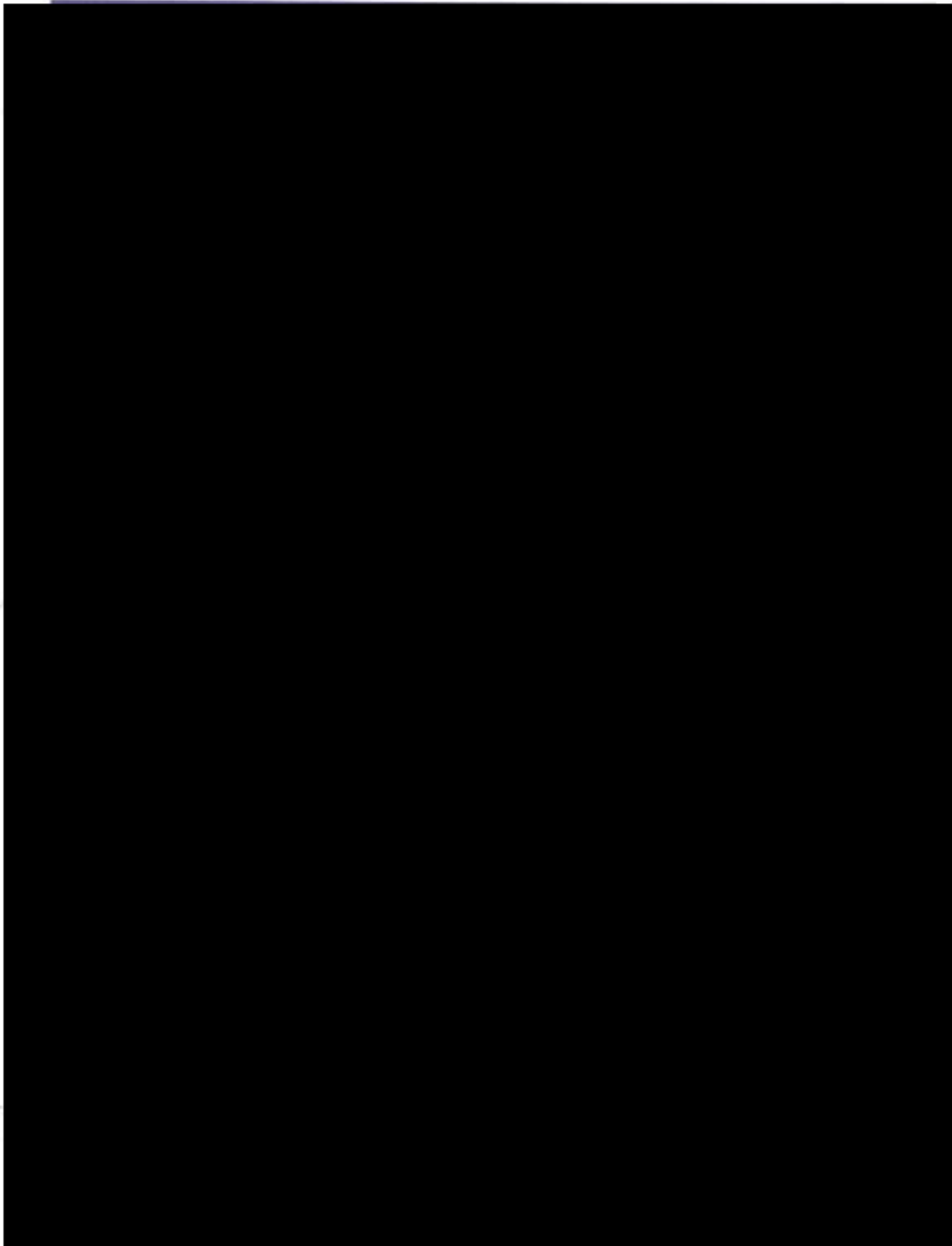
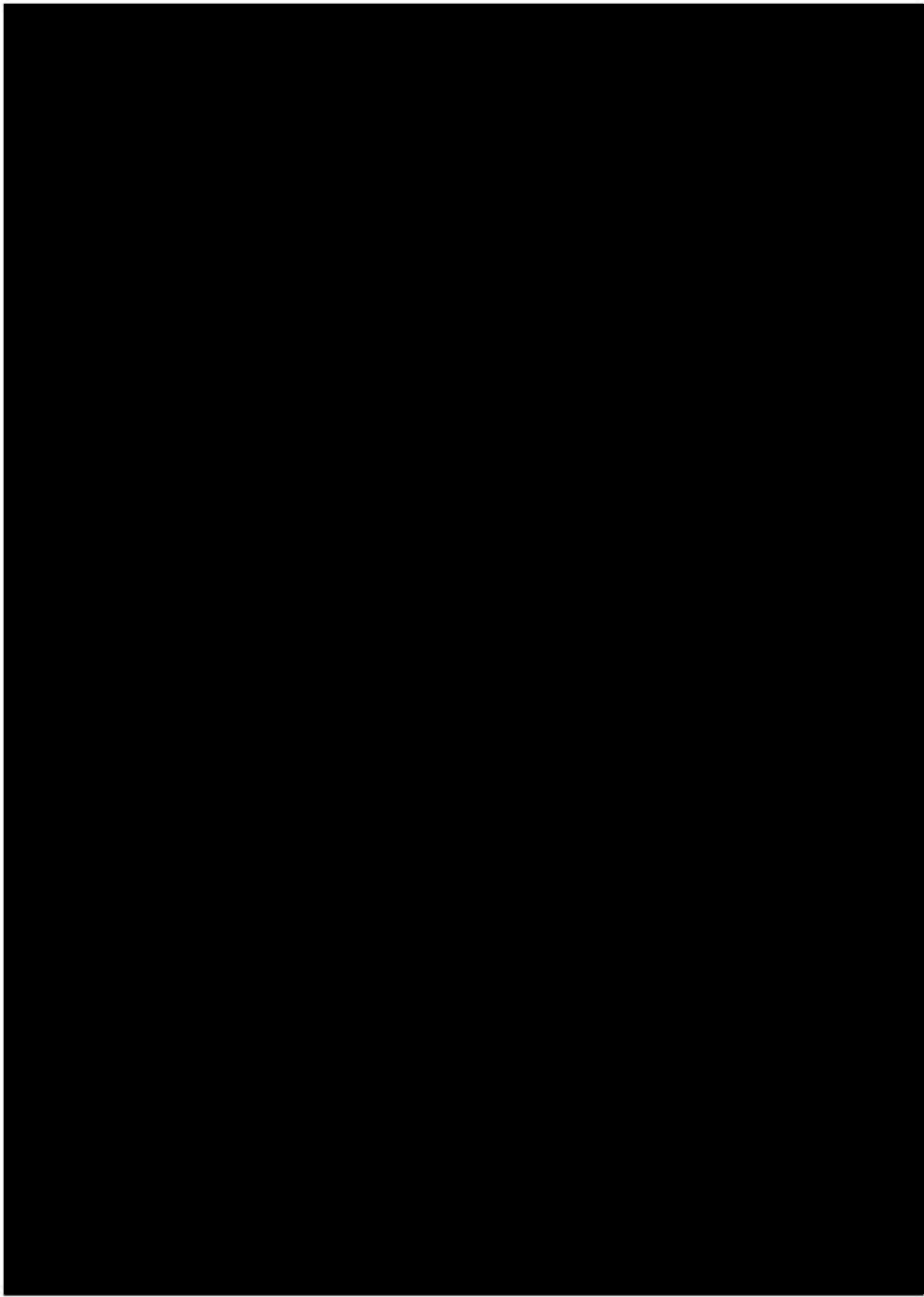
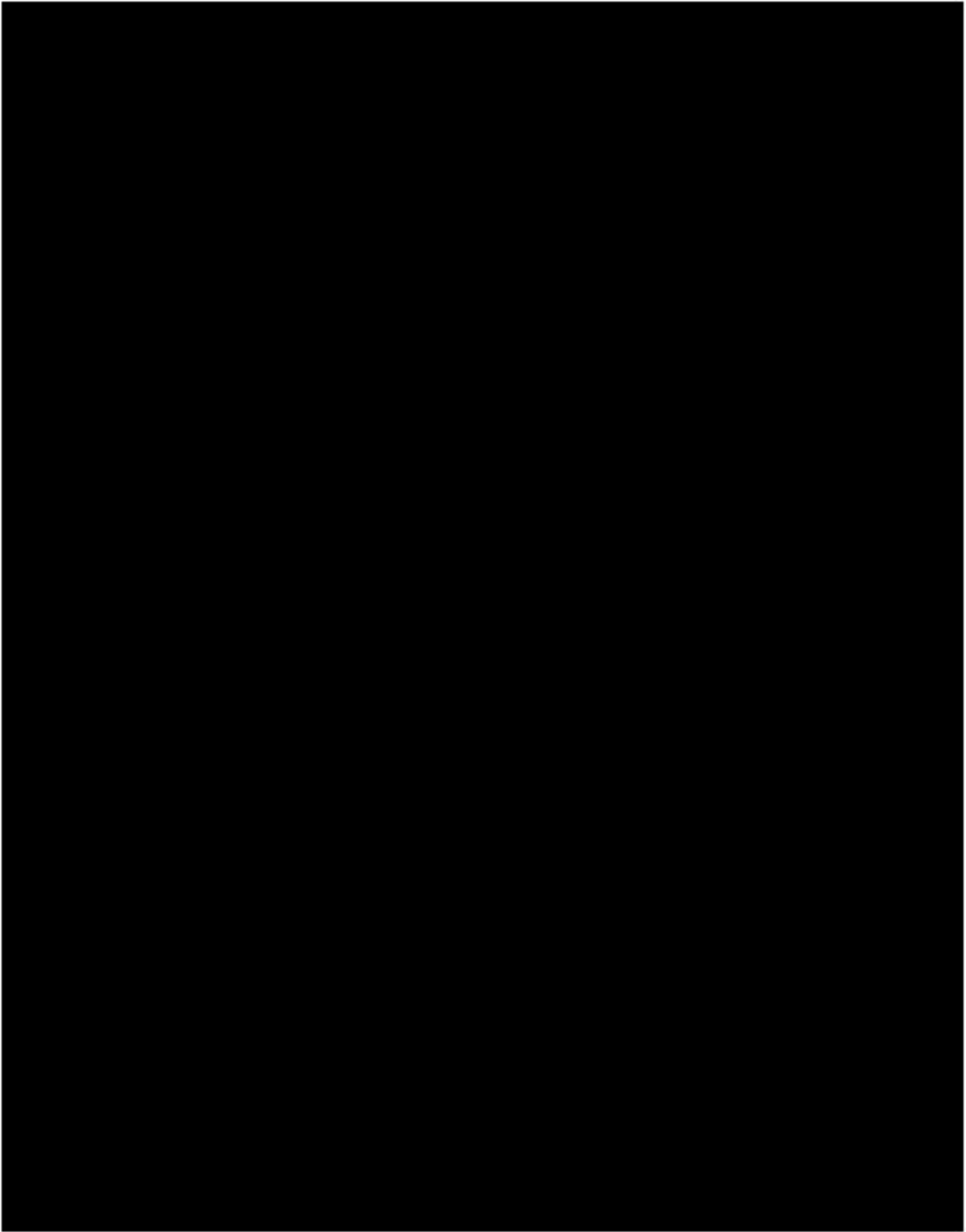


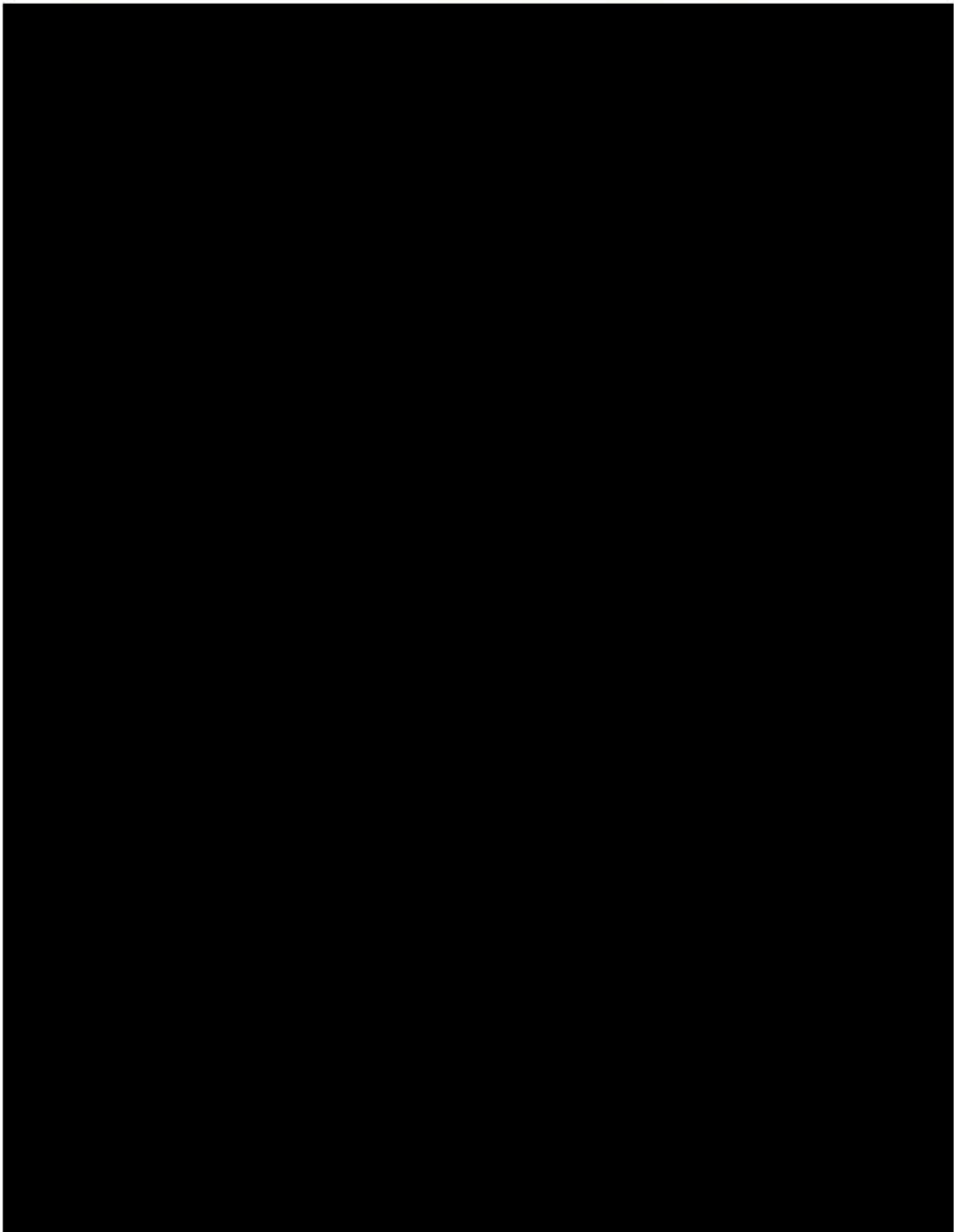
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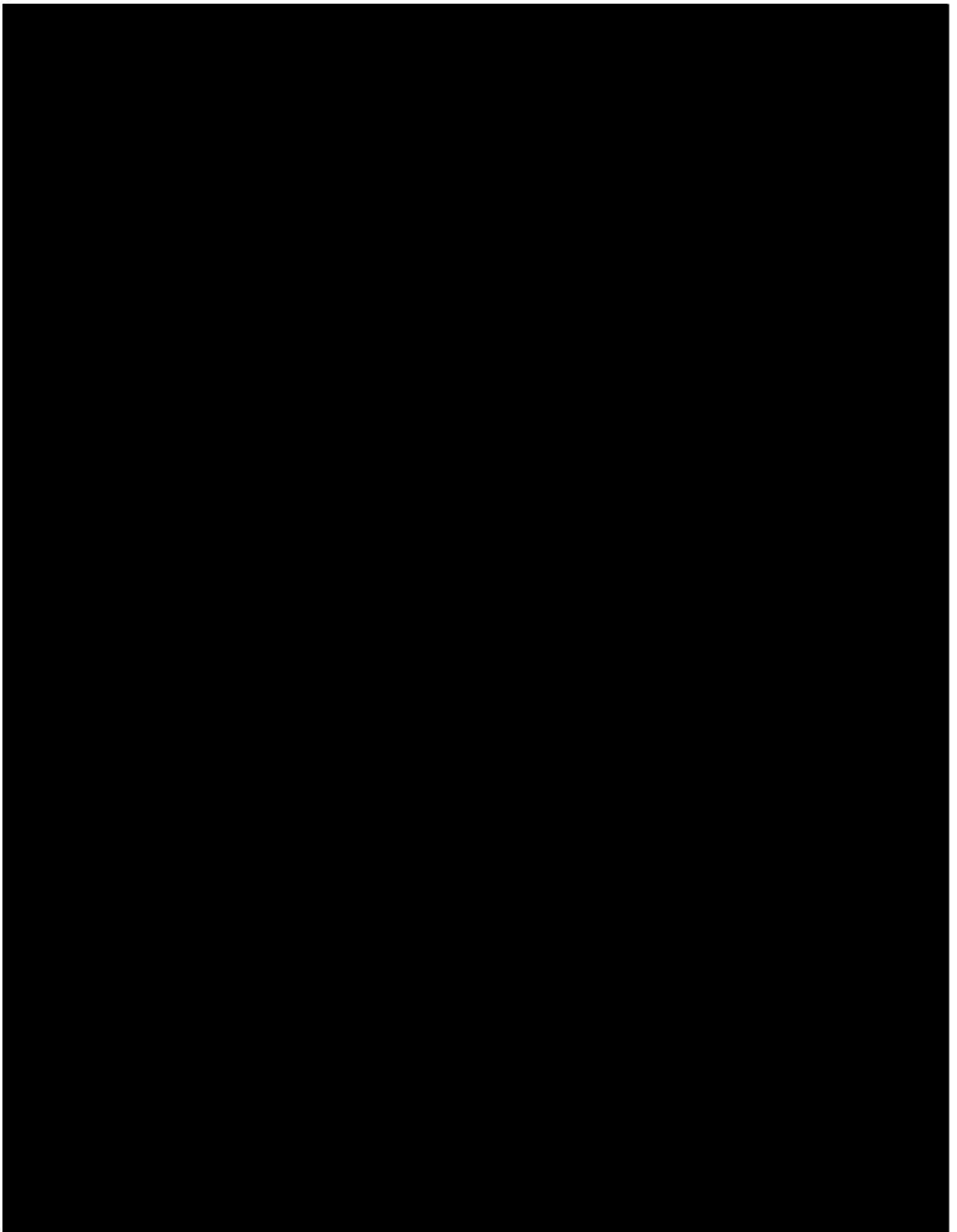
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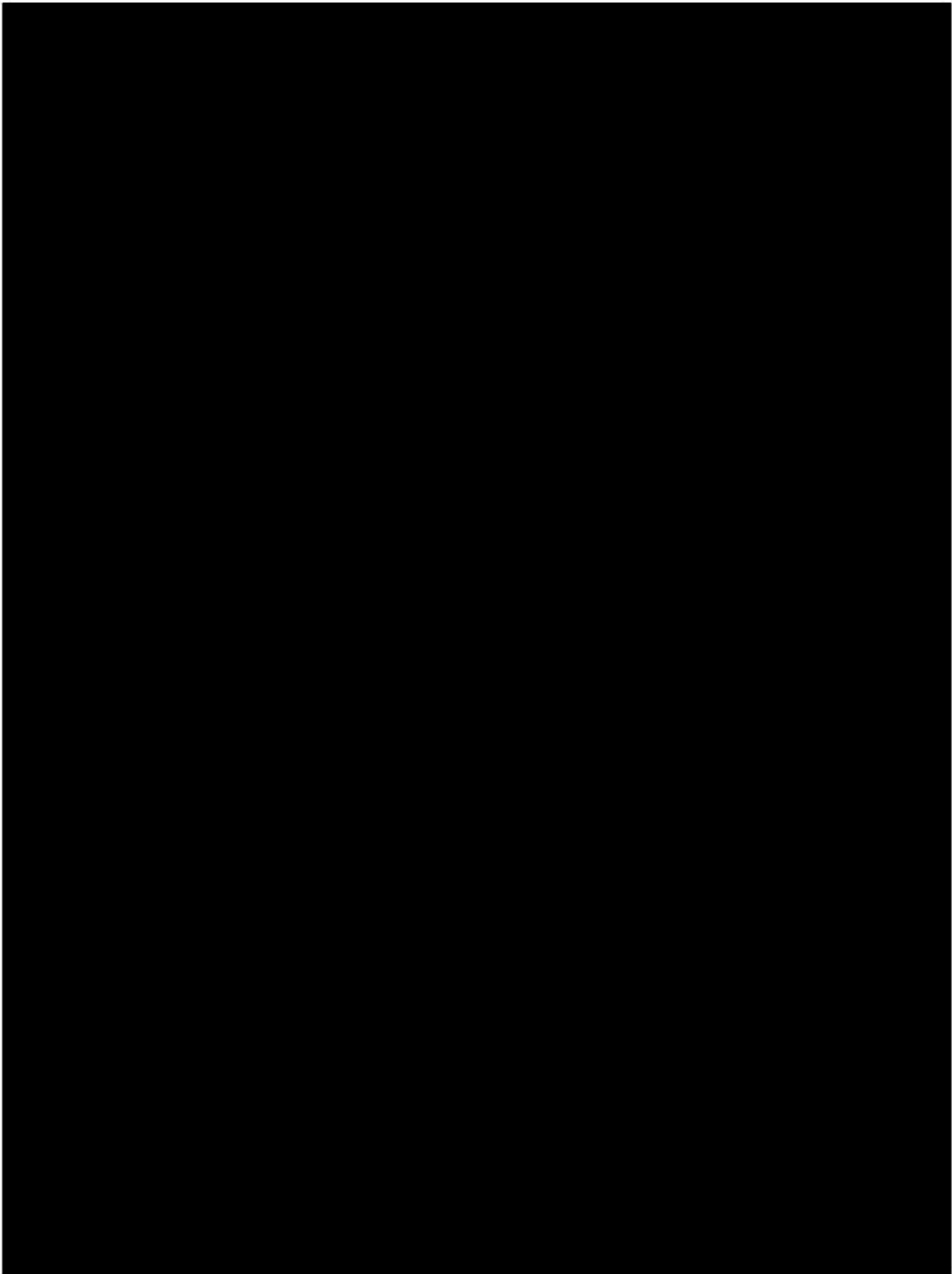
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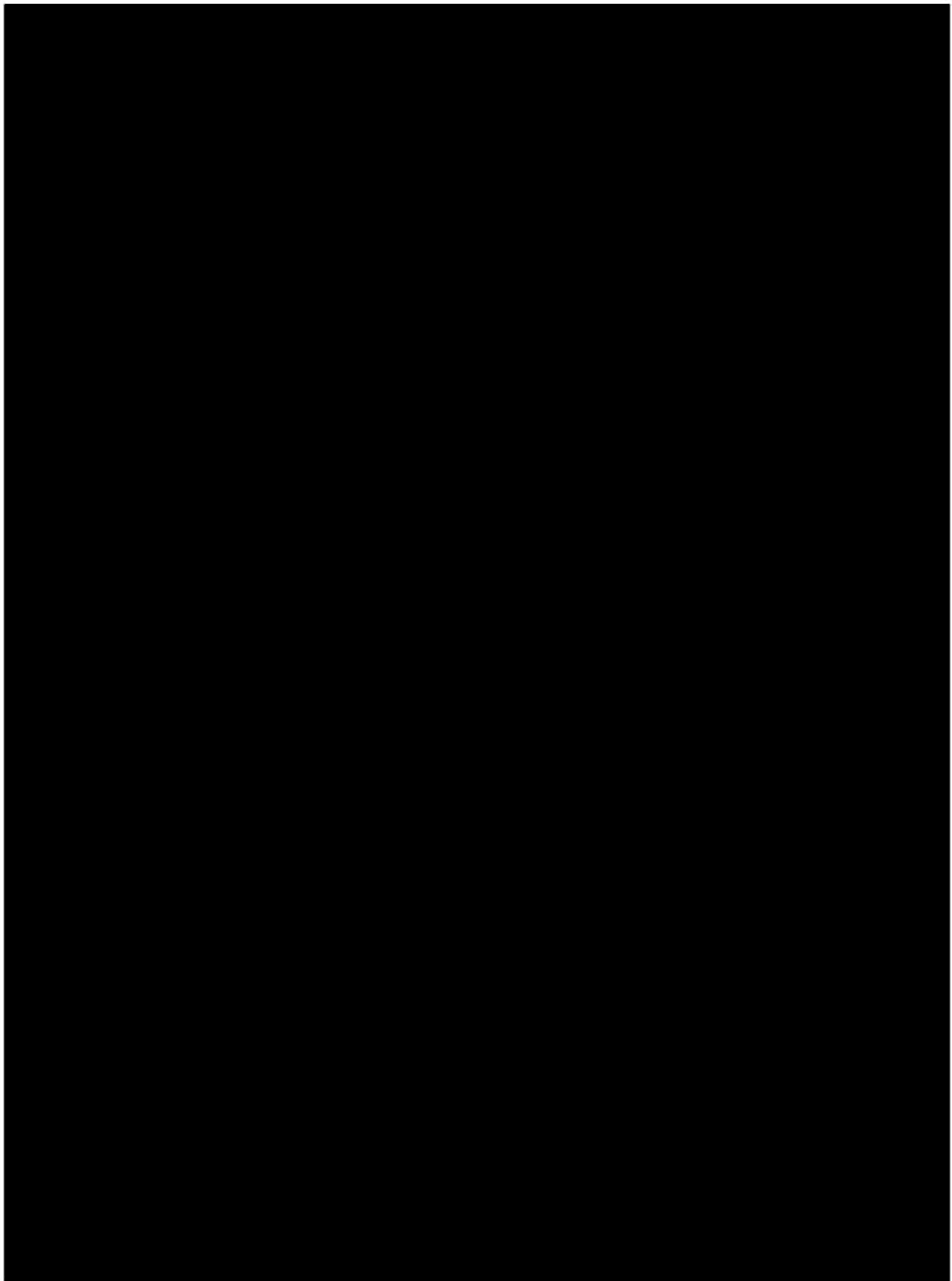


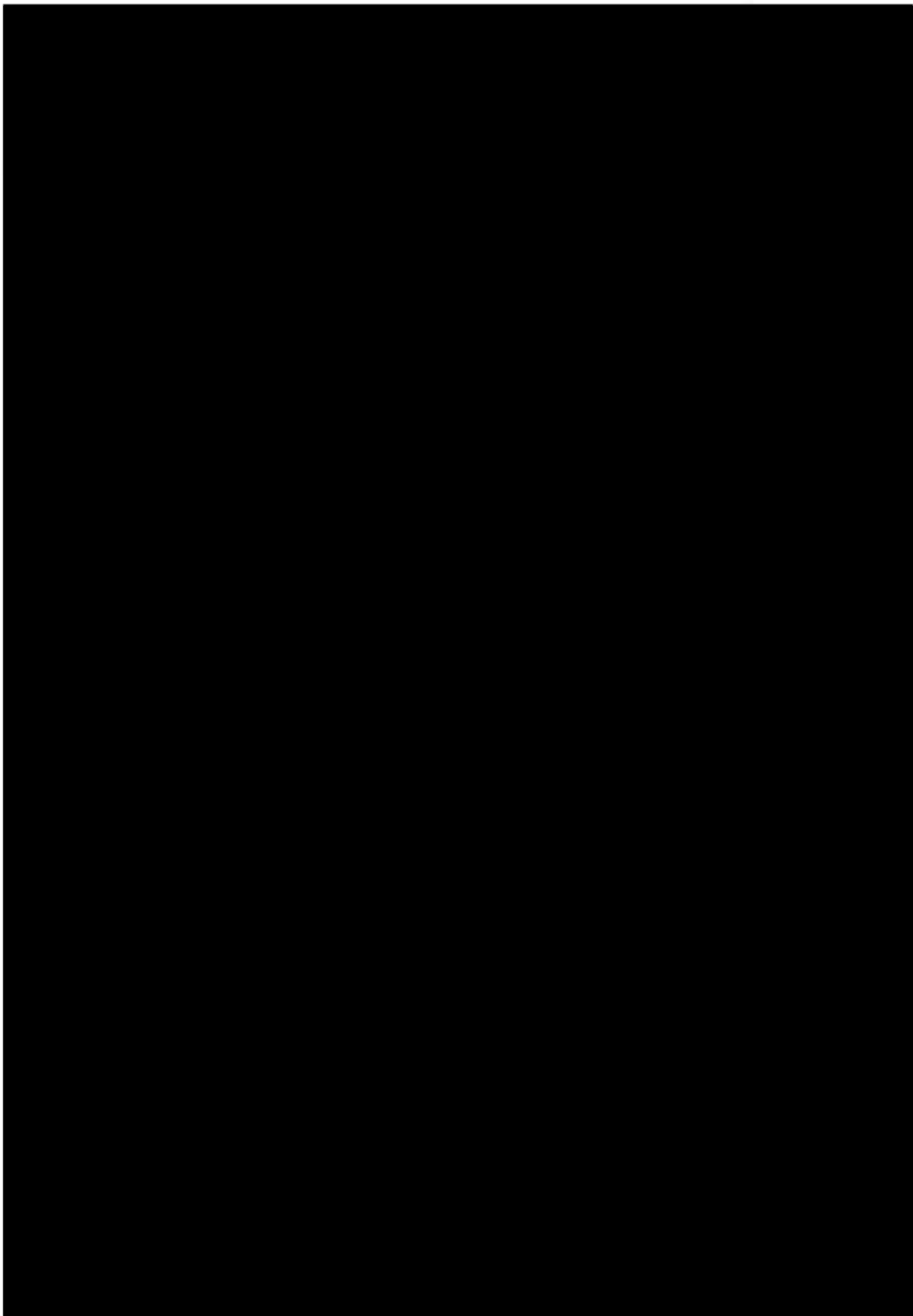


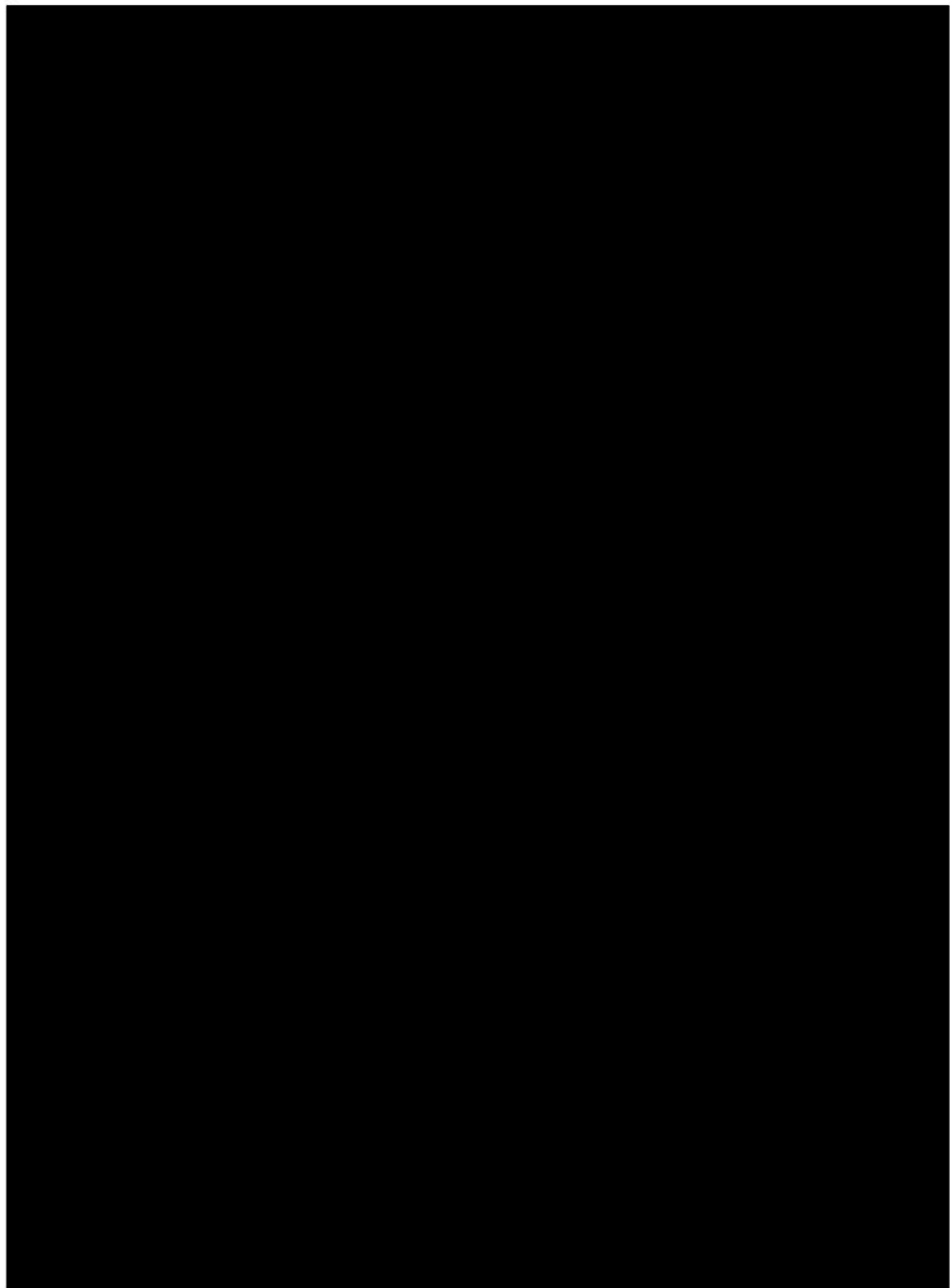


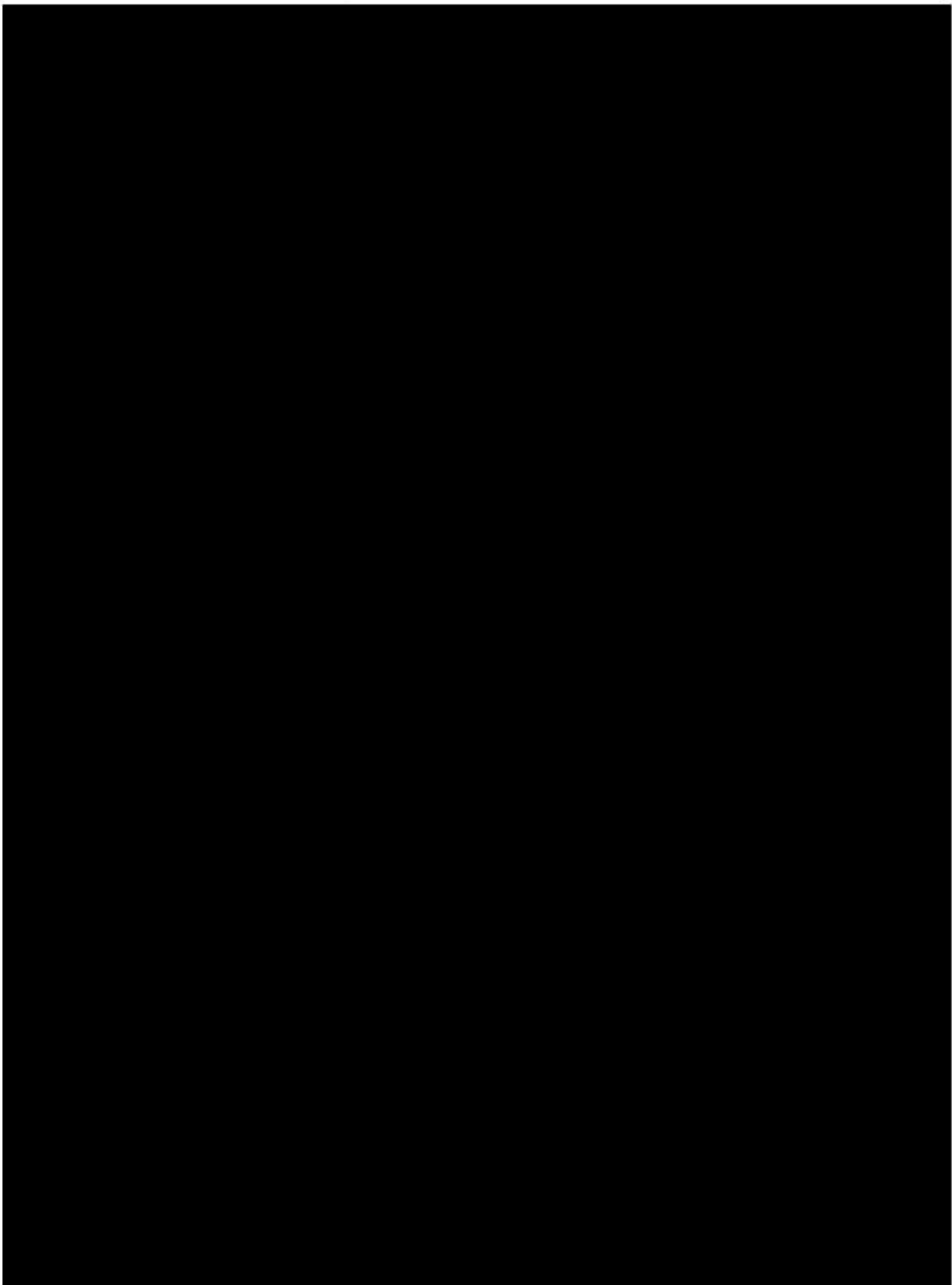


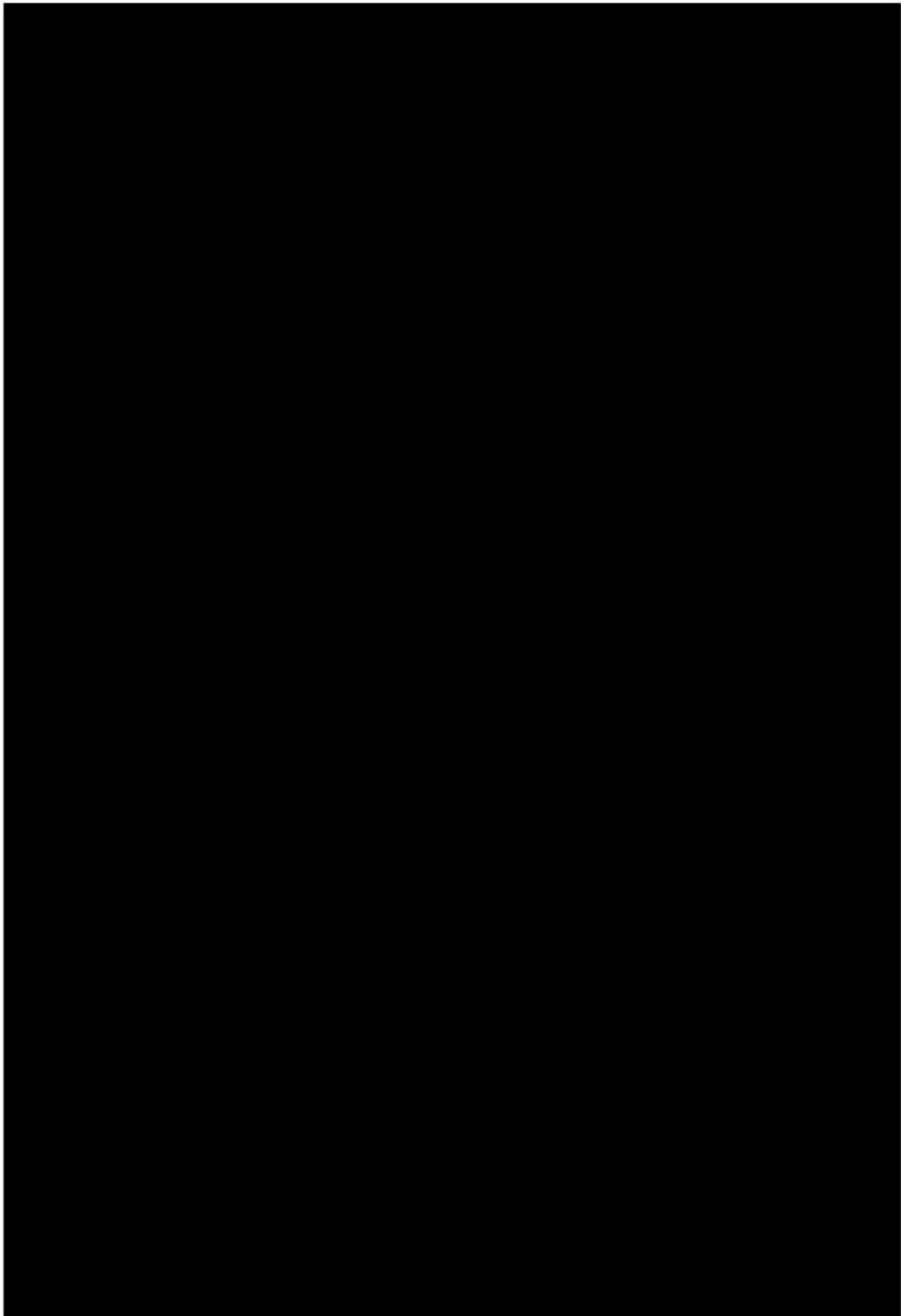












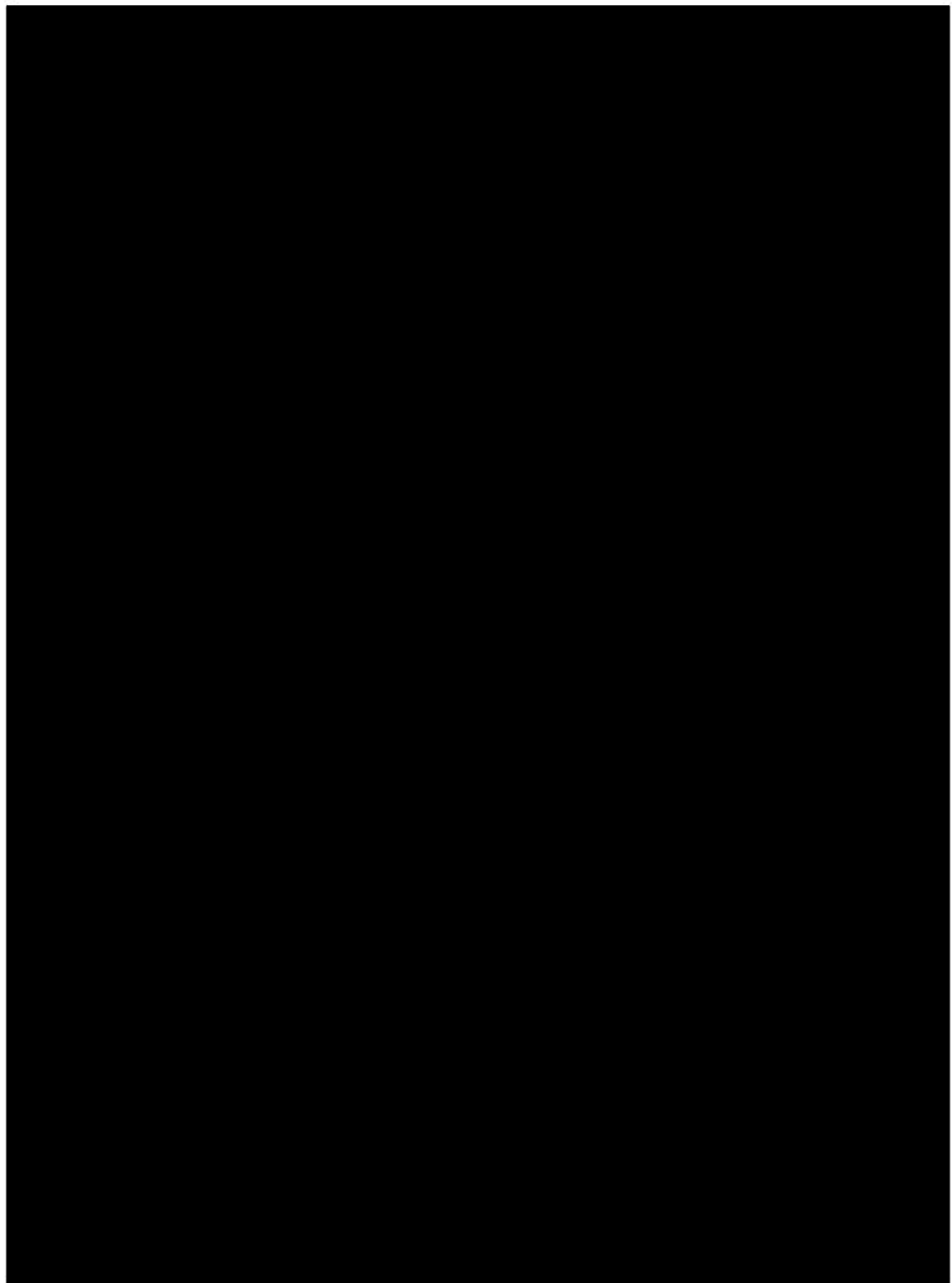
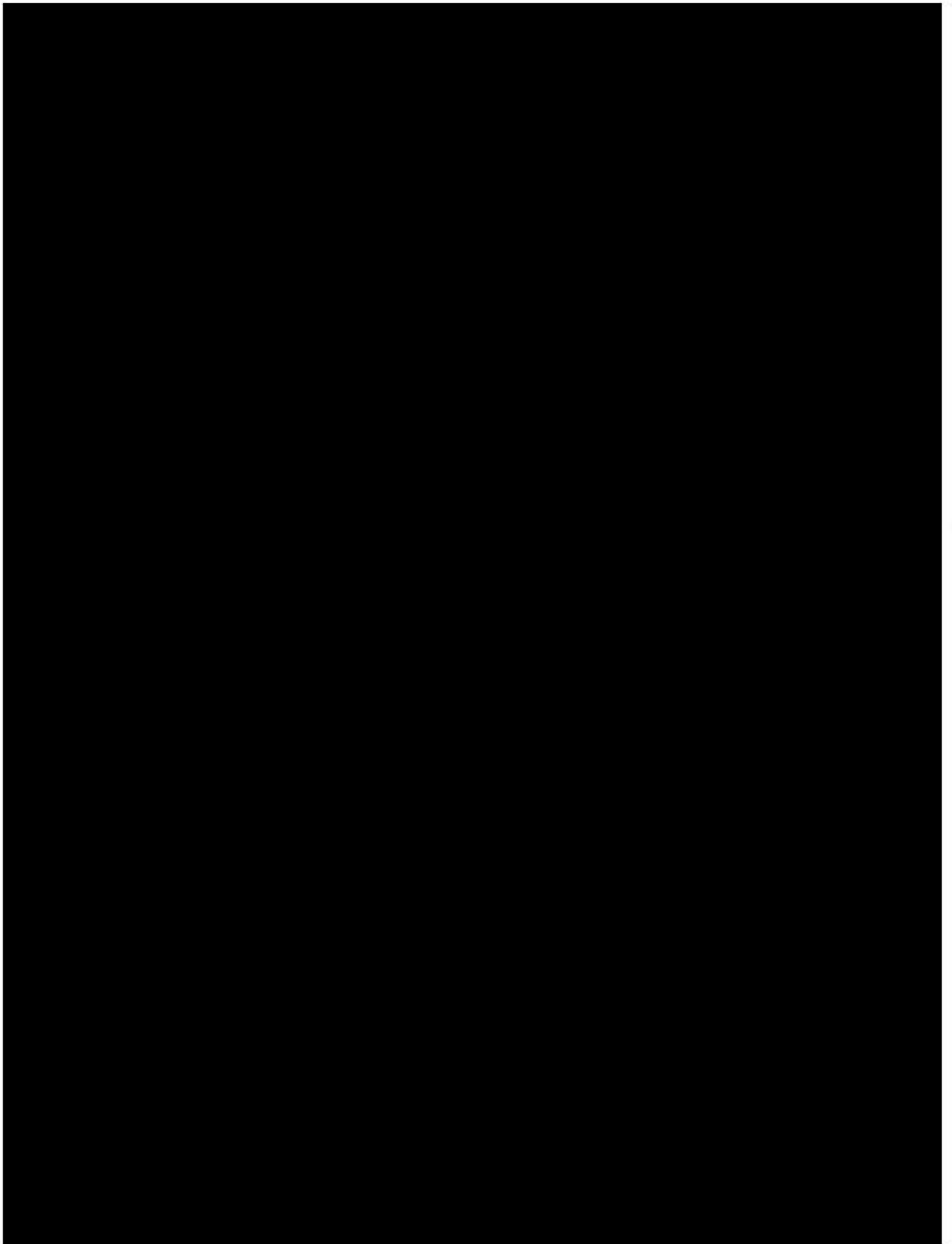


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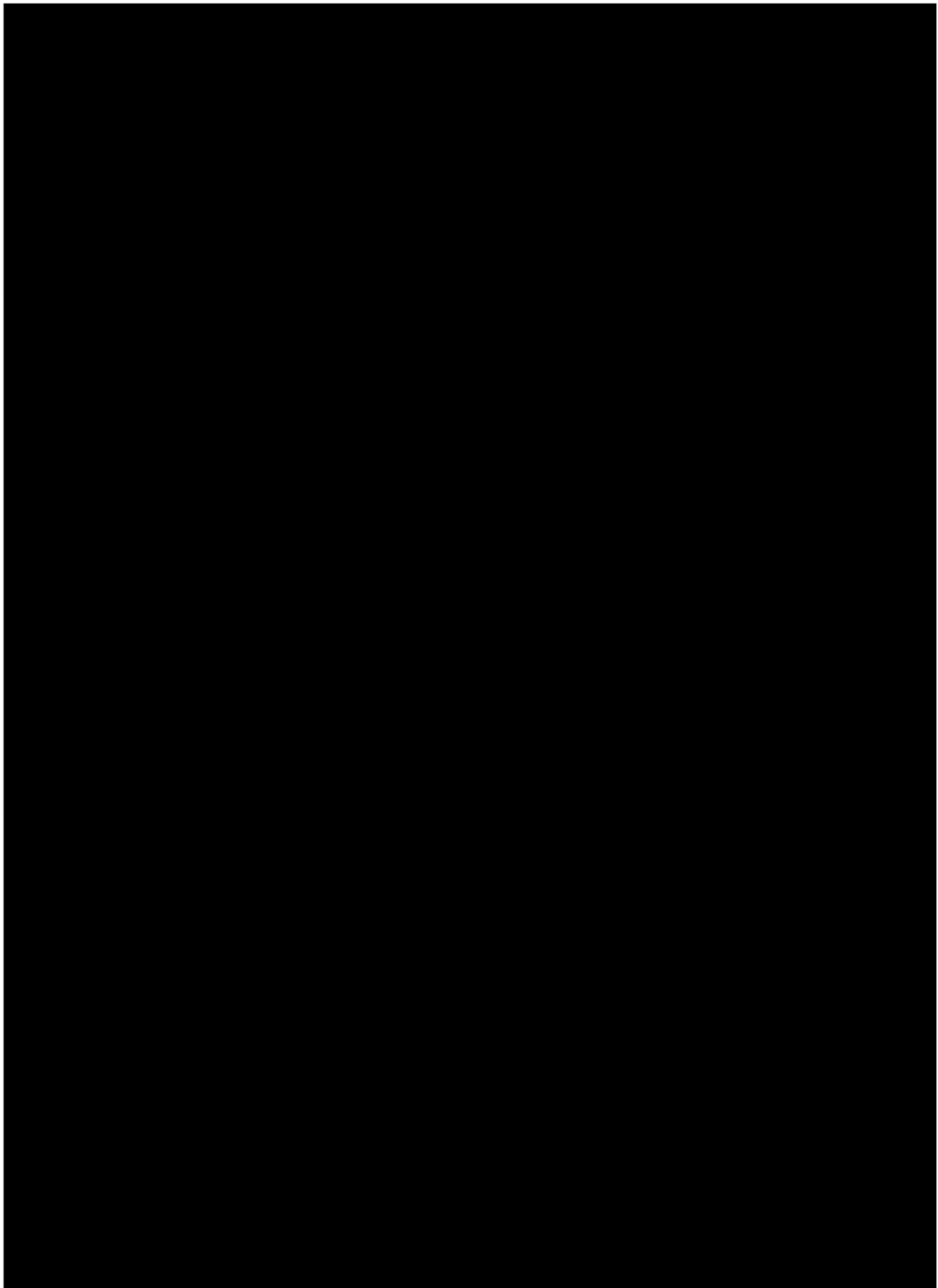


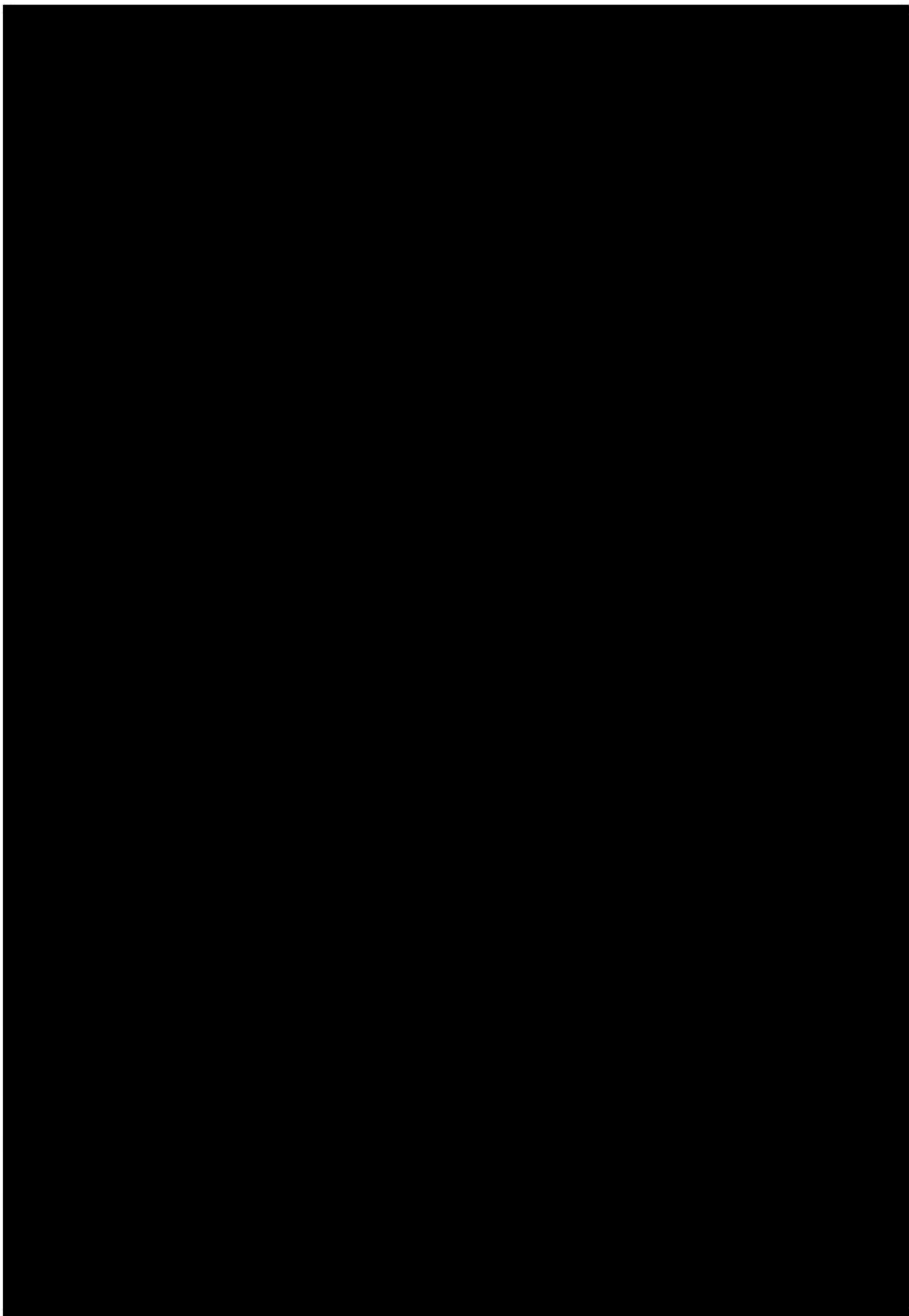
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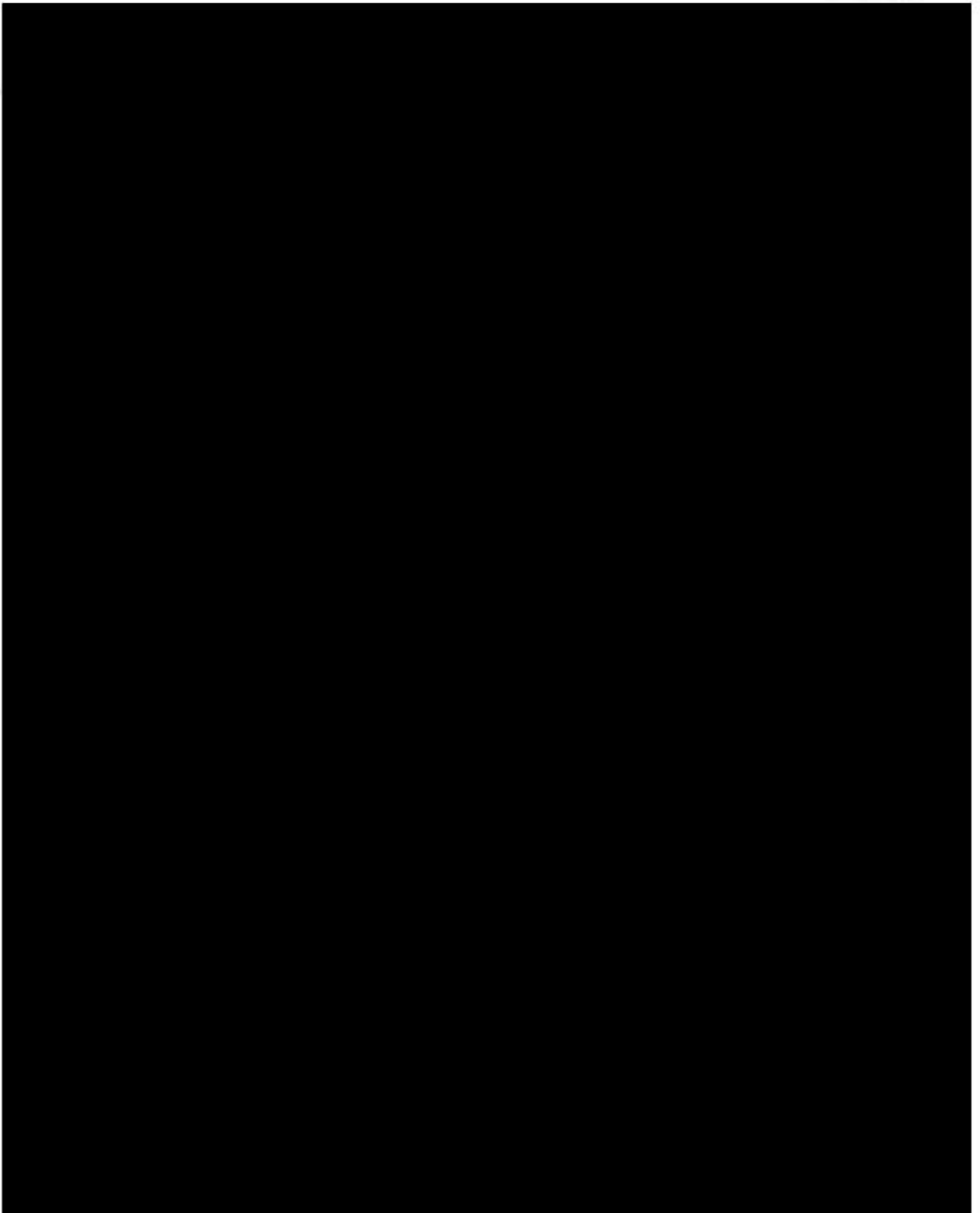
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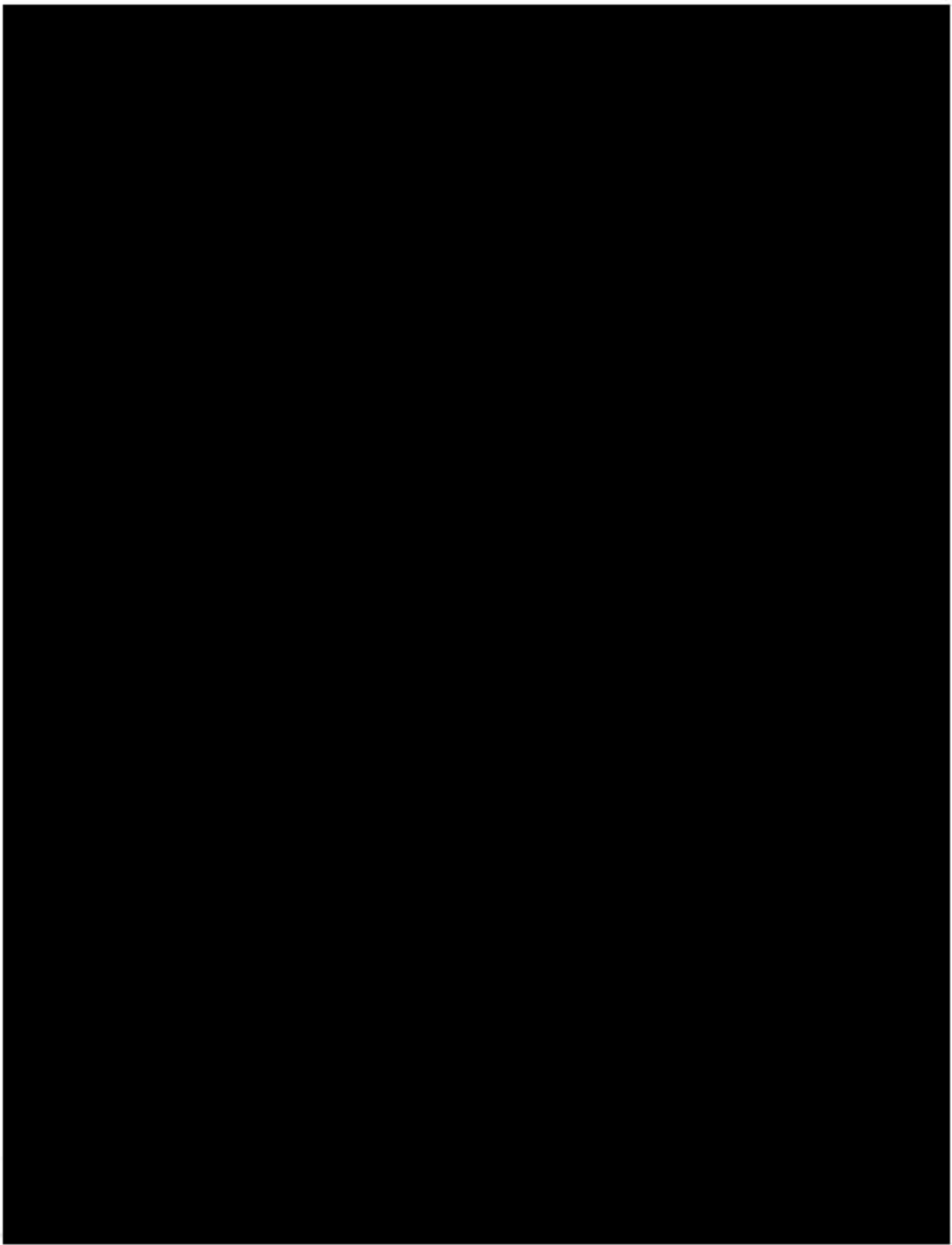
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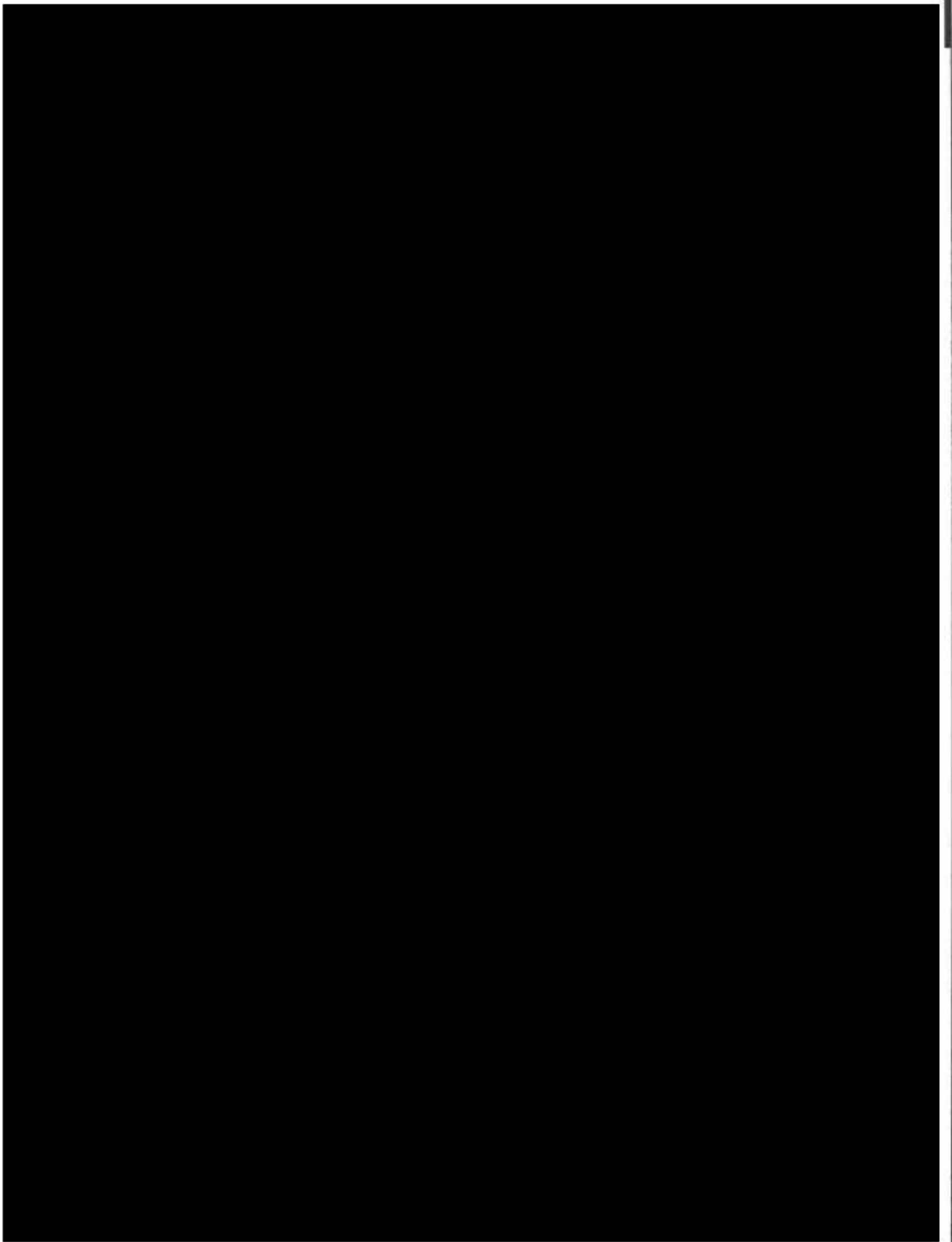
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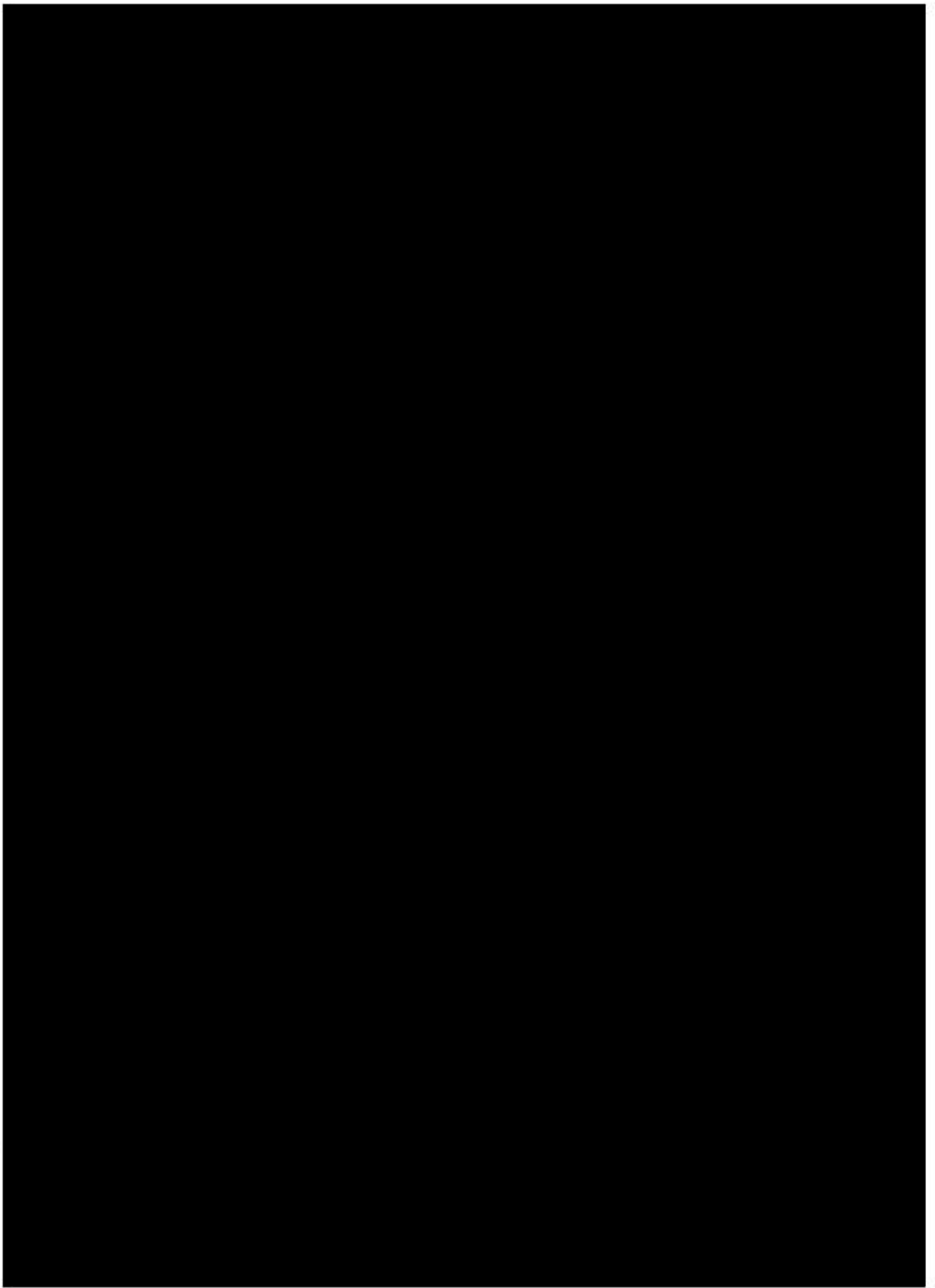
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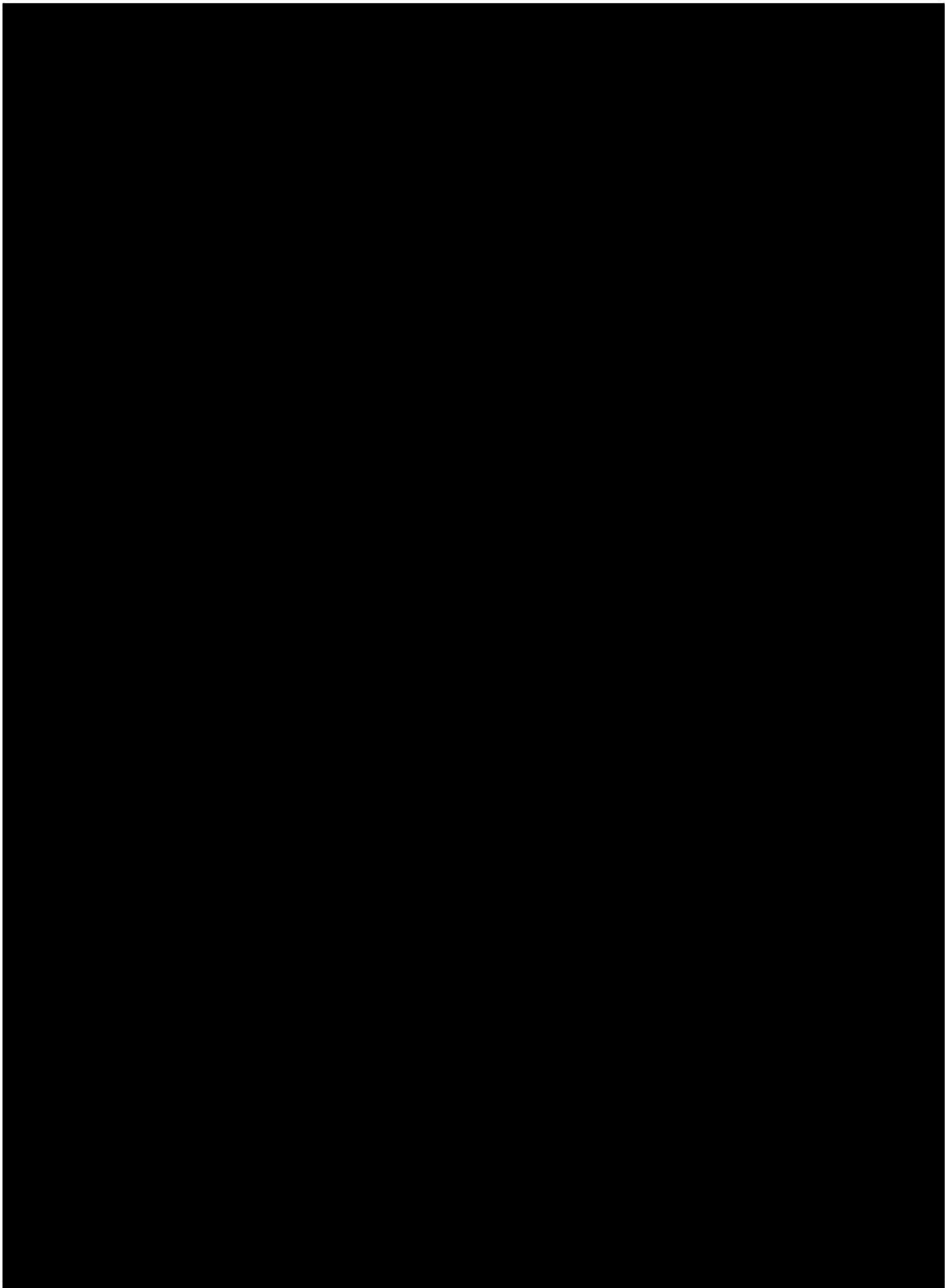


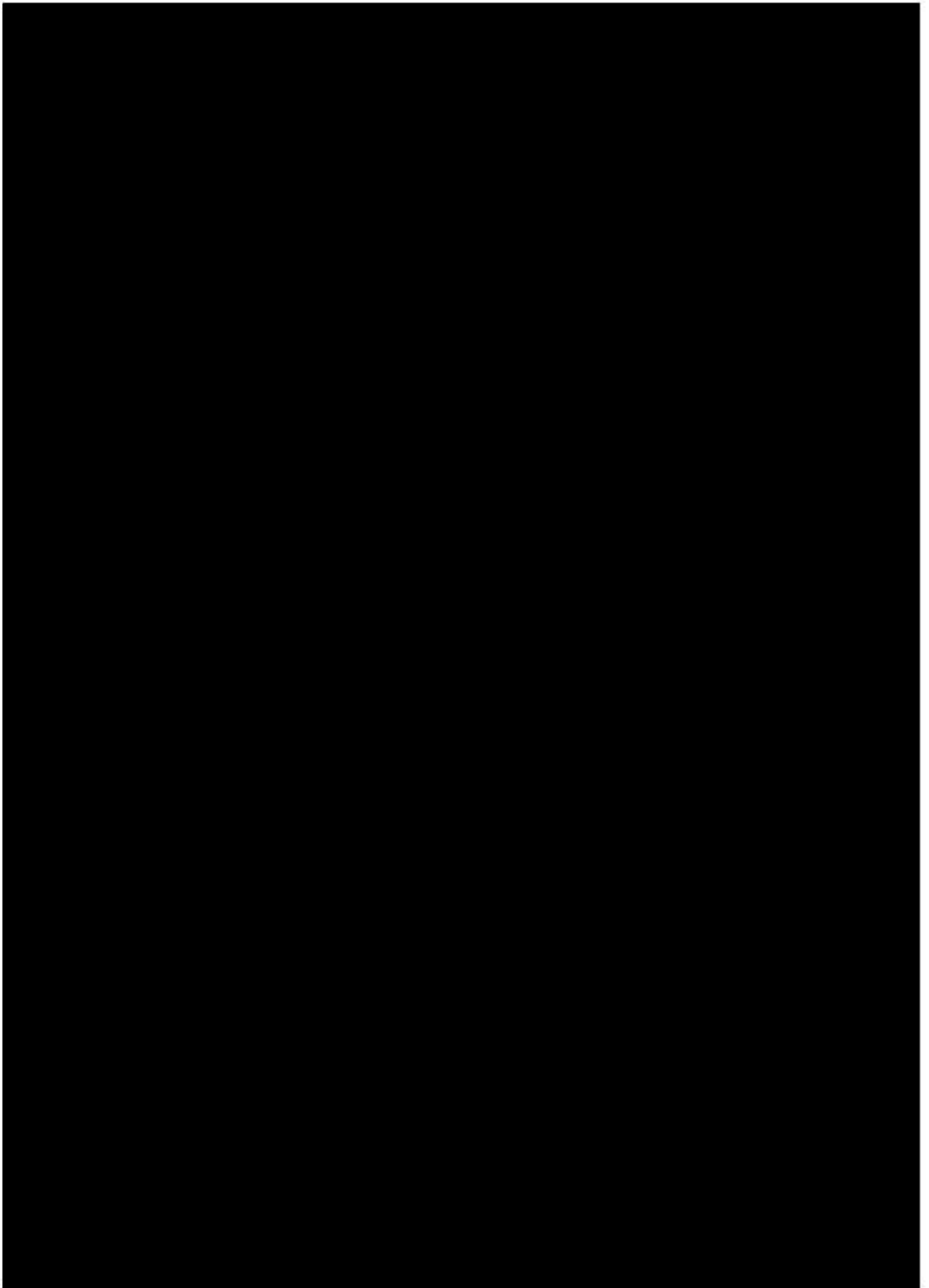


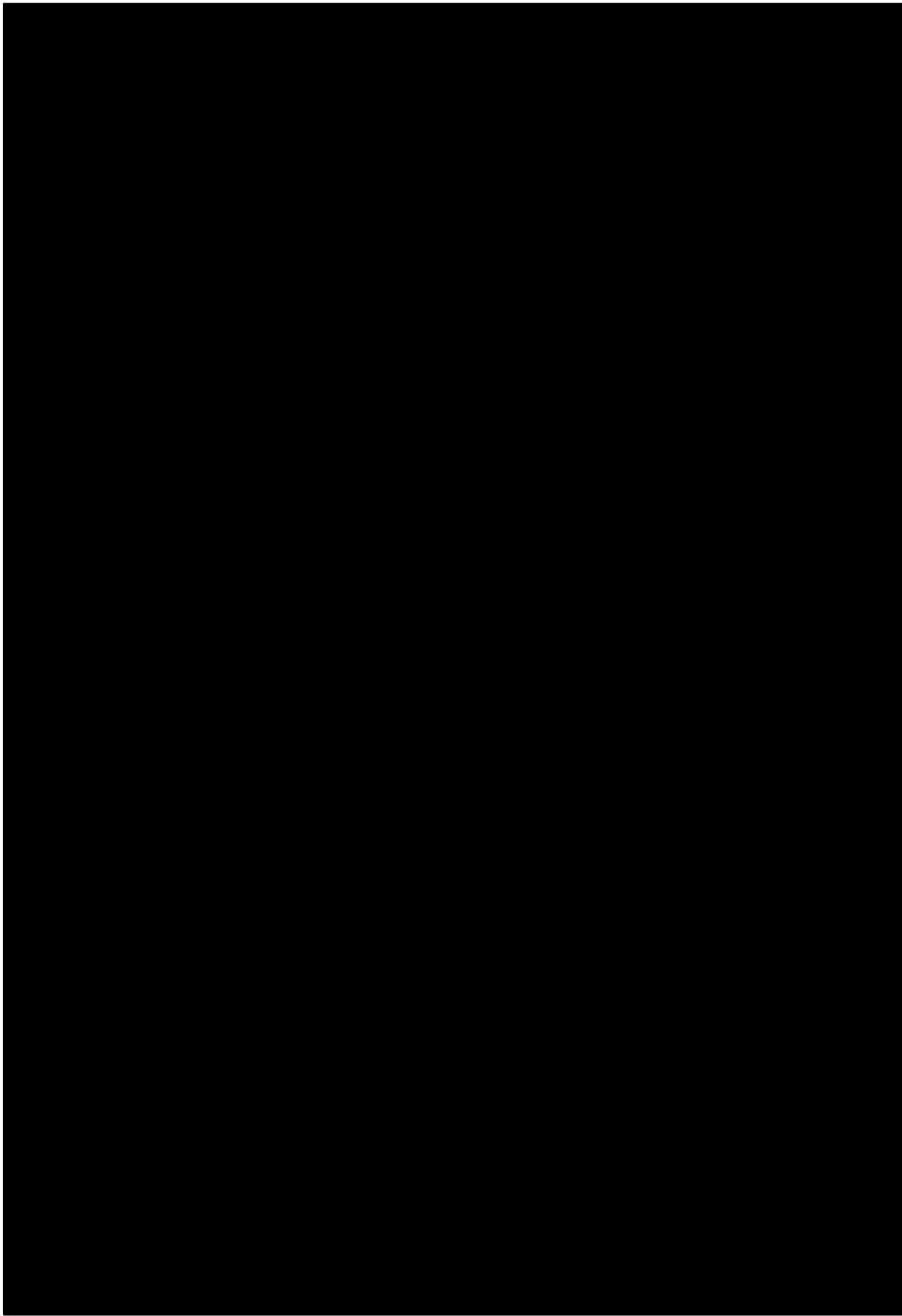








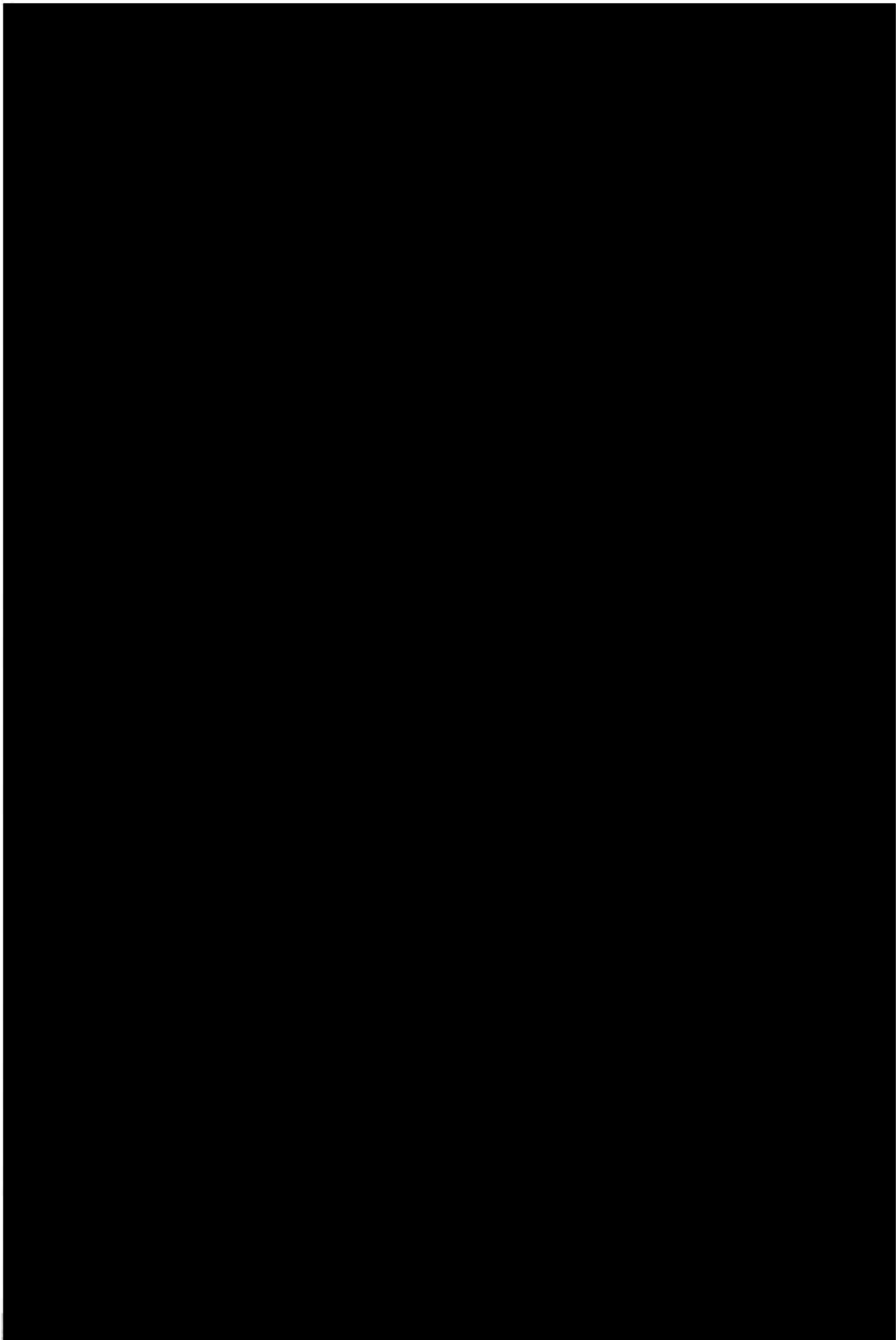


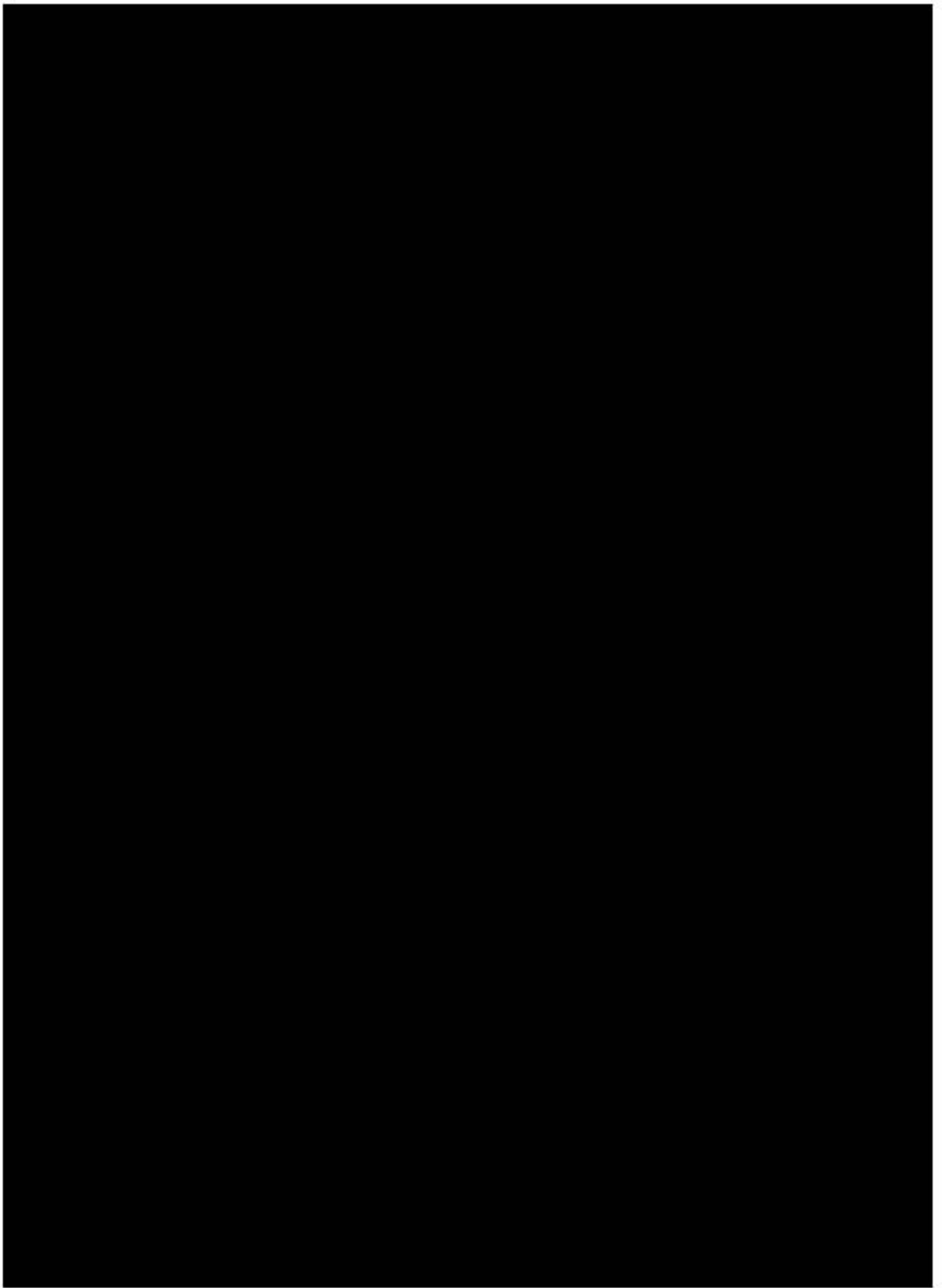


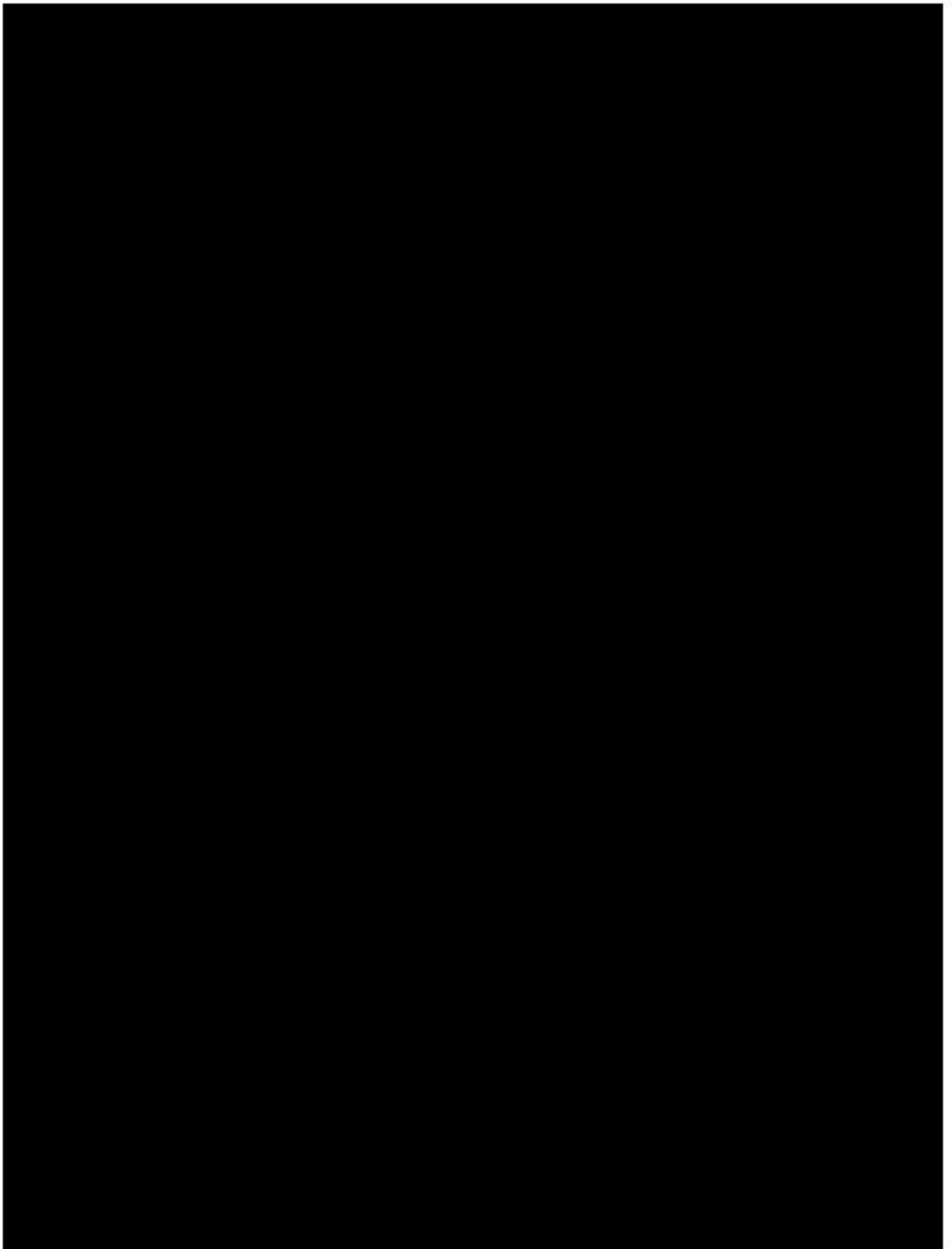
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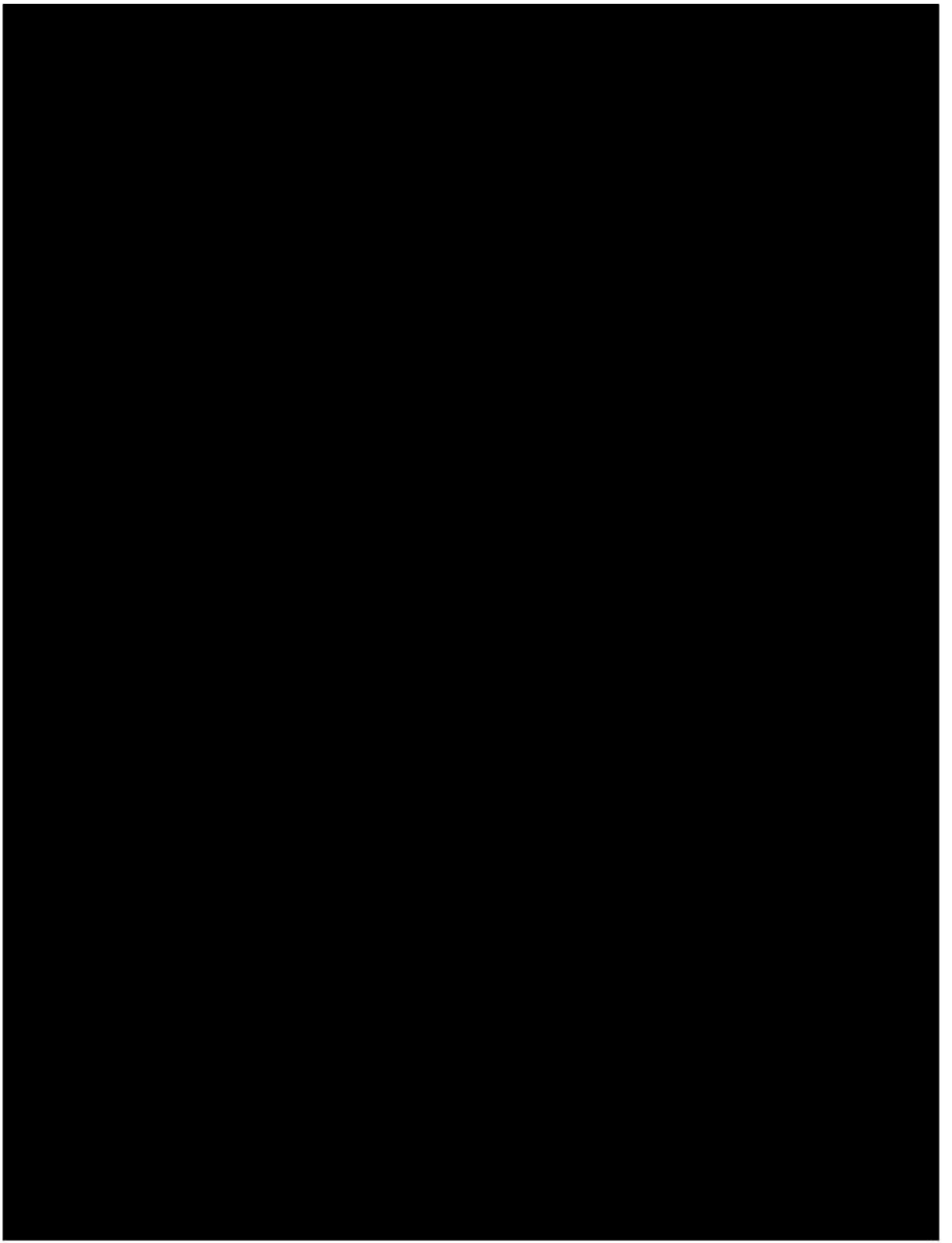
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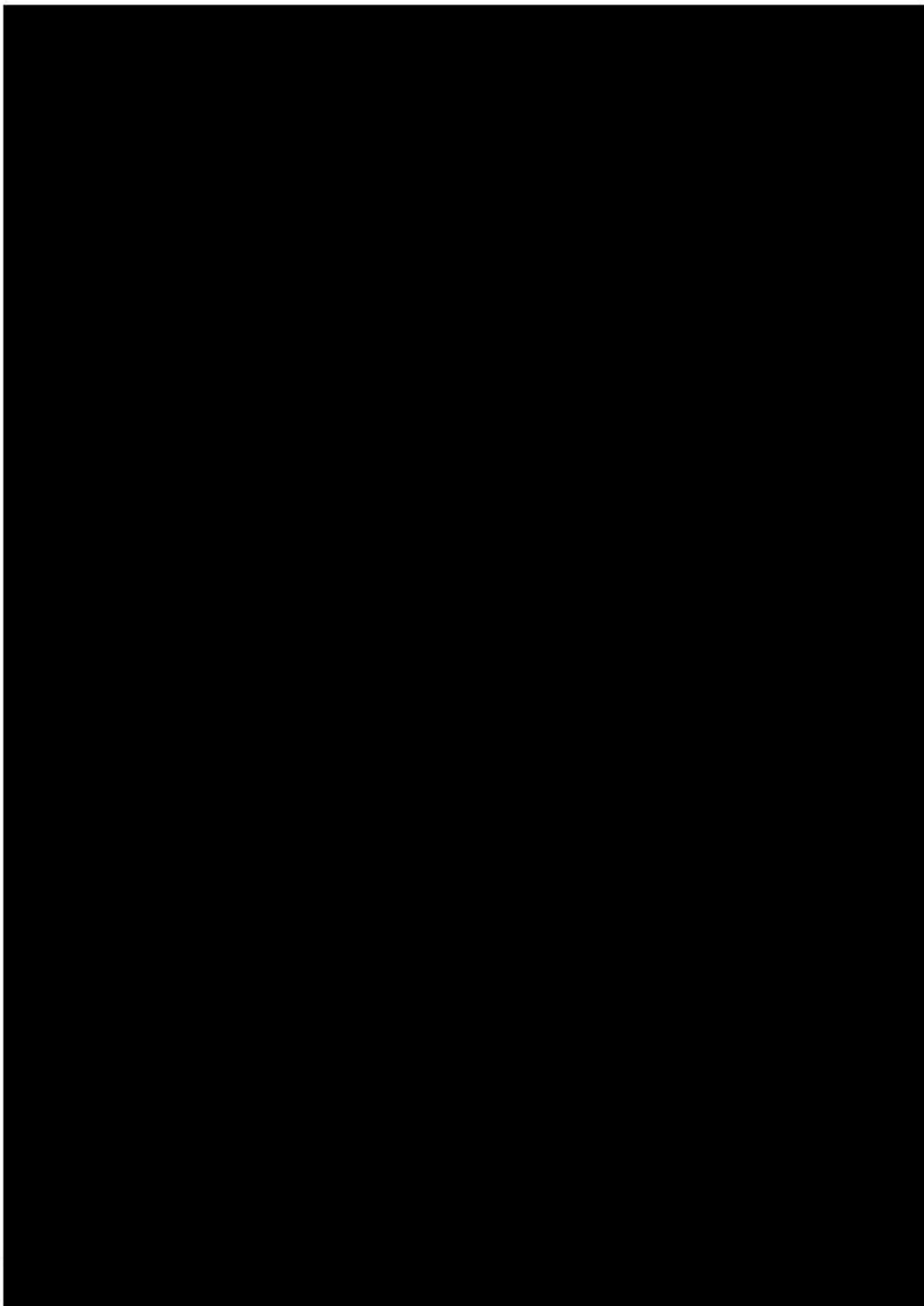
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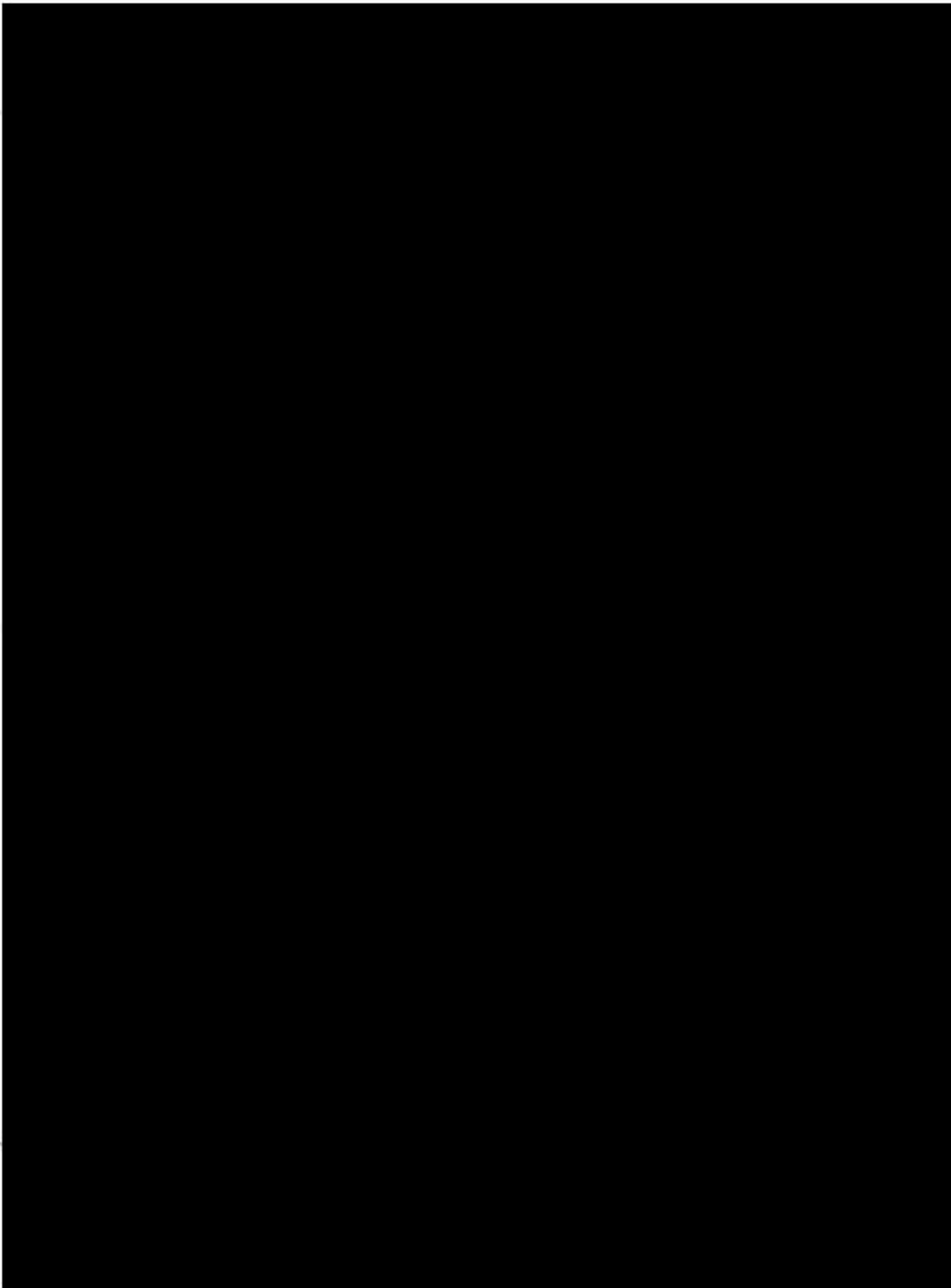


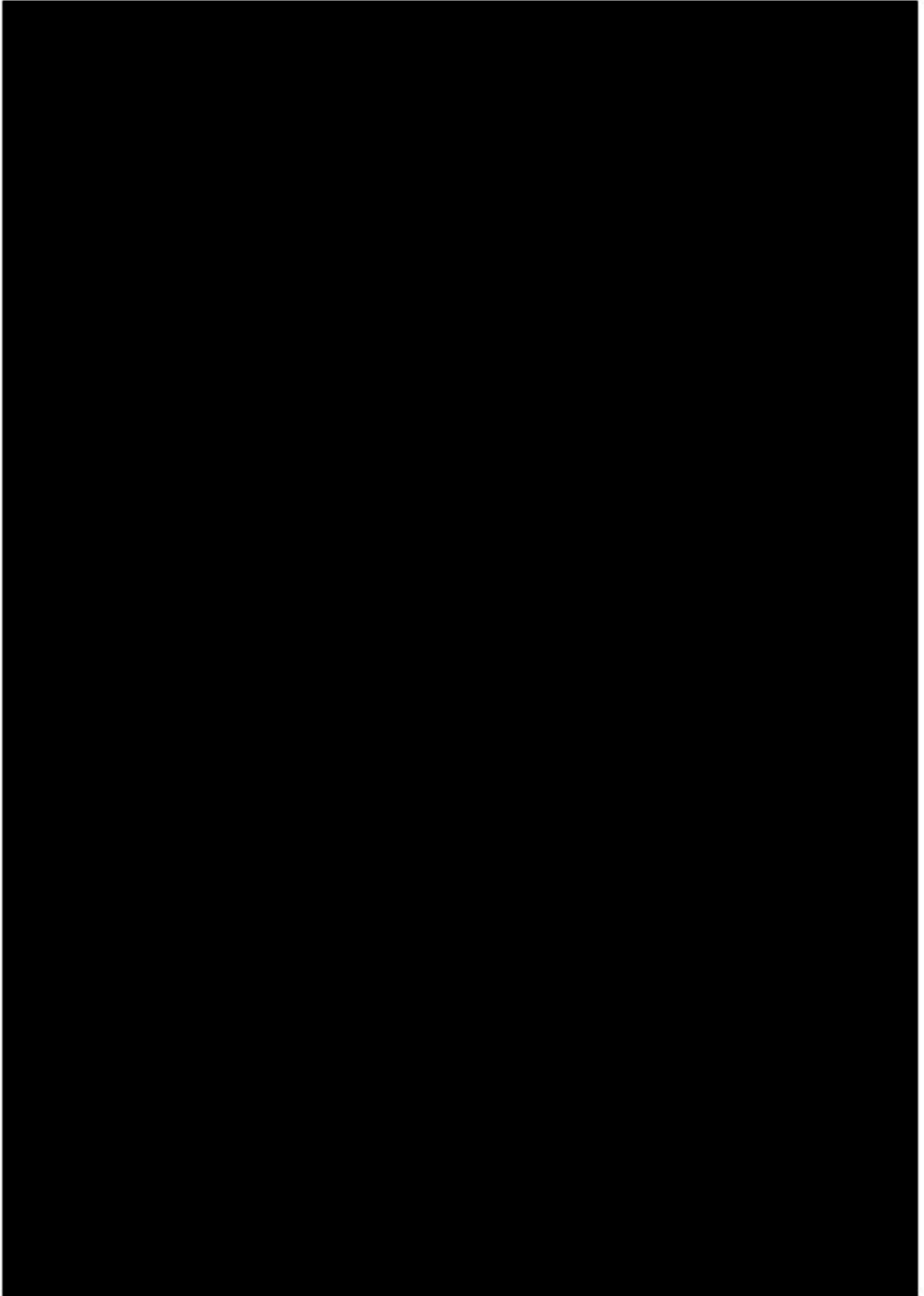












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