

U.S. jail probe to begin this month

[2,3,5,6,4,1 Edition]

The San Diego Union - San Diego, Calif.

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Date: Jan 10, 1991

Start Page: B.3.5.6

Section: ZONES

Text Word Count: 797

Document Text

Head Varies | Editions Vary

Investigators from the Justice Department in Washington expect to begin their civil rights probe into treatment at San Diego County jails by the end of the month, according to sheriff's officials.

Assistant Sheriff Mel Nichols said he was given that information in telephone conversations with the assistant U.S. attorney handling the case for the civil rights division of the Justice Department.

County officials were informed in a letter last week that the civil rights division intended to investigate the county's troubled jail system to determine if inmates' rights had been violated and if the health care system is adequate.

This will be the fourth major investigation into alleged abuses in the jails in less than three years and Nichols confirmed that it is a continuation of an FBI probe two years ago into 70 cases of alleged abuse of inmates by deputies.

"My understanding from my conversations with the U.S. attorney handling the investigation back in Washington is that the review is an outgrowth of those 70 cases," Nichols said.

But those cases weren't the only factors to prompt the further review, Nichols indicated. Federal authorities also were swayed by three county grand jury reports and newspaper reports that confirmed abuse of inmates and lack of adequate medical care in the jails.

Though none of the grand jury reports found evidence of criminal wrongdoing, the FBI investigation did result in assault charges against one deputy. That deputy was eventually indicted and tried for allegedly beating a mentally ill handyman in front of a Vista home but was found not guilty. In other cases, the FBI said it was unable to find enough evidence to prove criminal wrongdoing.

"Now it's being picked up by the Justice Department's Civil Rights Division, and they're looking at those cases from the standpoint of violations pursuant to federal (civil rights) codes," Nichols said.

"We have always fully cooperated," said Nichols, who was the former commander of all the jails under former Sheriff John Duffy. Nichols was promoted Monday to assistant sheriff in charge of personnel and special operations by new Sheriff Jim Roache.

He said Justice Department officials have "indicated they want to sit down and talk about medical, mental health, sanitation, environmental health, inmate abuse -- all the things they indicated in their letter. They'll probably bring in their own experts."

News of the latest probe was well received by civil rights lawyers and victims who say they were abused by deputies in the jails. Most added, however, that they hoped it would not be "another whitewash."

Deputies, on the other hand, will probably feel "beleaguered," said Connie McKenzie, one of two deputies accused of assaulting a schoolteacher at the Vista jail nearly four years ago.

A Superior Court jury last year awarded the teacher, Kimberlee Bryant, \$332,000 after concluding that her constitutional rights had been violated by McKenzie and another female deputy when she was stripped naked and confined in a padded cell. Bryant had been arrested on suspicion of drunken driving.

McKenzie said she has letters from the Civil Rights Division of the Justice Department informing her that its investigation into allegations about her was closed a long time ago.

McKenzie maintained that she lost the case through a combination of poor legal assistance and a jury that had been influenced by negative publicity about the Sheriff's Department.

Since the verdict, she has become something of an activist for deputy rights and has tried to convince the county to upgrade the quality of the legal services provided to deputies.

"This will be seen as one more witch hunt by the citizens of San Diego against deputies," she said.

However, Jim Butler, a Vista man who won \$1.1 million from a Superior Court jury after he alleged he was beaten by deputies at the Vista jail, said he hoped the latest investigation would be "less of a whitewash" than the one the FBI conducted two years ago.

"There are numerous people, myself included, who suffer and continue to suffer from the abuses they've received at the hands of deputies," Butler said. "I just hope these people who have done these things will finally be brought to justice."

His attorney, Michael Crowley, said he was happy to hear about the new investigation. But, he added, "If it's just another whitewash, it could do more harm than good."

Nichols said he did not believe the investigation would center on allegations of individual wrongdoing but would be an analysis of the system and what could be done to improve it.

He added that he believed many improvements have been made since a grand jury report two years ago confirmed that abuse of inmates was widespread and that medical care in the jails bordered on "primitive."

Credit: Staff Writer

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Abstract (Document Summary)

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