



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

FOR IMMEDIATE RELEASE: March 24, 2015

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Court Upholds Police Officer Firing *City Attorney's Office victorious in reversing \$500,000 judgment*

Seven years after the San Diego Police Department fired Alexei E. Sviridov, an appellate court has ruled that the termination was legal and the former police officer is not entitled to reinstatement or back pay.

The ruling (attached) by the Fourth Appellate District Court of Appeal caps a long-running contest between the City of San Diego and a police officer who was fired.

In its March 20 decision, the appellate court reversed a lower court's finding that the City's termination procedure failed to afford Sviridov certain protections under POBRA, the law known as the Police Officers' Bill of Rights. Sviridov was awarded damages based on that finding by the lower court.

Sviridov was terminated as a police officer in November 2007 after seven years in the department. He was reinstated with back pay and benefits in October 2008. After he failed to return to work, he was terminated a second time in October 2008.

Sviridov's attorney, Milt Silverman, originally sought \$12 million for his client, whom he alleged was the victim of racial discrimination owing to department-wide bigotry against persons of Russian heritage. The complaint was later amended to seek relief solely under POBRA.

Ultimately a San Diego judge ordered the City to pay Sviridov roughly \$500,000 in back pay and benefits, an award that the appellate court ruling overturned.

"Police officers are not immune to being fired where there is cause," City Attorney Jan Goldsmith said. **"The Court of Appeal got it right."**

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