IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION

MARLEAN AMES **66 Portside Circle** **Akron, OH 44319** **Plaintiff,** **v.** **STATE OF OHIO DEPARTMENT OF YOUTH SERVICES,** **in care of Director Amy L. Ast** **30 West Spring St., 5th Floor** **Columbus, OH 43215** **Defendants.**	)	**COMPLAINT** **JURY DEMAND ENDORSED HEREIN**

Now comes Marlean Ames, ("Plaintiff"), by and through the undersigned counsel, and hereby states for her Complaint the following:

JURISDICTION AND VENUE

1. This action is brought pursuant to Title VII of the Civil Rights of 1964, as amended, alleging retaliation for Plaintiff exercising her right to file a Complaint in a court of law and before the EEOC and before the Ohio Civil Rights Commission (OCRC).
2. The employment practices are alleged to be unlawful employment practice within the jurisdiction of the United States District Court for the Southern District of Ohio, Eastern

Division.

3. On or about July 15th, 2025, Plaintiff filed its initial retaliation charge before the Ohio Civil Rights Commission and the EEOC (dual charge, see Exhibit 2).
4. Plaintiff received a Right to Sue Letter from OCRC dated December 18, 2025 (see attached Exhibit 5).
5. Plaintiff also received a Right to Sue letter from EEOC on April 29, 2026 (see Exhibit 4.)
6. Plaintiff is further alleging that retaliation accelerated and continued after its initial charge of retaliation on July 15, 2026.
7. Therefore, Plaintiff filed a second dual with the Ohio Civil Rights Commission and EEOC on March 24, 2026 (see Exhibit 3).
8. Plaintiff has requested a Right to Sue letter from OCRC and EEOC as it relates to this second charge; however, said Right to Sue letters have not been received as of yet. Plaintiff will amend immediately upon receipt of the Right to Sue letters on the second charge filed March 24, 2026 as Exhibit 3).
9. Plaintiff further states that the retaliation continued and accelerated; therefore, Plaintiff filed a third charge (dual charge with the EEOC and OCRC) on July 13, 2026 (see Exhibit 6).
10. Plaintiff has requested a Right to Sue letter from the EEOC and OCRC; however, to date, said Right to Sue letters have not yet been received, and Plaintiff would amend this Complaint to include said Right to Sue letters upon receipt.[1]
11. Plaintiff states that the original charge of retaliation is filed within the ninety days to obtain

1 For judicial efficiency, and to reduce costs, Plaintiff is including all three charges of retaliation in this Complaint and requests that said charges be litigated together.

federal jurisdiction.

12. Plaintiff further states that jurisdiction and venue is claimed under 28 USC §1331, §1343, and §1367.

13. Plaintiff further raises claims under §4112 of the Ohio Revised Code, alleging retaliation and other claims.

14. Plaintiff further alleges that the amounts of the allegations are within the court's jurisdiction.

PARTIES

15. Plaintiff reincorporates, by reference, the allegations set forth above, as if fully rewritten herein.

16. Plaintiff Marlean Ames is a US citizen, and resides in Summit County, Akron, Ohio.

17. Defendant states the Ohio Department of Youth Services is a state agency, charged with responsibility of confining and rehabilitating juveniles (known as DYS).

18. DYS further hires staff to complete its mission.

19. Plaintiff further states that all relevant times, DYS was Plaintiff's employer.

STATEMENT OF THE FACTS

20. Plaintiff incorporates all of the above allegations set forth as if fully rewritten herein.

21. Plaintiff states that approximately 38 years ago, she was originally employed by Defendants as a secretary, and over the years, received numerous promotions.

22. Further, Plaintiff's job evaluations have been stellar. Plaintiff finally was raised to the position of CCF PREA Administrator. See Exhibit #1 (position description).

23. Plaintiff states that while employed by Defendants, she became the victim of gender/heterosexual discrimination, in violation of Title VII of the Civil Rights Act of 1964,

as amended.

24. Plaintiff filed a charge with the United States Equal Employment Opportunity Commission (EEOC).

25. EEOC, on or about April 20, 2020, filed probable cause of discrimination.

26. Thereafter, Plaintiff filed a complaint in US District Court, Southern District of Ohio, on November 18, 2020, under case no.: 2-20-cv-05935.

27. This case has a long history and received substantial public scrutiny, press attention and was a topic of discussion at all levels of Defendant's business.

28. This case was originally dismissed by the US District Court and affirmed by the US 6th Circuit Court of Appeals.

29. This case was ultimately reversed and remanded unanimously by the US Supreme Court on or about June 6, 2025 (see Supreme Court Case No.: 20-1039, June 5, 2025).

30. All Defendant supervisors were informed and were aware of Plaintiff's complaints of discrimination and were aware of the fact that she pursued the matter through the US Supreme Court.

31. As a direct result of Plaintiff's pursuit of her claim of discrimination, Plaintiff has now become the victim of substantial and repeated **retaliation**, all in violation of Title VII of the Civil Rights Act of 1964, and in violation of 4112 of the Ohio Revised Code.

32. Plaintiff states that her job description requires that she conduct certain quality assurance analyses and evaluations in state facilities run by the Ohio Department of Youth Services, specifically:

"Conducts quality assurance for the CCFs, analyzes and evaluates procedures and

policies and makes recommendations to resolve problem areas; develops and implements quality assurance tools to track and monitor PREA incidents and investigations to ensure compliance with DYS policies and procedures and federal regulations; prepares audit reports; completes special projects as assigned; conducts site visits to all CCF facilities on a routine basis as identified by Central Office PREA Administrator and holds exit conferences with site managers (e.g., site inspections, observations of youth and staff, reviews files, ensures availability to phones and grievance forms, and compliance with PREA Standards and agreements with DYS); completes site visit reports in a timely manner; provides specific written feedback on any areas of deficiency and assists the sites in the development of corrective action plans; follows up with reasonable time to ensure compliance with corrective action plans. Assists in preparation of PREA Reaccreditation Audits and support during audits. Provides Post Incident Support to Community Facilities." (See Exhibit 1).

33. Plaintiff states that within days of the US Supreme Court unanimously reversing the prior courts' in favor of Plaintiff, at the direction of the department heads, she was retaliated against by the Chief Staff Supervisor, Leon Hill, and the Deputy Director of the Ohio Department of Youth Services, Chris Freeman, by being ordered to report to Indian River in Massillon, OH, and given one limited access key to the administrative site.

34. She was advised that she was only to come and go through one entrance and was confined to the administrative site room.

35. Plaintiff was denied access to most of the facility. Thus, not allowed to perform the essential functions of her job.

36. Plaintiff was denied a "key 55" (all other employees had a "key 55"). That allows access through the facility; however, Plaintiff was intentionally denied the opportunity to complete her duties and denied access to the entire work facility.

37. Plaintiff became the subject of jokes, isolation, and general humiliation based upon direct orders of supervisors of the Ohio Department of Youth Services all in retaliation for her prior lawsuit.

38. Plaintiff, on or about July 15, 2025, filed a charge with the Ohio Civil Rights Commission and the EEOC, alleging retaliation. See Exhibit #2.

39. Plaintiff was not allowed to complete the essential functions of her position.

40. Further, other employees were advised not to have communications with Plaintiff, further hampering her ability to perform the essential functions of her job.

41. Further, Plaintiff states that in late 2025, the position of PREA Administrator became available.

42. Said position was a direct supervisor position of which Plaintiff was well-qualified.

43. Plaintiff applied for said position.

44. Plaintiff states that on or about February 5, 2026, she, along with three other applicants, sat for interviews for the PREA Administrative opening (interviews are part of the normal required process).

45. Plaintiff states she was the only qualified candidate and the only certified "PREA auditor" (this allows Plaintiff to complete both state and federal audits).

46. Plaintiff was advised by her supervisors that she had done a great job in the interview process.

47. She was well-prepared and articulate at the interview.

48. No other candidates had the qualifications and the background of Plaintiff.

49. However, based upon Plaintiff's prior litigation against Defendants, Defendants refused to place Plaintiff in said position, all in retaliation for her charge previously filed and lawsuit previously filed and currently pending.

50. Plaintiff, on March 24th, 2026, filed a charge with the Ohio Civil Rights Commission and EEOC. See Exhibit #3.

51. Plaintiff has recently become aware that the PREA administrator position was recently given to Jordan Argus, who never applied for the position, never interviewed for the position.

52. In fact, Argus was on the interviewing panel.

53. Argus does not have the necessary qualifications for this job.

54. Argus is far less qualified than Plaintiff.

55. In retaliation for filing her original complaint, Defendants retaliated against Plaintiff by appointing Argus to the position of PREA administrator.

56. Further, Plaintiff states that she has been constantly denied overtime pay and overtime bonuses, all in direct retaliation for Plaintiff's exercise of her protected activities, while others, who have not moved forward with any type of lawsuit, are regularly given overtime and overtime bonus (i.e., working as JCO in the low staffing locations).

57. Furthermore, the Defendants have practiced a plan to isolate Plaintiff.

58. For example, Plaintiff recently was completely removed from the state office buildings.

59. Plaintiff is currently assigned to the Summit County Juvenile Court and has an office at the Summit County Juvenile Court.

60. Plaintiff has been removed from all State of Ohio facilities.

61. On information and belief, no other State of Ohio employees in Ohio Department of Youth Services have been removed from state offices except for Plaintiff.

62. Plaintiff is intentionally isolated and kept from other state employees, all in an effort to retaliate against Plaintiff for pursuing her court/administrative cases.

63. Plaintiff states that as a result of the isolation, her essential job functions are much harder and difficult to complete.

64. Plaintiff states that there is no reasonable reason why she should be isolated in an office away from the state of Ohio facilities.

65. Plaintiff states that she engaged in protected activities, i.e. filing of OCRC, EEOC charges, as well as complaints in a court of law (see Exhibits 4, 5, and 6).

66. Plaintiff states Defendants are fully aware of Plaintiff's filings and Defendants object to Plaintiff's exercise of her protected activity.

67. Said actions of the Defendants have an adverse action on Plaintiff, in that she cannot fully complete the essential functions of her job and said action has had an economic impact on her.

68. Plaintiff is further suffering from pain, suffering, anguish, and post-traumatic stress disorder.

69. Plaintiff states that all of the injuries of Plaintiff, both financial and mental, are directly tied to Plaintiff's protected activity, thus retaliation.

70. Plaintiff further states that she has received a Right to Sue letter from the EEOC, on or about April 29th, 2026. See Exhibit #4.

71. Plaintiff states that she has also received a Right to Sue letter from the OCRC dated May

22nd, 2026. See Exhibits #5 and #6.

72. Plaintiff states this complaint is filed within the Statutory time period.

73. Plaintiff further states that as a continuing pattern of retaliation against Plaintiff for filing her initial complaint, Plaintiff states that the Defendants have continued to commence a pattern of inappropriate discipline toward Plaintiff by disciplining Plaintiff for driving a state vehicle.

74. Plaintiff, in her 38 years of employment with Defendants, has never been disciplined for any offenses.

75. However, Defendants are attempting to start retaliatory disciplinary procedures against Plaintiff for ambiguous and ridiculous reasons.

76. For example, Plaintiff, from 2014 to 2018, was assigned a state vehicle.

77. In 2018, Plaintiff returned the state vehicle without any issues.

78. However, on or about February of 2024, Plaintiff was assigned another state vehicle. (Plaintiff always uses car cruise control).

79. Plaintiff's duties, which are attached as Exhibit 1, require Plaintiff to travel all over the state of Ohio to perform her essential duties.[2]

80. On or about July 3, 2026, Plaintiff was approached by her supervisor, indicating that there was a record of Plaintiff speeding while traveling to certain facilities in the state of Ohio while driving the state vehicle.

81. Plaintiff was advised that on June 23, 2026, according to "telematics" she was driving 68

2 Plaintiff, on numerous occasions, has been contracted with the federal government and provides PREA functions for federal facilities all over the country.

miles per hour in a 55 miles per hour zone for two minutes.

82. Further, recently, on or about June 23, 2026, she was driving 55 miles per hour in a 45 mile per hour zone for four minutes, and on June 23, 2026, she was driving 61 miles per hour in a 45 miles per hour zone for three minutes. (Plaintiff was never stopped or cited by any law enforcement officers and always uses cruise control).

83. As a result of the "speeding," she was given a "supervisory conference," which is the first step towards termination. This is the first disciplinary action that Plaintiff has received in her 38 years of service to the state of Ohio.

84. A third step is a warning, a fourth step is suspension, and finally termination.

85. Plaintiff states these rules for speeding are not published; they are oral, and none of these rules were provided to Plaintiff.

86. Further, Plaintiff uses her GPS, the state speedometer, and the state uses a form of telematics, which is not calibrated.

87. Plaintiff states that all three types of measurement of speed will come up as a different speed.

88. For example, if Plaintiff is driving 60 miles per hour through her GPS/cruise control, it could register on her speedometer as 65 miles per hour, and on the telematics, it could come up as 62 miles per hour.

89. Since the system is not calibrated, the speed is not verified or proven accurate.

90. Plaintiff, fearing that the Defendants are further retaliating against her, requested to turn the state vehicle in. All other state employees are given this option.

91. However, Defendants refused.

92. Under policy and procedure, state employees can use their own vehicles as long as they pay

for their own wear and tear on the vehicle and gas.

93. Plaintiff had used her own vehicle for a number of years, but Defendants, knowing that Plaintiff could be denied promotions, if there is any type of discipline on her record, refused to accept the state car and are demanding that Plaintiff continue to use the state car so that she can be disciplined at their will for alleged speeding. On information and belief, Plaintiff is the only state employee so treated.

94. Plaintiff states Defendant is making up the speeding allegation in an effort to deny Plaintiff future promotions. (By setting a trap, Defendants are retaliating against Plaintiff as a result of her original lawsuit).

95. Plaintiff states that the actions of the Defendants are causing severe emotional distress and anxiety.

96. Plaintiff states that all the above actions of the Defendants are based upon retaliation against Plaintiff for exercising her Constitutional rights by filing the original lawsuit against Defendants. Further, the lack of notice and arbitrary compliance with the rules and regulations is clearly a violation of Plaintiff's constitutional rights to due process and equal protection.

97. The retaliation against Plaintiff is constant and increasing.

98. First, Plaintiff was denied a key 55 and denied an opportunity to fully complete the essential functions of her position.

99. Second, Plaintiff was denied a promotion, of which she was fully qualified. Said promotion was given to an individual in violation of policy and procedure, who did not even apply to the position.

100. Third, Plaintiff has been denied opportunity to obtain overtime.

101. Fourth, Plaintiff has been removed from all state offices and placed in a small, obscure location in Juvenile Court in Summit County.

102. Fifth, Plaintiff has been isolated from other employees, and the employees are being advised not to have contact with Plaintiff.

103. Finally, Plaintiff has been disciplined for alleged speeding in a state vehicle and has been inappropriately disciplined.

104. Plaintiff has attempted to return her car, and has, at her own expense, been using her own vehicle.

105. All of the above are unusual circumstances and are clearly circumstances that apply only to Plaintiff.

106. Plaintiff has resisted and objected to said actions by filing OCRC claims.

107. However, the more claims Plaintiff files, the more blatant the retaliation.

108. Now, the Defendants have Plaintiffs on a yellow brick road to termination after 38 years of service with no disciplinary action on her records,

109. Plaintiff now finds herself in a position of constant and steady retaliation.

110. If this court does not act, Plaintiff will be ultimately terminated all in retaliation for her original charge.

FEDERAL CLAIMS

FIRST CAUSE OF ACTION

(Title VII Retaliation)

111. Plaintiff incorporates all of the above allegations and Exhibits as if fully rewritten herein,.

112. Plaintiff states that the Defendant retaliated against Plaintiff through its supervision and procedures noted above in the Statement of the Facts, all in violation of Title VII of the Civil Rights Act of 1964, as amended.

113. **WHEREFORE,** Plaintiff demands compensation for pain, suffering, anguish, and humiliation, in the amount of $500,000.00, attorney fees, costs, and any other equitable relief, along with promotion in the position she is entitled to, along with an injunction against any further acts.

SECOND CAUSE OF ACTION

(Title VII – Hostile Work Environment)

114. Plaintiff incorporates all of the above allegations and exhibits into this Cause of Action as if fully rewritten herein, along with the Exhibits.

115. Plaintiff states that the actions of the Defendant's supervisors, with the support and knowledge, and approval of management, does establish an atmosphere of degrading, belittling, and reassigning Plaintiff, all as a result of her previous charge of discrimination is clearly in retaliation and violation of Title VII of the Civil Rights Act of 1964, as amended.

116. **WHEREFORE,** Plaintiff demands compensatory damages inclusive of back pay, pain, suffering, anguish, and humiliation, promotion to the proper position to which she is entitled, along with the amount of $200,000.00, attorney fees, costs, injunctive relief, and any other

relief this Court may deem is fair and equitable.

STATE CLAIMS

THIRD CAUSE OF ACTION

(Relief Under §4112 of the Ohio Revised Code)

117. Plaintiff incorporates the above retaliation claims and Exhibits as if fully rewritten herein.

118. Plaintiff states that the actions of the Defendant in retaliating against Plaintiff for filing her original lawsuit/administrative action against Defendant is clearly a violation of §4112 of the Ohio Revised Code.

119. **WHEREFORE**, Plaintiff demands, as a result of said retaliation, compensatory damages of $250,000.00 attorney fees, costs, and any other relief this Court may deem is fair and equitable, including injunctive relief.

FOURTH CAUSE OF ACTION

(Hostile Work Environment Under §4112)

120. Plaintiff incorporates all of the above into this cause of action, along with Exhibits, as if fully rewritten herein.

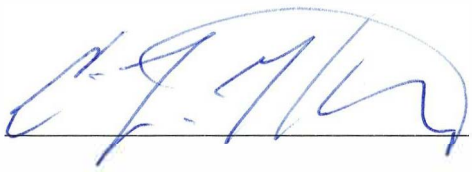
121. Plaintiff states that the actions of Defendant in denying Plaintiff proper promotions and further in establishing a hostile work environment, is clearly a violation of the Ohio Revised Code. Said actions are inappropriate under the statute.

122. **WHEREFORE,** Plaintiff demands compensatory damages of $200,000.00, pain, suffering, anguish, humiliation, and embarrassment, back pay, attorney fees, costs, promotion, injunctive relief, and any other relief this Court may deem is fair and equitable.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands jury trial in this action of all issues triable.

Respectfully Submitted,



Edward L. Gilbert, Esquire
Edward L. Gilbert Co., L.P.A.
3070 West Market Street, Suite 100
Akron, OH 44333
(330) 376-8855 Telephone
(330) 376-8857 Facsimile
egilbert@edwardlgilbert.com

Exhibit 1

POSITION DESCRIPTION

AGENCY/DEPT ID DYS110000

Ames, M.

DIVISION OR INSTITUTION	UNIT OR OFFICE	COUNTY OF EMPLOYMENT
Central Office	Best Practices: Office of Quality Assurance and Improvement	Stark

POSITION NUMBER 20016974

☐ Reclassification ☒ New Position ☐ Update

Position Hyperlinked to ☐ Agency Organizational Tree

USUAL WORKING TITLE OF POSITION	POSITION NO. AND JOB TITLE OF IMMEDIATE SUPERVISOR
CCF PREA Administrator	20082094 – Human Services Program Administrator 3

☒ Permanent ☐ Temporary ☐ Intermittent	☐ Classified ☒ Unclassified	Overtime: ☐ Eligible ☒ Exempt If FLSA Exempt, exemption type: Administrative	☐ Filled ☒ Vacant	Bargaining Unit: Exempt

NORMAL WORKING HOURS (Explain unusual or rotating shift):
FROM: 8:00 am to 4:30 pm or hours as scheduled

JOB TITLE Human Services Program Administrator 2

JOB CODE 69416

JOB DESCRIPTION

%	Job Duties in Order of Importance	Knowledge, Skills & Abilities
45	Works under supervision and administrative direction of Central Office PREA Administrator; plan, evaluate & direct one component of human services program that has statewide impact: administers Prison Rape Elimination Act (i.e., PREA) compliance for Department of Youth Services Community Correctional Facilities (CCFs), Lighthouse Youth Center and Central Ohio Youth Center; provides onsite and hybrid technical consultative assistance to service providers &/or other personnel, monitors program compliance by staff or service agencies to ensure compliance with PREA Standards (including periodic assessment, reviews of assigned site's plan of coordinated response and documentation immediately following PREA allegations – and provides applicable training); generates confidential reports to and for the PREA Administrator and/or Bureau Chief and other managing officers.	Knowledge of 1) social or behavioral science, 2) program planning for human service organizations, 3) social program and policy analysis, 4) DYS policies, procedures and PREA*, 5) governmental laws, rules, regulations, and procedures*. Skill in 6) Microsoft Office Suite, 7) agency software*. Ability to 8) deal with many variables and determine specific action, 9) prepare and deliver speeches before specialized audiences, 10) establish professional atmosphere as administrator, 11) handle sensitive inquiries from and contacts with officials and general public.
45	Conducts quality assurance for the CCFs; analyzes and evaluates procedures and policies and makes recommendations to resolve problem areas; develops and implements quality assurance tools to track and monitor PREA incidents and investigations to ensure compliance with DYS policies and procedures and federal regulations; prepares audit reports; completes special projects as assigned; conducts site visits to all CCF facilities on a routine basis as identified by Central Office PREA Administrator and holds exit conferences with site managers (e.g., site inspections, observations of youth and staff, reviews files, ensure availability to phones and grievance forms, and compliance with PREA Standards and agreements with DYS); completes site visit reports in a timely manner; provides specific written feedback on any areas of deficiency and assists the sites in the development of corrective action plans; follows up with reasonable time to ensure compliance with corrective action plans. Assists in preparation of PREA Reaccreditation Audits and support during audits. Provides Post Incident Support to Community Facilities.	Knowledge of 1, 2, 3, 4*, 5* Skill in 6, 7* Ability to 8, 9, 10, 11
10	Acts as liaison with community service providers; acts as lead for vulnerability assessments; organizes and provides training on PREA Standards, sexual assault, abuse, harassment, and other related training as requested by the PREA Administrator and/or Bureau Chief; performs additional duties as assigned (e.g., attend related trainings, serve on committees of interest). Acts for the Central Office PREA Administrator as directed; assists in monitoring the DRC PREA Hotline. This position is unclassified pursuant to Ohio Revised Code 124.11 (A)(9)	Knowledge of 1, 2, 3, 4*, 5* Skill in 6, 7* Ability to 8, 9, 10, 11 **Unusual working conditions: subject to 24-hour call and travel.** ***Travel is required.** *Obtained after employment.

List Position Numbers & Job Titles of Positions Directly Supervised:	SIGNATURE OF APPOINTING AUTHORITY OR DESIGNEE	DATE
	Amy L. Ast/Tse	02/11/24

Marlean Ames

Exhibit 2

I was subjected to:

- ☐ Demotion
- ☐ Denial/Failure to Hire
- ☐ Layoff/Denial of Recall
- ☑ Other
- ☐ Discharge/Termination
- ☐ Constructive Discharge/Forced Resignation
- ☐ Denial of Promotion
- ☑ Different terms & Conditions of Employment
- ☐ Discipline
- ☑ Harassment/Sexual Harassment
- ☐ Denial of Reasonable Accommodation (Disability or Religion)
- ☐ Unequal Pay – Based on sex only

Please briefly describe the discriminatory act. (max 100 characters)*

I AM TREATED DIFFERENTLY THAN OTHER CENTRAL OFFICE EMPLOYEES GOING INTO ONE OF OUR FACILITIES.

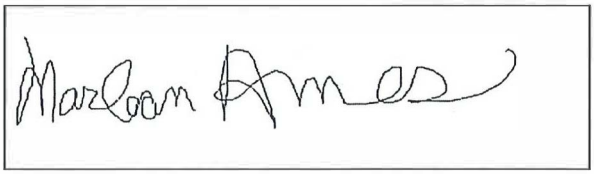
Please write a short statement detailing the act(s) of discrimination and why you believe it is discrimination. In your statement, include information as to who committed the act of discrimination (name and position), any reason given for the act of discrimination, when the acts occurred and names of others treated more favorably than you. (max 2600 characters)*

I filed an EEOC complaint back in 2019 for sexual orientation discrmination when I was demoted for no reason from my previous job as PREA Admin and replaced by a younger gay man with the only experience he had was from me.Then I was passed over for a promotion and the position was given to a less qualified gay female who didnt even apply & that was approached by my gay supervisor (Ginine Trim – Currently the Assistant Director of the agency) Fast forward to my case being dismissed because I was considered a Majority Plaintiff and had a higher burden to prove my case and I could not do so. I appealed to Ohio Supreme Court. They upheld the dismissal in Federal Court because of the higher burden. I then filed with the United Stated Supreme Court, the case was accepted for oral arguments in February 2025. In June 2025 the US Supreme Court came back with a unanimous ruling in my favor, removed the higher burden for majority plantiffs and remanded my case back to Federal Court for trial. On July 7, 2025 the US Supreme Court also put out an Order stating that the Ohio Department of Youth Services was to repay the costs of the Appeal back to me. On Wed. 7/9/25 I was contacted by Chief of Staff Leon Hill and told that I needed to report to Indian River JCF to an office that would be set up for me on 7/14/25. I did report and was given one key. The key opened the admin suite and my office. I was told that Chris Freeman, Dep Director said I was to come in the front door, go to my office and leave the same at end of day. I was denied entry into the rest of the facilty, for food, drinks, activities or to see youth. I have experienced humiliation and shame as staff are laughing at me that I cannot go in the rest of the building which I had access to prior to the US Supreme Court decision and last week's Order for payment. I feel this is direct retaliation from those decisions. When I accepted this position (which was similar to the one I was previously demoted from by a different director) I was told I would have an office in Stark Co. and would not have to go to Columbus. No one ever found me an office so I worked from home for 17 months (when not on the road) until yesterday 7/14/25 when ordered to take an office at Indian River. I have previously worked there for years from 2004-2009 and again when I demoted in 2019-2024. Mr. Freeman is the same person responsible for allowing the gay man a promotion that he was not eligible for back in 2017. I feel Mr. Freeman knows he will be called as a witness at my trial now and he is trying to pay me back.

Declaration

☑ ***I hereby declare and affirm that the information provided in this charge is true and accurate to the best of my knowledge and belief under penalty of perjury.****

Charging Party Signature *(Use your finger or mouse to sign)**



Submission Date

07/15/2025

Employment Discrimination Charge

Case Number COL71(023428)03242026

Exhibit 3

Ohio Civil Rights Commission

Charging Party Information

First Name * MARLEAN
Middle Name
Last Name * AMES

Address * 66 PORTSIDE CIRCLE

Zip Code * 44319
City * AKRON
State * OH
County * SUMMIT

Telephone * (330)327-5715
Email * MARAMES328@YAHOO.COM

Do you require a translator? *
(●) NO ( ) YES

If YES, enter the language requested

Do you have a Legal Representative to add? *
(●) Yes ( ) No

Employer Information

Employer Name * STATE OF OHIO - DEPARTMENT OF YOUTH SERVICES

Employer Address * 30 W. SPRING STREET 5TH FLOOR

Zip Code * 43215
City * COLUMBUS
State * OH
County * FRANKLIN

Date of Hire 04/10/2004
Telephone * (614)466-4314

Total Number of Employees * >20
Position Held (or Being Sought) PREA ADMINISTRATOR

Legal Representative

Please enter the information for each Legal Representative below. Use the "Add" button to add additional Representatives if needed.

Org/Law Firm *	First Name *	Last Name *	Address *	City *	State *	Zip Code *	Email *	Telephone *
EDWARD L. GILBERT CO, LPA	EDWARD	GILBERT	3070 WEST MARKET ST.	AKRON	OH	44333	EGILBERT@EDWARDGILBERT.COM	(330)376-8857

Most Recent Date of Discrimination | Must have occurred within TWO YEARS from the charge filing date

Date of Discrimination (Include other dates in your narrative below) *
02/06/2026

I was discriminated against on the basis of:

- ☐ Race
- ☑ Retaliation
- ☐ National Origin
- ☐ Disability (DO NOT IDENTIFY)
- ☐ Religion
- ☐ Ancestry
- ☐ Sex
- ☐ Color
- ☐ Military Status
- ☐ Age (40 or over)

Please briefly explain your selection(s) above if applicable (max 100 characters)

I HAVE BEEN RETALIATED AGAINST BY NOT RECEIVING A PROMOTION I WAS BEST QUALIFIED CANDIDATE.

I was subjected to:

- ☐ Demotion
- ☐ Denial/Failure to Hire
- ☐ Layoff/Denial of Recall
- ☑ Other
- ☐ Discharge/Termination
- ☐ Constructive Discharge/Forced Resignation
- ☑ Denial of Promotion
- ☐ Different terms & Conditions of Employment
- ☐ Discipline
- ☐ Harassment/Sexual Harassment
- ☐ Denial of Reasonable Accommodation (Disability or Religion)
- ☐ Unequal Pay – Based on sex only

Please briefly describe the discriminatory act. (max 100 characters) *

AFTER INTERVIEWING, I WAS MOST QUALIFIED CANDIDATE FOR THE POSITION BUT THEY REFUSE TO PROMOTE ME.

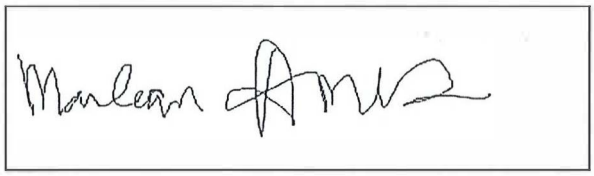
Please write a short statement detailing the act(s) of discrimination and why you believe it is discrimination. In your statement, include information as to who committed the act of discrimination (name and position), any reason given for the act of discrimination, when the acts occurred and names of others treated more favorably than you. (max 2600 characters) *

I filed a fderal lawsuit in 2020 and after winnning my case at the United States Supreme Court, the agency has retaliated several ways over the years. The most recent was when my supervisor (PREA Administrator) resigned to take another job, in October 2025. The agencey should have placed me in a TWL (Temporay working level) position for the PREA Administrator as my current position is CCF PREA Administrator. I am the only certified PREA Auditor in the agency and I used to hold the position until I was demoted back in 2019 and descriminated on which was the basis of my federal lawsuit. They posted the PREA Admin. position, I applied and they did not do interviews until February 6, 2026. At which time there were 4 people that interviewed. 3 ouside people and 1 internal which was me. To this date, they have not filled the position. I was the best applicant and brought a 2 page Strategic Plan to my interview. No other person is as qualified as me yet they refuse to give me the position even though my current supervisor Dr. Jordan Argus has praised my knowledge, skills and ability for knowing the subject matter. He even told me how well I did in the interview. (The agency made him the Acting PREA Administrator which he has little to no knowledge of PREA and he even wrote a PREA report using AI instead of knowledge.) Chris Freeman and Ginine Trim refuse to allow me to help with the Indian RIver Juvenile Correctional Facility Audit preparations for their PREA Audit in May. They will not pass many standards because no one is getting them properly prepared for the audit. I have documentation showing the praise I have received for my knowldge and abilities but they are retaliating on me because of my lawsuit. They have caused such distress and anxiety on me along with so much humililation. I held the position from 2014-2019 very successfully. I was demoted in 2019 for no reason which is when I filed a federal lawsuit. They hired someone in 2022 (at which time I interviewed again and was the most qualified person. He is the person that just left in Oct.) They refuse to left me assist with anything other than the Community Correctional Facilities (CCF) which is my current position as CCF PREA Administrator which they gave me in Feb. 2024 which was half of the PREA Administrator position. I used to to the entire job. They retaliated by not alloing me to be the Acting PREA Administrator and by not giving me the position after interviewing and and being the most

Declaration

☑ ***I hereby declare and affirm that the information provided in this charge is true and accurate to the best of my knowledge and belief under penalty of perjury.*** *

Charging Party Signature *(Use your finger or mouse to sign)**



Submission Date

03/24/2026

☐ I received assistance from an Ohio Civil Rights Commission office in completing this form.

PLEASE NOTE: Under division (A) of section 4112.052 of the Ohio Revised Code, you are prohibited from bringing a civil action under this chapter unless one of the following applies: (a) The conditions stated in division (B)(1) of section 4112.052 of the Ohio Revised Code are satisfied; (b) An exception specified in division (B)(2) of section 4112.052 of the Ohio Revised Code applies.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Indianapolis District Office
115 W. Washington St., South Tower Suite 600
Indianapolis, IN 46204
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: April 29

Exhibit 4

To: Marlean Ames
66 PORTSIDE CIRCLE
Akron, OH 44319

Re: Marlean Ames v. STATE OF OHIO, DEPARTMENT OF YOUTH SERVICES
EEOC Charge Number: 22A-2025-04042

EEOC Representative and email: Jeremy Sells
State, Local, and Tribal Program Manager
jeremy.sells@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the determination that substantial weight has been accorded to the findings of the state or local fair employment practices agency that investigated your charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) received this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

Please retain this notice for your records.

On Behalf of the Commission:

Digitally Signed By: Richard Burgamy – April 29, 2026
Richard Burgamy
Acting District Director

cc: LUCILLE TWITTY
HR MANAGER
DEPARTMENT OF YOUTH SERVICES
30 W. SPRING ST, 5TH FLOOR
Columbus, OH 43215

Additional addressees, if applicable:

cc: EDWARD L GILBERT Esq.
LAW OFFICES OF EDWARD L. GILBERT CO. LPA
3070 W. MARKET ST, STE 100
Akron, OH 44333

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you *receive* this Notice**. Receipt generally means the date when you (or your representative) received the document. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to https://www.eeoc.gov/employees/lawsuit.cfm.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
https://www.eeoc.gov/employees/lawsuit.cfm.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE

To request a copy of your charge file, contact the Fair Employment Practices Agency that investigated your charge.

NOTICE OF RIGHTS UNDER THE ADA AMENDMENTS ACT OF 2008 (ADAAA)

The ADA was amended, effective January 1, 2009, to broaden the definitions of disability to make it easier for individuals to be covered under the ADA/ADAAA. A disability is still defined as (1) a physical or mental impairment that substantially limits one or more major life activities (actual disability); (2) a record of a substantially limiting impairment; or (3) being regarded as having a disability. *However, these terms are redefined, and it is easier to be covered under the new law.*

If you plan to retain an attorney to assist you with your ADA claim, we recommend that you share this information with your attorney and suggest that he or she consult the amended regulations and appendix, and other ADA related publications, available at:
http://www.eeoc.gov/laws/types/disability_regulations.cfm.

"Actual" disability or a "record of" a disability

If you are pursuing a failure to accommodate claim you must meet the standards for either "actual" or "record of" a disability:

- ✓ **The limitations from the impairment no longer must be severe or significant** for the impairment to be considered substantially limiting.

- ✓ In addition to activities such as performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, reading, bending, and communicating (more examples at 29 C.F.R. § 1630.2(i)), **"major life activities" now include the operation of major bodily functions**, such as: functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions; or the operation of an individual organ within a body system.
- ✓ **Only one** major life activity need be substantially limited.
- ✓ Except for ordinary eyeglasses or contact lenses, the beneficial effects of **"mitigating measures"** (e.g., hearing aid, prosthesis, medication, therapy, behavioral modifications) **are not considered** in determining if the impairment substantially limits a major life activity.
- ✓ An impairment that is **"episodic"** (e.g., epilepsy, depression, multiple sclerosis) or "**in remission**" (e.g., cancer) is a disability if it **would be substantially limiting when active**.
- ✓ An impairment **may be substantially limiting even though** it lasts or is expected to last **fewer than six months**.

"Regarded as" coverage

An individual can meet the definition of disability if an **employment action was taken because of an actual or perceived impairment** (e.g., refusal to hire, demotion, placement on involuntary leave, termination, exclusion for failure to meet a qualification standard, harassment, or denial of any other term, condition, or privilege of employment).

- ✓ "Regarded as" coverage under the ADAAA no longer requires that an impairment be substantially limiting, or that the employer perceives the impairment to be substantially limiting.
- ✓ The employer has a defense against a "regarded as" claim only when the impairment at issue is objectively **both** transitory (lasting or expected to last six months or less) **and** minor.
- ✓ A person is not able to bring a failure to accommodate claim **if** the individual is covered only under the "regarded as" definition of "disability".

Note: *Although the amended ADA states that the definition of disability "shall be construed broadly" and "should not demand extensive analysis," some courts require specificity in the complaint explaining how an impairment substantially limits a major life activity or what facts indicate the challenged employment action was because of the impairment. Beyond the initial pleading stage, some courts will require specific evidence to establish disability.* For more information, consult the amended regulations and appendix, as well as explanatory publications, available at http://www.eeoc.gov/laws/types/disability_regulations.cfm.

Exhibit 5

OHIO CIVIL RIGHTS COMMISSION

Board of Commissioners:
Valerie A. Lemmie – Chair
Lori Barreras
William W. Patmon, III
Vernon Sykes
Charlie Winburn

Angela Phelps-White,
Executive Director

Charging Party,

Marlean Ames

v.

Respondent,

STATE OF OHIO - DEPARTMENT OF YOUTH SERVICES

Charge No. COL71(016251)07152025
22A-2025-04042

NOTICE OF RIGHT TO SUE

Pursuant to Ohio Revised Code 4112.051, you may file a civil action against the Respondent(s) alleging a violation of Ohio Revised Code 4112. The lawsuit may be filed in any State of Ohio court that has jurisdiction over the matter. Ohio Revised Code 4112.052 and 4112.14 provides that such a civil action must be filed within two years after the date of the alleged discriminatory practice. The time period to file a civil action is tolled during the pendency of the Commission investigation. You are advised to consult with an attorney to determine with accuracy the date by which a civil action must be filed. FOR FEDERAL COURT FILINGS: Notices of Right to Sue under federal law will be issued by the EEOC.

FOR THE COMMISSION
/s/ George Shaw
George Shaw
Regional Director
George.Shaw@civ.ohio.gov

Date mailed: 12/18/2025

Employment Discrimination Charge

Case Number COL71(026748)07132026

Ohio Civil Rights Commission

Exhibit 6

Charging Party Information

First Name* Marlean
Middle Name
Last Name* A Ames

Address* 66 Portside Circle

Zip Code* 44319
City* Akron
State* OH
County* Summit

Telephone* (330)327-5715
Email* marames328@yahoo.com

Do you require a translator?*
◉ NO ○ YES

If YES, enter the language requested

Do you have a Legal Representative to add?*
◉ Yes ○ No

Employer Information

Employer Name* State of Ohio - Department of Youth Services

Employer Address* 30 W. Spring Street 5th Floor

Zip Code* 43215
City* COLUMBUS
State* OH
County* Franklin

Date of Hire 04/10/2004
Telephone* (614)387-0262

Total Number of Employees* >20
Position Held (or Being Sought) CCF PREA Administrator

Legal Representative

Please enter the information for each Legal Representative below. Use the "Add" button to add additional Representatives if needed.

Org/Law Firm*	First Name*	Last Name*	Address*	City*	State*	Zip Code*	Email*	Telephone*
Edward Gilbert, Co. LLC	Edward	Gilbert	3070 West Market St.	Akron	OH	44333	egilbert@edwardlgilbert.com	(330)376-8855

Most Recent Date of Discrimination | Must have occurred within TWO YEARS from the charge filing date

Date of Discrimination (Include other dates in your narrative below)*
07/07/2026

I was discriminated against on the basis of:

- ☐ Race
- ☑ Retaliation
- ☐ National Origin
- ☐ Disability (DO NOT IDENTIFY)
- ☐ Religion
- ☐ Ancestry
- ☐ Sex
- ☐ Color
- ☐ Military Status
- ☐ Age (40 or over)

Please briefly explain your selection(s) above if applicable (max 100 characters)

This has been ongoing retaliation ever since June 2025 when the US Supreme Court ruled in my favor

I was subjected to:

- ☐ Demotion
- ☐ Denial/Failure to Hire
- ☐ Layoff/Denial of Recall
- ☑ Other
- ☐ Discharge/Termination
- ☐ Constructive Discharge/Forced Resignation
- ☐ Denial of Promotion
- ☐ Different terms & Conditions of Employment
- ☐ Discipline
- ☐ Harassment/Sexual Harassment
- ☐ Denial of Reasonable Accommodation (Disability or Religion)
- ☐ Unequal Pay – Based on sex only

Please briefly describe the discriminatory act. (max 100 characters)*

I feel set up to fail so ODYS can discipline me. I do not want to drive a state car any longer.

Please write a short statement detailing the act(s) of discrimination and why you believe it is discrimination. In your statement, include information as to who committed the act of discrimination (name and position), any reason given for the act of discrimination, when the acts occurred and names of others treated more favorably than you. (Max 2600 characters)*

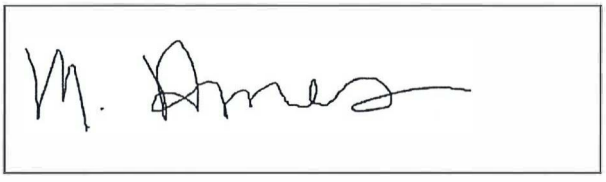
I was issued a state vehicle in March 2024 when I was given my current position as CCF PREA Admin.There is a Department of Admin Services (DAS) policy stating that all vehicles will have a telematics GPS system installed. Further, all state agencies are to

determin how they will address violations of speeding according to the telematics systems.ODYS has never published what will happen to an employee if they speed whil driving a state vehicle.I heard through rumors that a first offense is a warning, a second offense is a supervisory converence and 3rd offense is one day working suspension and so on. This was never provided to employees in writing or in policy what the specifics would be. I did not get any violations from the telematics system for over 2 years until recently in July 23 and 25 2026.I was given a supervisory conference.I am not saying that this is the retaliation part, because all employees that were reported received the same.Since I have worked 22 years for ODYS, I have never received a written reprimand and I did not think I was speeding when they said I was, so it was my belief that it would "accidentally" happen again.Therefore, I did not want to drive a state vehicle any longer and chose to turn in the assigned car.I spoke to the Fleet Manager, she said thanks for the heads up. I had made arrangements to take the car, key fob and the credit card and drop it off at Indian River JCF in Massillon as this is where I originally picked the car up when assigned. On 7/6/26 I sent an email to my supervisor Jordan Argus, Chief of Staff Leon Hill, Fleet Manager Ashley Landacre, and the Business Office Manager (BOM) Wes Skeels at IRJCF where I was going to drop the key. I explained I would be turning my assigned car in and drop the key/credit card and car off sometime this same week. No one responded to me so on 7/7/26, I had a ride to get my state car and follow me out to take me back home. Upon arrival at approximately 2pm, I was told that Wes Skeels,BOM could not accept my key and credit card.No further explaination. My suervisor, Dr. Argus happened to be at IRJCF for an audit and he happened to walk out to the lobby at that time.He and I went outside to talk about this.He said that I cannot turn my assigned car back in because there is no mechenism in the OAC for me to do so. He said that chief Legal Counsel for the agency was looking into it.I said I can't believe this, I am terrified to drive this car for fear I will accidently speed and receive progressive discipline. He forced me to take the car back.I feel set up& harassed

Declaration

☑ ***I hereby declare and affirm that the information provided in this charge is true and accurate to the best of my knowledge and belief under penalty of perjury.****

Charging Party Signature *(Use your finger or mouse to sign)**



Submission Date

07/13/2026

☐ **I received assistance from an Ohio Civil Rights Commission office in completing this form.**

PLEASE NOTE: Under division (A) of section 4112.052 of the Ohio Revised Code, you are prohibited from bringing a civil action under this chapter unless one of the following applies: (a) The conditions stated in division (B)(1) of section 4112.052 of the Ohio Revised Code are satisfied; (b) An exception specified in division (B)(2) of section 4112.052 of the Ohio Revised Code applies.