

Duffy agrees to initiate jail reforms | Sheriff promises to implement grand jury report

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Sheriff John Duffy -- out of town when the county grand jury released a stinging report documenting systematic abuse of jail inmates by deputies -- pledged yesterday to implement all of the panel's recommendations to correct the problems.

And, through a spokesman, the sheriff said he agreed with everything contained in the report.

Duffy, however, secluded himself with his top commanders and refused requests by The San Diego Union for an interview.

However, department spokesman Lt. Alan Fulmer said the sheriff had "reviewed all of the information in the grand jury report and there is absolutely nothing he disagrees with."

"He's going to be meeting today with all of his jail captains to discuss the report," Fulmer continued. "He wants to get the show on the road as soon as possible. He thinks all the recommendations are good and he would like to implement them as soon as possible."

Fulmer said Duffy next week would release a statement outlining how he will implement the jury's recommendations. He added that the sheriff will respond to the jury's report well within 60 days, as required by law.

Grand jurors made 11 recommendations ranging from the creation of an Inspections and Control Division to one calling on the the sheriff to re-assert "his personal leadership over jail operations."

Other recommendations called for strengthening the department's Internal Affairs Division, the filing of detailed reports of physical confrontations between inmates and deputies, and the tightening of standards for the selection and performance of all jail training officers.

Fulmer said Duffy is eager to establish the Inspections and Control Division. "We put that in the budget last year," Fulmer said. "We're the only major (law enforcement) department that doesn't have one."

Fulmer said inspectors from the division would audit jail books and files and inspect the facilities on a routine basis to make sure the facilities comply with all rules and procedures.

Fulmer conceded that it would take money to create and staff the inspections division to strengthen internal affairs, and said he hoped county supervisors would cooperate by allocating funds to accomplish the department's goals.

"That reaction is very positive," said Steve Casey, special assistant to District Attorney Ed Miller.

"The district attorney was appreciative of the efforts of the grand jury and supportive of its findings. I'm sure he'll be glad to know the sheriff intends to implement the findings. The implementation cannot but help improve the situation in the jails."

Grand jury foreman Armistead B. Smith Jr. said Duffy's response was "welcome to the grand jury." The panel, he added, will "continue to be intimately involved (in overseeing) the jails and will closely monitor the implementation of the recommendations."

The news of Duffy's willingness to cooperate was met with a mixture of surprise and cautious skepticism by critics, most of whom said the jury's recommendations do not go far enough.

Betty Wheeler, legal director of the ACLU, renewed her call for an independent review board to address all complaints made against the Sheriff's Department. She said it is "inherent that any time review is only internal it is subject to manipulation and a lack of accountability."

Wheeler said how the jury's recommendations are "implemented and the degree to which the procedure continues to be scrutinized will be the determining factor."

"We've heard it all before," said Michael Crowley, a San Diego attorney who represents jail inmates. "This dramatic switch from years of denial and neglect is a first step in the right direction, if sincere.

"But given the past track record, we should watch very closely to make sure the sheriff stays true to his word."

Crowley added that the sheriff's pledge to correct the situation in the jails comes too late for many individuals who allege they were brutalized by deputies. "It's a shame it took so many injuries and the ruining of so many lives to force the sheriff to make these changes," he said.

The jury's report was released Tuesday, when Duffy was in Long Beach attending a three-day California State Sheriff's Association annual conference.

The 20-page document was the result of a nine-month probe, requested by the county Board of Supervisors after stories of alleged abuse in the jails appeared in The Union.

During a six-month period last year, The Union was told by more than 100 men and women that they were beaten, chained, stripped and held naked in a county jail after being arrested for misdemeanor infractions, usually alcohol related.

The stories also resulted in an investigation by the FBI into alleged violations of civil rights. That investigation ended last month when the FBI and the U.S. attorney's office decided that in 70 of 72 cases there was not enough evidence to warrant prosecution.

However, the grand jury's report, conducted in its role as a watch-dog of the jails, detailed systematic persecution of inmates by deputies, and put the blame squarely on the shoulders of Duffy.

No indictments were returned and the report made it clear that the majority of deputies do a good job.

However, the jury cited coverups and mismanagement by jail supervisors and said many deputies simply looked the other way while inmates were being abused and harrassed.

The report was particularly critical of operations as the El Cajon jail, saying a "Rambo Squad" operated on the late night shift, trashing cells and inmates belongings and rousting inmates for harassment and physical abuse.

According to the report, the problems continued even after some deputies stepped forward to complain to their supervisors.

"Senior officers ... concentrated on questioning the credibility of the complainants, including members of their own department, rather than undertaking a search for the truth," the report said.

The five county supervisors could not be reached for comment yesterday.

But, Nancy Allen, executive assistant to 5th District Supervisor John MacDonald, said discussion of the grand jury report has been placed on the April 4 board agenda.

"I think it's very encouraging that the sheriff wants to do what he can to straighten out the situation," Allen said. "We don't have any dollar figures but I know the board will do as much as it can and has indicated that it is eager to work with the sheriff.

Jim Butler and Judy Hejduk, both of whom allege they were beaten at the Vista jail several years ago, were less optimistic.

"Seeing is believing," said Butler, a former Navy chaplain who lives in Vista. "I'm very skeptical in view of what happened in 1975 (when a grand jury issued a similar report about jail abuse). Until we have a review board in place as a check and balance, nothing will really be accomplished and the people will not be really protected."

Hejduk, an airline stewardess from Cardiff, also referred to the 14-year-old report.

"I didn't see it happen then," she said. "I don't think Duffy answers to anyone and he's aware of it. I personally am waiting for him to re-examine his conscience and resign."

Credit: Staff Writer

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