

FILED

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JAN 29 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY RES DEPUTY

JARI MCPHERSON and JERALD
SAMS,
Plaintiffs,

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v.

Civil Action No. 1:20-CV-01223-
DAE

TEXAS DEPARTMENT OF
PUBLIC SAFETY,
Defendant.

VERDICT FORM

Question No. 1:

Do you find that Plaintiff Sams would not have been denied promotion to the Sergeant position that he applied for in 2018 in the absence of—in other words, but for—his race?

Answer Yes or No: NO

Question No. 2:

Do you find that Plaintiff McPherson would not have been subjected to the following adverse employment actions but for his complaining of race discrimination:

Answer Yes or No.

2(a): Denied assignment to Unit 7C2: YES

2(b): Was denied the use of his state-issued vehicle: YES

Question No. 3:

Has Plaintiff Sams proved that he was harassed because of his race by Defendant DPS?

Answer Yes or No: YES

If you answered "Yes" to Question No. 3, then answer Question No. 4. If you answered "No," then move on to Question No. 6.

Question No. 4

Did Defendant DPS know, or in the exercise of reasonable care should have known, that Plaintiff Sams was being harassed based on race?

Answer Yes or No: YES

If you answered "Yes" to Question No. 4, then answer Question No. 5. If you answered "No," then move on to Question No. 6.

Question No. 5

Did Defendant DPS fail to take prompt remedial action with regards to Plaintiff Sams?

Answer Yes or No: YES

Move on to Question No. 6.

Question No. 6:

Has Plaintiff McPherson proved that he was harassed because of his race by Defendant DPS?

Answer Yes or No: YES

If you answered "Yes" to Question No. 6, then answer Question No. 7. If you answered "No," then move on to Question No. 9.

Question No. 7

Did Defendant DPS know, or in the exercise of reasonable care should have known, that Plaintiff McPherson was being harassed based on race?

Answer Yes or No: YES

If you answered "Yes" to Question No. 7, then answer Question No. 8.

Question No. 8

Did Defendant DPS fail to take prompt remedial action with regards to Plaintiff McPherson?

Answer Yes or No: YES

Move on to Question No. 9.

DAMAGES

Question No. 9:

What sum of money if paid now in cash, would fairly and reasonably compensate Plaintiff Sams for his damages, if any, caused by Defendant DPS?

Answer in dollars and cents for the following items and none other:

- A. Economic loss due to reduction in back pay and benefits from October 1, 2018, through Sams' retirement on February 29, 2024:

\$0

- B. Emotional pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life:

Past \$300,000 Future \$575,000

Question No. 10:

What sum of money if paid now in cash, would fairly and reasonably compensate Plaintiff McPherson for his damages, if any, caused Defendant DPS?

Answer in dollars and cents for the following items and none other:

- A. Economic loss due to the denial of use of his service vehicle from May 2020 through January 2024.

\$ 62,600

- B. Emotional pain and suffering, inconvenience, mental anguish, and loss of enjoyment of life:

Past \$200,000 Future \$525,000

VERDICT OF THE JURY

We, the jury, have unanimously agreed to the answers to the attached questions and return such answer in open court, and under the instructions of the Court, as our verdict in this cause.

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FOREPERSON:

29 JAN 26

DATE: