



City of Antioch
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Federal courts hand Antioch two victories on the same day
Jury rejects plaintiff's claims in one, judge guts damages plea in another

ANTIOCH, CA – A San Francisco federal jury on Thursday deliberated only a short time before handing the City of Antioch and its police force a sweeping victory in a case alleging racial discrimination. Within an hour of this verdict, a separate federal court issued a ruling that essentially guts the efforts of plaintiffs in a similar case to recover damages from the City.

The two victories for Antioch affirm what the City's residents and community leaders have understood for years: Antioch's community policing programs were and continue to be appropriate, unbiased attempts to address crime and neighborhood problems.

In the first case (*Tuggles v. Antioch et al*) the plaintiff's case hinged on accusations that the City's practice of notifying landlords and the Housing Authority of crimes and nuisance activity was improper. In rejecting this claim, the verdict affirms that a city that hopes to protect its residents in a meaningful way must retain the ability to share information with all parties involved, including property owners, managers and housing agencies.

The jury also rejected the plaintiff's claim that Antioch's community policing efforts were discriminatory because the makeup of those whose homes were the subject of crime and nuisance abatement efforts did not match the demographics of the larger community. Insisting that a city must produce crime statistics that somehow mirror the racial or economic demographics of the community is in direct conflict with a city's mission to provide effective and unbiased policing.

We are encouraged by this ruling, and by the finding that a city's obligation to protect its residents is worthy of respect in the federal court system. We will continue to defend ourselves against a similar action brought by the ACLU and others (*Williams et al. v. Antioch*) which relies on the same witnesses and similarly flawed expert evidence and which carries the same dangerous implications for a city's ability to protect its residents.

In the *Williams* case, a federal judge Thursday issued a long-awaited ruling that precludes presentation of any damage claim for all but four class members.

Plaintiffs' lawyers in 2009 assembled a class-action claim against the City by recruiting plaintiffs via a mass mailing. In the filing, they claimed more than 1,000 members of the class, with each entitled to substantial damages. Thursday's ruling gutted that attempt, leaving just four claimants eligible for any payout.

These four claims, similar in many respects to the defeated claims raised in *Tuggles*, will proceed together, along with the plaintiffs' demand for injunctive relief. The plaintiffs, in effect, are requesting that the court grant them broad powers over police management and impose severe strictures on the department's ability to utilize community-oriented policing practices. The City of Antioch hopes that another favorable jury verdict in the *Williams* case will dispose of those four remaining claims, and bring an end to the resource-draining procession of unfounded actions.

The City of Antioch is proud of its partnership with its residents, including the overwhelming majority of Section 8 tenants, to address crime and nuisance activity. Our City's community policing efforts have been and continue to be fair, professional and focused only on the well-being of our residents.