



NEWS RELEASE

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JURY FINDS STATE OF CALIFORNIA RESPONSIBLE FOR WRONGFUL DEATH OF DETAINEE FRANCISCO CASTANEDA; AWARDS \$1.73 MILLION

A Los Angeles County Superior Court jury Wednesday found the state of California liable in the wrongful death of Francisco Castaneda, a prison detainee who died of a metastasized cancer that began as a lesion on his penis that state prison and medical officials had refused to treat.

Concluding a 13-day trial, the jurors awarded \$1.73 million to Castaneda's daughter, who said the state's neglect had deprived her of a promising future with her father. About \$230,000 of the award is for economic damages, such as past medical expenses for Castaneda.

"I am so happy the jury understood what the state had done," said Vanessa Castaneda, 17, Francisco Castaneda's only child. "When they came in with the verdict, I just felt that they were voting for justice."

Francisco Castaneda was in state custody between December 2005 and March 2006, first in Delano, Calif., and then in San Diego. Officials at both facilities ignored medical personnel's calls for a biopsy to determine if Castaneda's worsening condition was caused by cancer.

Castaneda got the procedure on his own after his release from detention in February 2007. By then, it was too late. His penis was amputated and he began a round of chemotherapy in a futile attempt to stop the spreading cancer. Castaneda, 36, died at his home in February 2008.

"We are extremely gratified with this verdict," said Conal Doyle, co-lead counsel on the team of Public Justice attorneys representing Vanessa Castaneda. "Finally, after three years of the state denying responsibility, a jury of Vanessa's peers found that the state killed her father and recognized the tremendous loss with a full and fair verdict."

Public Justice, the Washington-based national public interest law firm, had maintained that the state could not argue that it was unaware of Castaneda's need for immediate medical care when its own employees had requested it.

Medical experts testified that Castaneda would be alive today had his cancer been diagnosed and treated while in the state of California's custody.

In addition to Doyle, Public Justice's legal team included co-lead counsel Adele Kimmel of Public Justice, and co-counsel Thomas M. Dempsey of Los Angeles and Public Justice Goldberg Attorney Amy Radon.

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Public Justice is America's public interest law firm, supported by – and calling on -- a nationwide network of more than 3,000 of the nation's top lawyers to pursue precedent-setting and socially significant litigation. It has a wide-ranging litigation docket in the areas of consumer rights, worker safety, civil rights and liberties, toxic torts, environmental protection, and access to the courts. Public Justice is the principal project of the Public Justice Foundation, a not-for-profit membership organization headquartered in Washington, DC, with a West Coast office in Oakland, California. The Public Justice web site address is www.publicjustice.net.