

1 **MICHAEL A. CONGER, ESQUIRE (State Bar #147882)**
2 **LAW OFFICE OF MICHAEL A. CONGER**
3 16236 San Dieguito Road, Suite 4-14
4 **Mailing:** P.O. Box 9374
5 Rancho Santa Fe, California 92067
6 Telephone: (858) 759-0200
7 Facsimile: (858) 759-1906

8 Attorney for Plaintiff Alison N. Terry

9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11	ALISON N. TERRY,	)	CIVIL NO. 06-CV-1459 JAH(CAB)
12	Plaintiff,)	
13	v.	)	DECLARATION OF ERIN SNOW-
14	CITY OF SAN DIEGO, and DOES 1-20,	)	CREAGAN IN SUPPORT OF
15	Defendants.	)	PLAINTIFF'S OPPOSITION TO
16		)	DEFENDANT CITY OF SAN
17		)	DIEGO'S MOTION FOR
18		)	SUMMARY JUDGMENT
19)	
20		)	Judge: Hon. John A. Houston
21		)	Courtroom: 11m 2 nd Floor
22		)	Date: October 9, 2008
23		)	Time: 2:30 p.m.
24		)	Complaint filed: June 20, 2006

19 I, Erin Snow-Creagan, declare as follows:

20 1. I am a former employee of the City of San Diego ("City"). I have personal
21 knowledge of the matters stated herein and if called to do so could testify competently thereto.

22 2. I was employed by the City as a Lifeguard I from 1999 through 2003. I left
23 because women were treated so poorly compared to male lifeguards, including denial of training
24 opportunities need to apply for promotion and participation of lifeguard management in sexual
25 harassment and retaliation. I was very, very, disappointed to leave my job because I wanted to
26 make a career of being a lifeguard.

27 3. For example, I needed a main watch tower certification in order to apply to be
28 promoted to Lifeguard II. However, I repeatedly was denied training and testing opportunities

1 and watched as less senior male Lifeguard I received these opportunities easily.

2 4. I was often sexually harassed by my superiors, complained, and nothing was done.
3 Among the chief offenders were Sargent Casey Owens who, in the presence of other lifeguards
4 told me he had masturbated and placed his semen in my conditioner and used my loofah sponge
5 to clean his anus daily. (Lifeguards have shower facilities at work.) On another occasion a
6 Lieutenant (I never found out which one) participated in a rating which female lifeguards had the
7 "best tits." I found out about this because I was congratulated for winning the "best tits" contest.
8 On other occasions my male supervisors were not disciplined for using the term "Code Red" to
9 describe a female lifeguard who needed a break to use the restroom, a reference to the female
10 menstrual cycle. And I was frequently called a "bitch" by and in the presence of supervisors and
11 nothing was done except further poor treatment and retaliation.

12 5. Among those I complained to was Kate Jackson. She told me that I would just
13 have to learn to accept the lifeguard service as it was, as she had. She told me that in order to get
14 better ratings, I should just laugh off the harassment. She also recommended that I wear non-
15 standard uniform including a t-shirt and shorts (which was impossible because I needed to be in
16 my standard one-piece swimsuit to make water rescues) to cover up my "voluptuous body." She
17 told me this was the only way to get better ratings. When I told her about what Sargent Owens
18 had done, she said: "This is not about them, it is about you."

19 6. Each year, all lifeguards receive a performance review and a performance rating.
20 Until 2003, the highest rating was "outstanding." I was aware that receiving less than an
21 outstanding rating would make promotion difficult if not impossible. My Lifeguard I peers were
22 also aware of this.

23 7. Although I was very interested in trying to promote to Lifeguard II, I was never
24 told about taking courses called PC832 or SRT1 or SRT2.

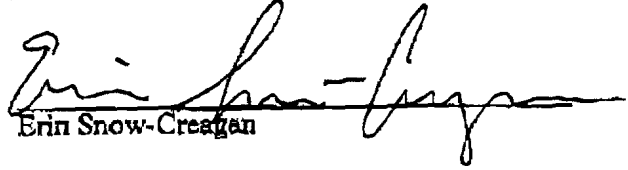
25 I declare under penalty of perjury under the laws of the State of California that the
26 foregoing is true and correct.

27 ///

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Executed this 19th day of September, 2008, at Boise, Idaho.


Erin Snow-Creagan