

*For Immediate Release*

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## **Multi-Million Dollar Civil Rights Suit Filed Against Sacramento Sheriff for Wrongful Arrest and False Testimony by Members of Drug Task Force**

*Sacramento, February 18, 2010* – A police drug sting operation gone bad has resulted in a major civil rights lawsuit against the Sacramento County Sheriff's Department. In their federal complaint filed today, John Pruitt and Darryl Berg detail how they were falsely arrested, held in jail, and pressured to provide information about crimes they did not commit. Finally, days before their federal trial was set to start, the charges against Pruitt and Berg were thrown after the court learned that the police hid key evidence in the case and falsely testified under oath, including denying the existence of the evidence.

The suit alleges violations of the Fourth, Fifth and Fourteenth Amendments of the U.S. Constitution relating to malicious prosecution, unlawful search and seizure, suppression of material evidence, and arrest without probable cause.

The drug sting, which was carried out on February 19, 2008 by a joint federal-state drug task force known as SAINT, for Sacramento Intelligence Narcotics Task Force, involved the monitored and recorded sale of a significant quantity of methamphetamine and was intended to capture an unknown major drug dealer. Task force officers said they saw Pruitt's and Berg's car in the area, and had them pulled over and arrested without investigation or evidence to show they were involved in drug dealing, and then covered up their mistake. Pruitt and Berg denied all involvement in the crime from the time of their arrest and no drugs were found in their homes, vehicles or in their possession at any time.

To defend themselves in federal court, the men asked for copies of any tape recordings from the sting operation that would show whether the deputies had any reason to believe that they were involved in the drug ring. Months after sheriff's deputies testified under oath that no such tape recordings existed, and just before the men were to stand trial, the federal prosecutor revealed that the tapes really did exist. The tapes showed that the task force did not have probable cause to arrest Pruitt and Berg or even to pull over their car. Once the tapes came to light, the charges against Pruitt and Berg were thrown out.

By that time, however, Pruitt had already spent 14 months in jail. Pruitt, a 37 year-old Sacramento-based rap music producer, is the sole caregiver for his four children, now ages 5 to 16, who had to live with their grandmother while he was incarcerated. His business faltered in his absence and even after his release he has been harassed by the police, being pulled over four times within a single two-week period in December 2009 despite doing nothing unlawful. Berg, a licensed private detective and bail bondsman, was held for three weeks before posting bond. His business was all but destroyed by the false charges, which also resulted in harm to his wife and the loss of the family home.

“The Sacramento County Sheriff’s officers in this case acted too hastily in arresting John Pruitt and Darryl Berg and then tried to cover up their mistake by hiding the body wire recording of the sting operation that they knew would exonerate our clients,” said plaintiffs’ attorney Ernest Galvan of Rosen, Bien & Galvan in San Francisco. “This is not the first time that the task force has been caught in such conduct-- there has been at least one other instance where a similar cover-up has been exposed and the case thrown out of court.”

“The outrageous conduct by the Sherriff’s Department in this case has wreaked havoc on the lives of Darryl Berg, John Pruitt, and their families,” said plaintiffs’ co-counsel Geri Lynn Green of the Law Offices of Geri Lynn Green in San Francisco. “Law enforcement officers are in a position of great power over ordinary citizens and its very disturbing when they violate our trust. We’re filing this suit to clear our clients’ names and reputations, compensate them for the damage caused by their unwarranted arrest and incarceration, and bring the Sacramento Sheriff Department’s behavior to the attention of the public so that this sort of thing doesn’t happen again.”

The case is *Pruitt v. County of Sacramento*, U.S. District Court for the Eastern District of California, Case No. 2:10-CV-00416-WBS-KJN.

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