

REMARKS OF COMMISSIONER CARLOS MORENO
Hearing of Citizens' Commission on Jail Violence
September 28, 2012

Thank staff and fellow commissioners for their dedication and efforts to address the problem of violence in our jail system. Many many hours of volunteer time has gone into these proceedings and for that the citizens of this County should be very grateful.

I hope our efforts are not in vain. Truly, I don't. I have great respect for our public servants, in and out of law enforcement, and commend the Board of Supervisors fortaking the initiative, yet one more time, to address this critical problem so vital to our system of justice - a system that I feel keeps our democracy safe, protects our physical well-being, while respecting the rights of all citizens. We will never be a perfect society, but we should never retreat from that aspiration.

Although I have been involved with the justice system for almost my entire career, and as a judge and city prosecutor came in regular contact with hundreds if not thousands of law enforcement personnel and persons accused and convicted of crimes, I have learned a great deal about our jail system while serving on this Commission – perhaps more than I wanted to know.

Our jails present a very difficult and unique scenario for those who work there and for those who are incarcerated there – they are overcrowded, staffing is wanting, the facilities are outdated, and many of the inmates are very dangerous and many suffer from severe mental disorders.

That said, what struck me is that these problems are not new, they are of long standing, but they are not irresolvable. Prior efforts and studies and reports have come before us to address these same problems, made many of the same recommendations, faced the same obstacles, - some were implemented but regrettably, most were not. We still need answers to these problems.

In one sense, I take some comfort that our findings are consistent with what has been said before; I take comfort that what we have heard in these chambers is consistent with what has been previously reported, both anecdotally as well as in the statistical evidence and in the reports of experienced corrections experts. So I think our Report in all its parts has been validated because it has that certain "ring of truth" that makes our recommendations all the more reasonable.

Without commenting on specific recommendations, since the Report speaks for itself, I just want to say that most disappointing for me, as a former judge, has been the lack of quality control in collecting inmate complaints against deputies, whether founded or unfounded, adjudicating those complaints, tracking them, and taking the appropriate

action where action is warranted. It is a system designed to fail and designed to withhold accurate information from those supervising our jails, and results in the presentation of false and misleading information to our courts which depend on the integrity of law enforcement to comply with certain disclosure requirements. And in this day and age of technology, there is absolutely no reason why such information should not be readily obtainable, even if not ultimately disclosed.

We all suffer when we do not have an accurate assessment of what's going on in our jails. It diminishes the integrity of our justice system.

The Sheriff and his staff appear to be trying, but they simply must try harder. Whatever it takes, whatever it takes, I know the Sheriff will have my full support, and I hope the full support of this Commission.

But we can all agree that the time for action is long past due; otherwise, and I don't welcome this, we may shortly see the jails being run by one of our former colleagues on the federal bench.