



# San Diego City Attorney Jan I. Goldsmith

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## NEWS RELEASE

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### **Judge Throws Out Jane Doe Claims Against SDPD Arevalos Supervisors**

**San Diego, CA:** United States Federal District Judge Michael M. Anello has granted a partial summary judgment dismissing Jane Does' claims against nine of former police officer Anthony Arevalos' past supervisors in the San Diego Police Department, including former Police Chief William Lansdowne. Plaintiff, Jane Doe, contends that Arevalos' police supervisors intentionally covered up his repeated misconduct, thereby violating her constitutional rights.

The nine SDPD supervising officers are William Lansdowne, David Bejarano, Rudy Tai, Danny Hollister, Kevin Friedman, Victoria Binkerd, Robert Kanaski, Max Verduzco, and Jorge Guevara.

In his 24 page decision (which is attached), Judge Anello discusses at length the comprehensive record of evidence presented by both sides concerning the SDPD supervisors' conduct. After construing the evidence in the light most favorable to plaintiff, the judge concluded that claims of wrongdoing are not supported by the evidence and the claims should be dismissed.

Specifically, Judge Anello found that there was no evidence to support claims that the SDPD supervisors had "knowledge that Arevalos was engaged in conduct that posed a pervasive and unreasonable risk of constitutional injury" or that they displayed "inaction in the face of widespread abuses".

The ruling does not change the fact that the City of San Diego is responsible under the law for Arevalos' misconduct while on duty, regardless of the fact that SDPD could not have prevented it. Plaintiff's attorneys, however, had sought to broaden the scope of the trial scheduled for May to include the claims which are the subject of Judge Anello's ruling. The ruling narrows the scope of the trial.

**"The upcoming trial is about what injuries Jane Doe suffered and how much she should be awarded,"** said City Attorney Jan Goldsmith, who pointed out that the City settled with the other 12 victims because the City understands its legal responsibility. **"She says she fears being outside because of the incident, for example, and should be awarded damages for that. We want the jury to see all the evidence and set a reasonable amount for whatever injuries they find she, in fact, suffered. That's what the case is about."**

The decision does not change the City's commitment to an independent federal review of SDPD's processes. **"The federal review is not about legal liability. We want to know how SDPD can do better,"** said Goldsmith. **"We want SDPD to meet a standard of excellence and we want people to have confidence in our police officers."**

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