

1 JANI I. GOLDSMITH, City Attorney
DONALD R. WORLEY, Assistant City Attorney
2 DONALD F. SHANAHAN, Chief Deputy City Attorney
California State Bar No. 49777
3 Office of the City Attorney
1200 Third Avenue, Suite 1100
4 San Diego, California 92101-4100
Telephone: (619) 533-5800
5 Facsimile: (619) 533-5856
Attorneys for Defendants
6 City of San Diego, William Lansdowne, Boyd Long,
Ariel Savage, Justin Mattly, Christopher Sarot,
7 Daniel Christman, and Bret Righthouse

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 SGT. JAVIER COTA, an individual,	}	Case No. 12cv0998 JAH (WMC)
11 Plaintiff,		
12 v.	}	DECLARATION OF
13 CITY OF SAN DIEGO, CHIEF OF		CHRISTOPHER SAROT IN
14 POLICE WILLIAM LANSDOWNE,		SUPPORT OF DEFENDANTS'
15 SDPD OFFICER ARIEL SAVAGE,		MOTION FOR SUMMARY
16 SDPD OFFICER JUSTIN MATTLY,		JUDGMENT
17 SDPD SERGEANT, SDPD SGT. C.M.	}	
18 SAROT, SDPD LT. DAN CHRISTMAN		
19 SDPD SGT. BRET RIGHOUSE, and	}	
DOES 1-50, inclusive,		
20 Defendants.	}	

20 I, Christopher Sarot, declare as follows:

21 1. I am employed by the San Diego Police Department and hold the rank
22 of Sergeant. If called upon as a witness, I could and would competently testify as
23 to the matters set forth herein.

24 2. On June 4, 2011, I was the supervising Sergeant for Officer Ariel
25 Savage and Justin Mattly.

26 3. At approximately 3:00 a.m. on June 4, 2011, I received a call on my
27 cellular phone from Officer Savage that they had arrested a POA President from
28 Mesa, Arizona, named Javier Cota.

1 4. Officer Savage stated that Cota was requesting to speak to a
2 Supervisor.

3 5. I instructed the Officers to meet me at the Headquarters Sallyport and I
4 would speak to Cota.

5 6. Officers Savage and Mattly informed me of what had occurred.

6 7. I walked over to the patrol car where Cota was seated to talk to him.

7 8. As I got close to the car, it appeared that Cota had passed out as his
8 eyes were closed and his head was leaning up against the door.

9 9. I opened the door making sure Cota did not fall out.

10 10. I immediately smelled an intense alcohol smell emanating from Cota.

11 11. I introduced himself.

12 12. Cota stated that he had been falsely arrested.

13 13. He stated that the officers had no right to stop detain or arrest him.

14 14. I asked him to articulate why he felt this way.

15 15. Cota was unable to give a lucid answer.

16 16. During our conversation, it was apparent Cota was heavily intoxicated.
17 He was slurring, his eyes were bloodshot and he reeked of alcohol.

18 17. Cota's responses to my questions were non-specific. It appeared Cota
19 was unable to form a cognizant response.

20 18. Cota's appearance, demeanor and responses demonstrated to me his
21 level of intoxication placed him at risk for his own safety, as well as others, if
22 allowed to remain free on the streets of San Diego.

23 19. Cota told me that the officers were demeaning to his female
24 companions.

25 20. I asked Cota to tell me specifically what the officers said to the
26 women that was demeaning.

27 21. Cota would not be specific, simply saying that the officers weren't
28 nice to them.

1 22. Cota never stated that the officers had been "hitting on" the women or
2 that he was intoxicated.

3 23. Cota told me that he wanted to talk to my supervisor.

4 24. In response, Lt. Dan Christman went over and spoke with Cota.

5 I declare under penalty of perjury, under the laws of the State of California,
6 that the above is true and correct. Executed this 2nd day of January, 2014, in San
7 Diego, California.

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10 CHRISTOPHER SAROT
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