

Citizens' Oversight Projects (COPs)

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PRESS RELEASE

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**CITIZENS ARREST SAN DIEGO MAYOR JERRY SANDERS
FOR FELONY EMBEZZLEMENT REGARDING SNAPDRAGON DEAL**

Citizens Demand that District Attorney Indict and Prosecute Sanders for Felony Embezzlement and Demand that the City Council, City Attorney, and Mayor's Office Reach an Appropriate and Legal Deal with Qualcomm regarding Stadium Naming Rights

San Diego (2012-01-30) -- Citizens conducted a "citizens arrest" of Mayor Jerry Sanders for the inappropriate verbal agreement he made with Qualcomm Incorporated – without City Council or City Attorney approval and which has recently rules "void" by City Attorney Jan Goldsmith – regarding the name change of Qualcomm Stadium to "Snapdragon Stadium" to gain publicity of their new “Snapdragon” product.

The citizens included 2010 Congressional Candidate Ray Lutz, recently improperly arrested for registering voters in the Civic Center Plaza; San Diego resident and small business owner Martha Sullivan, and Mike Garcia of La Mesa, who was recently improperly arrested for speaking out at the Mayor's State of the City address and initially charged with felony conspiracy. The group made their demands today at 10 a.m., joined by other activists who held a 100-foot "Crime Scene" yellow tape around City Hall and at the entry of the Mayor's office.

"The Mayor's actions are clearly unlawful," Lutz said. "The City Attorney told the Mayor that changing the name of the stadium was unlawful prior to the name change, but the Mayor went ahead unlawfully, allowing Qualcomm to obtain promotional exposure of their new product 'Snapdragon' before more than 30 million TV viewers, radio listeners, and attendees. Sanders charged Qualcomm a paltry \$1000, far below market rates. Furthermore, the contract was executed after the fact, was embarrassingly brief, and ruled void because it was not approved by the City Council or the City Attorney."

The City Attorney said the independent actions of the Mayor set a bad precedent. However, the City Attorney said concerns of precedent and bad processing could be ignored if the deal was approved after-the-fact by both the City Council and the City Attorney. Council President Tony Young said the City Council would not be taking up the question and so the contract remains void. Thus the alleged verbal agreement was only between Sanders and Qualcomm, certainly not something he is empowered to do.

“The actions of the Mayor are clearly unlawful in terms of the procedures he used to get the contract

approved,” said Martha Sullivan, a City resident and government watchdog. “But more than that, he virtually gave away the promotional exposure to Qualcomm, violating the trust the public puts in the Mayor, and doing nothing to eliminate the red ink on the City's balance sheet. Qualcomm should pay market rates – at least \$125,000 and maybe as much as \$500,000 for the deal. The Mayor must not be allowed to squander the assets of the city or to set the value of naming rights to nearly zero.”

COPS activists assert that there is no doubt that the Mayor is guilty of felony embezzlement and must be arrested immediately, booked, and prosecuted according to the law. “No one is above the law,” they said in unison at the rally, and they chanted “Jail Jerry,” “Arrest Sanders,” and “Snapdragon is a Scamwagon.”

“This is a perfect example of corporate insiders influencing government officials for special deals, extracting the use of public assets for nothing,” Garcia said. “Many say that pension funds are the root of the City's budget problems. But what happens when city officials witness giveaways to corporate benefactors? No one will to speak out because they expect campaign contributions, gifts and project underwriting from Qualcomm executives and stock holders.”

COPS activists called on the City Council, the City Attorney, and the Mayor's office to strike an above-board deal with Qualcomm and charge market rates for the promotional exposure at the stadium. “We want the deal to be done correctly and for all players to agree and complete a contract with an appropriate payment for the use of this public asset,” said Lutz. “Letting Qualcomm get away with a payment of only \$1000 is a slap in the public's face. No wonder this City is hemorrhaging red ink. Qualcomm had better make the deal right or Snapdragon will mean Scamdragon.”

“But even if the deal is made right, that does not excuse the Mayor of his unlawful acts,” Sullivan said. “According to the California Penal Code, even if the deal is made right, that does not excuse a public official of embezzlement. Sanders should be prosecuted to the full extent of the law to send a message to officials that the public will not stand for verbal agreements that give away over \$125,000 to corporate insiders.”

The group of COPS activists submitted a 12-page document to the Mayor, City Council, City Attorney and County DA, and copied State Attorney General Kamala Harris to make sure Mayoral candidate Bonnie Dumanis, the County DA, is not also influenced by Qualcomm to ignore this crime. The document thoroughly describes the evidence against the Mayor, cites the California Penal Code regarding embezzlement and also to allow citizens arrest a felon and even to break down the Mayor's door to conduct the arrest.

“Dumanis should have already arrested Sanders,” Lutz said. “It's too bad that corporate money has corrupted our elected officials from the top to the bottom. Hundreds are arrested for nothing in the town square while crooks at the top are ignored.”

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