

\$200,000 judgment awarded ex-deputy

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A former sheriff's deputy has won a \$200,000 judgment against the county, with jurors finding that his First Amendment rights to free speech had been violated by Sheriff John Duffy.

The jury is scheduled to begin deliberations Monday to determine whether Duffy should be made to pay punitive damages to John DeAngeles, now a lieutenant for the Coronado Police Department. It could be the second time in as many years that punitive damages have been imposed on Duffy.

In 1988, the American Civil Liberties Union, representing Common Cause, won \$36,000 from Duffy after filing suit to stop him from using deputies to distribute post cards calling for the resignation of then California Chief Justice Rose Bird.

The county Board of Supervisors, which is responsible for bills incurred by the department, refused to pay, saying Duffy was personally at fault because his activities had been outside the scope of his responsibilities as sheriff.

Duffy borrowed the money from three friends and later was investigated by the Fair Political Practices Commission for not reporting the loans on campaign disclosure forms.

The sheriff, whose department was severely criticized in two recent grand jury reports, announced earlier this year that he would not run for a sixth term. Duffy, who says he has been hounded out of office by the media, could not be reached for comment yesterday.

The verdict marks the second time in less than a month that a jury has found the department guilty of a civil rights violation.

Three weeks ago another San Diego jury concluded that the department had written or unwritten policies that violated the civil rights of individuals and awarded \$1.1 million to Jim Butler, a former Catholic priest who said he was beaten in the Vista Jail.

"I think this verdict shows that juries are simply incensed by the activities of the Sheriff's Department," said Michael Crowley, Butler's attorney. "These are just average people and there's no way for the sheriff to blame it on the press or blame it on agitators or blame it on criminals.

"This department is run like a political boss organization with a lack of procedures and standards and juries are incensed by it."

DeAngeles, a former sheriff's sergeant, was once thought to be on his way to higher rank in the department.

However, he was fired from his teaching job at the Sheriff's Training Academy after testifying for another deputy at a Civil Service Commission hearing several years ago. That deputy, Benny Cruz, was reinstated when the commission decided he had been fired unfairly.

The next day, DeAngeles said, he was called into his captain's office and told, "You're a good deputy, but you're finished in this department."

DeAngeles told the jury that he finally quit after a year of harassment, during which he lost his teaching position and was investigated constantly by the department's Internal Affairs Division.

"By the time he left, there were two internal affairs investigations against him. A two-day suspension and a recommendation for termination were pending," DeAngeles' attorney, Tom Laube, told the jury.

County defense attorney Cheryl Geyerman yesterday declined to comment on the verdict.

The three-week trial included a one-hour appearance by Duffy, who told the jury he was aware of the investigations but said he did not personally order them.

Other department officials who testified accused DeAngeles of teaching the use of excessive force, condoning foul language and being guilty of a litany of minor offenses such as letting a deputy use a department typewriter to write a love letter.

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Abstract (Document Summary)

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