

# CLAIM AGAINST THE CITY AND COUNTY OF SAN FRANCISCO

Before completing this form please read the instructions on the back. Untimely claims will be returned. Please submit this form and supporting documentation to the **Controller's Office, Claims Division, 1390 Market Street, 7th Floor, San Francisco, CA 94102-5402** in person or by mail.

\* = REQUIRED    \*\* = REQUIRED IF KNOWN

<b>1. Claimant's Name and Home Address</b> (Please Print Clearly) * Ricardo Palikiko-Garcia <hr/> City _____ Zip _____ Telephone <small>Daytime</small> _____ <small>Evening</small> _____ <small>Cellular</small> _____	<b>2. Send Official Notices and Correspondence to:</b> * The Law Offices of John L. Burris <hr/> 7677 Oakport Street, Suite 1120 <hr/> City Oakland, CA _____ Zip 94621 Telephone <small>Daytime</small> (510) 839-5200 <small>Evening</small> _____ <small>Cellular</small> _____		
<b>3. Date of Birth</b> 6/10/1991	<b>4. Social Security Number</b> _____	<b>5. Date of Incident</b> * <i>See Attached</i>	<b>6. Time of Incident</b> (AM or PM) ** <i>See Attached</i>
<b>7. Location of Incident or Accident</b> ** <i>See Attached</i>	<b>8. Claimant Vehicle License Plate #, Type, Mileage, and Year</b> ** _____		

**9. Basis of Claim.** State in detail all facts and circumstances of the incident. Identify all persons, entities, property and City departments involved. State why you believe the City is responsible for the alleged injury, property damage or loss.  
 \* *See Attached*

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Name, I.D. Number and City Department of City Employee who allegedly caused injury or loss	Type of City Vehicle	Vehicle License Number and Bus or Train Number
** <i>See Attached</i>	** _____	** _____

**10. Description of Claimant's injury, property damage or loss**  
 \* *See Attached*

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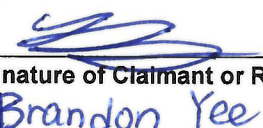
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**11. Amount of Claimant's property damage or loss and method of computation.** Attach supporting documentation. (See Instructions)

<b>ITEMS</b>	
* <i>See Attached</i>	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL AMOUNT</b>	<b>\$ _____</b>

Court Jurisdiction: Limited (up to \$25,000)   
 Unlimited (over \$25,000)

12. Witnesses (if any) Name	Address	Telephone
1. <i>See Attached</i>	_____	_____
2. _____	_____	_____

13. *  _____ Signature of Claimant or Representative Print Name <i>Brandon Yee</i>	<i>7/30/2015</i> Date <i>retained Clerk at Tax office</i> Relationship to Claimant
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Do Not Write In This Space

**CRIMINAL PENALTY FOR PRESENTING A FALSE OR FRAUDULENT CLAIM IS IMPRISONMENT OR FINE OR BOTH. (PENAL CODE §72)**

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<b>1. Claimant's Name and Home Address (Please Print Clearly)</b> * Stanley Harris <hr/> City _____ Zip _____ Telephone <small>Daytime</small> _____ <small>Evening</small> _____ <small>Cellular</small> _____	<b>2. Send Official Notices and Correspondence to:</b> * The Law Offices of John L. Burris <hr/> 7677 Oakport Street, Suite 1120 <hr/> City Oakland, CA _____ Zip 94621 Telephone <small>Daytime</small> (510) 839-5200 <small>Evening</small> _____ <small>Cellular</small> _____		
<b>3. Date of Birth</b> 10/18/1990	<b>4. Social Security Number</b> _____	<b>5. Date of Incident</b> * <i>see Attached</i>	<b>6. Time of Incident (AM or PM)</b> ** <i>see Attached</i>
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 Signature of Claimant or Representative \_\_\_\_\_  
 Date *7/30/2015*  
*retained clerk at law office*  
 Print Name *Brandon Yee*  
 Relationship to Claimant \_\_\_\_\_

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**CRIMINAL PENALTY FOR PRESENTING A FALSE OR FRAUDULENT CLAIM IS IMPRISONMENT OR FINE OR BOTH. (PENAL CODE §72)**



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<b>1. Claimant's Name and Home Address</b> (Please Print Clearly) * Keith Dwayne Richardson <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><b>City</b></td> <td style="width: 30%;"><b>Zip</b></td> </tr> <tr> <td><b>Telephone</b> <small>Daytime</small></td> <td><small>Evening</small></td> </tr> <tr> <td></td> <td><small>Cellular</small></td> </tr> </table>	<b>City</b>	<b>Zip</b>	<b>Telephone</b> <small>Daytime</small>	<small>Evening</small>		<small>Cellular</small>	<b>2. Send Official Notices and Correspondence to:</b> * The Law Offices of John L. Burris <hr/> 7677 Oakport Street, Suite 1120 <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><b>City</b> Oakland, CA</td> <td style="width: 30%;"><b>Zip</b> 94621</td> </tr> <tr> <td><b>Telephone</b> <small>Daytime</small> (510) 839-5200</td> <td><small>Evening</small></td> </tr> <tr> <td></td> <td><small>Cellular</small></td> </tr> </table>	<b>City</b> Oakland, CA	<b>Zip</b> 94621	<b>Telephone</b> <small>Daytime</small> (510) 839-5200	<small>Evening</small>		<small>Cellular</small>
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<b>Signature of Claimant or Representative</b>	<b>Date</b> 7/30/2015
Brandon Yee	retained clerk at law office
<b>Print Name</b>	<b>Relationship to Claimant</b>

**Do Not Write In This Space**

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**CRIMINAL PENALTY FOR PRESENTING A FALSE OR FRAUDULENT CLAIM IS IMPRISONMENT OR FINE OR BOTH. (PENAL CODE §72)**

**ATTACHMENT “A – ASSAULT CLAIM”**

Claimant objects to your Claim Form because it requires information which constitutes an invasion of the Claimant’s privacy. Moreover, the information is not required to be provided by the Claimant under California Government Code Section 910. For example, California Government Code Section 910 does not require that the Claimants provide their home and work numbers, driver’s license number, date of birth, auto insurance name and policy number, a diagram of the location of the incident, any statements by the Claimants as to their reasons “for believing the City is liable for your damages, “or a description” of all damages which you believe you have incurred as a result of the incident.” For the purposes of this document “CLAIMANT” means the individual claimant, claimants plural, and all plaintiffs and parties in interest represented by the LAW OFFICES OF JOHN BURRIS. Therefore, Claimant submits the following information in support of his/her Claim pursuant to Government Code Section 910:

CLAIMANTS’ NAME: Ricardo Palikiko-Garcia, Stanley Harris, Keith Dwayne Richardson,

ADDRESS TO WHICH ALL NOTICES ARE TO BE SENT: LAW OFFICES OF JOHN L. BURRIS, Airport Corporate Centre, 7677 Oakport Street, Suite 1120, Oakland, CA 94621

CLAIMANT TELEPHONE NUMBER: C/O LAW OFFICES OF JOHN L. BURRIS, ESQ. (510) 839-5200

PLEASE NOTE: COUNSEL REPRESENTS CLAIMANTS AND ALL CONTACT SHOULD BE MADE WITH HIS OR HER ATTORNEY ONLY.

DATE AND TIME OF INCIDENT: January 2015 through March 2015

LOCATION OF INCIDENT: 850 Bryant St., San Francisco CA, California.

THE FOLLOWING PROVIDES A GENERAL DESCRIPTION OF THE INDEBTEDNESS, OBLIGATION, INJURY, DAMAGES OR LOSS INCURRED SO FAR AS IT MAY BE KNOWN AT THE TIME OF PRESENTATION OF THE CLAIM” AND “THE NAME OR NAMES OF THE PUBLIC EMPLOYEE OR EMPLOYEES CAUSING THE INJURY, DAMAGES, OR LOSS, IF KNOWN: [Per Government Code Section 910]. For the purposes of this claim, “AGENCY” is defined by and refers to the municipal, county, or state entity, which governs County of San Francisco, Ross Mirkarimi, City Hall, Room 456 1 Carlton Goodlett Place San Francisco, CA 94102, (415) 554-7225.

DESCRIPTION OF INCIDENT:

**Ricardo Palikiko-Garcia**

On January 15, 2015, Claimant, Mr. Ricardo Palikiko-Garcia was booked into San Francisco County Jail #4 located at 850 Bryant Street, San Francisco 94103. Shortly thereafter, Mr. Palakiko-Garcia was assigned to work in the jail’s kitchen.



Mr. Palikiko-Garcia subsequently came under the scrutiny of Deputy Scott Neu. Deputy Neu routinely referred to Mr. Palikiko-Garcia as “little guy” and initially made him gamble for eggs that Deputy Neu noticed Mr. Palikiko-Garcia carrying in a bag. Deputy Neu pulled out a deck of cards on the desk outside of “L1” and insisted that Mr. Palikiko-Garcia pick one in a game of “high-low”. Mr. Palikiko-Garcia won, but Deputy Neu took the eggs anyway. Deputy Neu continued to make Mr. Palikiko-Garcia gamble with him throughout Mr. Palikiko-Garcia’s stay in the county jail.

Mr. Palikiko-Garcia quickly noticed a strange relationship between Deputy Neu and a fellow inmate, Mr. Stanley Harris. Deputy Neu routinely interrupted their daily kitchen routine by instructing Mr. Harris to do push-ups and other exercises in front of Mr. Palikiko-Garcia and other inmates. Deputy Neu would stand over Mr. Harris exhorting him and insulting him as Mr. Harris grunted and groaned through the exercises. Deputy Neu constantly addressed Mr. Harris as “fat boy” and referred to him as his “fighter” whom he was “training”. Deputy Neu often removed Mr. Harris from the kitchen and made him do exercises in a small area past “L3.”

At one point, Deputy Neu approached Mr. Palikiko-Garcia and made a remark to the effect of, “What’s up little man? You want to see my champion?” Mr. Palikiko-Garcia, out of fear of Deputy Neu, agreed to see Deputy Neu’s “Champion”, despite his confusion and lack of understanding about Deputy Neu’s intentions. Deputy Neu then ordered Mr. Palikiko-Garcia and Mr. Harris to walk down the hallway past the “L” dorms, near the room that contained a dip bar. This area was not visible to the security cameras or other individuals within the facility. Deputy Clifford Chiba was also present in the area.

Deputy Neu immediately instructed Mr. Palikiko-Garcia and Mr. Harris to face each other. Deputy Neu then told Mr. Palikiko-Garcia and Mr. Harris that they were going to fight each other. Deputy Neu went on to explain the rules of engagement. Deputy Neu stated that they could not seek medical attention after the fight. They were told not to strike each other in the face. Deputy Neu further instructed the two inmates that, “If either of you gets injured, you are to say that you fell out of the bunk beds.” Mr. Palikiko-Garcia responded that he was not interested in fighting Mr. Harris, that he had no problems with Mr. Harris and that he preferred to get back to work. Deputy Neu then angrily threatened to “cuff and fuck [him] up”. Deputy Neu followed this up by telling them that they would be “rolled up” and lose their kitchen jobs if they revealed to medical personnel what had actually happened, saying, “I’ll also put you on the mainline and send you to San Bruno.” Deputy Neu then offered a consolation prize. Deputy Neu claimed that the winner would receive a cheeseburger.

Mr. Palikiko-Garcia pleaded with Deputy Neu not to make him fight. Deputy Neu gave Mr. Palikiko-Garcia no choice. The ensuing fight between Mr. Palikiko-Garcia and Mr. Harris lasted for approximately three minutes. Mr. Palikiko-Garcia and Mr. Harris started out grappling as Deputy Neu and Deputy Chiba egged them on, but the fight quickly escalated with neither combatant holding back. Neither combatant threw punches to the head, but they did throw elbows. During the fight, Mr. Palikiko-Garcia and Mr. Harris fell to the ground. Mr. Palikiko-Garcia put a winded and tired Mr. Harris in a headlock. Mr. Palikiko-Garcia’s headlock forced Mr. Harris to “tap out”, which ended the fight. Mr. Palikiko-Garcia stood up and requested that he be allowed to return to work. Deputy Neu angrily berated Mr. Harris by saying,



“Motherfucker, I don’t like losing money!” Deputy Neu then told Mr. Palikiko-Garcia and Mr. Harris that they were going to fight again in exactly one week.

Shortly thereafter, Deputy Chiba escorted Mr. Harris and Mr. Palikiko-Garcia back to the kitchen. Deputy Chiba then asked Mr. Palikiko-Garcia to demonstrate the move that he performed on Mr. Harris. Mr. Palikiko-Garcia then complied.

The next day, Deputy Eugene Jones approached Mr. Palikiko-Garcia, wanting Mr. Palikiko-Garcia to fight again because he had “missed” the first match. Mr. Palikiko-Garcia informed Deputy Jones that he no interest in fighting anyone, and that he had gotten hurt and needed time for his body to recover. However, Deputy Jones insisted, saying words to the effect of, “I’m counting on you, are you ready?” Mr. Palikiko-Garcia, attempting to postpone the pending fight, offered to Deputy Jones his injuries from the previous fight as an excuse. Mr. Palikiko-Garcia also complained to Deputy Jones that Deputy Neu had not given him the cheeseburger that he had promised the winner of the first fight. Mr. Palikiko-Garcia feared that he would be forced to fight again as he knew that Deputy Neu was upset about Mr. Harris “losing” the first fight.

Some days later, Mr. Palikiko-Garcia was in the kitchen when Deputy Jones told him that, “Neu has your hamburger, c’mon.” Mr. Palikiko-Garcia was determined not to fight again, but Deputy Neu appeared in the kitchen and screamed, “fight or I’ll fuck you up!” Mr. Palikiko-Garcia, afraid that Deputy Neu would follow through with this threat, walked back to the fighting area. Deputy Jones and Deputy Evan Staehely were present at the fighting area.

Mr. Palikiko-Garcia and Mr. Harris were again instructed that “anything goes”, except for punching in the face. Mr. Palikiko-Garcia and Mr. Harris again fought hard. At one point, Mr. Harris kned Mr. Palikiko-Garcia in the scrotum. Mr. Palikiko-Garcia doubled over in pain, stopped fighting and requested a time out. Deputies Neu, Jones and Staehely denied Mr. Palikiko-Garcia’s request, and the fight resumed. At some point, Mr. Harris was on top of Mr. Palikiko-Garcia and Mr. Palikiko-Garcia was struggling to breathe. Mr. Palikiko-Garcia saw two other deputies, Deputy Crystal Collins and Deputy Francisco Aquino, run down the hall toward the fight. Deputies Collins and Aquino retreated as Deputy Jones waved them away. The remaining deputies told Mr. Palikiko-Garcia and Mr. Harris to resume the fight after Deputies Collins and Aquino left the area.

The fight continued for a short time until Deputy Neu got scared and stopped it because he did not know if Deputies Collins and Aquino were going to “say something.” After the fight, Mr. Palikiko-Garcia and Mr. Harris were sent back to the kitchen. Mr. Palikiko-Garcia could not perform his duties due to the injuries that he suffered to his ribs, shoulder, and groin.

Several days later, Mr. Palikiko-Garcia made a medical complaint when Deputies Neu, Jones, Staehely were not on duty. Mr. Palikiko-Garcia was visited by someone from Jail Medical, who told him to lift up his shirt. Mr. Palikiko-Garcia told this person that he believed that he had a cracked rib because he was having difficulty moving his right arm and getting out of bed. The Jail Medical representative told Mr. Palikiko-Garcia that because of the symptoms he had described, he would no longer be allowed to work in the kitchen. Out of fear of being sent to the



mainline, Mr. Palikiko-Garcia withdrew his complaint. Mr. Palikiko-Garcia still has pain when he breathes deeply.

On several occasions, Deputy Neu threatened Mr. Palikiko-Garcia that he would “fuck him up”, asking him if he has “ever been handcuffed, maced and had [his] ass beat”. Mr. Palikiko-Garcia reported an incident on March 25, 2015, during which Deputy Neu pushed food from his tray onto the floor.

Mr. Palikiko-Garcia still fears for his safety and well-being because these sheriff’s deputies are law enforcement and have far reaching powers. Mr. Palikiko-Garcia believes that these sheriff’s deputies can do whatever they want to him with impunity. Moreover, Deputy Neu is sadistic and generally scares Mr. Palikiko-Garcia. Mr. Palikiko-Garcia thinks about the things that these members of the San Francisco Sheriff’s Department did to him every day.

### **Stanley Harris**

Claimant, Stanley Harris witnessed Deputy Neu harass inmates from 2010 to 2012. Beginning in 2012, Deputy Neu would take food from Mr. Harris and make him gamble (e.g. play dice or cards) or workout (e.g. do pushups) to get his food back. On his release day in 2012, Deputy Neu called Mr. Harris’s name and told Mr. Harris that he had to do 50 pushups to get out the gate. It took Mr. Harris about an hour to complete the 50 pushups and it caused him extreme embarrassment and fear. Ever since that time, seemingly whenever Deputy Neu saw Mr. Harris he went out of his way to antagonize and strike fear into Mr. Harris.

During Mr. Harris’s most recent stint in jail, on numerous occasions, Deputy Neu would snatch food from Mr. Harris and throw it to nearby inmates. On these occasions, Deputy Neu would proclaim that Mr. Harris was already fat enough and should not be eating any more food. Deputy Neu would force Mr. Harris to do exercises, i.e. 50 pushups, and threaten to “fuck” Mr. Harris up or roll him up and send him to the “mainline with the killers” if he did not complete the exercises in a satisfactory fashion. On one occasion, Deputy Neu threatened to handcuff Mr. Harris and take him to a room where three awaiting Deputies would beat him. Deputy Neu told Mr. Harris that he would say Mr. Harris was going to a legal visit.

Deputy Neu routinely interrupted Mr. Harris’s kitchen routine by making him do push-ups and other exercises in front of the other inmates. Deputy Neu would stand over Mr. Harris exhorting him and insulting him as Mr. Harris grunted and groaned through the exercises. Deputy Neu constantly addressed Mr. Harris as “fat boy” and referred to him as his “fighter” whom he was training. Deputy Neu would remove Mr. Harris from the kitchen and make him do exercises in a small area past “L3.” These forced workouts happened frequently and were unannounced. Mr. Harris was in constant fear of Deputy Neu because he never knew when Deputy Neu would appear and subject him to abuse.

In March 2015, Deputy Neu even challenged Mr. Harris to a fight and insisted that they “go a round” against each other. Deputy Neu then removed all his work gear and shirt and challenged and threatened Mr. Harris, saying that he would make Mr. Harris “tap out.” Mr. Harris embarrassingly believes that Deputy Neu’s motives may have been sexual as Deputy Neu often

threatened to “take his cheeks”, a reference to having forced anal intercourse with Mr. Harris. In addition, Mr. Harris was well aware of Deputy Neu’s prior history of engaging in illicit sexual relations with other inmates. On one occasion, Deputy Neu bragged about taking Mr. Harris’s cheeks while he stood behind Mr. Harris. Mr. Harris, who was in extreme fear, refused to make any sudden movements for fear that Deputy Neu would unmeritoriously charge him with assaulting an officer. No physical contact occurred as this particular incident was curtailed when Deputy Meinbress (Star #1947) accidentally came upon them. Deputy Neu, in an attempt to cover it up, acted like it was just another workout session with Mr. Harris. Deputy Neu’s reputation of sexually assaulting inmates, in conjunction with his proclamations about “taking cheeks” and the fact that he could force Mr. Harris to be alone with him at any given moment, led Mr. Harris to fear that he would soon be sexually assaulted by Deputy Neu.

The first forced fight orchestrated by Deputy Neu occurred in early March 2015. Deputy Nue had been telling Mr. Harris that he was Deputy Neu’s “prize.”

Deputy Neu coerced Mr. Harris into fighting Mr. Palikiko-Garcia by overtly threatening him with bodily harm and by using cheeseburgers, Officer Dining Room food (ODR food), and other sorts of food as incentives. Mr. Harris was afraid that if he did not fight as he was ordered to do by Deputy Neu, he would suffer physical repercussions from Deputy Neu and his fellow sheriffs.

Deputy Neu and Deputy Chiba arranged for Mr. Harris and Mr. Palikiko-Garcia to fight each other under their supervision. The deputies staged the fights in a room past “L3” that had a blind spot and was not under video surveillance.

Sometime in early March 2015, Deputy Neu told Mr. Harris that he would be fighting Mr. Palikiko-Garcia. After Mr. Harris objected, Deputy Neu said that the winner would get a cheeseburger. Mr. Harris then objected again and Deputy Neu said that the winner would get ODR food. Mr. Harris again refused. Deputy Neu left and returned about 30 minutes later. This time, he said that if Mr. Harris did not fight Mr. Palikiko-Garcia, he (Deputy Neu), would “fuck” Mr. Harris up himself or send him back to the mainline. Fearful of retribution by Deputy Neu and other members of the San Francisco Sheriff’s Department, Mr. Harris begrudgingly agreed to fight Mr. Palikiko-Garcia.

A few minutes later, Mr. Harris and Mr. Palikiko-Garcia were taken to a secluded area past “L3.” Deputy Neu immediately instructed Mr. Harris and Mr. Palikiko-Garcia to face each other. Deputy Neu then told Mr. Harris and Mr. Palikiko-Garcia that they were going to fight each other. Deputy Neu went on to explain the rules of engagement. Deputy Neu stated that they could not seek medical attention after the fight. They were told not to strike each other in the face. Deputy Neu further instructed the two inmates that, “If either of you gets injured, you are to say that you fell off of the bunk beds.” Mr. Palikiko-Garcia protested his being forced to fight. Deputy Neu then angrily threatened to “cuff and fuck” Mr. Palikiko-Garcia up. Deputy Neu then told Mr. Palikiko-Garcia that he would put him on the mainline and send him to San Bruno. Deputy Nue then offered a consolation promising the winner a cheeseburger.

The ensuing fight between Mr. Harris and Mr. Palikiko-Garcia lasted for approximately 3 minutes. Mr. Harris and Mr. Palakiko-Garcia started out grappling as Deputy Neu and Deputy



Chiba egged them on. However, the fight quickly escalated with neither combatant holding back. Neither combatant threw blows to the head, but they did throw elbows. During the fight, Mr. Harris and Mr. Palakiko-Garcia fell to the ground. Mr. Palakiko-Garcia put a winded and tired Mr. Harris in a headlock. Mr. Palakiko-Garcia's headlock forced Mr. Harris to "tap out", which ended the fight. Deputy Neu then berated Mr. Harris saying, "Motherfucker, I don't like losing money!" Deputy Neu then told Mr. Harris and Mr. Palakiko-Garcia that they would be fighting again in a week.

Shortly thereafter, Deputy Chiba escorted Mr. Harris and Mr. Palakiko-Garcia back to the kitchen. About an hour later, Deputy Chiba told Mr. Harris words to the effect of, "Listen fat boy. If he uses that on you next time, this is how you get out." Deputy Chiba then demonstrated the escape move to Mr. Harris. Later that day, Deputy Neu approached Mr. Harris and told him, "You gave up." Deputy Neu then made Mr. Harris do pushups and told him that they would start training at 7 a.m. the next day in preparation for winning the next fight.

The next day, Deputy Neu woke Mr. Harris up at 7 a.m. and made him go to the secluded area to work out. Fearing Deputy Neu's wrath, Mr. Harris went with him to the secluded area and obeyed his commands. Deputy Neu cajoled Mr. Harris exclaiming, "You're my prizefighter." Deputy Neu made Mr. Harris do 200 pushups and a variety of other exercises. The whole time, Deputy Neu kept talking about Mr. Harris winning the next fight.

A few days after the first fight, Mr. Harris and Mr. Palakiko-Garcia were both working in the kitchen at around 3:30 in the afternoon when Deputy Neu appeared and told Mr. Harris that he had a choice of going "a round with me" or having a rematch with Mr. Palakiko-Garcia. Mr. Harris objected, but his objection fell on deaf ears as Deputy Neu escorted him to the same area where the first fight had taken place.

Deputy Jones and Deputy Staehely were present at the fight area.

Mr. Harris and Mr. Palakiko-Garcia were again instructed that "anything goes", except for punching in the face. Mr. Harris and Mr. Palakiko-Garcia began to wrestle. The fight was intense from the very beginning. At one point, Mr. Harris kneed Mr. Palakiko-Garcia in the scrotum and Mr. Palakiko-Garcia doubled over in pain, stopped fighting and asked for a timeout. Deputies Nue, Jones and Staehely denied Mr. Palakiko-Garcia's request for a timeout and forced him to continue fighting. The fight immediately resumed. At some point, Mr. Harris was on top of Mr. Palakiko-Garcia and Mr. Palakiko-Garcia was struggling to breathe. Two other deputies, Deputy Collins and Deputy Aquino, had run down the hall toward the fight. Deputies Collins and Aquino retreated as Deputy Jones waved them away.

The fight continued for a short time until Deputy Neu stopped it because he did not know if Deputies Collins and Aquino were going to "say something." At the end of the second fight, Mr. Palakiko-Garcia and Mr. Harris shook hands, which made Deputy Neu angry. Mr. Palakiko-Garcia and Mr. Harris were then sent back to the kitchen. Mr. Palakiko-Garcia told the other inmates about the injuries to his ribs, shoulder and groin.

Mr. Harris is deathly afraid of Deputy Neu, Deputy Jones, Deputy Staehely and Deputy Chiba as he believes that they are all validated gang members with far reaching powers. Deputy Neu has proudly shown Mr. Harris his tattoo proclaiming himself a member of a gang called the “850 Mob”. Mr. Harris believes that Deputy Neu, Deputy Jones, Deputy Staehely and Deputy Chiba, along with other members of the San Francisco Sheriff’s Department, are members of the “850 Mob” and work in conjunction to achieve the illicit goals of said gang.

**Keith Dwayne Richardson**

The incident started in January 2015, and continued through March 2015. Claimant, Keith Dwayne Richardson served dinner as a block worker in cell block “G2” in San Francisco County Jail. Mr. Richardson served a white inmate food, and the inmate tossed the food all over the floor. Deputy Neu attempted to force Mr. Richardson into the white inmate’s cell to make him fight the white inmate for tossing the food. While doing this, Deputy Neu repeatedly referred to Mr. Richardson as “nigger”. Mr. Richardson ultimately used his better judgment and did not fight the white inmate.

In February 2015, Mr. Richardson was moved to Block “L1”, near where the fights were staged. Sometime in March 2015, he witnessed Deputy Neu take inmate Stanley Harris out of his cell to fight. Another inmate, Ricardo Palikiko-Garcia often confided in Mr. Richardson that Deputy Neu would make him fight. On one occasion, Mr. Palikiko-Garcia told Mr. Richardson that his ribs were hurting. Mr. Richardson told him to go to the nurse’s office. The deputies previously told Mr. Palikiko-Garcia that if he could not get up and continue fighting, he would get transferred to another cell block.

Mr. Richardson often saw Deputy Neu carry around dice and cards. Beginning in early March of 2015, Deputy Neu made him gamble in games involving dice and cards. Fearing retribution from Deputy Neu, Mr. Richardson acquiesced and gambled with Deputy Neu. Some of the games Deputy Neu would force Mr. Richardson to play included, but were not limited to: 21, dice, and a ping pong ball game. Deputy Neu frequently made Mr. Richardson gamble for material items, including food and clothes. Deputy Neu also made him gamble for television and work privileges. Even when Mr. Richardson won, Deputy Neu would often proceed as if he were the victor and keep the promised items.

Mr. Richardson witnessed numerous incidents regarding the jail fighting ring. He saw Mr. Palikiko-Garcia and Mr. Harris receiving hamburgers for fighting. Deputies Eugene Jones, Evan Staehely, Clifford Chiba and Neu instructed the inmates to assault other inmates using methods such as: striking other inmates in the testicles, how to lock someone in a chokehold, and how to escape a chokehold if caught in one. Moreover, he heard the deputies discuss how much money they lost staging the fights.

Mr. Richardson made the call to Public Defender Jeff Adachi

DESCRIPTION OF CLAIM:



Claimant alleges that the conduct of individual employees, agents, and/or servants of AGENCY constitute State statutory violations, which might include but are not limited to assault, cruel and unusual punishment, false imprisonment, negligence, negligent hiring, and intentional infliction of emotional distress, and negligent infliction of emotional distress.

Claimant alleges those individual employees, agents and/or servants of AGENCY are responsible for Claimant's injuries, and acts and/or omissions committed within the course or scope of employment under the theory of respondeat superior. Respondeat superior liability includes but is not limited to, negligent training, supervision, control and/or discipline.

Individual employees, agents, and/or servants of the AGENCY, include but are not limited to, the chief of police, sheriff, or an individual of comparable title, in charge of law enforcement for AGENCY, Deputy Scott Neu, Deputy Clifford Chiba, Deputy Eugene Jones, Deputy Evan Staehely and DOES 1-100, and/or each of them, individually and/or while acting in concert with one another.

Claimant alleges the appropriate offenses listed below.

Claimant alleges that assault included, but was not limited to, conduct causing claimant to reasonably fear a harmful offensive touching upon claimant's person.

Claimant alleges that false imprisonment included, but was not limited to, acts or omissions causing claimant to be confined or restricted to an area without means of escape while claimant was aware of the confinement.

Claimant alleges violations of the Eighth Amendment of the United States Constitution which included, but was not limited to, excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Claimant alleges that negligence included, but was not limited to, breach of duty upon failing to exercise due care by placing claimant at risk of serious physical injury.

Claimant alleges that negligent hiring included, but was not limited to, breach of duty upon failing to exercise due care by hiring individuals likely to cause physical injury to citizens while acting under color of law in an official capacity.

Claimant alleges that negligent infliction of emotional distress included, but was not limited to, the failure to use reasonable care to avoid causing emotional distress to another individual. The negligent conduct resulted in Claimants' physical injuries.

Claimant alleges that intentional infliction of emotional distress included, but was not limited to, outrageous acts or omissions with the intent to causing emotional distress to another individual. The intentional conduct resulted in Claimants' physical injuries.

Claimant alleges that false imprisonment included, but was not limited to, acts or omissions causing claimant to be confined or restricted to an area without means of escape while claimant was aware of the confinement.

Claimant alleges that the City and County of San Francisco and the San Francisco Sheriff's Department were on notice regarding Deputy Neu's and the other named members of the San Francisco Sheriff's Department continuing pattern of constitutional violations and transgressions. Moreover, in light of this notice, the City and County of San Francisco and that the San Francisco Sheriff's Department failed to train, failed to supervise, failed to discipline and failed to adequately screen Deputy Neu and the other named San Francisco Sheriff's Department members.

Claimant alleges violation of California Civil Code Section 52.1, for actions by law enforcement personnel, whether or not acting under color of law, which interfere by threats, intimidation, or coercion, or attempts to interfere by threats, intimidation, or coercion, with the exercise or enjoyment by any individual or individuals of rights secured by the Constitution or laws of the United States, or of the rights secured by the Constitution or laws of this state.

Claimant alleges violation of California Civil Code Section 51.7, for acts of violence, or intimidation by threat of violence, committed against Decedent's person because of his race, color, and/or ancestry.

Claimant intends to pursue civil penalties pursuant to Ca. Civil Code Sections 52(a) & 52 (b).

Claimants will allege other causes of action subject to continuing discovery.

**DESCRIBE INJURY OR DAMAGE:**

Claimant has, or may have in the future, claims for general damages, including, but not limited to, claims for pain, suffering and emotional distress in amounts to be determined according to proof.

Claimant may have and/or may continue to have in the future, claims for special damages, including, but not limited to, claims for medical and related expenses, lost wages, damage to career, damage to educational pursuits, damage to property and/or other special damages in amounts to be determined according to proof.

Claimant may have, and/or may continue to have in the future, damages for permanent mental injuries, permanent mental scarring and/or other psychological disabilities in an amount according to proof.

**NAME OF PUBLIC EMPLOYEE(S) BELIEVED TO HAVE CAUSED INJURY OR DAMAGE:**

See description of the incident, above.

**DEMAND FOR PRESERVATION OF EVIDENCE:**

Claimant does hereby demand that AGENCY including, but not limited to, the appropriate city or county law enforcement agency, its employees, servants and/or attorneys, maintain and



preserve all evidence, documents and tangible materials which relate in any manner whatsoever to the subject matter of this Claim, including until the completion of any and all civil and/or criminal litigation arising from the events which are the subject matter of this Claim. This demand for preservation of evidence includes, but is not limited to, a demand that all public safety entities preserve all tapes, logs and/or other tangible materials of any kind until the completion of any and all civil and criminal litigation arising from the subject matter of this claim.

AMOUNT OF CLAIM:

This claim is in excess of \$25,000. Jurisdiction is designated as "unlimited" and jurisdiction would be in the United States District Court and/or Superior Court of the State of California.

DATED: 7/30/2015 12:25 PM

Very truly yours,



Brandon Yee  
Clerk

**THE LAW OFFICES OF JOHN L. BURRIS**

July 30, 2015

**RE: Request for Endorsed Copy Verifying Administrative Claim Received – Law Offices of John L. Burris**

Our client: Ricardo Palikiko-Garcia, Stanley Lamar Harris Jr., Keith Dwayne Richardson  
Date of Birth: 6/10/1991, 10/18/1990, 08/15/1961 (respectively)  
Date of Incident: January 2015 through March 2015

Dear Records Clerk,

This is to inform you that the Law Offices of John Burris represents Ricardo Palikiko-Garcia, Stanley Harris, and Keith Dwayne Richardson. Our clients sustained injuries due to a jail fight ring which was facilitated by deputies from your Sheriff's Department. The fight ring took place in January 2015 through March 2015 at or near the location of 850 Bryant St., San Francisco CA.

We have attached a copy of a completed claim form, which includes a detailed addendum. We have sent you two copies of the form. We request that you send us back one endorsed copy verifying the time and date that our claim was received. We have enclosed a self-addressed stamped envelope for your convenience. If you have any questions please, contact us immediately.

Very truly yours,



Brandon Yee  
Clerk

**THE LAW OFFICES OF JOHN L. BURRIS**



LAW OFFICE OF JOHN L. BURRIS

7677 Oakport Street Suite 1120 Oakland, Ca. 94621 (510)839-5200 www.johnburrislaw.com

**Claim Form**

<b>Name: First, Middle, Last</b> Ricardo Palikiko-Garcia, Stanley Harris, Keith Dwayne Richardson		<b>Race:</b> Hawaiian/Filipino, African American, African American	<b>Date of Birth:</b> 6/10/1991, 10/18/1990, 08/15/1961
<b>Address</b>	<b>City, State, Zip</b>	<b>Home Phone:</b>	<b>Work Phone:</b>
<b>Person/Supervisor Receiving Claim:</b>		<b>Badge #:</b>	<b>Date:</b>

Complete this portion if claimant is a minor or is being assisted or represented by counsel+


<b>Name: First, Middle, Last</b> The Law Office of John L. Burris		<b>Relationship to claimant:</b> Attorney	
<b>Address</b>	<b>State</b>	<b>Zip</b>	<b>Phone:</b>
7677 Oakport Street Suite 1120 Oakland	Ca.	94621	(510)839-5200

<b>Location of incident:</b> 850 Bryant St., San Francisco CA
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**Identity of involved personnel:** San Francisco County, Ross Mirkarimi, City Hall, Room 456 1 Carlton Goodlett Place San Francisco, CA 94102, (415) 554-7225

Badge No.	Name/Vehicle No., etc.	Sex	Race
Deputy Scott Neu, Deputy Clifford Chiba, Deputy Eugene Jones, Deputy Evan Staehely and DOES 1-100			
<b>Narrative of incident:</b> See Attachment			
<b>Were you injured?</b> Yes, See Attachment			
<b>Witness names: (First, Middle, Last)</b>	<b>Address:</b>	<b>Phone:</b>	

*I have read and understood this statement, which I have made of my own free will, and the facts contained therein are true and correct to the best of my knowledge.*

**Claimant's Signature:**   
 \_\_\_\_\_  
 Brandon Yee Clerk,  
 The Law Office of John L. Burris

**Date:** 7/30/15

**CERTIFICATE OF SERVICE**

*Palikiko-Garcia v City and County of San Francisco*

**STATE OF CALIFORNIA, COUNTY OF ALAMEDA:**

I am a citizen of the United States and employed in the county aforesaid; I am over the age of eighteen years, and not a party to the within action; My business address is 7677 Oakport Street, Suite 1120, Oakland, California 94621. On the date below, I served on the named parties and / or counsel of record:

Controller's Office, Claims Division 1390 Market Street, 7 <sup>th</sup> Floor San Francisco, CA 94102	Defendant City and County
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The following documents in the manner as follows: Assault claim attachment, Claim Form (Law Office version), City and County of San Francisco Claim Form, Administrative Claim Received document, and self-addressed envelope

- (VIA MAIL – CCP §§ 1013(a), 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am readily familiar with my firm's business practice of collection and processing of correspondence for mailing with the U.S. Postal Service at Oakland, California, with postage thereon fully prepaid, that same day in the ordinary course of business.
- (VIA PERSONAL DELIVERY – CCP §§ 1011, 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and causing each envelope(s) to be hand delivered on that day by \_\_\_\_\_, in the ordinary course of my firm's business practice.
- (VIA E-MAIL OR ELECTRONIC TRANSMISSION – CCP §§ 1013(e), 2015.5, CRC 2008)** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document to be sent to the persons at the e-mail address(es) or the facsimile number listed above. I am readily familiar with my firm's business practice of collection and processing of correspondence via facsimile transmission(s) and any such correspondence would be transmitted in the ordinary course of business. The facsimile transmission(s) was reported as complete and without error, and a copy of the transmission report is attached.
- (VIA OVERNIGHT MAIL/ COURIER – CCP §§ 1013(c), 2015.5)** By placing a true copy thereof enclosed in a sealed envelope(s), addressed as above, and placing each for collection by overnight mail service or overnight courier service. I am familiar with my firm's business practice of collection and processing of correspondence for overnight mail or overnight courier service, and my correspondence placed for collection for overnight delivery would, in the ordinary course of business, be delivered to an authorized courier or driver authorized by the overnight mail carrier to receive documents, with delivery fees paid or provided for, that same day, for delivery on the following business day.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on July 30, 2015 in Oakland, California.

X   
 Clerk - Law Offices of John Burris  
 Brandon Yee