



Written by [Bruce Walker](#) on October 19, 2010

San Diego Firefighters Exonerated in Gay Pride Parade Case

Four San Diego firefighters won a court battle in the California Court of Appeal for the Fourth Appellate District when the court upheld a jury verdict at the trial court level against the city compelling the firefighters to participate in San Diego's 2007 Gay Pride Parade.

City firefighters said that they had been subjected to obscene gestures, catcalls, and other offensive sexual conduct during the parade. Fire Captain John Ghiotti, a 28-year veteran, said that in the past he had been subjected to the emotional trauma of burned families, injured colleagues, and similar pressures, but "I've never been so stressed out before as in this incident."



Joseph Infranco, senior counsel for The Alliance Defense Fund, which supported the litigation by the firefighters, responded to the ruling: "We hope this ruling will end the city's attempts to defend its act of compelling people to participate in sexually-charged events against their moral and personal convictions." He warned, "If not, we are prepared to defend the firefighters all the way to the California Supreme Court." He noted that the sexually explicit nature of the conduct by some parade participants could not be repeated in polite company.

Charles S. Limandri, West Coast Regional Director of the Thomas More Law Center and also an attorney for the Alliance Defense Fund, contended, "Government employees should never be forced to participate in events or acts that violate their sincerely-held beliefs." The appellate court ruling, unless reversed on appeal, would be precedent for that legal position. There was no indication whether the city would appeal.

The appellate court, in its ruling, found that there was "substantial evidence to support a finding that the sexual harassment experienced by the Firefighters during the Pride Parade was severe and pervasive, thus altering the conditions of employment and creating a hostile or abusive work environment." The trial court had awarded damages to the firefighters and attorneys' fees for the costs of the litigation, but Infranco emphasized that the lawsuit was not about money; rather, the purpose of the litigation was to prevent other city employees from being compelled to be subjected to conduct which they find morally offensive.

Photo: Fit for firefighters? Dancers from the Super Sonic Samba School perform during the 23rd annual San Diego Lesbian and Gay Pride parade in San Diego: AP Images



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