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8 Attorneys for Defendant
 CITY AND COUNTY OF SAN FRANCISCO
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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

12 DACARI SPIERS,

13 Plaintiffs,

14 vs.

15 CITY AND COUNTY OF SAN
 FRANCISCO; TERRANCE STANGEL;
 16 CUAUHTEMOC MARTINEZ; JOSHUA
 CABILLO; GONEE SEPULVEDA; BRYAN
 17 NEUERBURG; MARIA CIRIACO;
 STEPHEN JONAS; WILLIAM SCOTT; LEO
 18 BERNSTEIN; BRENDAN O’CONNOR and;
 DOES 1-40 individually and in official
 19 capacities as police officers for the
 City and County of San Francisco inclusive.
 20

21 Defendants.

Case No. 20-cv-01357-JSC

**DECLARATION OF LT. ARRAN PERA IN
 SUPPORT OF DEFENDANT CITY AND
 COUNTY OF SAN FRANCISCO’S
 OPPOSITION TO PLAINTIFF’S MOTION
 FOR SANCTIONS**

Hearing Date: February 3, 2022
 Time: 9:00 a.m.
 Place: Zoom

Trial Date: Not Set

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 24 I, Lieutenant Arran Pera, declare as follows:

25 1. I am a Lieutenant of the San Francisco Police Department (the “Police Department”). I
 26 am the Officer in Charge of the Legal Division of the Police Department, and as such am responsible
 27 for legal matters involving the Police Department, including lawsuits such as the above-referenced one
 28 by Plaintiffs Dacari Spiers (“Plaintiff”). I have been employed by the Police Department for more

1 than 24 years and have served in a variety of assignments. I have personal knowledge of the contents
2 of this declaration, and if called upon to testify, I could and would testify competently to the contents
3 herein.

4 2. On October 7, 2019, San Francisco Police Department Investigative Services Detail
5 (“SFPD ISD”) Sgt, Brendan O’Connor and San Francisco District Attorney’s Office Independent
6 Investigations Bureau (“SFDA IIB”) Investigator Megan Hayashi and Assistant District Attorney Hans
7 Moore conducted the interviews of Officers Cuauhtemoc Martinez, Terrance Stangel, and Joshua
8 Cabillo in relation to the October 6, 2019 incident involving Plaintiff.

9 3. These recorded interviews are contained within the confidential SFPD ISD file related
10 to Sgt. O’Connor’s open, but inactive criminal domestic violence investigation against Plaintiff.

11 4. As a matter of practice, SFPD does not disclose records contained in open SFPD ISD
12 investigations because disclosure of those records may negatively impact the pending criminal
13 investigation or any pending related matters brought by SFDA IIB. SFPD ISD closes its
14 investigations once all proceedings related to the case have concluded.

15 5. Due to the confidential nature of the open criminal investigation against Plaintiff, SFPD
16 ISD did not disclose any of the contents of the SFPD ISD file to the City Attorney’s Office during the
17 course of discovery.

18 6. Because the SFDA IIB investigation pertaining to Officer Stangel is still pending, the
19 related SFPD ISD file remains open. SFPD ISD will close the file upon the termination of the related
20 proceedings.

21 7. Due to the voluminous nature of the discovery requests in this case, SFPD prioritized
22 the identification and disclosure of text message information from Officers Martinez, Stangel, and
23 Cabillo’s department issued phones as part of its rolling production. SFPD had not solicited text
24 message information from Lt. O’Connor until July 14, 2021.

25 8. On July 15, 2021, Lt. O’Connor provided SFPD legal with screenshots of the only text
26 messages on his department issued phone pertaining to the October 6, 2019 investigation.

27 9. After SFPD was notified of the settlement in this case, it prioritized other litigation
28 matters and so did not send to defense counsel the text message screen shots Lt. O’Connor produced to

1 SFPD legal.

2 I declare under penalty of perjury under the laws of the United States that the preceding
3 declaration is true, and that this declaration was executed on this 5 day of January, 2022, in San
4 Francisco, California.

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7 LIEUTENANT ARRAN PERA
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