

Ex-S.F. cop wins suit against Police Department

Henry K. Lee

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A jury awarded \$575,000 on Tuesday to a former San Francisco police officer who had sued the city, saying two colleagues wrongfully arrested him as he jogged in Golden Gate Park, causing him to be fired.

Bret Cornell, 30, said he was jogging on a park path on the morning of July 10, 2010, more than two months after he graduated from the academy. He heard a man say, "I will shoot you!" and turned to see a "dark figure" pointing a gun at him, according to the lawsuit filed in San Francisco Superior Court.

Cornell did not realize until later that the man was Officer David Brandt, the suit said, so he continued running until he stumbled, rolled down a hill and saw uniformed Sgt. Wallace Gin and asked him for help. Gin ordered him at gunpoint to hold up his hands, and Cornell complied, the suit said.

Cornell said he told the officers, "I'm a cop" and identified witnesses that could confirm that he had been jogging. But the officers arrested him for resisting and seized his duty gun from his parked Ford Bronco, his handcuffs from his pants and his star and police identification, the suit said.

Cornell was fired two days later, according to the lawsuit, which alleged assault, battery and false imprisonment. No charges were ever filed against Cornell.

After a six-week trial, the jury determined that police did not have a reasonable suspicion to detain Cornell and ordered the city to pay \$575,231, said his attorney Michael Haddad.

"This is a complete vindication of Bret Cornell, and this just goes to show that nobody's immune from police misconduct, even another police officer," Haddad said.

Matt Dorsey, a spokesman for City Attorney Dennis Herrera, noted that the plaintiff had sought \$5 million. "But we're still disappointed with the outcome," and city officials are mulling an appeal, he said.

In police reports, Brandt and Officer Richard Bodisco wrote that Cornell spotted their marked police car and had a "look of worry" on his face after emerging from some bushes near the top of the park known as Hippie Hill, a high-crime spot.

When the officers appeared to be leaving the area, Cornell "turned back and started walking back toward the direction in which we initially observed him," Brandt wrote. After he was detained, Cornell claimed his SUV was near Stow Lake when it was parked more than a mile away at the Conservatory of Flowers, police said.

Haddad said his client, who has served with the U.S. Coast Guard in Iraq, had been winded after running 4 miles and that he likely had a "look of exhaustion" on his face because he had been jogging after working an overnight shift.

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