

FOR IMMEDIATE RELEASE – April 11, 2013, San Diego, CA, Mayor Opposes City Attorney by Interfering with the Prosecution of a Major Campaign Donor

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Mayor Filner was in San Diego Superior Court this morning testifying in opposition of the City Attorney's prosecution of former City Council candidate Bryan Pease for theft. Pease ran for City Council in 2012. (<http://bryanpease.com/index.html>).

Pease is perhaps most infamous for attacking an elderly gentleman at the Children's Pool beach with a stun gun (http://www.utsandiego.com/uniontrib/20061001/news_mz1c01seals.html).

Pease put a call out to his supporters on Facebook . Apparently, the Mayor heard his call and was present in the courtroom this morning to testify on his behalf and show his support. <http://www.facebook.com/bryanpease/posts/10151428393271871>

The Mayor testified that he felt that signs on the beach at the Children's Pool are "illegal" and that he felt it was Pease's right to remove such "illegal" signs. Mayor Filner stated he wished he could have done the same. This case is based on two incidents where Bryan Pease allegedly committed theft by taking signs from pro-beach access supporters at Children's Pool.

The City and State both have laws against taking property which does not belong to you. This is particularly important when you are interfering with someone's constitutionally protected free speech rights. Pease posted video of his alleged theft on YouTube and has repeatedly talked about it. He remains unusually silent about the charges filed on him in the second theft case. Mayor Filner appeared unaware of the second theft charge against Pease during his testimony.

Ironically, Bryan Pease filed suit earlier this week in Federal Court on behalf of a seal activist who had his sign confiscated by police as part of another separate investigation of theft from Carpinteria, California. <http://www.sandiegoreader.com/weblogs/news-ticker/2013/apr/09/city-and-its-police-chief-sued-for-civil-rights-vi/>

In that case, Pease argues in court documents, "Defendants are liable for creating a substantial chilling effect to state and federally constitutionally protected activities by burdening free speech with the risk of arrest, of being threatened with physical harm and of having one's property confiscated by the police". Apparently, Pease does not see the irony in suing the City for the confiscation of a sign on the very same beach where he himself is arguing that such signs are illegal and must be confiscated.... by himself as a private individual. Mayor Filner apparently agrees as well and stated he would like to have done it himself.

Mayor Filner followed-up by sitting in the audience in court with seal supporters to show his solidarity with his campaign contributors.

A quick search of campaign contribution records for Mayor Filner show that seal activists were among his biggest supporters. I have attached a few of the relevant pages from the campaign forms.

- Bryan Pease contributed a total of \$870 to Filner's campaign.
- Co-founder of APRL and Pease's ex-wife, Catherine Rogers contributed another \$150 to the Filner campaign
- Jane Reldan, prominent seal activist and supporter of Bryan Pease donated the maximum of \$1,000 to the Filner campaign and then tried to donate another \$1120 on top of that which had to be refunded.
- George Schaefer, the Deputy City Attorney who decided to issue a "confession of error" in Pease's lawsuit against the Planning Commission and the City donated another \$600 to Filner.

All of these donations (with the exception of Rogers) make these individuals among the top contributors to Filner's campaign. On a day when the fight with the hoteliers remains at the top of the news and the City Council has trouble docketing items that require the Mayor's sign-off, the Mayor spends a few hours voluntarily testifying in court in favor of a major campaign contributor being prosecuted for theft.

On Pease's twitter and facebook pages he lays out the latest fight between the Mayor and the City Attorney. This time, despite the fact that removing private property from a public beach is illegal under both State (petty theft) and City laws (\$63.20.21 SD Municipal Code), the Mayor testified in favor of a campaign supporter who is being prosecuted for breaking those laws. The Mayor claims that the City Attorney should no longer prosecute such crimes.

<https://twitter.com/bryanpease> [@BobFilnerMayor](http://www.facebook.com/bryanpease?fref=ts)
just testified in court city atty should not be prosecuting me for removing illegally posted "open" flag from seal rookery" No mention of the second theft case filed against him.

One of the victims of Pease's latest alleged crimes, David Pierce, expressed surprise that the Mayor would take time away from important City Business to voluntarily testify on behalf of a major campaign donor. According to Pierce, "the Mayor has the responsibility to enforce City and State Laws. Why would he interfere with the prosecution of someone who broke those laws?".

Just last month, the Mayor lodged complaints about the influence of campaign contributions, "Why do they give money... Because they want a sympathetic hearing of their case. And they're used to getting that. Yeah, I'll say it again, they have proceeded with their campaign contributions to buy off most of the council".

It is therefore surprising that he would take time away from conducting City business to pick another fight with the City Attorney and interfere with the criminal prosecution of one of his own supporters. Other Attorneys at the courthouse this morning expressed surprise that the Mayor would go out of his way to testify in favor of one of his supporters and attempt to exert influence on the court.