

Police Officer Demands Retraction



Her Attorneys Describe Newspaper Series as “Offensive, Irresponsible, and Tortuous”

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Almost three weeks after a five-part series was published by the *Santa Barbara News Press* written by freelance journalist Peter Lance who scrutinized police officer Kasi Beutel’s DUI arrest practices, Beutel has formally requested that large portions of the articles be retracted. In a letter hand-delivered to the *News-Press* Monday evening, her new lawyers — Santa Barbara attorneys David Nye and Jonathan Miller — demanded that the daily “publish all retractions the paper deems appropriate.”

“The ultimate purpose [of requesting a retraction] is to try to undue some of the harm that’s already been done,” Nye said.

Lance’s 19,000-word series made a splash in political and law enforcement circles last month when it was published on the front page of the *News-Press* for five consecutive days from June 22 to 26. Lance — who was arrested by Officer Beutel on New Year’s Day 2011 for allegedly driving under the influence of alcohol — is awaiting trial in his DUI case. An unrelated DUI case in which Beutel is the primary witness has [since been declared a mistrial](#) due to pretrial publicity surrounding the *News-Press* series.

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Characterizing the series as “offensive, irresponsible, and tortuous,” Nye and Miller called attention to five specific allegations against Beutel, including Lance’s claims that Beutel had overstated the number of DUI arrests she made in 2009, lying and withholding evidence in her police reports, forging signatures, and committing fraud and perjury in her personal life. According to Nye and Miller, Beutel could not “legally or ethically” defend herself against Lance’s allegations because she was the primary witness in Lance’s pending trial, thus exacerbating Lance’s conflict of interest in writing the series. Beutel’s lawyers also accused the *News-Press* of “actively [participating]” in Lance’s allegedly biased investigation by enlisting one of its employees to interview Beutel under false pretenses.

The *News-Press*, however, is fully supportive of Lance’s series and the decision to publish it. “[The retraction request] letter contained factual misstatements, inaccuracies and false charges,” reads a statement issued by the paper Wednesday evening. “Not once, in the entire letter, which contained thirty-five pages of attachments, did Officer Beutel’s attorneys Nye, Peabody, Stirling Hale & Miller, offer any credible evidence that disproved a single allegation in the series.”



Paul Wellman (file)

Peter Lance

“Based on the assertions made by officer Beutel’s attorneys, the *Santa Barbara News-Press* finds no basis for a retraction,” the statement continues. “We have the utmost respect for the men and women who put their lives on the line every day to serve and protect our community. However, we will not bury our heads in the sand and pretend all is well in paradise, censor the news, or refuse to ask difficult questions of those who are sworn to protect us.” (Read the entire statement [here](#).)

Under civil law, the *News-Press* has until August 1 to issue a retraction before Beutel can take further action. According to Nye, Beutel will likely file a defamation of character lawsuit if the paper declines to issue a retraction, although he added that she is “still exploring her options.”

If Beutel files a defamation suit, the *News-Press* may respond by filing an anti-SLAPP (Strategic Lawsuits Against Public Participation) suit, designed to protect the media’s First Amendment right to serve as a

watchdog of public institutions.

At the same time, Lance has accused *Indy* Executive Editor Nick Welsh of committing “defamatory libel” in Welsh’s June 30 “Angry Poodle” column, which scrutinized Lance’s *News-Press* series. Lance has requested that *The Independent* issue a retraction of some of Welsh’s statements. *The Independent* is looking into Lance’s claims.