



GREGORY D. TOTTEN
District Attorney

NEWS RELEASE

<http://www.vcdistrictattorney.com>

Twitter: @VenturaDAOoffice

Contact: Michael D. Schwartz
Special Assistant District Attorney
Telephone: (805) 654-2719
E-mail: Michael.schwartz@ventura.org
Approved: JLM *MS*
Date: October 12, 2017
Release No.: 17-086

Santa Clara Waste Water Defendants' Civil Lawsuit Dismissed

VENTURA, California – District Attorney Gregory D. Totten announced that the federal court has ruled in favor of the District Attorney and the County, terminating a civil lawsuit arising from the search and arrest of two employees of Santa Clara Waste Water Company.

Dean Poe and David Wirsing were employees of Santa Clara Waste Water and were criminally prosecuted in connection with the company's disposal of hazardous waste that resulted in an explosion at its Santa Paula location. The explosion on November 18, 2014, injured 18 people including 7 first responders. Poe and Wirsing ultimately pled guilty to felony conspiracy and are pending sentencing.

As part of the investigation, a judge issued search warrants for documents at Poe and Wirsing's residences. The warrants were served by peace officer investigators of the District Attorney's Special Response Team, which is specially trained to serve search warrants. Both suspects were later arrested and were strip searched at the jail as part of the booking process.

On January 28, 2016, Poe and Wirsing's attorney held a news conference claiming that District Attorney and Sheriff's officials "tormented" them. Their attorney incorrectly claimed that the search warrants were served by a SWAT team, and that the jail searches violated their civil rights. They later filed a

civil lawsuit in United States District Court, Central District of California, demanding \$27 million. The lawsuit sought damages from the County, the Sheriff, the District Attorney, and other District Attorney personnel.

Attorney Eugene P. Ramirez of Manning & Kass, Ellrod, Ramirez, Trester LLP, represented the county and opposed the lawsuit. On October 10, 2017, District Judge R. Gary Klausner granted the County's motion for summary judgment in its entirety. The court found that the investigators acted reasonably in serving the search warrants. The court relied on audio and video recordings which contradicted the plaintiffs' claims. The court also found no support for the claim that the jail searches were in any way unconstitutional.

The District Attorney viewed this lawsuit as frivolous at the time it was filed and is pleased that a respected jurist terminated the case. In doing so, the court vindicated the professionalism of District Attorney and Sheriff's personnel in the performance of their duties.

###

The Ventura County District Attorney's Office is the public prosecutor for the county's 850,000 residents. The office employs approximately 280 employees including attorneys, investigators, victim advocates, and other professional support staff who strive to seek justice, ensure public safety, and protect the rights of crime victims.

Follow the Ventura County District Attorney's Office on Twitter @VenturaDAOoffice