

NORTH CAROLINA
DURHAM COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
26 CvS _____

JOHN DOE, proceeding through the use of)
a pseudonym,)
Plaintiff)

v.)

LEONARD EUGENE SUTHERLAND,)
RESCUE LEGACY FUND, & RESCUE)
MISSIONS MINISTRIES, INC. (D/B/A)
DURHAM RESCUE MISSION))
Defendants)

COMPLAINT
(Discovery Requests Served with
Complaint)

Plaintiff, John Doe, proceeding through the use of a pseudonym, complaining of Leonard Eugene Sutherland, Durham Mission Endowment Fund, and Rescue Missions Ministries, Inc. (D/B/A Durham Rescue Mission) hereby alleges the following:

PARTIES, JURISDICTION and VENUE

1. Plaintiff is a citizen and resident of Wake County, North Carolina.
2. Defendant Leonard Eugene Sutherland (hereinafter "Defendant Sutherland" or collectively with the other listed defendants as "Defendants") is a citizen and resident of Durham County, North Carolina.
3. Defendant Rescue Legacy Fund (hereinafter "Defendant Rescue Fund" or collectively with the other listed defendants as "Defendants") is a domestic, non-profit corporation organized and existing under the laws of the State of North Carolina with its principal office and registered office both located at 507 East Knox Street, Durham, North Carolina 27701. At all times alleged herein, Defendant Rescue Fund was conducting business in North Carolina, including Durham County.

4. Defendant Rescue Missions Ministries, Inc. (D/B/A Durham Rescue Mission) (hereinafter “Defendant Rescue Mission” or collectively with the other listed defendants as “Defendants”) is a domestic, non-profit corporation organized and existing under the laws of the State of North Carolina with its registered office address at 1201 East Main Street, Durham, North Carolina 27701. At all times alleged here in Defendant Rescue Mission was registered and conducting business in North Carolina, including Durham County.

5. Defendant Sutherland has been properly served with the Summons and the Complaint in this matter pursuant to the applicable provisions of the North Carolina General Statutes and the North Carolina Rules of Civil Procedure, and there are no outstanding issues of process, service of process, or jurisdiction.

6. Defendant Rescue Fund has been properly served with the Summons and Complaint in this action pursuant to the applicable provisions of the North Carolina General Statutes and the North Carolina Rules of Civil Procedure, and there are no outstanding issues of process, service of process, or jurisdiction.

7. Defendant Rescue Mission has been properly served with the Summons and Complaint in this action pursuant to the applicable provisions of the North Carolina General Statutes and the North Carolina Rules of Civil Procedure, and there are no outstanding issues of process, service of process, or jurisdiction.

8. This court has subject matter jurisdiction over Plaintiff’s claims in that the alleged claims arise under the substantive law of North Carolina.

9. Durham County is the proper venue for this action.

10. All of the negligent acts and/or omissions alleged herein were committed by employees, agents and/or representatives of the Defendant Rescue Mission and/or Defendant

Rescue Fund, with said employees, agents and/or representatives acting and/or failing to act while in the course and scope of their employment and/or agency, said acts being carried out at the direction of and/or on behalf of the Defendant Rescue Mission and/or Defendant Rescue Fund.

FACTUAL ALLEGATIONS

11. Plaintiff hereby incorporates by reference all previous paragraphs of this Complaint.

12. Upon information and belief and at all times relevant hereto, Defendant Rescue Fund and/or Defendant Rescue Mission owned, operated, and/or managed a series of homeless shelters known collectively as the Durham Rescue Mission. The mission statement of the Durham Rescue Mission is "...to meet, through the power of Jesus Christ, the spiritual, educational, emotional, physical, social, and vocational needs of the whole person so that those who are hurting may become fully functioning members of society." Durham Rescue Mission, <https://durhamrescuemission.org/about/> (last visited Mar. 30, 2026).

13. Residents of the Durham Rescue Mission were allowed to stay at the mission so long as they contributed to the work of the mission. Provided that a resident helped with the "chores" of the mission and abided by all its rules and regulations, in exchange the resident would have access to shelter, clothing, food, vocational training and employment/educational assistance, as well as biblical and financial planning.

14. In or about the month of April 2023, Plaintiff, who was then homeless and struggling with alcohol addiction, came to the Durham Rescue Mission in need of assistance.

15. It was common practice at the Durham Rescue Mission that new residents would receive the lowest positions within the organization, typically cleaning the facilities themselves or working within the Durham Rescue Mission's warehouse.

16. Plaintiff was assigned to the warehouse, and reported to that location on his first day working, when he was selected from other new residents by Defendant Sutherland to work in the volunteer office, which Defendant Sutherland personally oversaw.

17. Plaintiff's "chore" assignment was immediately changed to the volunteer office and Defendant Sutherland became his supervisor.

18. Within one to two weeks of beginning his work within the volunteer office, Plaintiff was first sexually assaulted by Defendant Sutherland. This abuse was constant, pervasive, and continuous throughout the rest of Plaintiff's time at the Durham Rescue Mission both as a resident, and later, as a temporary employee and/or contractor of the organization.

19. The first time Defendant Sutherland assaulted Plaintiff, Defendant Sutherland began by groping Plaintiff's leg near Plaintiff's groin. Plaintiff told Defendant Sutherland to stop, but Defendant Sutherland told him that Plaintiff could be kicked out of the program and removed from the mission if Plaintiff did not listen to Defendant Sutherland.

20. Plaintiff, desperate to keep his only resource for housing and other necessities of life, felt that he had no other option than to comply with Defendant Sutherland's advances.

21. After this first encounter, Defendant Sutherland would assault Plaintiff four to five days a week, sometimes multiple times a day. Defendant Sutherland's behavior escalated to kissing Plaintiff and Defendant Sutherland sticking his hands down Plaintiff's pants and fondling Plaintiff's genitals on multiple occasions.

22. Over time, residents of the Durham Rescue Mission have the opportunity to transition from residents to temporary workers of the mission. Instead of their labor being given in exchange for housing, food, and clothing, the transition to being a temporary worker means that the former resident is now paid for their labor. After approximately three to four months as a

resident at the Durham Rescue Mission, Plaintiff transitioned from resident to this temporary worker status. However, he was still employed within the volunteer office of the organization, and his abuse at the hands of Defendant Sutherland persisted.

23. Plaintiff felt that without concrete evidence of Defendant Sutherland's abuse, he would not be believed by the administration of the organization.

24. In or about the month of February 2024, Plaintiff surreptitiously filmed Defendant Sutherland during two separate instances of abuse.

25. Plaintiff took this information to the administration in charge of the Durham Rescue Mission, and Defendant Sutherland was eventually dismissed from his employment within the organization.

26. However, Plaintiff learned from other members of the organization that there had been previous allegations made by other residents and/or employees of the organization of similar instances of misconduct in which Defendant Sutherland received no adverse consequences. Two of these instances had occurred within a year of Plaintiff arriving at the mission.

27. Despite being removed from his employment at the Durham Rescue Mission, upon information and belief, Defendant Sutherland was allowed to remain in housing provided by Durham Rescue Mission for approximately an additional month after his termination.

28. On the day Plaintiff reported Defendant Sutherland's abuse, Plaintiff met with representatives of the human resources department within Durham Rescue Mission and the Vice President of Operations, Gary Beasley. At that meeting Plaintiff was discouraged from reporting these instances of abuse to the police and was told that he may not be able to stay at the mission if he went to the police. While Plaintiff was a temporary employee at this time, he was still reliant on the organization for his housing and other necessities.

29. Again, Plaintiff felt he had no other choice but to remain silent and did not report the abuse to the police.

30. Plaintiff continued to work within the organization, now within the donations department, until approximately November of 2025 when he quit his job and sought other employment. During this time, he was frequently ignored and ostracized by members of the administration and management, presumably because he reported the abuse which led to Defendant Sutherland's dismissal.

31. After Defendant Sutherland was dismissed from his employment at the Durham Rescue Mission, Plaintiff learned that he had been hired by another non-profit in Durham, North Carolina, performing very similar work with the homeless population within the city.

32. When Plaintiff asked whether or not the administration of Durham Rescue Mission had reported the reasons for Defendant Sutherland's termination to this new employer, he was told that the organization as trying to "keep that out of the spotlight."

33. As a result of the persistent sexual abuse endured by Plaintiff for nearly a year, Plaintiff still struggles with nightmares, flashbacks, and other psychological symptoms. While Plaintiff has maintained his sobriety through this process, the emotional and psychological stress of Defendant Sutherland's continuous abuse and its aftermath have left Plaintiff forever changed.

34. All such occasions of unwanted touching and sexual assault described in the foregoing paragraphs took place on the premises of the Durham Rescue Mission while Plaintiff and Defendant Sutherland were working.

FIRST CLAIM FOR RELIEF – ASSAULT/BATTERY AGAINST DEFENDANT

SUTHERLAND

35. Plaintiff hereby incorporates by reference all previous paragraphs of this Complaint.

36. Defendant Sutherland's conduct as alleged above constituted a battery upon Plaintiff in that Defendant Sutherland intentionally and in wanton disregard for the safety and well-being of Plaintiff, sexually assaulted Plaintiff by groping and molesting Plaintiff without his consent and in a harmful and offensive way on numerous occasions.

37. As a direct and proximate result of the above-described actions of Defendant Sutherland, Plaintiff has suffered and/or continues to suffer physical, mental and emotional injuries, loss of enjoyment of life and other damages all in an amount to be determined by a jury, but in any event, in an amount in excess of twenty-five thousand dollars (\$25,000.00).

38. The sexual assaults of Plaintiff by Defendant Sutherland, as alleged herein, were willful and wanton and done in conscious disregard of and indifference to the rights and safety of others, specifically including the rights and safety of Plaintiff.

39. As a consequence of his willful and wanton conduct, Defendant Sutherland is liable to Plaintiff for punitive damages in an amount sufficient to punish Defendant Sutherland for his willful, wanton, and sexually abusive conduct and to deter Defendant Sutherland and others similarly situated from engaging in such willful and wanton misconduct in the future.

**SECOND CLAIM FOR RELIEF –
NEGLIGENCE AGAINST DEFENDANTS RESCUE FUND AND RESCUE MSSION**

40. Plaintiff refers to and hereby incorporates by reference all previous paragraphs of this Complaint.

41. Defendant Rescue Fund and/or Defendant Rescue Mission, by and through its employees, agents and/or representatives, owed a duty to use reasonable care in supervising, monitoring, and training its employees, agents and/or representatives on the identification, prevention, and reporting of sexual assault and sexual harassment in the workplace.

42. Defendant Rescue Fund and/or Defendant Rescue Mission, acting and/or failing to act by and through its employees, agents and/or representatives, was negligent in that they:

- a. failed to properly and adequately monitor Plaintiff while he was present and working at the Durham Rescue Mission both as a resident-volunteer and as a temporary employee;
- b. failed to properly and adequately monitor Defendant Sutherland while he was present and working at the Durham Rescue Mission;
- c. failed to properly and adequately supervise Plaintiff while he was present and working at the Durham Rescue Mission both as a resident-volunteer and as a temporary employee;
- d. failed to properly and adequately supervise Defendant Sutherland while he was present and working at the Durham Rescue Mission;
- e. failed to properly and adequately train its employees and/or agents on the necessary protocols for preventing sexual assault and sexual harassment in the workplace;
- f. failed to support Plaintiff in his desire to report Defendant Sutherland's abuse to the police and actively discouraged him from doing so;
- g. failed to report to Defendant Sutherland's prospective employers the cause of Defendant Sutherland's termination and dismissal from Durham Rescue Mission;
- h. failed to immediately separate Defendant Sutherland from residents and staff of Durham Rescue Mission by allowing him to continue to reside in housing owned by Durham Rescue Mission, and;
- i. other such ways as may be determined during the course of discovery and proven at trial.

43. At all times relevant to this action, the employees, agents and/or representatives who owed a duty of reasonable care were acting as employees and/or agents of Defendant Rescue Fund and/or Defendant Rescue Mission and were acting within the course and scope of its employment and/or agency. Defendant Rescue Fund and/or Defendant Rescue Mission are responsible for the negligent acts and omissions of their employees and/or agents who were acting in the scope and course of their employment and/or agency and on behalf of Defendant Rescue Fund and/or Defendant Rescue Mission and those negligent acts and omissions are imputed to Defendant Rescue Fund and/or Defendant Rescue Mission through the doctrines of agency and/or *respondeat superior*.

44. As a direct and proximate result of the negligence of Defendant Rescue Fund and/or Defendant Rescue Mission acting and/or failing to act, by and through its employees, agents and/or representatives, Plaintiff was sexually assaulted and harassed and suffered physical, mental and emotional injuries while present and working at the Durham Rescue Mission.

45. As a direct and proximate result of Defendant Rescue Fund and/or Defendant Rescue Mission's above-described negligence, Plaintiff has suffered and continues to suffer severe mental and emotional injuries, loss of enjoyment of life and other damages, including lost wages, all in an amount to be determined by a jury, but in any event, in an amount in excess of twenty-five thousand dollars (\$25,000.00).

**THIRD CLAIM FOR RELIEF – NEGLIGENT RETENTION and SUPERVISION
AGASINT DEFENDANT RESCUE FUND and DEFENDANT RESCUE MISSION**

46. Plaintiff hereby incorporates by reference all previous paragraphs of this Complaint.

47. Defendant Rescue Fund and/or Defendant Rescue Mission by and through their employees, agents, and/or representatives, owed Plaintiff a duty to use reasonable care in the

retention and supervision of staff at Durham Rescue Mission, including, but not limited to, Defendant Sutherland.

48. Defendant Rescue Fund and/or Defendant Rescue Mission breached their respective duty to use reasonable care in retention and supervision of Defendant Sutherland in that Defendant Rescue Fund and/or Defendant Rescue Mission:

- a. Failed to properly train and instruct Defendant Sutherland regarding appropriate interaction with subordinates employed at Durham Rescue Mission as well as its resident volunteers;
- b. Failed to properly supervise Defendant Sutherland, specifically as to his interactions with Plaintiff when Defendant Rescue Fund and/or Defendant Rescue Mission knew or should have known that Defendant Sutherland was acting inappropriately with and toward Plaintiff;
- c. Failed to properly train staff and employees at Durham Rescue Mission regarding identifying and reporting inappropriate relationships between staff members, especially members of supervision and/or management and subordinates;
- d. Failed to properly train staff and employees at Durham Rescue Mission regarding identifying and reporting inappropriate relationships between staff members and residents of the mission;
- e. Failed to intervene when Defendant Rescue Fund and/or Defendant Rescue Mission knew or should have known of the inappropriate, illegal behavior of Defendant Sutherland toward Plaintiff;
- f. Failed to properly investigate multiple, previous reports of sexual

misconduct and assault made by staff and/or residents of Durham Rescue Mission against Defendant Sutherland;

- g. Persisted in retaining Defendant Sutherland's employment despite notice of numerous past sexual misconduct allegations made against him;
- h. In other respects, to be established through discovery and proved at trial.

49. The employment relationship between Defendant Sutherland and Defendant Rescue Fund and/or Defendant Rescue Mission provided Defendant Sutherland with access to Plaintiff and further provided Defendant Sutherland with the opportunity to sexually abuse and exploit Plaintiff.

50. Additionally, because of the very nature of their work, Defendant Rescue Fund and/or Defendant Rescue Mission know or should have known that the homeless population is a vulnerable population and that the nature of their work easily creates a potentially coercive environment because their housing, food, clothing, and other necessities can be used as a bargaining chip to maintain their silence at the hands of predators.

51. Based on the nexus between the employment relationship of Defendant Sutherland and Defendant Rescue Fund and/or Defendant Rescue Mission and the sexual abuse and exploitation suffered by Plaintiff as a result of this nexus, Defendant Rescue Fund and/or Defendant Rescue Mission are jointly and severally liable for the acts of their employee, Defendant Sutherland, through the doctrines of agency and/or *respondeat superior*.

52. As a direct and proximate result of the negligence of Defendant Rescue Fund and/or Defendant Rescue Mission, Plaintiff has suffered and continues to suffer mental, emotional, and physiological injuries and loss of enjoyment of life arising from the sexual assaults, exploitation

and abuse committed by Defendant Sutherland and has incurred medical and other expenses, including but in no way limited to, lost wages.

53. As a direct and proximate result of the negligence of Defendant Rescue Fund and/or Defendant Rescue Mission, jointly and severally, in an amount to be determined by a jury, but in any event, in an amount in excess of twenty-five thousand dollars (\$25,000.00).

PUNITIVE DAMAGES

54. Plaintiff hereby incorporates by reference all previous paragraphs of this Complaint.

55. The sexually and/or physically abusive conduct of Defendant Sutherland as alleged herein was willful and wanton and done in conscious and flagrant disregard of and indifference to the right and safety of others, specifically including the rights and safety of Plaintiff.

56. As a consequence of his willful and wanton conduct, Defendant Sutherland is liable to Plaintiff for punitive damages in an amount sufficient to punish him for his willful, wanton, physical, and sexually abusive conduct and to deter the Defendant Sutherland and others similarly situated from engaging in such willful and wanton misconduct in the future.

Plaintiff respectfully requests a trial by jury on all issues of fact so triable.

WHEREFORE, Plaintiff prays that he recovers from Defendant Sutherland, Defendant Rescue Fund, and/or Defendant Rescue Mission, jointly and severally, as follows:

1. Actual damages in an amount to be determined and assessed by a jury, but in any event, to the extent Rule 8(a) of the North Carolina Rules of Civil Procedure is applicable, in an amount in excess of twenty-five thousand dollars (\$25,000.00);

2. Punitive damages for Plaintiff in an amount sufficient to punish Defendant Sutherland for his willful, wanton, and egregious acts and to deter Defendant Sutherland and others

similarly situated from similar willful, wanton, and egregious conduct;

2. The costs of this action;
3. Interest as provided by law;
4. Any other relief which the Court deems equitable and proper.

This the 1st day of April 2026.

LANIER LAW GROUP, P.A.

/s/ Emily V. Carico

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