



# San Diego City Attorney Jan I. Goldsmith

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## NEWS RELEASE

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### **City Wins Discrimination Lawsuit *Court Finds No Evidence of Discrimination at Pride Event***

**San Diego, CA:** The City Attorney's office has won a case filed against the San Diego Police Department for alleged violation of constitutional rights arising out of an arrest under the City's public nudity ordinance at the 2011 Pride Event. The federal court decision is attached.

Plaintiff, William X. Walters, alleged that SDPD conspired with Pride organizers to enforce the City's public nudity ordinance in a manner that discriminated based upon sexual orientation. The court held that, although there was evidence that Pride staff may have requested that SDPD "help get compliance" with the public nudity ordinance because families would be attending the event, there was no evidence of discrimination. (See pages 9-10.)

In the case handled by Deputy City Attorney Bonny Hsu, the court rejected claims against SDPD and the City, as well as Pride organizers:

"[T]he Court finds that Plaintiff proffers no competent evidence from which a reasonable fact finder could conclude that Walters' arrest was based on his sexual orientation, or that it resulted from an unequal enforcement policy or practice concerning public nudity. Equally, there is no evidence that the San Diego Pride Defendants entered into a conspiracy with the SDPD or willfully sought to implement an unlawful policy of discriminatory and selective enforcement of San Diego's public nudity laws." (See page 9.)

**"We applaud SDPD and Pride organizers for doing their best to ensure compliance with the law,"** said City Attorney Jan Goldsmith. **"This was not a conspiracy, just good planning for a popular event. We are pleased that the court found no evidence to support plaintiff's claims."**

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