

HADSELL

STORMER

KEENY

RICHARDSON

& RENICK LLP

128 North Fair Oaks Avenue, Pasadena, California 91103

Tel: 626.585.9600 • Fax: 626.577.7079 • www.hskrr.com

Brian Bilford

Cornelia Dai

Barbara Enloe Hadsell

Virginia Keeny

Gladys Limón

Cindy Pánuco

Josh Piovia-Scott

Randy Renick

Anne Richardson

Radhika Sainath

Reem Salahi

Dan Stormer

of counsel

Traber & Voorhees

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Press Contacts: Anne Richardson/

Radhika Sainath (626) 585-9600; Bert

Voorhees (818) 624-3950

FEDERAL JUDGE RULES COUNTY'S SECRET VIDEO SURVEILLANCE OF WORKERS UNCONSTITUTIONAL!

Los Angeles - A U.S. District Court partially granted L.A. County employees' motion for summary judgment late yesterday, finding that the County violated the Fourth Amendment to the U.S. Constitution and right to privacy under the California Constitution when it installed a hidden video camera in the room where the Department of Public Works (DPW) dispatch employees worked and took their breaks.

"This is an enormous victory, not only for workers throughout California but also around the country under the Fourth Amendment," said Radhika Sainath, an attorney at Hadsell Stormer Keeny Richardson and Renick LLP, who together with the law firm Traber & Voorhees represents the ten workers subject to the surveillance. "At a time when the government is increasingly chipping away at privacy rights, this decision sends a strong anti-Orwellian message: unrestricted spying will not be tolerated."

The County secretly videotaped the ten plaintiffs twenty four hours a day, seven days a week for over two months in the fall of 2008, after it received an anonymous tip that one of the workers was allegedly engaging in misconduct in the dispatch room.

U.S. District Judge Dean Pregerson ruled that the secret video search "was excessively intrusive," that the plaintiffs had an objectively reasonable expectation that they would not be secretly videotaped and that the County's video taping of plaintiffs lacked justification. "The status of being an employee does not carry with it the elimination of personal dignity."

The employees, nine women and one man, filed suit after the County refused to apologize or inform them who had reviewed the tapes. "We knew the County violated our rights, but they still refuse to apologize or admit they did anything wrong," said plaintiff Miriam Mendoza. "It's a shame that it had to get this far," she added.

"It is rare for facts to be so one-sided that a court grants summary judgment in favor of plaintiffs," said Bert Voorhees, a partner at Traber & Voorhees which also represents the plaintiffs. "This Court has put L.A. County and other employers on notice that employees do not give up their rights simply because they work for you. You cannot treat them like your personal property."