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## Suit: Huntington Beach police covered up rape

May 17, 2010 | BY ANNIE BURRIS

HUNTINGTON BEACH – A woman has filed a lawsuit against the city of Huntington Beach, alleging that the Police Department and the police chief tried to cover up abuse including rape and sodomy by her ex-boyfriend, a former police officer.

The suit filed May 6 in Orange County Superior Court also alleges assault, battery, false imprisonment, stalking, intentional infliction of emotional distress and deprivation of civil rights by former boyfriend, James Roberts III.

Roberts was arrested in September and charged with 20 felony counts, including rape and forcible sodomy. He pleaded not guilty to all of the charges and a preliminary hearing is set for June 28.

Roberts' attorney John Barnett was not immediately available for comment about the lawsuit.

The Huntington Beach Police Department [fired Roberts in April after an internal investigation](#). Police Chief Ken Small said the police department has not yet been served with the lawsuit.

"If there is a claim that I specifically covered anything up, it is untrue and has no merit," he said in an e-mail to The Orange County Register.

Roberts' former wife also filed a lawsuit against the city in November including allegations of rape, destruction of furniture and a family picture, and assault in front of the couple's son.

The Orange County Register is not identifying the girlfriend or wife because they could be victims of sexual assault.

The girlfriend said she was abused by Roberts from 2006 to 2008, according to the suit.

The suit alleges that the abuse was not properly reported to the city council, the police department was negligent in supervising Roberts, and 911 calls about the abuse were not followed up on.

In the suit, the ex-girlfriend says she went to Roberts' home in July 2007 because he "claimed that his life was over" and "sounded suicidal." When she arrived she found that the home was damaged and he sodomized her.

The ex-girlfriend said she tried to report the abuse to a police watch commander in March or April 2008, but was later told that there was no record of her report, according to the suit.

About a month after her report with the watch commander, the suit claims that Roberts grabbed her face in a downtown alley in Huntington Beach and tried to kiss her. He apologized later and asked her to come to his apartment.

According to the ex-girlfriend, he choked her at the apartment, putting his knee on her chest and covering her mouth. He then raped her. Afterward she tried to escape and he "violently tackled her to the ground," according to the lawsuit.

At one point he threatened to send intimate pictures of her to her parents.

The lawsuit also listed abuse including incidents when she was grabbed and pushed up against a glass wall at a mall in Newport Beach, he went to her apartment in the middle of the night and banged on her door and threw rocks at the window, and he continually harassed her with calls and text messages.

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*The Irvine Law Firm of Brown & Charbonneau, LLP  
is representing the victims*