

LA COUNTY CITIZENS' COMMISSION ON JAIL VIOLENCE



# MEETING TRANSCRIPT

**Unedited Draft Partial Transcript of Witness  
Testimony from CCJV meeting held on  
May 14, 2012 – DRAFT**

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**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2

3 **HON. LOURDES BAIRD, CHAIR:** WE WILL CALL THIS MEETING TO ORDER.  
4 THE FIRST ITEM ON OUR AGENDA IS THE APPROVAL OF THE APRIL 16,  
5 2012 MEETING MINUTES. IS THERE A MOTION TO APPROVE THE  
6 MINUTES?

7

8 **SPEAKER:** SO MOVED. SECOND?

9

10 **SPEAKER:** SECOND.

11

12 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. ALL IN FAVOR? [CHORUS OF  
13 AYES] OPPOSED? MOTION IS GRANTED. AND WE'LL MOVE ON TO THE  
14 NEXT ITEM. THE REPORTS AND THE UPDATES BY MS. KRINSKY AND MR.  
15 DROOYAN.

16

17 **MS. KRINSKY:** THANK YOU, GOOD MORNING, COMMISSIONERS. LET ME  
18 UPDATE YOU AS TO THE ACTIVITIES SINCE OUR APRIL 16TH MEETING.  
19 AGAIN, WE CONTINUE TO BE IN THE FULL BLOWN STAGES OF THE  
20 INVESTIGATORY WORK AND THROUGH THE EXECUTIVE DIRECTOR'S OFFICE  
21 WE'VE CONTINUED TO SUPPORT THE ADMINISTRATION, THE MANAGEMENT  
22 AND THE COORDINATION OF THE WORK OF THIS COMMISSION, AS WELL  
23 AS WORKING CLOSELY WITH THE GENERAL COUNSEL. AND HE'LL BE  
24 REPORTING ON INVESTIGATORY WORK THAT'S BEEN AFOOT. WE HAVE  
25 CONTINUED TO COORDINATE THE REQUEST FOR DOCUMENTS, THE

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1 MANAGEMENT OF DOCUMENTS, REPORTS AND OTHER MATERIALS THAT  
2 WE'VE RECEIVED OVER THE COURSE OF THE PAST MONTH. I BELIEVE AT  
3 THIS POINT WE NOW HAVE MANY THOUSANDS OF PAGES OF MATERIALS  
4 AND LITERALLY HUNDREDS, IF NOT THOUSANDS, OF DOCUMENTS THAT  
5 WE'VE RECEIVED FROM THE SHERIFF'S DEPARTMENT, AS WELL AS OTHER  
6 SOURCES OF INFORMATION. WE'RE CONTINUING TO COORDINATE THE  
7 INTERVIEWS OF THE VARIOUS WITNESSES, BOTH THE WITNESSES THAT  
8 ARE BEING INTERVIEWED BY OUR INVESTIGATORY TEAMS, AS WELL AS  
9 THE EXPERT WITNESSES THAT I'LL TALK ABOUT IN A MINUTE. WE'RE  
10 NOW AT THE POINT WHERE NEARLY 60 INDIVIDUALS HAVE BEEN EITHER  
11 INTERVIEWED OR ARE SCHEDULED TO BE INTERVIEWED, AS WELL AS  
12 ANOTHER IN EXCESS OF 20 INDIVIDUALS WHO HAVE BEEN INTERVIEWED  
13 WHO ARE EXPERT WITNESSES IN A VARIETY OF AREAS. WE ARE  
14 CONTINUING TO ENDEAVOR TO LEARN FROM APPROACHES AND PRACTICES  
15 THAT EXTEND BEYOND OUR COUNTY LINES TO ENLIGHTEN OUR THINKING  
16 AND ENABLE US TO HAVE THE BENEFIT OF STATE AS WELL AS NATIONAL  
17 BEST PRACTICES AND STANDARDS. SO TO THAT END, THROUGH MEMBERS  
18 OF THE EXECUTIVE DIRECTOR'S OFFICE, WE'VE BEEN RESEARCHING AND  
19 SUMMARIZING NATIONAL STANDARDS AS WELL AS PRACTICES AND/OR  
20 SECONDARY SOURCES. WE'VE LOOKED AT THE AMERICAN BAR  
21 ASSOCIATION STANDARDS FOR THE TREATMENT OF PRISONERS THAT HAS  
22 A VARIETY OF PROVISIONS DEALING WITH SOME OF THE AREAS THAT  
23 THIS COMMISSION IS STUDYING. WE'VE LOOKED AT STANDARDS OF THE  
24 AMERICAN CORRECTIONAL ASSOCIATION AS WELL AS THE NIC, THE  
25 NATIONAL INSTITUTE OF CORRECTIONS. WE'VE HAD PHONE INTERVIEWS

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 OF NEARLY HALF OF THE OVER FOUR DOZEN EXPERT WITNESSES WHO  
2 MANY INDIVIDUALS HAVE HELPED US IDENTIFY OR WHO HAVE WRITTEN  
3 SOME OF THE TREATISES THAT WE'VE BEEN LOOKING AT. AND I'VE  
4 ALSO SPOKEN IN PERSON WITH MORE THAN 30 INDIVIDUALS FROM OTHER  
5 PARTS OF THE COUNTRY WHO HAVE PERSPECTIVE IN REGARD TO HOW ONE  
6 THINKS ABOUT RUNNING A JAIL FACILITY, HOW ONE THINKS ABOUT USE  
7 OF FORCE STANDARDS AND PRACTICES AND HOW ONE CRAFTS BEST  
8 PRACTICES IN REGARD TO ACCOUNTABILITY OR INDEPENDENT  
9 MONITORING MEASURES. WE HOPE, DEPENDING ON WHAT THE  
10 COMMISSION'S WISHES ARE, THAT AT SOME POINT IN A FUTURE  
11 MEETING THAT WE'LL ALSO HAVE THE OPPORTUNITY TO PRESENT TO YOU  
12 SOME OF THE BEST THINKING AND SOME OF THOSE VOICES FROM  
13 OUTSIDE OF LOS ANGELES, AGAIN IF THE COMMISSION DEEMED THAT TO  
14 BE SOMETHING THAT WOULD BE USEFUL. AS I MENTIONED AT THE PAST  
15 MEETING, I THINK IT'S ALSO TREMENDOUSLY HELPFUL TO THE EXTENT  
16 WE'RE TRYING TO COMPARE AND CONTRAST TO OTHER LARGE SYSTEMS,  
17 TO HAVE THE OPPORTUNITY TO SEE THOSE FACILITIES IN PERSON. SO  
18 ON MAY 9TH, I'M SORRY, MAY 8TH, LAST WEEK, JULIE QUINN ON OUR  
19 STAFF AND I HAD THE OPPORTUNITY TO VISIT THE COOK COUNTY JAIL,  
20 ONE OF THE OTHER LARGE FACILITIES THAT OUR SHERIFF'S  
21 DEPARTMENT VISITED A FEW WEEKS PRIOR TO THAT. IN A VERY LONG  
22 DAY, WE MET WITH OVER 20 INDIVIDUALS, INCLUDING THE HEADS  
23 (WHAT THEY CALL SUPERINTENDENTS) OF SOME OF THEIR JAILS, THEIR  
24 NEARLY ENTIRE EXECUTIVE TEAM, AS WELL AS THE ACTING EXECUTIVE  
25 DIRECTOR OF THE SHERIFF'S DEPARTMENT AND THE FIRST ASSISTANT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 EXECUTIVE DIRECTOR. WE HAD THE OPPORTUNITY TO WALK THROUGH  
2 FIVE SEPARATE FACILITIES. I THINK THEY WERE SURPRISED THAT WE  
3 GOT THROUGH AS MUCH AS WE DID AND PROBABLY THEY WERE EXHAUSTED  
4 BY THE END OF THE DAY. BUT WE DID HAVE THE CHANCE TO SEE THEIR  
5 SUPER MAX FACILITIES, THEIR OLDEST FACILITY, WHICH IS ONE THAT  
6 WENT ONLINE IN THE 1920S; AND I THINK TO THE EXTENT THERE'S A  
7 COMPARABLE TO MEN'S CENTRAL IS PERHAPS AN OLDER FACILITY THAT  
8 ONE MIGHT THINK OF IN THE SAME VEIN, BUT IT CERTAINLY HAS  
9 SIGNIFICANT DIFFERENCES. WE LOOKED AT THEIR DORM FACILITIES,  
10 THEIR MENTAL HEALTH UNITS, AS WELL AS THEIR SEGREGATION UNITS.  
11 AND I THOUGHT IT WOULD BE USEFUL TO THE COMMISSION TO OFFER  
12 SOME OF OUR TAKE-AWAYS FROM THAT VISIT. I THINK JUST AS WITH  
13 NEW YORK'S RIKERS ISLAND, COOK COUNTY HAS FACED MANY OF THE  
14 SAME STRUGGLES AND CHALLENGES OVER TIME IN REGARD TO CONCERNS  
15 ABOUT USE OF FORCE, CONCERNS ABOUT A CULTURE THAT THROUGH THE  
16 COURSE OF VARIOUS INVESTIGATIONS HAS BEEN IDENTIFIED AS  
17 PROMOTING AN ATMOSPHERE WHERE FORCE HAS BEEN ALLOWED TO  
18 FESTER. AND THERE HAVE ALSO BEEN CONCERNS OVER TIME ABOUT  
19 THEIR INVESTIGATORY PROCESS. THEY'VE BEEN SUBJECT TO COURT  
20 OVERSIGHT AND TO A CIVIL RIGHTS MONITOR SINCE THE 1980S.  
21 AGAIN, SOMEWHAT SIMILAR TO OUR SYSTEM HERE. AND THEY WERE  
22 UNDER A DEPARTMENT OF JUSTICE CIVIL RIGHTS NEGOTIATED  
23 SETTLEMENT ORDER, OR STILL UNDER A DEPARTMENT OF JUSTICE CIVIL  
24 RIGHTS SETTLEMENT ORDER THAT RESULTED FROM A DEPARTMENT OF  
25 JUSTICE DOJ INVESTIGATION. THEY ALSO, INTERESTINGLY, HAVE HAD

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SEPARATE LITIGATION THAT AGAIN HAS PUT IN PLACE SOME  
2 PREVAILING ORDERS THAT DEALT WITH THEIR SYSTEM OF PROMOTION  
3 WITHIN THEIR SHERIFF'S DEPARTMENT. THERE WERE CLAIMS OVER TIME  
4 THAT THEIR PROMOTION SYSTEM WAS TOO SUBJECTIVE, THAT IT HAD  
5 TOO MUCH ROOM FOR FAVORITISM OR PATRONAGE, THAT AS WAS  
6 DESCRIBED BY ONE OF THE INDIVIDUALS WE MET, THAT IT CREATED A  
7 SYSTEM OF HAVES AND HAVE NOTES. AND SO THAT HAS CAUSED THEM TO  
8 PUT IN PLACE A MUCH MORE OBJECTIVE PROCESS FOR PROMOTION THAT,  
9 FROM THE INDIVIDUALS WE SPOKE WITH, SEEMS TO HAVE RESULTED IN  
10 SOME POSITIVE SHIFTS IN TERMS OF THE MORALE AND IN TERMS OF  
11 THE FEELING THAT PROMOTION WILL BE BASED ON PERFORMANCE AS  
12 OPPOSED TO WHO ONE HAPPENS TO KNOW WITHIN THE DEPARTMENT. IN  
13 TERMS OF THEIR PERSONNEL STRUCTURE, WHILE THE JAILS ARE UNDER  
14 A SHERIFF'S DEPARTMENT, THEY DO HAVE A DIFFERENT STARTING  
15 POINT. INDIVIDUALS WHO WORK IN THE JAILS ARE HIRED INTO THE  
16 JAILS, THAT'S THE STARTING POINT FOR DEPUTIES IN THEIR  
17 SHERIFF'S DEPARTMENT. IF THEY WANT TO MOVE INTO WHAT THEY CALL  
18 POLICE OR PATROL, THE PEACE OFFICER SIDE OF THE SHERIFF'S  
19 DEPARTMENT, THEY NEED TO APPLY SEPARATELY; THEY QUALIFY  
20 SEPARATELY; THEY TRAIN SEPARATELY. AND THAT REALLY SEEMS TO BE  
21 THE EXCEPTION RATHER THAN THE RULE. IT SEEMS LIKE MOST OF  
22 THEIR PERSONNEL START AND SPEND THEIR ENTIRE CAREER ON THE  
23 CUSTODY SIDE. THOSE CUSTODY PERSONNEL GO THROUGH A VERY LONG,  
24 NOW 16-WEEK, CUSTODY TRAINING PROCESS. IT WAS JUST RAISED FROM  
25 10 WEEKS TO 16 WEEKS. THERE IS EXTENSIVE TRAINING ON DEALING

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WITH INMATES WHO HAVE MENTAL HEALTH ISSUES AND CONCERNS. THEY  
2 ARE TRAINED EXTENSIVELY ON SKILLS TO DE-ESCALATE CONFRONTATION  
3 AND ON LESS-THAN-LETHAL-FORCE ALTERNATIVES AND TECHNIQUES.  
4 THEIR CUSTODY SUPERVISORS ARE OBVIOUSLY, GIVEN THEIR SYSTEM,  
5 PROMOTED FROM WITHIN CUSTODY. THEY ARE LONG-TIME CUSTODY STAFF  
6 WHO MOVE UP THE RANKS. AND THEY SEEM TO HAVE TREMENDOUS  
7 FAMILIARITY BOTH WITH THE FACILITIES AS WELL AS OBVIOUSLY THE  
8 PERSONNEL WITHIN THOSE FACILITIES. THEIR STAFF MOVE  
9 FREQUENTLY, NOT SIMPLY BETWEEN ASSIGNMENTS WITHIN A FACILITY  
10 BUT ALSO BETWEEN FACILITIES THEMSELVES. THEY CAN MOVE AS OFTEN  
11 AS EVERY THREE MONTHS. AND THOSE PARTS OF THE FACILITY THAT  
12 HAVE THEIR HIGHEST SECURITY LEVEL INMATES, AS WELL AS THE  
13 MENTAL HEALTH FLOORS, ARE NOT STAFFED BY THE NEWER MEMBERS OF  
14 THEIR DEPARTMENT. THEY'RE STAFFED BY MORE EXPERIENCED  
15 INDIVIDUALS IN THEIR DEPARTMENTS. AS WITH NEW YORK, THERE ARE  
16 NO IMPACT WEAPONS CARRIED BY THEIR PERSONNEL. THEY DON'T CARRY  
17 BATONS. THEY DON'T CARRY HEAVY FLASHLIGHTS. IF THEY'RE  
18 AUTHORIZED, SOME OF THEIR PERSONNEL CARRY CHEMICAL WEAPONS. IN  
19 TERMS OF THE CURRENT LEADERSHIP, THE CURRENT SHERIFF THERE,  
20 SHERIFF DART, WAS DESCRIBED AS INCREDIBLY HANDS-ON AND VERY  
21 MUCH OF A PRESENCE IN THEIR JAIL; IN FACT, HE MOVED HIS OFFICE  
22 TO JUST A COUPLE OF BLOCKS FROM THE JAIL. HE WALKS THE  
23 FACILITY AND IS ON SITE TWO OR THREE TIMES A WEEK. HE RECEIVES  
24 NOTIFICATION OF ANY SIGNIFICANT INCIDENT WITHIN THE JAIL  
25 WITHIN 24 HOURS. AND HE HOLDS WEEKLY WHAT ARE CALLED

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ACCOUNTABILITY MEETINGS WHERE HE GETS INTO VERY MUCH OF THE  
2 WEEDS OF USE OF FORCE INCIDENTS THAT HAVE OCCURRED WHERE HE  
3 LOOKS AT DATA, WHERE HE LOOKS AT TREND LINES AND HOLDS HIS  
4 STAFF, HIS LEADERSHIP STAFF ACCOUNTABLE. AND WE'VE BEEN TOLD  
5 IS QUITE PROBING IN TERMS OF WANTING TO KNOW NOT SIMPLY WHAT'S  
6 HAPPENED OVER THE PAST WEEK, BUT WHAT THE FOLLOWUP HAS BEEN IN  
7 REGARD TO ISSUES THAT HAVE BEEN DISCUSSED IN PAST WEEKS. AS I  
8 MENTIONED A MINUTE AGO, THEY HAD CONCERNS ABOUT CULTURE WITHIN  
9 THE JAIL AND A CULTURE THAT PROMOTED A USE OF FORCE. AND  
10 THEY'VE HAD, OVER TIME, A VERY SIGNIFICANT EFFORT TO TRY TO  
11 SHIFT THAT CULTURE. THEY REWROTE THEIR USE OF FORCE POLICIES.  
12 THEY'VE HAD SIGNIFICANT TRAINING ON THOSE NEW POLICIES. AND  
13 FROM TOP TO BOTTOM, THEY MADE QUITE CLEAR TO US THAT THEY SEND  
14 A VERY STRONG MESSAGE OF ZERO TOLERANCE FOR EXCESSIVE USE OF  
15 FORCE. WE HEARD THINGS FROM LINE STAFF SUCH AS THIS IS NO  
16 LONGER THE GLADIATOR DAYS. THE BRASS HAS BEEN MORE INVOLVED IN  
17 WHAT WE'RE DOING AND HOW WE'RE DOING IT. AND THAT WE'RE  
18 TRAINED ON A THINK FIRST RATHER THAN ACT FIRST APPROACH.  
19 CAMERAS ARE IN PLACE IN SOME OF THE FACILITIES. BUT THEY'VE  
20 NOT BEEN PUT IN PLACE THROUGHOUT THE FACILITIES. THEY'RE USED  
21 NOT SIMPLY AS AN EVIDENTIARY DEVICE, NOT SIMPLY AFTER AN  
22 INCIDENT OCCURS TO SEE EXACTLY WHAT HAPPENS, BUT THEY ARE, AS  
23 WITH RIKERS, SPOT CHECKED BOTH BY SUPERVISORS AS WELL AS BY  
24 OTHER INDIVIDUALS WHO ARE SEEKING TO MONITOR WHAT'S GOING ON.  
25 AND IT APPEARS TO US THAT THE SUPERVISORS ARE VERY ENGAGED AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ARE RESPECTED BY THE LINE STAFF. IN TERMS OF OVERSIGHT, COOK  
2 COUNTY DOES NOT HAVE THE SORT OF ROBUST, INDEPENDENT SERIES OF  
3 INDEPENDENT GROUPS, COMMISSIONS, MONITORS, THAT WE SAW IN NEW  
4 YORK. BUT THEY DO HAVE WITHIN THE SHERIFF'S DEPARTMENT A FEW  
5 FEATURES OF NOTE. THERE IS A GENERAL COUNSEL'S OFFICE RIGHT  
6 WITHIN THE SHERIFF'S DEPARTMENT WHICH HAS GROWN OVER THE LAST  
7 COUPLE OF YEARS AND NOW HAS 10 ATTORNEYS ON STAFF. THEY'RE  
8 VERY PROACTIVE IN TERMS OF DEVELOPING POLICY AND LITIGATION  
9 AVOIDANCE. THEY ALSO HAVE A USE OF FORCE COMPLIANCE MONITOR  
10 WHO REVIEWS ALL OF THE USE OF FORCE PACKAGES AND DOES SPOT  
11 CAMERA CHECKS. AND THEY HAVE AN OPR WITHIN THE SHERIFF'S  
12 DEPARTMENT THAT LOOKS AT CASES OF PARTICULAR CONCERN. THEY  
13 ALSO HAVE AN OFFICE THAT LOOKS AT PROPOSED POLICY AND TRIES TO  
14 DO A NATIONAL SCAN AND COMPARES PROPOSED POLICIES TO POLICIES  
15 IN PLACE ELSEWHERE. THE ATMOSPHERE STRUCK US AS RELATIVELY  
16 RELAXED, SURPRISINGLY, FOR A JAIL FACILITY. EVEN THEIR OLD  
17 FACILITY IS RELATIVELY LIGHT. IT'S NOT DARK. THERE ARE A LOT  
18 OF WINDOWS. AGAIN, THE STRUCTURE HAS SIMILARITIES TO MEN'S  
19 CENTRAL, BUT I THINK THE PHYSICAL STRUCTURE OF THE BUILDING  
20 HAS SOME DEFINITE ADVANTAGES OVER MEN'S CENTRAL JAIL. AND,  
21 FINALLY, ONE OF THE ITEMS THAT'S IN PLACE THAT I KNOW OUR  
22 SHERIFF'S DEPARTMENT IS LOOKING AT IS THAT THEY DO HAVE  
23 EQUIPMENT THAT'S USED TO BE ABLE TO DO A SCAN OF THE INMATES  
24 AS WELL AS STAFF WHEN THEY ENTER AND LEAVE THE FACILITY OR  
25 WHEN THEY MOVE WITHIN PARTS OF THE FACILITY. AND THE MACHINERY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 IS SUFFICIENTLY SOPHISTICATED THAT THEY NO LONGER HAVE ANY  
2 NEED FOR STRIP SEARCHES. AND THAT WAS IDENTIFIED TO US AS  
3 ANOTHER DIFFERENCE THAT HAS HAD AN IMPACT, BOTH IN TERMS OF  
4 DE-ESCALATING INCIDENTS THAT CAN SOMETIMES OCCUR DURING THE  
5 COURSE OF STRIP SEARCHES AND IN TERMS OF LEADING TO A  
6 DIFFERENT FEELING IN TERMS OF THE MORALE OF STAFF, NOT HAVING  
7 TO CONDUCT THOSE SORTS OF ACTIVITIES NUMEROUS TIMES DURING THE  
8 DAY.

9 ABOVE AND BEYOND COOK COUNTY, I THINK TWO THINGS HAVE BECOME  
10 CLEAR TO US AS WE'VE BEEN LOOKING AT SOME OF THESE OTHER  
11 FACILITIES. THE FIRST IS I THINK IT IS BECOMING INCREASINGLY  
12 DIFFICULT, IN MY MIND, TO REALLY BE ABLE TO MAKE COMPARISONS  
13 AS TO USE OF FORCE NUMBERS ALONE BETWEEN STATISTICS -- BETWEEN  
14 FACILITIES. IT'S VERY CLEAR THAT FACILITIES CATEGORIZE  
15 DRAMATICALLY DIFFERENTLY WHAT THEY DEEM A USE OF FORCE AND HOW  
16 THEY TRACK WHAT THEY TRACK. IN COOK COUNTY, THE NUMBERS VARIED  
17 QUITE A BIT. OUR OWN SHERIFF'S DEPARTMENT, WHEN THEY WENT  
18 THERE AND REPORTED ON THE NUMBERS, HAD VERY DIFFERENT FIGURES  
19 THAN WE RECEIVED IN TERMS OF COOK COUNTY'S USE OF FORCE  
20 STATISTICS FOR THE LAST YEAR. THEY ALSO DIVIDE USE OF FORCE  
21 INTO USE OF FORCE AND RESPONSE TO RESISTANCE. AND IT WASN'T  
22 CLEAR TO US AS WE PROBED HOW THEY CATEGORIZED THINGS BETWEEN  
23 THOSE TWO LABELS. AND I THINK AT THESE VARIOUS FACILITIES,  
24 THEY'VE SHIFTED, OVER TIME, WITH HOW THEY TRACK WHAT THEY  
25 TRACK. AND OFTEN THE BIGGER QUESTION APPEARS TO BE WHAT'S NOT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 REPORTED AS OPPOSED TO WHAT DATA HAS BEEN REPORTED. WHAT ARE  
2 WE NOT SEEING IN THE NUMBERS THAT ARE BEING TRACKED? IT'S ALSO  
3 CLEAR THAT SOME OF THE PERSONNEL, INMATE-TO-DEPUTY OR DEPUTY-  
4 TO-SUPERVISOR, RATIOS ARE ALSO A LITTLE BIT DIFFICULT TO USE  
5 AS COMPARABLES. REALLY THE KEY QUESTION WE NEED TO BE ASKING  
6 IS HOW MANY STAFF ARE ON DUTY IN A MODULE AT A GIVEN TIME AS  
7 COMPARED TO THE NUMBER OF INMATES? AND HOW MANY SUPERVISORS  
8 ARE ON STAFF ON A GIVEN SHIFT IN THAT MODULE? AS OPPOSED TO  
9 TOTAL NUMBER OF PERSONNEL IN A DEPARTMENT AS COMPARED TO  
10 INMATES OR TOTAL NUMBER OF SUPERVISORS IN A DEPARTMENT AS  
11 COMPARED TO INMATES. AND WE HOPE TO BE ABLE TO LOOK AT THOSE  
12 SORTS OF COMPARABLES IF WE CAN GET THE RELATIVE FIGURES FROM  
13 DIFFERENT LARGE DEPARTMENTS. SO I CERTAINLY AM OPEN TO ANSWER  
14 ANY QUESTIONS ABOUT THAT.

15 LET ME FINALLY TALK ABOUT ONE LAST AREA OF WORK THAT WE'VE  
16 BEEN DOING, WHICH IS THE OUTREACH WORK. AS YOU KNOW, WE'VE  
17 CONTINUED TO HAVE ACTIVE ACCESS TO OUR COMMISSION WEBSITE.  
18 IT'S CONTINUED TO BE A MECHANISM TO TRY TO KEEP INDIVIDUALS  
19 APPRISED OF OUR WORK AND ABLE TO ACCESS WHAT GOES ON IN OUR  
20 MEETINGS THROUGH OUR AUDIO OF EVERY MEETING THAT'S POSTED ON  
21 OUR WEBSITE. WE'VE HAD OVER 9,000 HITS ON OUR WEBSITE,  
22 CONTINUING TO AVERAGE 500 TO 600 HITS, VISITS A WEEK. AND WE  
23 HAVE, CERTAINLY I KNOW THAT THREE OF OUR COMMISSIONERS ON OUR  
24 SUBCOMMITTEE ARE WELL AWARE, AT THE END OF THIS MONTH A  
25 COMMUNITY FORUM ON THE EVENING OF MAY 30TH. AND WE GREATLY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 APPRECIATE REVEREND MURRAY, COMMISSIONER BUSANSKY AND OUR  
2 CHAIR, JUDGE BAIRD'S WILINGSNESS TO TAKE THAT EVENING AND GO  
3 INTO OUR COMMUNITY TO LISTEN TO INDIVIDUALS WHO CAN'T ALWAYS  
4 COME TO OUR MEETINGS DURING DAYTIME HOURS HERE AT THE HALL OF  
5 ADMINISTRATION. THAT EVENT WILL BE AT 6 P.M. AT THE EXPO  
6 CENTER. I BELIEVE YOU HAVE IN FRONT OF YOU A FLIER THAT HAS  
7 MORE INFORMATION ABOUT THAT EVENT. IF YOU'D LIKE TO HAVE AN  
8 ELECTRONIC VERSION OF THAT FLIER TO SHARE WITH OTHERS, WE  
9 WOULD WELCOME YOU TO DO SO. WE ALSO HAVE EXTRA COPIES OF THE  
10 FLIERS IF YOU'D LIKE TO SHARE THEM WITH OTHERS. AND WE ARE  
11 GOING TO BE WORKING WITH COMMUNITY GROUPS. AND WE'RE ALREADY  
12 WORKING WITH BOARD OF SUPERVISORSIAL OFFICES TO GET THE WORD  
13 OUT IN REGARD TO THAT EVENT. AND AS I INDICATED AT OUR LAST  
14 MEETING, WE HAVE NOW OFFICIALLY BROUGHT ON BOARD TWO  
15 PROFESSIONALS TO ASSIST WITH THAT. AND I BELIEVE THEY'LL BE  
16 HERE LATER IF THEY'RE NOT HERE NOW. STEVE HAWKINS, WHO'S DONE  
17 WORK WITH THE COUNTY, AND WILL BE HELPING US STRATEGIZE HOW  
18 CAN WE BEST GET WORD OUT OF THE WORK THAT WE'RE DOING AND  
19 COMMUNICATE WITH THOSE WHO ARE INTERESTED IN OUR WORK WHAT  
20 WE'VE DONE AND AT THE CULMINATION OF OUR WORK WHAT OUR  
21 RECOMMENDATIONS ARE. AND SO WE'RE VERY GRATEFUL TO STEVE FOR  
22 BEING WILLING TO WORK WITH US ON THOSE AREAS. AND THEN LAURA  
23 RODRIGUEZ AND COLLEAGUES OF HER, AS WELL, AT THE RABEN GROUP  
24 ARE GOING TO BE WORKING WITH US AND WE'VE HIRED THEM TO WORK  
25 WITH US. THE RABEN GROUP IS BOTH A TERRIFIC ORGANIZATION

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 INTERNATIONALLY AND HERE IN LOS ANGELES. SHE HAS BEEN WORKING  
2 IN L.A. SHE WILL BE WORKING WITH US WITH OUTREACH TO MEDIA AND  
3 OTHERS IN THE COMMUNICATIONS NETWORK. THEY HAVE BOTH HAD HEAVY  
4 REDUCTIONS OF THE FEES THEY NORMALLY CHARGE AGREED TO ASSIST  
5 US AT A NOMINAL FEE AND ARE DOING MUCH OF THEIR WORK ON A PRO  
6 BONO BASIS. AND THEY ALREADY HAVE BEEN A HUGE HELP TO THE  
7 COMMISSION AS WE'VE GRAPPLED WITH THOSE ISSUES. SO THAT'S THE  
8 CONCLUSION OF MY REPORT. CERTAINLY IF YOU HAVE ANY QUESTIONS,  
9 I AM OPEN. SHOULD WE RESERVE QUESTIONS? THE COMMISSIONERS HAVE  
10 SOME QUESTIONS. JUSTICE MORENO?

11

12 **HON. CARLOS R. MORENO:** THANK YOU. VERY GREAT REPORT, MS.  
13 KRINSKY. I JUST HAD A COUPLE OF QUESTIONS. AND THAT WAS WITH  
14 RESPECT TO THE SHERIFF'S FUNCTIONS IN COOK COUNTY, CUSTODY  
15 VERSUS PATROL. DO YOU HAVE A BREAKDOWN AS TO HOW THOSE  
16 FUNCTIONS WOULD RELATE?

17

18 **MIRIAM A. KRINSKY:** SO I THINK THEY ARE VERY SEPARATED WITHIN  
19 THAT DEPARTMENT. IT APPEARS AS THOUGH THE STAFF NUMBERS -- AND  
20 WE'RE TRYING TO GET A SENSE OF THAT -- IS AROUND 50/50. IT MAY  
21 EVEN BE THAT THEY HAVE SLIGHTLY MORE PERSONNEL ON THE CUSTODY  
22 SIDE. THE INDIVIDUALS WHO COME INTO CUSTODY -- AND THEY DO  
23 HAVE A SMALL GROUP, AS WELL, THAT WORK COURT SERVICES, SIMILAR  
24 TO THE FUNCTION OF OUR SHERIFF'S DEPARTMENT AND OTHERS IN OUR  
25 STATE. THE INDIVIDUALS WHO WORK ON THE CUSTODY SIDE REALLY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SEEM TO BE VERY HAPPY MAKING A CAREER OF CUSTODY. AND I KNOW  
2 THAT THAT'S ONE THING THAT OUR SHERIFF'S DEPARTMENT IS LOOKING  
3 AT IN TERMS OF A DUAL CAREER TRACK.

4

5 **HON. CARLOS R. MORENO:** SO THE PATROL FUNCTIONS WOULD BE  
6 RELEGATED TO CITIES OTHER THAN THE CITY OF CHICAGO, WHICH HAD  
7 ITS OWN POLICE DEPARTMENT? OTHER CITIES?

8

9 **MIRIAM A. KRINSKY:** WELL, THE SHERIFF DOES HAVE PERSONNEL ON  
10 THEIR PATROL, THEIR POLICE SIDE. SO THEY DO HAVE THAT  
11 FUNCTION. AND THOSE INDIVIDUALS WHO ARE ON THAT SIDE, IT'S A  
12 SEPARATE APPLICATION PROCESS, A SEPARATE TRAINING PROCESS. BUT  
13 THE STAFF ON THE CUSTODY SIDE ARE REALLY PROFESSIONAL  
14 CORRECTIONS STAFF. SOME OF THEM MAY CHOOSE TO APPLY TO PATROL  
15 OVER TIME, BUT IT SEEMS AS THOUGH THE VAST MAJORITY OFTEN  
16 START THERE AND CONCLUDE THAT THAT'S REALLY WHERE THEY WANT TO  
17 MAKE THEIR CAREER. AND THEIR SUPERVISORS ARE INDIVIDUALS WHO  
18 HAVE RISEN THROUGH THE RANKS. THEIR JAIL WARDENS, OR WHAT THEY  
19 CALL SUPERINTENDENTS, HAVE MADE A CAREER OF CUSTODY.

20

21 **HON. CARLOS R. MORENO:** IT SOUNDS LIKE THE CITY AND COUNTY OF  
22 SAN FRANCISCO WHERE THE SHERIFF'S PRIMARY RESPONSIBILITY IS  
23 FOR CUSTODY AND COURT SERVICES AND NOT PATROL. IS THAT ABOUT  
24 RIGHT?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MIRIAM A. KRINSKY:** WE ARE LOOKING AT OTHER SHERIFF'S  
2 DEPARTMENTS IN CALIFORNIA AND CERTAINLY HAVE HEARD THAT SAN  
3 FRANCISCO HAS SOME INTERESTING ASPECTS TO LOOK AT. IT'S MY  
4 UNDERSTANDING SAN DIEGO FUNCTIONS THAT WAY. AND THEN THERE ARE  
5 A COUPLE OF SHERIFF'S DEPARTMENTS IN THE STATE WHERE THEY  
6 DON'T EVEN HANDLE THE CUSTODY SIDE IN CALIFORNIA, WHERE THAT,  
7 THROUGH THE PREDECESSOR STATUTE, WAS SIMPLY DELEGATED TO A  
8 CORRECTIONS DEPARTMENT. BUT OF THOSE IN CALIFORNIA WHERE THE  
9 SHERIFF MAINTAINS CONTROL, SORT OF AUTHORITY OVER CUSTODY,  
10 THERE ARE A COUPLE OF SHERIFF'S DEPARTMENTS IN THE STATE, AND  
11 WE'RE ATTEMPTING TO TRY TO GET SOME IMPRESSIONS FROM THEM  
12 WHERE THEY HAVE MORE OF THAT BIFURCATED PROCESS THAT WE SEE IN  
13 COOK COUNTY STRUCTURE.

14

15 **HON. CARLOS R. MORENO:** ONE MORE QUESTION. IN TERMS OF THE JAIL  
16 POPULATION, NUMBERS AND OTHER CHARACTERISTICS, HOW DOES COOK  
17 COUNTY COMPARE WITH LOS ANGELES COUNTY?

18

19 **MIRIAM A. KRINSKY:** IT SEEMS TO BE -- YOU KNOW, IT'S HARD TO  
20 FULLY HAVE A SENSE OF SOME OF THE THINGS THAT AREN'T CAPTURED  
21 NUMERICALLY. YOU KNOW, WE CERTAINLY WERE PROBING ABOUT GANG  
22 ISSUES AND CONCERNS ABOUT THE NATURE OF THE INMATE. I THINK  
23 ALL OF THE FACILITIES REPORT, AS WE SAW HERE IN LOS ANGELES,  
24 THAT OVER THE LAST 10 TO 20 YEARS THERE HAS BEEN AN INCREASED  
25 CONCERN ABOUT THE NATURE OF VIOLENT INMATES. CERTAINLY IT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SEEMS AS THOUGH COOK COUNTY, AS WELL, HAS HAD INMATES WHO  
2 REMAIN PRETRIAL A LONG PERIOD OF TIME. I THINK OUR NUMBERS MAY  
3 BE HIGHER. WE'RE TRYING TO ASCERTAIN HOW LONG ON AVERAGE MIGHT  
4 OUR PRETRIAL INMATES STAY IN CUSTODY. BUT I THINK THAT THEY'VE  
5 HAD, WHILE NOT THE SAME GANGS AND THE SAME VIOLENT  
6 ENTERPRISES, I THINK THEY'VE HAD THE SIMILAR KIND OF CONCERNS  
7 HERE AS THEY HAVE IN NEW YORK. INTERESTINGLY, NEITHER NEW YORK  
8 NOR COOK COUNTY DOES THE FULL EXTENT OF THE FORMAL  
9 CLASSIFICATION AND SEPARATION THAT GOES ON HERE IN LOS  
10 ANGELES. IN LOS ANGELES, I THINK THERE'S A MORE ROBUST EFFORT  
11 TO REALLY IDENTIFY SOME OF THE DIFFERENT GROUPS AND PUT IN  
12 PLACE A SERIES OF MEASURES TO KEEP GROUPS THAT MIGHT BE AT  
13 ISSUE WITH EACH OTHER SEPARATED.

14

15 **HON. CARLOS R. MORENO:** AND IF YOU KNOW, IS THERE A RE-  
16 ALIGNMENT ISSUE THERE AS THERE IS HERE WITH AN INFLUX OF STATE  
17 PRISON INMATES COMING OR STAYING IN THE COUNTY?

18

19 **MIRIAM A. KRINSKY:** YEAH, I'M NOT AWARE IN TERMS OF ILLINOIS,  
20 BUT NEW YORK IS VERY MUCH GOING THROUGH THAT PROCESS OF RE-  
21 ALIGNMENT.

22

23 **HON. LOURDES BAIRD, CHAIR:** ARE THERE QUESTIONS? JUDGE  
24 TEVRIZIAN DO YOU HAVE QUESTIONS?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. DICKRAN M. TEVRIZIAN:** I HAVE A A FEW. MAYBE THESE ARE  
2 MORE OBSERVATIONS THAN QUESTIONS BECAUSE JUSTICE MORENO I  
3 THINK COVERED ONE. BUT ONE OF THE THINGS, IT DOES APPEAR THAT  
4 THERE IS A SEPARATE CAREER TRACK IN COOK COUNTY FOR DEPUTIES  
5 IN THE CUSTODY SETTING. AND THAT'S ONE THING I THINK WE OUGHT  
6 TO AT LEAST LOOK AT AND GET AN EVALUATION OF ULTIMATELY IN  
7 TERMS OF OUR RECOMMENDATIONS. BUT IT WOULD BE HELPFUL TO HAVE  
8 SOME DATA POINTS. FOR EXAMPLE, JUST HOW MANY, IN TERMS -- WHAT  
9 IS THE TOTAL NUMBER OF SWORN OFFICERS IN COOK COUNTY? AND HOW  
10 MANY OF THEM ARE IN CUSTODY AND HOW MANY OF THEM ARE IN WHAT  
11 WE WOULD CALL PATROL HERE, OR POLICE WORK? AND MAYBE HOW MANY  
12 ARE DOING COURT SUPERVISION? BUT I WOULD LIKE TO SEE A  
13 BREAKDOWN OF THAT AND PERHAPS THAT'S SOMETHING THAT YOU COULD  
14 DO BEFORE OUR NEXT MEETING. I TAKE YOUR POINT, TOO, MS.  
15 KRINSKY, THAT THERE MAY BE SOME LIMITATIONS ON HOW YOU  
16 EVALUATE DATA JUST BY COMPARING, LET'S SAY, NUMBER OF INMATES  
17 TO NUMBERS OF DEPUTIES THAT ARE ASSIGNED TO THE COOK COUNTY  
18 JAIL. BUT NONETHELESS, I'D LIKE TO SEE THAT DATA. ALL THE  
19 QUALIFICATIONS YOU WANT TO MAKE THAT REALLY NEED TO LOOK AT  
20 HOW MANY DEPUTIES THERE ARE PER MODULE AND INMATES AND  
21 MODULES. I WOULD LIKE TO SEE THE BACK FLOW DATA FOR COOK  
22 COUNTY AND FOR THAT MATTER FOR RIKERS. SO SINCE I SAID I WAS  
23 GOING TO ASK A QUESTION -- (LAUGHING).  
24

1 **MIRIAM A. KRINSKY:** I'LL TAKE THAT AS A QUESTION. AND THE  
2 ANSWER IS YES, OF COURSE.

3

4 **HON. ROBERT BONNER::** AND IF YOU COULD, GIVE US YOUR ASSESSMENT  
5 OF THE NUMBER OF CLOSED CIRCUIT TELEVISION CAMERAS THAT ARE IN  
6 THE COOK COUNTY JAILS BETWEEN THE OLD 1920S FACILITIES. AND  
7 ALSO IF YOU CAN, HOW WOULD YOU ASSESS THE EFFICACY OF YOUR  
8 CAMERA SYSTEM IN TERMS OF NOT JUST DETECTING BUT DETERRING USE  
9 OF EXCESSIVE FORCE?

10

11 **MIRIAM A. KRINSKY:** IN TERMS OF -- SO, COMMISSIONER BONNER,  
12 JUST GOING TO THE FIRST, I CERTAINLY WOULD EXPECT TO GET YOU  
13 TOTAL NUMBERS. I'M HOPING WE CAN ALSO GET A LITTLE MORE  
14 NUANCED IN THE NUMBERS. BECAUSE I DO THINK THAT THE TOTAL  
15 NUMBERS, AND WE DID HEAR WITH RIKERS, THEIR NUMBERS WILL  
16 APPEAR VERY LARGE, BUT THEY HAVE A LOT OF PERSONNEL WHO AREN'T  
17 IN THE FACILITY. THEY'RE DOING THINGS LIKE PERIMETER ISLAND  
18 DUTIES. SO I THINK THAT WE'LL HOPEFULLY GET YOU A LITTLE BIT  
19 MORE MEANINGFUL DATA THAN JUST THE TOTAL NUMBERS. IN TERMS OF  
20 THE CAMERAS, I THINK THAT'S BEEN AN ONGOING PROJECT AT BOTH  
21 COOK COUNTY AND RIKERS. THEY HAVE THEM IN SOME FACILITIES.  
22 SOME FACILITIES HAVE NOT A SINGLE CAMERA THAT'S BEEN A PROCESS  
23 THAT'S BEEN PUT IN PLACE. MY IMPRESSION AT BOTH FACILITIES IS  
24 THAT THEY HAVE CLEARLY SERVED A FUNCTION OF PEOPLE KNOWING  
25 THAT THEY'RE THERE AND CAUSING CONDUCT THROUGH A WHOLE PANOPLY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 OF CHANGES TO START TO SHIFT OVER TIME, WHICH IS NOT TO SAY  
2 THAT THERE DON'T REMAIN PROBLEMS. I THINK THAT CERTAINLY IN  
3 NEW YORK, THERE HAS BEEN SOME REPORTS RECENTLY THAT THEIR  
4 JUVENILE FACILITY CONTINUES TO HAVE SOME VERY SERIOUS  
5 CONCERNS. BUT I THINK CAMERAS IN COMBINATION WITH SOME OF THE  
6 OTHER MEASURES HAVE, IT SEEMS, LED TO A DIFFERENT KIND OF  
7 APPROACH TO CONDUCT THAT EXISTS AMONG THEIR CORRECTION  
8 OFFICERS. I THINK PART OF WHAT WE SAW AT BOTH FACILITIES WAS  
9 USE OF CAMERAS AND USE OF THE FILM IN AN INTERESTING WAY,  
10 WHICH IS NOT SIMPLY FOR PEOPLE TO KNOW THAT THEIR ACTIONS ARE  
11 BEING RECORDED AND NOT SIMPLY FOR CAMERAS TO SERVE AS AN  
12 EVIDENTIARY TOOL, BUT THE SPOT CHECKING OF CAMERAS I THINK HAS  
13 AN ADDED OVERLAY, WHICH IS THERE'S AN UNDERSTANDING THAT IT'S  
14 NOT SIMPLY IF AN INCIDENT HAPPENS TO BE REPORTED AND COMES UP  
15 THAT THE CAMERA FILM WILL BE LOOKED AT, BUT THAT THERE ALSO IS  
16 SOME SPOT CHECKING DONE. SO THERE WILL BE RANDOM LOOKS AT THE  
17 FILM. I THINK THAT PROVIDES AN ADDED MEASURE OF JUST STAFF  
18 BEING FOREWARNED THAT EVEN IF THINGS DON'T HAPPEN TO BE  
19 REPORTED, THAT HOW THEY ACT AND HOW THEY CONDUCT THEMSELVES  
20 HAS THE ABILITY TO BE REVIEWED ON A SPOT BASIS. AND AT COOK  
21 COUNTY -- AT RIKERS ISLAND, THOSE CAMERAS AND THAT CAMERA IF  
22 HE HAD GOES DIRECTLY -- FEED GOES DIRECTLY TO THE OFFICE THAT  
23 ALSO DOES OUTSIDE MONITORING OF THE JAIL. SO INDIVIDUALS WHO  
24 ARE THERE TO SERVE A DIFFERENT FUNCTION THAT ARE OUTSIDE OF  
25 THEIR DEPARTMENT OF CORRECTIONS IN THEIR OFFICES OF

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 INVESTIGATION, THEIR INSPECTOR GENERAL GETS CAMERA FEED, WHICH  
2 AGAIN I THINK IS AN INTERESTING FEATURE IN TERMS OF HAVING  
3 THAT CAMERA FEED GO TO OTHERS OUTSIDE OF THE DEPARTMENT.  
4

5 **HON. ROBERT BONNER:** JUST ONE OTHER QUESTION I'VE RAISED. DOES  
6 THEIR INSPECTOR GENERAL, IN TERMS OF THE COOK COUNTY JAIL  
7 SITUATION, WERE YOU REFERRING TO COOK COUNTY OR RIKER'S?  
8

9 **MIRIAM A. KRINSKY:** THE INSPECTOR GENERAL IS RIKERS NEW YORK.  
10

11 **HON. ROBERT BONNER:** DOES THAT INSPECTOR GENERAL HAVE  
12 INVESTIGATIVE AUTHORITY? CAN THEY INDEPENDENTLY INVESTIGATE  
13 AND NOT RELY AS WE DO HERE ENTIRELY UPON THE INTERNAL AFFAIRS  
14 OF THE SHERIFF'S DEPARTMENT?  
15

16 **MIRIAM A. KRINSKY:** THEY DO. THEY HAVE TREMENDOUS AUTHORITY.  
17 THEY HAVE THE AUTHORITY TO ACCESS DOCUMENTS, TO COMPEL  
18 TESTIMONY WITHOUT IT BEING VIEWED AS COMPELLED BY HIGHER-UPS  
19 WITHIN THE DEPARTMENT, TO CONDUCT THEIR OWN INDEPENDENT  
20 INVESTIGATIONS. THEY WORK VERY CLOSELY WITH THE DISTRICT  
21 ATTORNEY'S OFFICE TO FERRET OUT AND COORDINATE PROSECUTIONS IF  
22 THERE IS CRIMINAL ACTIVITY THAT'S DEEMED TO HAVE EXISTED. THEY  
23 DO REPORTS TO LEADERSHIP IN GOVERNMENT. AND THEY HAVE FULL  
24 UNFETTERED ACCESS TO THE FACILITY WITH NO ADVANCE WARNING.  
25 THEY HAVE SORT OF WHAT THEY CALL THE GOLDEN KEY.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **HON. ROBERT BONNER:** THANK YOU.

3

4 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. THANK YOU. COMMISSIONER  
5 BUSANSKY, DO YOU HAVE ANY QUESTIONS? REVEREND MURRAY?

6

7 **SPEAKER:** I DO HAVE. WHEN YOU SAID THAT THERE ARE QUESTIONS  
8 THAT HAVE CHOSEN TO REMAIN IN THE CUSTODY SECTION, HAVE YOU  
9 DETERMINED WHETHER OR NOT THEY GET THE SAME PAY, THE SAME  
10 PROMOTIONAL OPPORTUNITIES? ARE THERE MORE MEN? MORE WOMEN? ARE  
11 THEY, IN FACT, DEPUTIES OR ARE THEY SOME OTHER CLASSIFICATION?

12

13 **MIRIAM A. KRINSKY:** WELL THEY ARE DEPUTIES. THEY ARE NOT  
14 CUSTODY ASSISTANTS, WHICH I KNOW IS CERTAINLY A TYPE OF  
15 PERSONNEL CATEGORY HERE IN LOS ANGELES. IN NEW YORK, THEY HAVE  
16 A HEAVY PERCENTAGE OF FEMALES WHO WORK IN THEIR DEPARTMENT OF  
17 CORRECTIONS. AND, AGAIN, NEW YORK IS NOT RUN BY SHERIFF'S  
18 DEPARTMENTS. IN CHICAGO, IT DID NOT APPEAR TO BE THAT THEY  
19 HAVE THAT SORT OF GENDER PREDOMINANCE THAT THEY HAVE IN NEW  
20 YORK. I THINK IN NEW YORK, IT'S BECOME -- THEIR DEPARTMENT OF  
21 CORRECTIONS HAVE BECOME A VERY PROMINENT CAREER PATH FOR WOMEN  
22 IN THEIR COMMUNITY. IT DOES NOT -- THEY'RE DEPUTIES, BUT WE  
23 DID HEAR THAT THE PAY IS SOMEWHAT BELOW WHAT THEY COULD MAKE  
24 IF THEY MOVED INTO THE PEACE OFFICER SIDE, INTO THE PATROL  
25 SIDE. BUT THE SENSE THAT WE HAD SEEMS TO BE THAT WHEN YOU'RE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 HIRED IN COOK COUNTY BY THE SHERIFF'S DEPARTMENT, YOU'RE HIRED  
2 TO WORK CUSTODY AND THAT'S WHAT IT'S PRESUMED YOUR CAREER'S  
3 GOING TO BE. THAT IT'S REALLY THE FEW THAT THEN DECIDE TO MOVE  
4 INTO THE COURT SIDE OR TO MOVE INTO THE PEACE OFFICER, THE  
5 PATROL SIDE.

6

7 **SPEAKER:** IN OTHER WORDS, WHEN YOU'RE HIRED, YOU'RE TOLD UP  
8 FRONT WHAT SECTION YOU WILL HAVE YOUR CAREER DEVELOP IN?

9

10 **MIRIAM A. KRINSKY:** YOU'RE HIRED INTO CUSTODY. YOU'RE TRAINED  
11 SOLELY FOR CUSTODY FOR 16 WEEKS. AND THEN YOU CHOOSE, IF YOU  
12 WANT TO MOVE ONTO THE PATROL SIDE, TO APPLY FOR THAT  
13 SEPARATELY. AND IF YOU'RE SELECTED, THEN YOU'RE TRAINED  
14 SEPARATELY FOR THAT.

15

16 **HON. LOURDES BAIRD, CHAIR:** ANY OTHER QUESTIONS? ALL RIGHT.  
17 LET'S GO FORWARD WITH MR. DROOYAN?

18

19 **MR. DROOYAN:** GOOD MORNING. AS MS. KRINSKY INDICATED, WE HAVE  
20 EITHER COMPLETED OR SCHEDULED 60 INTERVIEWS. WE ARE MOVING  
21 FULL PACE DOING OUR INTERVIEWING. WE HAVE BEEN GETTING, BY AND  
22 LARGE, GOOD COOPERATION. THERE ARE SOME INDIVIDUALS IN THE  
23 SHERIFF'S DEPARTMENT WHO HAVE DECLINED TO SPEAK TO US. BUT  
24 MOST OF THE PEOPLE IN THE SHERIFF'S OFFICE WHO WE'VE  
25 IDENTIFIED HAVE BEEN WILLING TO TALK TO US AND ALMOST ALL OF

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THE FORMER OFFICIALS IN THE SHERIFF'S DEPARTMENT WHO WE'VE  
2 ASKED TO TALK TO HAVE BEEN WILLING TO TALK TO US. WE HAVE BEEN  
3 RECEIVING A FAIR NUMBER OF DOCUMENTS FROM THE SHERIFF'S  
4 DEPARTMENT. IT'S BEEN A LITTLE BIT SLOWER THAN I WOULD HAVE  
5 LIKED. WE RECEIVED A BATCH OF DOCUMENTS ON FRIDAY. BUT WE  
6 STILL HAVE NOT RECEIVED THE STATISTICAL DATA RELATING TO THE  
7 USE OF FORCE, THE USE OF FORCE INVESTIGATIONS. THIS WAS  
8 INFORMATION WE HAD WORKED OUT WITH THE SHERIFF'S DEPARTMENT  
9 BEFORE OUR LAST MEETING AND HAD EXPECTED TO GET IT WITHIN TWO  
10 WEEKS SO THAT WE COULD START TO DO OUR ANALYSIS ON THESE  
11 FOURTH AND ALSO HOW EFFECTIVE THE DISCIPLINARY SYSTEM IS.  
12 UNFORTUNATELY, WE HAVE NOT GOTTEN THAT DATA YET. WE ARE TOLD  
13 THAT APPARENTLY THERE ARE SOME NAMES OF SOME DEPUTIES --  
14 NOTWITHSTANDING THAT IT'S LARGELY STATISTICAL DATA -- THAT  
15 THEY HAVE TO REDACT, SO THEREFORE WE HAVE NOT RECEIVED IT. THE  
16 OTHER THING WE HAVE NOT RECEIVED ARE VERY MANY DEPOSITIONS. WE  
17 HAVE ASKED THE COUNTY'S OFFICE FOR ALL DEPOSITIONS PENDING IN  
18 CLOSED LITIGATION REGARDING USE OF FORCE WITHIN THE JAILS FOR  
19 A DESIGNATED NUMBER OF SHERIFF'S DEPARTMENT OFFICIALS. AND TO  
20 DATE WE'VE RECEIVED ONLY TWO DEPOSITIONS. I THINK WE REALLY  
21 WANT TO SEE WHAT PEOPLE SAY IN DEPOSITIONS. IT'S TESTIMONY  
22 UNDER OATH. IT'S EVIDENCE WE COULD PROBABLY PRESENT TO THE  
23 COMMISSION. AND IT WOULD BE PERHAPS EVEN TESTIMONY FROM  
24 INDIVIDUALS WHO HAVE SPOKEN TO US BUT ARE UNWILLING TO APPEAR  
25 IN PUBLIC BUT WILL HAVE THAT DEPOSITION TESTIMONY WHICH WE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WILL BE ABLE TO PRESENT TO THE COMMISSION. SO THAT'S THE BIG  
2 TWO PROBLEMS WE'VE FACED SO FAR ARE THE LACK OF DOCUMENTS  
3 RELATING TO USE OF FORCE AND LACK OF DEPOSITIONS. AS I SAID,  
4 MOST OF THE PEOPLE WE'VE APPROACHED HAVE BEEN WILLING TO TALK  
5 TO US. NOT AS MANY OF THOSE PEOPLE ARE WILLING TO APPEAR WITH  
6 PUBLIC TESTIMONY. TO DATE, WE HAVE NOT HAD ANY SHERIFF'S  
7 DEPARTMENT OFFICIALS WHO HAVE EXPRESSED A DEFINITE WILLINGNESS  
8 TO TESTIFY PUBLICLY. I AM HOPING THAT THERE WILL BE AT LEAST  
9 ONE OR TWO WHO WILL BE WILLING TO TESTIFY PUBLICLY AT ONE OF  
10 THE UPCOMING HEARINGS. I ASKED THE SHERIFF TO ENCOURAGE THESE  
11 INDIVIDUALS TO TESTIFY PUBLICLY. OUR PLAN IS TO COMPLETE ALL  
12 OF THE INTERVIEWS BY JULY 1ST. AND BASED UPON THE NUMBER OF  
13 INTERVIEWS WE'VE COMPLETED, THE WAY THE TEAMS ARE NOW  
14 ORGANIZED, THE TEAMS ARE UP AND RUNNING AND THE NUMBER OF  
15 INTERVIEWS THAT WE'VE IDENTIFIED, I THINK WE'LL BE ABLE TO  
16 COMPLETE THAT. AND THEN ANY INTERVIEWS AFTER JULY 1 WILL BE  
17 LARGELY TO FILL IN GAPS IN OUR KNOWLEDGE AS WE PREPARE THE  
18 REPORT. I'VE ALSO TOLD THE TEAMS THAT I WANT THEM TO START  
19 PREPARING A REPORT BY JULY 1ST WITH THE HOPE TO BE ABLE TO  
20 PRESENT DRAFTS OF THE CHAPTERS TO INDIVIDUAL COMMISSION  
21 MEMBERS BY LATE AUGUST. AND THE NEED TO PRESENT THESE TO YOU  
22 EACH INDIVIDUALLY, GET YOUR FEEDBACK AND COMMENTS AND THEN  
23 HAVE PRESENTATIONS BY THE TEAM IN EARLY SEPTEMBER. THAT COULD  
24 CONCEIVABLY GO OVER INTO SECOND DAY. BUT EACH TEAM WOULD THEN  
25 PRESENT THEIR FINDINGS AND RECOMMENDATIONS, WHICH WOULD GIVE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 PERSPECTIVE OF THE DRAFTS THAT YOU HAVE ALREADY SEEN. AGAIN  
2 GET FINAL COMMENTS FROM THE COMMISSIONERS AND HOPEFULLY PUT  
3 THAT INTO A FINAL FORM BY MID-SEPTEMBER, MAYBE LATE SEPTEMBER.  
4 THE OTHER THINGS WE CONTEMPLATE DOING BETWEEN NOW AND  
5 PRESENTING THE REPORT TO THE COMMISSIONERS ARE HAVING SOME  
6 ADDITIONAL WITNESSES TESTIFY, FORMER OR CURRENT SHERIFF'S  
7 DEPARTMENT PERSONNEL. I HAVE INVITED THE SHERIFF AND THE  
8 UNDERSHERIFF TO TESTIFY HOPEFULLY IN JULY. WE OBVIOUSLY NEED  
9 TO WORRY ABOUT SCHEDULES. AND THAT MAY BE A LITTLE BIT  
10 DIFFICULT, BUT WE CERTAINLY WANT TO GIVE THE SHERIFF AND THE  
11 UNDERSHERIFF AN OPPORTUNITY TO TESTIFY BEFORE THE COMMISSION  
12 AND HOPEFULLY BE INTERVIEWED BY THE STAFF BEFORE THAT. I ALSO  
13 ANTICIPATE THAT WE WOULD PRESENT SOME REPORTS FROM THE  
14 COMMANDER'S MANAGEMENT TASKFORCE AS TO WHAT THE SHERIFF'S  
15 DEPARTMENT HAS FOUND AND WHAT THE SHERIFF'S DEPARTMENT IS  
16 DOING. I'VE ALSO REACHED OUT TO SOMEBODY FROM INTERNAL AFFAIRS  
17 TO PRESENT SUMMARY INFORMATION REGARDING USE OF FORCE AND HOW  
18 THOSE HAVE BEEN INVESTIGATED, ADJUDICATED AND WHAT DISCIPLINE  
19 MAY HAVE BEEN IMPOSED. AND I'M GOING TO WORK WITH OUR  
20 DISCIPLINARY TEAM ON THAT. SO THOSE ARE THE KINDS OF THINGS  
21 THAT I THINK WE NEED TO BE PRESENTING TO THE COMMISSION. AND  
22 ALSO PRESENTING A COUPLE OF, AT LEAST TWO, MAYBE MORE, EXPERTS  
23 WHO CAN GIVE YOU THE BENEFIT OF THEIR THINKING, AS WELL. SO  
24 WE'RE LOOKING AT ONE MORE HEARING WHERE WE WOULD PRESENT  
25 TESTIMONIAL-TYPE EVIDENCE, ANOTHER HEARING WHERE WE PRESENT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 PERHAPS TESTIMONY FROM THE SHERIFF'S DEPARTMENT, THE SHERIFF  
2 HIMSELF, MANAGEMENT TASKFORCE, THEN A SESSION WHERE WE PRESENT  
3 EXPERT TESTIMONY. THEN A SESSION WHERE WE WOULD PRESENT THE  
4 REPORTS OF THE TEAMS THAT MIGHT SPILL OVER TO THE SECOND DAY  
5 AND HOPEFULLY A FINAL WRAPUP SESSION. AND THE GOAL WOULD BE TO  
6 COMPLETE THAT BETWEEN NOW AND SEPTEMBER 15TH. I'M CONFIDENT WE  
7 CAN COMPLETE THE INTERVIEWS AND WE CAN COMPLETE THE DRAFTING  
8 OF THE REPORT, ASSUMING WE GET THE ADDITIONAL DOCUMENTS WE'VE  
9 REQUESTED FROM THE SHERIFF'S DEPARTMENT, IN A TIMELY FASHION.  
10 I'M A LITTLE LESS OPTIMISTIC THAT WE CAN MEET THAT SCHEDULE BY  
11 GETTING EVERYBODY'S SCHEDULE TOGETHER AND BEING ABLE TO FIND  
12 DATES THAT WORK FOR ALL OF YOUR SCHEDULES, AS WELL AS THE  
13 SCHEDULE OF THE SHERIFF AND THE UNDERSHERIFF. SO THAT'S GOING  
14 TO TAKE SOME AMOUNT OF WORK, I THINK, TO TRY TO SCHEDULE THAT.  
15 IT WOULD PROBABLY RESULT IN AT LEAST TWO MORE MEETINGS THAN WE  
16 HAD PREVIOUSLY SCHEDULED. BUT I REALLY WOULD LIKE TO SEE IF WE  
17 COULD FINISH THIS BY SEPTEMBER 15TH OR SEPTEMBER 25TH.  
18 OTHERWISE, WE ARE JUST GOING TO HAVE TO DRAG THIS OUT INTO  
19 OCTOBER.

20

21 **HON. LOURDES BAIRD, CHAIR:** BEFORE WE TAKE QUESTIONS, I JUST  
22 HAVE ONE QUESTION AND THEN I'LL OPEN IT UP TO THE REST OF MY  
23 COMMISSIONERS. I AM CONCERNED ABOUT THE FACT THAT YOU ARE  
24 MISSING DEPOSITIONS AND I BELIEVE IT WAS DOCUMENTS THAT HAD  
25 BEEN REQUESTED. NOW, YOU CAN'T GO FORWARD, I WOULD ASSUME, IN

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 MANY OF THOSE AREAS WITHOUT THOSE DOCUMENTS. IS THERE ANYTHING  
2 THAT THIS COMMISSION, OR MY FELLOW COMMISSIONERS, CAN DO TO  
3 ASSIST YOU IN GETTING THAT PRODUCTION ACCELERATED?

4

5 **MR. DROOYAN:** WELL, WE'RE GOING TO HAVE SOME MEETINGS THIS  
6 WEEK. I HAVE A TELEPHONE CONFERENCE TOMORROW SCHEDULED WITH  
7 THE SHERIFF'S DEPARTMENT WITH RESPECT TO THE USE OF FORCE  
8 REPORTS. HOPEFULLY WE'LL GET SOME VERY POSITIVE NEWS AS TO  
9 WHEN THOSE WILL BE AVAILABLE TO US. MS. KRINSKY AND I ARE THEN  
10 GOING TO TRY TO SCHEDULE A MEETING WITH THE COUNTY COUNSEL'S  
11 OFFICE TO DISCUSS THE DEPOSITIONS AND OTHER THINGS THAT WE  
12 THINK ARE STILL PENDING OVER AT THE COUNTY COUNSEL'S OFFICE.  
13 IF WE CAN'T GET THE RESPONSES THAT WE HOPE TO GET WITHIN THE  
14 NEXT WE CAN OR SO, I WILL REACH OUT TO YOU. PLEASE INFORM US.  
15 CAN I START FROM THE OTHER SIDE THIS TIME? JUDGE TEVRIZIAN?

16

17 **HON. DICKRAN M. TEVRIZIAN:** I WAS GOING TO ASK A QUESTION.

18

19 **HON. LOURDES BAIRD, CHAIR:** JUDGE TEVRIZIAN IS SPEAKING.

20

21 **HON. DICKRAN M. TEVRIZIAN:** WITH REGARDS TO THE COUNTY COUNSEL,  
22 THEY PROBABLY WOULD HAVE ALL OF THE INFORMATION WITH REGARD TO  
23 DEPOSITIONS. BUT WOULD WE BE OPENING UP A HORNET'S NEST IF WE  
24 ASKED FOR DEPOSITIONS IN PENDING CASES AS OPPOSED TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DEPOSITIONS IN CLOSED CASES THAT HAVE EITHER SETTLED, TRIED OR  
2 WHATEVER?

3

4 **MR. DROOYAN:** LET ME ANSWER THE FIRST PART OF YOUR STATEMENT BY  
5 SAYING THE COUNTY COUNSEL'S OFFICE HAS TOLD US THEY DON'T HAVE  
6 ALL THE DEPOSITIONS. THEY ARE REPRESENTED BY PRIVATE COUNSEL  
7 IN MANY CASES AND THEY DON'T EVEN HAVE A HANDLE ON WHETHER  
8 THOSE DEPOSITIONS MAY EXIST. TO DATE WE'VE GOTTEN TWO  
9 DEPOSITIONS FROM CLOSED CASES. WITH RESPECT TO DEPOSITIONS IN  
10 PENDING CASES, THERE ARE SOME ISSUES, I THINK, WITH RESPECT TO  
11 THOSE DEPOSITIONS. BUT IT'S NOT OUR INTENTION TO USE THOSE TO  
12 DO AN ANALYSIS OF THE LITIGATION AND TO QUOTE FROM THOSE  
13 DEPOSITION TRANSCRIPTS WITH RESPECT TO MANDATES THAT ARE IN  
14 PENDING LITIGATION. WHAT WE'RE LOOKING FOR IS INFORMATION  
15 RELATING TO HISTORICAL PROBLEMS IN THE JAIL, SOME OF THE  
16 THINGS THAT YOU'RE GOING TO HEAR TODAY WITH RESPECT TO THE  
17 HISTORY OF MEN'S CENTRAL, FOR CORROBORATION FOR SOME OF THE  
18 INFORMATION THAT WE'VE ALREADY RECEIVED. I DON'T INTEND TO  
19 QUOTE FROM THESE DEPOSITIONS IN A WAY THAT WOULD PREJUDICE ANY  
20 PENDING LITIGATION. I DON'T THINK WE'RE GOING TO BE QUOTING  
21 FROM ANYBODY. I THINK WHAT WE'RE GOING TO BE DOING IS WE'RE  
22 GOING TO BE ABLE TO SAY THAT BASED UPON THE WITNESSES THAT  
23 WE'VE TALKED TO AND DEPOSITIONS WE READ, THIS APPEARS TO HAVE  
24 HAPPENED OR THAT APPEARS TO HAVE HAPPENED. SO I DO NOT EXPECT  
25 THIS TO BE ANY PROBLEM.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. DICKRAN M. TEVRIZIAN:** BECAUSE A COUPLE OF OUR MEETINGS  
2 DURING THE PUBLIC COMMENT SESSION, INDIVIDUALS AND LAWYERS  
3 HAVE COME UP AND BROUGHT VARIOUS CLIENTS IN PENDING MATTERS. I  
4 THINK THAT THAT IS REALLY MANIPULATING THE COMMISSION, TO A  
5 LARGE EXTENT, BECAUSE THOSE ARE MATTERS THAT ARE UNDER THE  
6 SUPERVISION OF THE COURT. I WOULD HATE TO SEE US EXPOSE THE  
7 COUNTY UNNECESSARILY BECAUSE THERE IS A PROPER FORUM FOR THE  
8 ADJUDICATION OF THOSE.

9

10 **MR. DROOYAN:** WELL WE ARE NOT HERE TO ADJUDICATE ANY OF THOSE  
11 CLAIMS. I AGREE WITH YOU 100 PERCENT. BUT WE ARE HERE TO  
12 ADJUDICATE THE USE OF FORCE IN COUNTY JAILS. THESE INMATES  
13 THAT COME FORWARD AND DESCRIBE INSTANCES INVOLVING THE USE OF  
14 FORCE ARE PRESENTING INFORMATION THAT IS CERTAINLY WITHIN THE  
15 JURISDICTION OF THIS COMMISSION. I AGREE WITH YOU 100 PERCENT,  
16 WE'RE NOT GOING TO ADJUDICATE ANY PARTICULAR CASE. BUT I THINK  
17 IT IS IMPORTANT FOR THE COMMISSION TO HEAR FROM WITNESSES WHO  
18 EITHER SAW INSTANCES OF USE OF FORCE OR WERE THE VICTIMS OF  
19 SUCH USE OF FORCE. SO I HEAR YOU WHAT YOU SAY. AND AS I SAID,  
20 WE'RE NOT GOING TO PRESENT ANY FINDINGS THAT THIS INSTANCE OF  
21 USE OF FORCE HAPPENED OR THAT INSTANCE OF USE OF FORCE  
22 HAPPENED, THAT IS NOT OUR INTENTION. BUT NEVERTHELESS, WE NEED  
23 TO TALK TO PEOPLE TO UNDERSTAND WHAT THE PROBLEM IS AND WHAT  
24 INSTANCES OF FORCE WERE USED AND WHAT INSTANCES OF FORCE WERE  
25 OUT OF POLICY. SO I THINK WE NEED TO HEAR FROM THOSE KINDS OF

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WITNESSES. AND WE DO HAVE TWO FORMER INMATES WHO ARE GOING TO  
2 TESTIFY TODAY AS TO THEIR EXPERIENCES. I THINK THIS COMMISSION  
3 NEEDS TO HEAR THAT. NEITHER OF THEM HAVE PENDING LITIGATION  
4 AGAINST THE DEPARTMENT. BUT THAT WAS NOT NECESSARILY THE  
5 REASON WHY WE PICKED THEM. THEY WERE WILLING TO COME FORWARD  
6 AND TESTIFY PUBLICLY.

7

8 **HON. LOURDES BAIRD, CHAIR:** THANK YOU. REVEREND MURRAY, DO YOU  
9 HAVE ANY QUESTIONS? COMMISSIONER BUSANSKY?

10

11 **MR. ALEXANDER BUSANSKY:** NO, MADAME CHAIR.

12

13 **HON. LOURDES BAIRD, CHAIR:** NO MORE QUESTIONS? VERY WELL. OKAY,  
14 MR. PREVEN, I BELIEVE YOU HAVE ASKED TO COMMENT ON NO.S 3 AND  
15 4? WE'LL TAKE NO. 3 IF YOU'D LIKE TO COME AND SIT DOWN. AND  
16 YOU KNOW THE LIMITATIONS OF THE THREE-MINUTE RULE, SO TO  
17 SPEAK. THANK YOU.

18

19 **ERIC PREVEN:** THANK YOU. AND GOOD MORNING. MY NAME IS ERIC  
20 PREVEN AND I AM THE COUNTY RESIDENT FROM DISTRICT 3. I MUST  
21 SAY THIS MORNING I WAS QUITE ENCOURAGED BY MS. KRINSKY'S  
22 REPORT BECAUSE IT DID SEEM AS IF IT WAS QUITE DETAILED AND  
23 THERE WERE SOME CONCRETE IDEAS THAT PERHAPS COULD BE APPLIED  
24 THAT ARE IN EFFECT IN THE COOK COUNTY FACILITY. AND I KNOW  
25 THAT IN THE PREVIOUS MONTHS SHE WAS IN RIKER'S. AND THERE WAS

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 LESS CONCRETE STUFF. I WAS WONDERING IF IT COULD BE POSSIBLE  
2 TO GET SOME KIND OF A WRITTEN REPORT OF THIS, OF THESE TRIPS  
3 WHICH HAVE YIELDED SOME GOOD IDEAS. I THINK FROM THE REPORT, I  
4 JUST WANT TO EMPHASIZE THAT THE TIMING OF THIS COMMISSION IS  
5 CRITICAL. AND I KNOW NOBODY LIKES TO BE LATE OR DELAYED, BUT  
6 PUSHING THIS UNTIL THE FALL FEELS POTENTIALLY PROBLEMATIC. WE  
7 HAVE HEARD SOME BAD NEWS IN OUR STATE GOVERNMENT ABOUT THE  
8 CURRENT BUDGET. WE HAVE SIGNIFICANT FINANCIAL ISSUES HERE AT  
9 THE COUNTY LEVEL. AND TO EXTEND THIS COMMISSION BEYOND MAKING  
10 IT MAXIMALLY EFFECTIVE AS SOON AS POSSIBLE IS OF COURSE  
11 PROBLEMATIC BECAUSE IT IS NOT FREE, WE'VE LEARNED. THERE ARE  
12 SOME COSTS INVOLVED IN THIS GROUP. I WAS HOPING THAT WE COULD  
13 TAKE FROM MS. KRINSKY OR I BELIEVE IT WAS MR. DROOYAN'S  
14 SUGGESTION THAT THE IDEA OF A GOLDEN KEY SOUNDED LIKE REALLY  
15 WHAT WE NEED, WHICH IS THE UNFETTERED ACCESS TO THE ISSUES  
16 THAT ARE HAPPENING IN OUR JAIL IS GOING TO FACILITATE ANY  
17 TRANSFORMATION. I MEAN THE LIGHTS ABSOLUTELY NEED TO BE ON.  
18 AND WE HAVE HEARD FROM THE SHERIFF, HE HAS IN FACT PUBLISHED,  
19 I'M VERY HAPPY TO REPORT, A QUITE SUBSTANTIAL REPORT CALLED  
20 S1, WHICH WILL BE HEARD TOMORROW BY THE BOARD OF SUPERVISORS,  
21 AND I WOULD ENCOURAGE YOU ALL TO GET A COPY OF IT. SOME OF THE  
22 STATISTICS THAT DROOYAN HAS BEEN SCROUNGING AROUND FOR ARE IN  
23 THERE, IN FACT, HAVING TO DO WITH THE MONTHLY USE OF FORCE  
24 THAT TAKES PLACE. AND THEY DO TWO CATEGORIES: SIGNIFICANT AND  
25 LESS SIGNIFICANT. IT IS HELPFUL TO SEE. THE NUMBERS ARE NOT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SPECTACULARLY ENCOURAGING. WHAT'S MORE OF CONCERN, FRANKLY, IS  
2 WHAT WE LEARNED FROM THE NEWSPAPER FROM MERRICK BOBB THIS  
3 WEEK, WHICH WAS THAT WHEN AN INMATE FILES SOME KIND OF A  
4 COMPLAINT, THERE IS A VERY LONG, SOMETIMES PERIOD THAT BEFORE  
5 THAT COMPLAINT IS PROPERLY ADDRESSED OR HEARD. AND THOUGH  
6 THERE DOES SEEM TO BE CONCLUSIVE CATEGORICAL DEALING WITH IT,  
7 IT TAKES FAR TOO LONG. AND THAT IS SOMETHING THAT WE DO HAVE  
8 CONCERNS ABOUT. AND IT WAS MERRICK BOBB, I BELIEVE, WHO THIS  
9 YEAR RECEIVED A SUBSTANTIAL INCREASE TO LOOK HARDER, MAKE MORE  
10 RECOMMENDATIONS, WHICH DOES ALSO SPEAK TO SOMETHING I WOULD  
11 LIKE TO DIRECT YOU ALL TO IN THIS S1 REPORT IS THAT THERE IS  
12 CURRENTLY A RECOMMENDATION MATRIX THAT HAS BEEN CREATED BY  
13 THE SHERIFF. IT IS A 14-PAGE DOCUMENT THAT INDICATES THE  
14 STATUS OF ALL THESE VARIOUS RECOMMENDATIONS MADE BY OIR,  
15 WHICH IS THE OFFICE OF INDEPENDENT REVIEW, AS WELL AS OF  
16 COURSE MERRICK BOBB AND I BELIEVE EVEN THE ACLU. IT IS NOT  
17 SPECTACULAR ENCOURAGING, BUT IT IS COMPREHENSIVE. I MEAN THE  
18 REASON WHY IT'S NOT ENCOURAGING IS MANY OF THE RECOMMENDATIONS  
19 HAVE BEEN ACCEPTED, BUT THE ONES THAT HAVE NOT TEND TO BE THE  
20 STICKIER ISSUES THAT WE ARE WAITING FOR THIS COMMISSION TO  
21 GRAPPLE WITH SOON. SO WITH THAT IN MIND, I HAVE SUGGESTED TO  
22 MS. KRINSKY AND I CERTAINLY HOPE SHE'S PASSING ALONG MY  
23 CORRESPONDENCES, THEY TEND TO BE SHORT EMAILS, BUT I REQUEST  
24 THAT SHE PASS IT ON TO THIS COMMISSION. I SUGGEST THAT THIS  
25 COMMISSION LOOK AT THE RECOMMENDATIONS THAT ARE CURRENTLY ON

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 OUR BOOKS, BOUGHT AND PAID FOR, AND SEE IF THERE'S NOTHING  
2 SOMETHING THEY COULD MAKE AGREEMENT ON AND THE STATUS REPORT.  
3 AND THE STATUS REPORT, THOUGH EFFECTIVELY GENERATED, LEAVES US  
4 WITH THE FEELING THAT WE ARE STILL SWIMMING FOR SHORE. AND I  
5 APPRECIATE THE TIME.

6

7 **HON. LOURDES BAIRD, CHAIR:** THANK YOU. MR. PREVEN, YOU ARE ALSO  
8 LISTED FOR NO. 4, WHICH HAS TO DO WITH THE STATUS REPORT.  
9 WOULD YOU LIKE TO TAKE YOUR TIME NOW OR DO YOU WISH TO HAVE IT  
10 AFTER?

11

12 **ERIC PREVEN:** I THINK THAT IS A GOOD IDEA. I WILL TRY TO LIMIT  
13 THE REMARKS. WE HAVE SOME OTHER CHARACTERS.

14

15 **HON. LOURDES BAIRD, CHAIR:** PLEASE START THE CLOCK.

16

17 **ERIC PREVEN:** THE STATUS REPORT, AGAIN, SPEAKS TO SOME OF THE  
18 ISSUES THAT I DID MENTION IN MY FEEDBACK, WHICH IS WHERE WE'RE  
19 GOING WITH THIS COMMISSION AND HOW QUICKLY. AND TO REITERATE  
20 MORE OR LESS WHAT I JUST SAID, I'M HOPEFUL THAT -- I WAS VERY  
21 ENCOURAGED WHEN I HEARD MR. DROOYAN SAY THAT WE COULD COMPLETE  
22 THE INTERVIEWS BY JULY 1. I HAVE HAD GREAT CONCERN ABOUT THESE  
23 INTERVIEWS BECAUSE FROM THE PUBLIC'S POINT OF VIEW, IT'S NOT  
24 CLEAR WHO SPECIFICALLY WE'RE INTERVIEWING. AND I HAVE TO  
25 ADMIT, I HAD A BIT OF A TIN EAR ON THIS BECAUSE I'VE BEEN

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DEMANDING, AS MS. KRINSKY WILL TELL YOU THAT WE SEE THE  
2 TRANSCRIPT FROM THE APRIL 16TH MEETING WHERE WE HEARD FROM  
3 PERCIPIENT WITNESSES WHO GAVE TESTIMONY YET IT'S BLOCKED IN  
4 AUDIO BLOCK. YOU HAVE TO LISTEN TO THE SIX-HOUR THING TO  
5 CONSUME THAT INFORMATION. IF WE WERE ABLE TO GET A TRANSCRIPT,  
6 WE COULD, YOU KNOW, MAKE THAT AVAILABLE TO THE PUBLIC AND THE  
7 INDIVIDUAL COMMENTS THAT WERE MADE THAT BANISH ALL DOUBT AS TO  
8 WHETHER OR NOT WE HAVE AN ISSUE, OF COURSE, IN OUR JAILS, I  
9 THINK THAT THE PUBLIC SCRUTINY MIGHT BE HELPFUL BY MAKING THAT  
10 INFORMATION AVAILABLE. SO, AGAIN, IF THIS MEETING COULD BE  
11 TRANSCRIPT, IF THAT'S THE WORD, THAT WOULD BE GREAT. ANY  
12 INFORMATION AT THE WEBSITE WOULD BE GREAT BECAUSE THERE IS A  
13 PAUCITY AT THE MOMENT. AND WE UNDERSTAND THAT THIS IS NOT JUST  
14 ANY OTHER COMMISSION, AND THIS COMMISSION WANTS TO MAKE A  
15 SUBSTANTIAL REPORT THAT WILL BE LASTING AND HOPEFULLY HELP US  
16 CONQUER THESE ISSUES, BUT IN THE INTERIM, I THINK, AS MUCH  
17 INFORMATION WOULD BE HELPFUL BECAUSE THE PUBLIC DOES REALLY  
18 CARE. YOU KNOW, MAY 30TH IS THE FIRST PUBLIC OUTREACH SESSION.  
19 WE ARE VERY APPRECIATIVE. AND I WOULD ENCOURAGE MR. BONNER,  
20 HONORABLE BONNER, MR. TEVRIZIAN TO JOIN THE COMMISSION TO HEAR  
21 THE PUBLIC. BECAUSE I THINK IT IS ESSENTIAL THAT INDIVIDUALS  
22 WHO HAVE EXPERIENCED SOME OF THESE MATTERS -- AND OF COURSE  
23 MR. DROOYAN, AS WELL -- SHOULD HEAR FROM THE PEOPLE WHO HAVE  
24 BEEN, YOU KNOW, LOCKED UP IN THIS SYSTEM. I GUESS IF I HAD TO  
25 RESOLVE THIS VERY QUICKLY, I WOULD SAY THE SHERIFF NEEDS TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 PROVIDE THESE DEPOSITIONS AND THE COUNTY COUNSEL NEEDS TO GET  
2 WITH THE PROGRAM. IF COUNTY COUNSEL HAS BEEN -- THEY ARE OF  
3 COURSE CHARGED WITH A VERY IMPORTANT ROLE IN DEFENDING THE  
4 COUNTY AGAINST LAWSUITS. BUT THIS PROBLEM HAS METASTASIZED FOR  
5 A LONG TIME AND WE DON'T HAVE AN ACTING -- WE HAVE AN ACTING  
6 COUNTY COUNSEL BUT NOT AN ACTUAL CURRENT. WE KEEP LOOKING FOR  
7 ONE. AND IN FACT TOMORROW MORNING YOU SHOULD ALL KNOW AT 8:00  
8 IN THE MORNING THERE IS A SPECIAL MEETING AND THE BOARD OF  
9 SUPERVISORS WILL TAKE COMMENTS FROM VARIOUS INDIVIDUALS ABOUT  
10 THE SEARCH FOR THE COUNTY COUNSEL. AND MAYBE WE COULD PUT THAT  
11 ON THEIR PLATE IF ANY OF THE COMMISSIONERS HAVE TIME TO COME  
12 DOWN ON THEIR WAY TO A MEETING AND JUST SORT OF INDICATE WHAT  
13 MIGHT BE HELPFUL IN A NEW COUNTY COUNSEL REGARDING THESE  
14 MATTERS. BECAUSE WE DON'T WANT TO UNDEREMPHASIZE THE COUNTY  
15 COUNSEL'S IMPORTANCE HERE. THE SHERIFF, OF COURSE, IS THE ONE  
16 MAN, AS WE HEARD FROM MARGARET WINTERS LAST WEEK FROM THE  
17 ACLU, WHO NEEDS TO MAKE A DECISION. AND THE DECISION IS  
18 ENOUGH. ONCE HE MAKES THAT DECISION, IT IS ONLY WITH COUNTY  
19 COUNSEL'S SUPPORT THAT THE APPROPRIATE MEASURES CAN BE TAKEN.  
20 AND I HOPE THIS BOARD AND COMMISSION CAN BE A PART OF THAT.

21

22 **HON. LOURDES BAIRD, CHAIR:** THANK YOU VERY MUCH, MR. PREVEN.  
23 LET'S GO ON TO THE FOURTH ITEM? AND THAT IS A CONSIDERATION  
24 AND APPROVAL OF A COMMISSION STATUS REPORT SUBMITTED TO THE  
25 BOARD OF SUPERVISORS.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MS. KRINSKY:** THANK YOU, JUDGE BAIRD. YOU HAVE ALL RECEIVED THE  
3 DRAFT STATUS REPORT. I SHOULD NOTE THAT THAT DOCUMENT AIMED TO  
4 BRING -- TO PROVIDE A SUMMARY OF THE WORK OF THE COMMISSION  
5 THROUGH AND INCLUDING TODAY'S MEETING. SO THE DRAFT WILL NEED  
6 A FEW SLIGHT MODIFICATIONS IN TERMS OF REFERENCES TO THE  
7 NUMBER OF WITNESSES WHO HAVE BEEN INTERVIEWED OR WHO HAVE  
8 TESTIFIED. THOSE SMALL CHANGES WILL NEED TO BE MADE AFTER  
9 TODAY'S MEETING. IT RECOUNTS THE STATUS OF OUR WORK. IT IS NOT  
10 INTENDED, BECAUSE OUR FINAL REPORT IS THE TIME AND THE PLACE  
11 TO DO IT, TO RECOUNT ANY OF OUR RECOMMENDATIONS. THAT WILL BE  
12 DONE AT THE END OF OUR PROCESS. IT DOES NOTE THE FORMATION OF  
13 THE COMMISSION IN OCTOBER OF 2011 TO, AS THE BOARD TOLD US,  
14 REVIEW THE ALLEGED INAPPROPRIATE USE OF FORCE BY DEPUTIES  
15 ASSIGNED TO THE JAIL AND TO RESTORE PUBLIC CONFIDENCE IN THE  
16 CONSTITUTIONAL OPERATION OF OUR JAIL. AT OUR FIRST MEETING IN  
17 OCTOBER OF 2011, SUPERVISOR ANTONOVICH MADE CLEAR THAT THE  
18 SIX-MONTH TIME FRAME IN THE BOARD'S MOTION WAS SIMPLY A  
19 TARGET, THAT THE COMMISSION HAD THE FULL SUPPORT AND PLEDGED  
20 THE FULL SUPPORT AND COMMITMENT OF THE BOARD TO ASSIST THIS  
21 GROUP WITH ITS WORK AND ENCOURAGED THE COMMISSION TO TAKE THE  
22 TIME IT NEEDED TO COMPLETE ITS WORK APPROPRIATELY AND  
23 THOROUGHLY. IN THE START OF 2012, THIS COMMISSION ADOPTED A  
24 PRELIMINARY TIMELINE FOR THE COMPLETION OF ITS WORK. AND AS  
25 OUR GENERAL COUNSEL INDICATED, WE ARE VERY MUCH ON TRACK AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 IN ACCORD WITH THAT TIMELINE. SO THE STATUS REPORT RECOUNTS TO  
2 THE BOARD WHAT OUR WORK HAS BEEN TO DATE. IT NOTES WHAT WE'VE  
3 DONE. AND ALSO, AS I SAID, IT RECOUNTS AND WILL BE UPDATED  
4 THROUGH THE CONCLUSION OF TODAY'S MEETING, TO THEN BE  
5 TRANSMITTED TO THE BOARD. I SHOULD NOTE, AS WELL, THAT WHILE  
6 OUR TENURE WILL HAVE ENDED UP BEING A FEW MONTHS BEYOND THE  
7 SIX MONTHS THAT THE BOARD ORIGINALLY SET, AND WHILE THE C.E.O.  
8 HAS ASKED ME WHETHER WE NEED TO ASK THE BOARD IN THIS REPORT  
9 FOR SUPPLEMENT TO OUR BUDGET TO ACCOMMODATE THAT INCREASED  
10 TIME, THAT IT'S MY VIEW AND I FULLY EXPECT THAT WE WILL BE  
11 WELL WITHIN OUR BUDGET, OUR SIX-MONTH BUDGET, SO I HAVE NOT IN  
12 THIS REPORT INDICATED THAT THERE'S ANY NEED FOR A SUPPLEMENT  
13 TO OUR BUDGET AND I DON'T BELIEVE THAT WE HAVE ANY NEED TO  
14 SUPPLEMENT OUR BUDGET. IF THE COMMISSION APPROVES IT AND SO  
15 ORDERS, THEN I CAN TRANSMIT THIS REPORT TO THE BOARD OF  
16 SUPERVISORS WITH THOSE FEW MINOR CHANGES TO BE MADE AFTER THIS  
17 MEETING.

18

19 **HON. LOURDES BAIRD, CHAIR:** YES, JUDGE TEVRIZIAN.

20

21 **HON. DICKRAN M. TEVRIZIAN:** MY UNDERSTANDING IS THE REPORTS YOU  
22 RECEIVED FROM THE PUBLIC, FOR EXAMPLE, THE LAST GENTLEMAN WHO  
23 TESTIFIED, THAT GOES INTO OUR COLLECTED -- GOES INTO A BOX AND  
24 WE ACCESS THAT THROUGH OUR EMAIL.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MIRIAM A. KRINSKY:** CORRECT. ACTUALLY JUDGE TEVRIZIAN, I DID  
2 SEND YOU ALL OVER THE WEEKEND THE COMMANDER MANAGEMENT  
3 TASKFORCE, THE LINK TO THAT THAT MR. PREVEN INDICATED, THE  
4 MATRIX IS AVAILABLE TO YOU. WE'VE HAD THAT FOR A PERIOD OF  
5 TIME AND THE OTHER DOCUMENTS. AND AS THE COMMISSION HAS BEEN  
6 AWARE FROM THE BEGINNING, IT IS OUR INTENT TO -- AND WE HAVE  
7 BEEN, JULIE QUINN ON OUR STAFF HAS BEEN DOING IT -- GO BACK  
8 THROUGH ALL OF THE OLD REPORTS. I THINK IT WAS JUSTICE MORENO  
9 WHO SAID EARLY ON WE DON'T NEED TO REINVENT THE WHEEL. AND  
10 THERE ARE PRIOR REPORTS AND RECOMMENDATIONS THAT HAVE BEEN  
11 MADE AND WE FULLY INTEND AND HAVE BEEN COMBINING THOSE FOR  
12 RECOMMENDATIONS THAT RELATE TO OUR WORK THAT STILL NEED TO BE  
13 IMPLEMENTED. SO THAT'S SOMETHING THAT WE FULLY INTEND TO  
14 SUMMARIZE IN OUR REPORT.

15

16 **HON. DICKRAN M. TEVRIZIAN:** AS FOR THE COMMENT THAT WAS MADE  
17 ABOUT THE TRANSCRIPTS, THERE ARE TRANSCRIPTS. THE DIFFICULTY  
18 IS IT'S HARD TO DETERMINE WHO WAS SPEAKING. AND THAT'S ONE OF  
19 THE PROBLEMS WITH THE TRANSCRIPTS AND THAT THE TAPES WERE MUCH  
20 BETTER THAN THE TRANSCRIPTS BECAUSE OF THE INACCURACIES.

21

22 **MIRIAM A. KRINSKY:** CORRECT, JUDGE TEVRIZIAN. IT WOULD TAKE  
23 HOURS. WHAT WE HAVE IS AN INTERNAL DRAFT DOCUMENT THAT HAS NOT  
24 BEEN EDITED BECAUSE IT WOULD TAKE HOURS TO DO THAT TO TRY TO  
25 MAKE IT ACCURATE. SO RATHER THAN PUT ON OUR WEBSITE AN

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 INACCURATE SUMMARY THAT NOBODY HAS EDITED, WE HAVE BEEN USING  
2 THAT DOCUMENT SIMPLY AS INTERNAL WORKING NOTES FOR ANYONE ON  
3 OUR STAFF WHO NEEDS THEM. BUT WE REALLY ARE PUTTING FORWARD  
4 THE BEST EVIDENCE OF THIS MEETING, WHICH IS THE AUDIO OF THE  
5 MEETING ITSELF.

6

7 **HON. DICKRAN M. TEVRIZIAN:** BUT I DON'T WANT TO LEAVE THE  
8 IMPRESSION THAT WE'RE NOT TRANSPARENT BECAUSE EVERYTHING WE'RE  
9 DOING HERE IS SHARED AMONG ALL OF US. AND WE'RE DOING THE BEST  
10 WE CAN TO GET IT OUT TO THE PUBLIC, AS WELL.

11

12 **MIRIAM A. KRINSKY:** ABSOLUTELY.

13

14 **HON. LOURDES BAIRD, CHAIR:** ARE THERE OTHER QUESTIONS? JUDGE  
15 BONNER?

16

17 **HON. ROBERT BONNER:** I HAVE A QUESTION ON THE STATUS REPORT  
18 ITSELF. FOR THE RECORD THIS IS COMMISSIONER BONNER SPEAKING.  
19 FIRST OF ALL, THIS IS A MINOR TWEAK, I THINK, BUT I THINK ONE  
20 THAT SHOULD BE MADE, AND THAT IS FIRST PARAGRAPH, FOURTH LINE  
21 DOWN, APPEAR THE WORDS "ALLEGATIONS OF EXCESSIVE USE OF  
22 FORCE." AND I ACTUALLY THINK MAYBE I'M MISSING SOMETHING, BUT  
23 IT SHOULD READ "ALLEGATIONS OF USE OF EXCESSIVE FORCE." SO  
24 EXCESSIVE IS THE WRONG WORD THERE IN TERMS OF AT LEAST A  
25 CONSTITUTIONAL PRINCIPLE. THE OTHER THING IS I THINK -- AT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 LEAST I WOULD SUGGEST THAT -- AND I'M DROPPING DOWN TO THE  
2 LAST PARAGRAPH OF THE FIRST PAGE AND SECOND PARAGRAPH OF THE  
3 SECOND PAGE -- SAY THIS BECAUSE OF THE TIMING ISSUE WE ARE  
4 UNDER, BUT I THINK YOU MIGHT MENTION THAT THE ACTUAL  
5 COMMISSION WAS NOT IN PLACE UNTIL ALL SEVEN COMMISSIONERS WERE  
6 ON BOARD AND SWORN IN. AND THAT DID NOT OCCUR, I BELIEVE,  
7 UNTIL MID-DECEMBER.

8

9 **HON. LOURDES BAIRD, CHAIR:** YES. WE WERE VOTED IN DECEMBER.

10

11 **HON. ROBERT BONNER:** EVEN THE VOTE WASN'T THE CRITICAL STEP.  
12 THE CRITICAL STEP WAS BOTH THE SWEARING IN OF COMMISSIONER  
13 BUSANSKY AND MYSELF. THAT'S THE OPERATIVE DATE WHERE THE  
14 COMMISSION ITSELF WAS ACTUALLY IN A POSITION TO DO ANYTHING.  
15 AND IT PROBABLY GOES IN SOMEWHERE IN THAT PARAGRAPH. THANK  
16 YOU.

17

18 **MIRIAM A. KRINSKY:** AND I CAN REFERENCE, AS WELL, I THINK AS  
19 THE CHAIR INDICATED THAT YOUR STAFF WASN'T FULLY IN PLACE  
20 UNTIL JANUARY. SO IT'S REALLY THAT YOU ALL WERE FULLY SWORN IN  
21 IN MID-DECEMBER AND THAT YOUR STAFF WAS IN PLACE IN JANUARY.

22

23 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. REVEREND MURRAY, DO YOU  
24 HAVE ANY COMMENTS OR QUESTIONS?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012**

1 **REV. CECIL L. MURRAY:** NONE.

2

3 **HON. LOURDES BAIRD, CHAIR:** MR. BUSANSKY? ALL RIGHT. NO ONE  
4 ELSE. NO FURTHER DISCUSSION. IS THERE A MOTION TO APPROVE THE  
5 STATUS REPORT WITH THE CORRECTIONS AND CONSIDERATIONS THAT  
6 JUDGE BONNER HAS JUST STATED?

7

8 **HON. LOURDES BAIRD, CHAIR:** SO MOVED. SECOND?

9

10 **HON. LOURDES BAIRD, CHAIR::** SECOND. VERY WELL. THANK YOU. ALL  
11 IN FAVOR -- JUST A MOMENT.

12

13 **MIRIAM A. KRINSKY:** I UNDERSTAND FROM COUNTY COUNSEL THAT YOU  
14 SHOULD MOVE APPROVAL AND MOVE TO DIRECT ME.

15

16 **HON. LOURDES BAIRD, CHAIR:** I WILL ONCE WE APPROVE IT. THANK  
17 YOU VERY MUCH. ALL IN FAVOR? [CHORUS OF AYES] ANY AGAINST? THE  
18 MOTION IS CARRIED. I DO MOVE, DID YOU SAY IT'S A MOTION?

19

20 **MIRIAM A. KRINSKY:** I THINK THEY NEEDED A FORMAL MOTION TO. AND  
21 ALSO TO CHANGE THE NUMERICAL IF NEED TO BE.

22

23 **HON. LOURDES BAIRD, CHAIR:** IS THERE A MOTION.

24

25 **SPEAKER:** SO MOVED.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **HON. LOURDES BAIRD, CHAIR:** TO MAKE THE CORRECTIONS THAT HAVE  
3 BEEN IDENTIFIED BY JUDGE BONNER AND MS. KRINSKY, AS WELL AS  
4 DIRECTING MS. KRINSKY TO THEN SEND THE CORRECTED REPORT TO THE  
5 COMMISSIONERS, THE BOARD OF SUPERVISORS? SECOND?

6

7 **SPEAKER:** SECOND.

8

9 **HON. LOURDES BAIRD, CHAIR:** ALL IN FAVOR? [CHORUS OF AYES]  
10 OPPOSED? ALL RIGHT. THE MOTION CARRIED. MS. KRINSKY, YOU ARE  
11 DIRECTED TO DO SO. MR. DROOYAN, YOU HAVE SOMETHING TO ADD?

12

13 **RICHARD E. DROOYAN:** JUDGE BAIRD, BEFORE WE MOVE TO NO. 5, I  
14 WOULD ASK IF IT WOULD BE POSSIBLE TO PRESENT OUR FIRST WITNESS  
15 BEFORE WE HAVE A DISCUSSION OF THE FUTURE MEETINGS. I SUSPECT  
16 THE DISCUSSION MAY TAKE SOME TIME.

17

18 **HON. LOURDES BAIRD, CHAIR:** I KNOW WE'RE RUNNING LATE. IT'S  
19 10:00.

20

21 **RICHARD E. DROOYAN:** OUR FIRST WITNESS HAS REARRANGED HIS  
22 SCHEDULE BUT HE HAS TO BE AT WORK BY 11:30, SO I'D LIKE TO  
23 ACCOMMODATE HIM AS SOON AS POSSIBLE.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. LOURDES BAIRD, CHAIR:** DOES ANY COMMISSIONER HAVE ANY  
2 OBJECTION? WE WILL DO IT INFORMALLY. WE WILL START AND RESUME  
3 AT NOON. CALL YOUR FIRST WITNESS, PLEASE.

4

5 **SPEAKER:** GOOD MORNING.

6

7 **SPEAKER:** GOOD MORNING.

8

9 **SPEAKER:** WOULD YOU STATE YOUR NAME FOR THE RECORD, SIR?

10

11 **SPEAKER:** DANIEL POLLARO.

12

13 **RICHARD E. DROOYAN:** SPELL YOUR LAST NAME.

14

15 **SPEAKER:** P AS IN PAUL, O DOUBLE L A-R-O.

16

17 **RICHARD E. DROOYAN:** WERE YOU FORMERLY A MEMBER OF THE LOS  
18 ANGELES SHERIFF'S DEPARTMENT?

19

20 **SPEAKER:** YES.

21

22 **RICHARD E. DROOYAN:** ARE YOU CURRENTLY RETIRED?

23

24 **SPEAKER:** I RETIRED IN MARCH OF 2007.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** AND WHAT WAS YOUR RANK WHEN YOU RETIRED?

2

3 **SPEAKER:** SERGEANT.

4

5 **RICHARD E. DROOYAN:** AND WHERE WERE YOU ASSIGNED AT THE TIME  
6 YOU RETIRED?

7

8 **SPEAKER:** MEN'S CENTRAL JAIL.

9

10 **RICHARD E. DROOYAN:** AND LET ME JUST BACK UP. WHEN DID YOU JOIN  
11 THE SHERIFF'S DEPARTMENT?

12

13 **SPEAKER:** MARCH OF 1980.

14

15 **RICHARD E. DROOYAN:** AND DID YOU GO TO A CUSTODY ASSIGNMENT AT  
16 THAT POINT IN TIME WHEN YOU FIRST CAME IN THE SHERIFF'S  
17 DEPARTMENT?

18

19 **SPEAKER:** AFTER I GOT OUT OF THE SHERIFF'S ACADEMY, I WENT TO  
20 MCJ AND I WAS ASSIGNED TO INMATE RECEPTION CENTER.

21

22 **RICHARD E. DROOYAN:** HOW LONG WERE YOU IN THAT ASSIGNMENT?

23

24 **SPEAKER:** APPROXIMATELY TWO YEARS.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** AT THE TIME THAT YOU RETIRED AND WERE  
2 ASSIGNED TO ASSIGNMENT TO MEN'S CENTRAL JAIL, HOW LONG HAD YOU  
3 BEEN IN MEN'S CENTRAL JAIL DURING THIS ASSIGNMENT?

4

5 **SPEAKER:** I GOT THE ASSIGNMENT IN MAY OF 2,000 AND I STAYED  
6 THERE UNTIL MARCH OF 2007.

7

8 **RICHARD E. DROOYAN:** WHAT PART OF MEN'S CENTRAL JILL WERE YOU  
9 INITIALLY ASSIGNED TO IN MAY OF 2,000?

10

11 **SPEAKER:** WHEN I FIRST ARRIVED, I WAS ASSIGNED TO THE PM SHIFT  
12 WHICH STARTED I THINK IT WAS 2 TO 9. AND I WAS ASSIGNED TO THE  
13 4,000 FLOOR.

14

15 **RICHARD E. DROOYAN:** AND WHAT WAS YOUR NEXT ASSIGNMENT AFTER  
16 THAT ASSIGNMENT?

17

18 **SPEAKER:** AFTER THAT I WAS ASSIGNED TO THE 2,000 FLOOR OF MEN'S  
19 CENTRAL JAIL.

20

21 **RICHARD E. DROOYAN:** DO YOU RECALL WHAT SHIFT THAT WAS?

22

23 **SPEAKER:** I THINK THAT WAS ALSO THE P.M. SHIFT.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** AND WHEN WERE YOU ASSIGNED TO THE 2,000  
2 FLOOR, APPROXIMATELY?

3

4 **SPEAKER:** I WOULD SAY APPROXIMATELY 2004, 2003, 2004.

5

6 **RICHARD E. DROOYAN:** I WANT TO START BY FOCUSING ON THE PERIOD  
7 BEGINNING IN WHEN YOU WERE ASSIGNED TO THE 2004, AROUND 2003,  
8 2004. WHAT WERE THE KIND OF PROBLEMS THAT YOU OBSERVED AMONG  
9 THE DEPUTIES?

10

11 **SPEAKER:** ONE OF THE MAJOR PROBLEMS WE HAD WERE DEPUTIES THAT  
12 WOULD COME IN LATE AND WANT TO LEAVE EARLY. THAT WAS THE MAJOR  
13 PROBLEM. WE ALSO HAD A PROBLEM OF EVERY DAY WE HAD A DAY --

14

15 **RICHARD E. DROOYAN:** SPEAK INTO THE MIC IF YOU CAN.

16

17 **SPEAKER:** WE HAD A DAILY INSERVICE THAT SHOWED WHERE EACH  
18 DEPUTY WOULD BE WORKING, WHAT PARTICULAR FLOOR THEY WOULD BE  
19 ASSIGNED TO. AND THE PROBLEM WE WERE HAVING, THAT SOME OF THE  
20 DEPUTIES THAT HAD FIVE, SIX YEARS ON WOULD LOOK AT THE  
21 INSERVICE AND THEY WOULD MAKE CHANGES, PUTTING THE PEOPLE THEY  
22 WANTED ON THE FLOOR AND REMOVING THE ONES THEY DIDN'T WANT ON  
23 THE FLOOR, WHICH WAS AGAINST POLICY. YOU WOULD HAVE TO HAVE A  
24 SERGEANT, YOU WOULD HAVE TO ASK A SERGEANT IF THEY COULD MAKE  
25 THOSE CHANGES.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** AND DID YOU NOTICE INSTANCES IN WHICH  
3 DEPUTIES RESISTED DOING WHAT THE SERGEANTS TOLD THEM TO DO?

4

5 **SPEAKER:** YES.

6

7 **RICHARD E. DROOYAN:** AND DURING THE TIME THAT YOU WERE ASSIGNED  
8 IN 2004, DID YOU NOTICE ANY INCREASE IN THE SUBORDINATION OF  
9 MEN'S CENTRAL JAIL?

10

11 **SPEAKER:** YES, I DID.

12

13 **SPEAKER:** CAN YOU DESCRIBE WHAT IT WAS YOU OBSERVED?

14

15 **SPEAKER:** WELL, IT SEEMED THAT NOT ONLY WERE THE DEPUTIES  
16 CHANGING THE INSERVICE BUT THEY WERE ALSO TELLING NEW  
17 SERGEANTS AND ALSO MYSELF THAT WE DIDN'T REALLY HAVE TO DO OUR  
18 JOB AS SUPERVISORS, THAT THEY WERE THERE LONG ENOUGH AND THEY  
19 KNOW HOW TO HANDLE ANYTHING THAT SHOULD GO DOWN ON THE FLOOR.

20

21 **RICHARD E. DROOYAN:** AND WAS THIS A MESSAGE YOU OBSERVED THEM  
22 GIVING TO THE NEW PEOPLE WHO WERE?

23

24 **SPEAKER:** YES.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** NEW DEPUTIES THAT WERE ASSIGNED TO MEN'S  
2 CENTRAL JAIL.

3

4 **SPEAKER:** OH YES.

5

6 **RICHARD E. DROOYAN:** I KNOW YOU TOLD US ABOUT ONE INSTANCE WITH  
7 YOUR INTERVIEW WITH A DEPUTY WHO WAS INVOLVED WITH WORKING A  
8 BACK-TO-BACK SHIFT. CAN YOU DESCRIBE THAT INCIDENT FOR THE  
9 MEMBERS OF THE PANEL?

10

11 **MR. POLLARO:** AS YOU'RE AWARE OF AT ONE TIME, THERE WAS AN  
12 ABUNDANCE OF OVERTIME FOR DEPUTIES. AND THERE WAS -- WE PUT IN  
13 POLICY THAT A DEPUTY COULD NOT WORK A DOUBLE OVERTIME, THAT  
14 MEANS WORK 16 AND THEN COME BACK THE NEXT DAY AND WORK ANOTHER  
15 16. YOU HAD TO HAVE AN EIGHT-HOUR BREAK IN THERE. WELL, I HAD  
16 NOTICED THAT ONE OF THE DEPUTIES HAD WORKED AN OVERTIME THE  
17 DAY BEFORE, AND HE WAS A P DEPUTY BUT HE HAD SHOWED UP ON  
18 DAYS. SO I HAD MENTIONED IT TO LIEUTENANT GONZALES AND ADVISED  
19 HIM OF THAT. AND HE SAID WELL WHY DON'T YOU GO OVER AND LET  
20 HIM KNOW THE POLICY? SEE IF HE MADE A MISTAKE. MAYBE I'M NOT  
21 WORKING P.M. SHIFT. MAYBE HE'S JUST THERE FOR THE DAY SHIFT.  
22 SO I WENT OVER AND MENTIONED TO HIM AND HE JUST LOOKED ME  
23 RIGHT IN THE FACE AND HE SAID "I'M GOING TO WORK THAT SHIFT."  
24 AND I SAID "NO YOU CAN'T. IT'S AGAINST POLICY." AND HE SAID  
25 "SARGE, I GUESS YOU DIDN'T HEAR ME. I'M WORKING THE OVERTIME."

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1 SO, I WENT BACK, ADVISED THE LIEUTENANT, AND HE SAID "WELL WHY  
2 DON'T YOU ASK THIS DEPUTY TO COME INTO THE OFFICE WITH US AND  
3 I'LL EXPLAIN IT TO HIM." AS I WAS -- THE LIEUTENANT WALKED  
4 AHEAD OF US, AS I WAS WALKING WITH THE DEPUTY, ALL THE WAY  
5 INTO THE OFFICE HE KEPT LOOKING AT ME AND SAYING "HEY, SARGE,  
6 WHAT'S THE MATTER? ARE YOU AFRAID OF ME? LOOK AT ME. ARE YOU  
7 AFRAID OF ME?"

8

9 I SAID "WHY WOULD I BE AFRAID OF YOU? I'M JUST TRYING TO HELP  
10 YOU OUT." "NO, YOU'RE AFRAID OF ME." AND AT THAT POINT, WE  
11 WENT INTO THE LIEUTENANT'S OFFICE AND THE DEPUTY HAD ANOTHER  
12 DEPUTY WITH HIM. AND WHILE HE WAS IN THERE, HE WAS VERY  
13 DISRESPECTFUL TO THE LIEUTENANT, WOULD NOT ADDRESS HIM AS  
14 LIEUTENANT OR SIR, KIND OF CALLED HIM BUY HIS LAST NAME, AND  
15 THE LIEUTENANT SPENT SEVERAL MINUTES TRYING TO EXPLAIN TO HIM  
16 WHY HE COULDN'T DO IT. WHICH DID NO GOOD AT ALL. THE DEPUTY  
17 THAT CAME IN TO SUPPORT THIS DEPUTY FINALLY GOT UP, KNOWING  
18 THAT HE WAS ON THIN ICE, FINALLY SAID LET'S LEAVE. THAT'S HOW  
19 IT ENDED.

20

21 **RICHARD E. DROOYAN:** AND CAN YOU GIVE THE MEMBERS OF THE  
22 COMMISSION AN EXAMPLE IN WHICH INSERVICE LISTS WERE CHANGED  
23 OVER YOUR OBJECTIONS? HOW YOU HAD TO DEAL WITH THAT?

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. POLLARO:** AS I SAID, WHEN I WOULD GET UP ON THE FLOOR, I'D  
2 HAVE A COPY OF THE INSERVICE NATURALLY AND I'D GET ON THE  
3 FLOOR AND I'D LOOK AT THE INSERVICE TO MAKE SURE THAT WE HAD  
4 ALL THE MODULES, THE THIRD MAN AND A SENIOR DEPUTY ON THE  
5 FLOOR. BUT WHEN I GOT ON THE FLOOR, I WOULD ALWAYS HAVE LIKE A  
6 LITTLE INSERVICE MYSELF WITH THE DEPUTIES THERE AND I'D LOOK  
7 AT THE INSERVICE AND I'D SAY "WAIT A MINUTE, YOU WEREN'T --"  
8 I'D LOOK AND SEE TWO OR THREE PEOPLE THAT WERE ON OTHER FLOORS  
9 ON MY FLOOR. YOU KNOW, I WOULD FINALLY -- I WOULD GO TO THE  
10 PERSON THAT MADE THE CHANGE. I'D FIND OUT WHO MADE THE CHANGE  
11 AND THEN EXPLAIN IT TO THEM THAT THIS IS NOT POLICY. I'M THE  
12 ONE THAT DICTATES WHO WORKS THE FLOOR, NOT YOU. AND THEY'D  
13 TELL ME "OH, COME ON, SARGE, THESE GUYS ARE WEAK. WE NEED THE  
14 STRONGER DEPUTIES UP HERE.". AND I'D SAY NO, IF HE'S WEAK, HE  
15 NEEDS TO WORK THE FLOOR, HE NEEDS TO LEARN HOW TO BE A BETTER  
16 DEPUTY, NOT KEEPING THE SAME GUYS ON. AND IT WAS A STRUGGLE.  
17 PROBABLY TWO OR THREE TIMES A WEEK I'D HAVE THAT PROBLEM OF  
18 CHANGING MY INSERVICE. AND THAT NOT ONLY HAPPENED TO ME, BUT  
19 TALKING TO THE OTHER SERGEANTS, THE 3,000 SERGEANT, WHICH ALSO  
20 HAD THE SAME PROBLEM.

21

22 **SPEAKER:** DID YOU OBSERVE THESE ACTS OF INSUBORDINATION TO  
23 INCREASE OVER TIME AS YOU WERE ON THE 2, 3,000 FLOOR?

24

25 **MR. POLLARO:** YES.

1

2 **RICHARD E. DROOYAN:** WHAT EFFORTS WERE THERE MADE TO DEAL WITH  
3 THE ACTS OF INSUBORDINATION THAT YOU SAW?

4

5 **MR. POLLARO:** MANY THINGS. WE WOULD HAVE INSERVICES THAT  
6 LIEUTENANT GONZALES WOULD PUT ON THE BEGINNING OF THE SHIFTS  
7 EXPLAINING TO THE DEPUTIES THE POLICIES THAT ARE IN PLACE AND  
8 THAT HOW THEY WOULD HAVE TO REPORT ANY TYPE OF FORCE, WITNESS  
9 FORCE, ANYTHING THAT WOULD TRY TO IMPROVE, YOU KNOW, THE FORCE  
10 PROBLEMS.

11

12 **RICHARD E. DROOYAN:** YOU INDICATED THAT TARDINESS WAS A  
13 PROBLEM, IS THAT CORRECT?

14

15 **MR. POLLARO:** EXCUSE ME?

16

17 **RICHARD E. DROOYAN:** YOU INDICATED THAT TARDINESS WAS A  
18 PROBLEM?

19

20 **MR. POLLARO:** YES, SIR.

21

22 **RICHARD E. DROOYAN:** WHAT DID LIEUTENANT GONZALES TRY TO DO  
23 WITH THE TARDINESS PROBLEM?

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. POLLARO:** WELL WHAT WE WOULD DO, THE SERGEANTS AND THE  
2 LIEUTENANT GONZALES, OUR SHIFT WAS A HALF HOUR EARLIER. SO WE  
3 WOULD GET THE INSERVICE, AND WHEN YOU COME IN TO MEN'S CENTRAL  
4 JAIL, THERE WAS A TABLE THERE FOR YOU TO SIGN IN. AND WE WOULD  
5 STAND OUT THERE, NOT TRYING TO HARASS ANYBODY, BUT JUST TO  
6 WATCH WHO WAS COMING IN. AND WE COULD SEE THAT THERE WAS A  
7 PATTERN OF A CERTAIN FEW DEPUTIES THAT WOULD ALWAYS COME IN  
8 TWO, THREE, FOUR MINUTES LATE. AND AT FIRST WE WOULD JUST --  
9 YOU KNOW, YOU KID WITH PEOPLE. WHAT'D YOU HAVE A BAD DAY? WE  
10 GOT AN EXCUSE. MY CAR BROKE DOWN. OR THERE WAS TOO MUCH  
11 TRAFFIC. WELL, YOU TAKE THAT AND YOU KIND OF PUT IT IN THE  
12 BACK OF YOUR MIND. AND THEN WHEN YOU SEE A PATTERN COMING ON,  
13 THEN WE KNEW WE HAD A PROBLEM. SO WHAT HE WOULD DO, HE'D STAND  
14 OUT THERE. HE'D TRY TO ENCOURAGE THE GUYS. YOU KNOW, THAT'S  
15 WHAT I EXPECT FROM YOU IS TO DO YOUR JOB. COME IN ON TIME AND  
16 LEAVE ON TIME. AND THEN DO THE BEST JOB YOU CAN DO.

17

18 **RICHARD E. DROOYAN:** WHAT WAS THE DEPUTIES' REACTION?

19

20 **MR. POLLARO:** THEY THOUGHT THAT WAS RIDICULOUS. WHAT DO YOU  
21 MEAN COME IN ON TIME? I GET HERE WHEN I GET HERE AND I WANT TO  
22 LEAVE EARLY. I MEAN THAT WAS THEIR MENTALITY, YOU KNOW.

23

24 **RICHARD E. DROOYAN:** HOW DID THE DEPUTIES VIEW LIEUTENANT  
25 GONZALES?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. POLLARO:** THEY THOUGHT HE WAS HARD. THEY THOUGHT HE WAS  
3 UNBEARABLE. HE WASN'T REASONABLE. HE WAS OUT OF CONTROL.

4

5 **RICHARD E. DROOYAN:** WHAT WAS YOUR VIEW?

6

7 **MR. POLLARO:** I THOUGHT HE WAS A GOOD LIEUTENANT. WE ALSO HAD  
8 SERGEANTS THAT THOUGHT HE WAS THAT WAY BECAUSE HE ALWAYS USED  
9 TO MAKE FUN OF THE WAY I USED TO WRITE MY FORCE PACKAGES. HE  
10 SAID "I'M GOING TO MAKE YOU A WRITER SOME DAY. ". AND HE WOULD  
11 GET ON ME FOR THAT AND BELIEVE IT OR NOT, I BECAME A BETTER  
12 WRITER. BUT SOME OF THE SERGEANTS WANTED TO BUCK THE  
13 AUTHORITY. AND OBVIOUSLY IF YOU HAVE SOMEBODY TELLING YOU "YOU  
14 DON'T WRITE PAPER CONSTANTLY" YOU KIND OF GET UPSET. BUT  
15 OVERALL, HE WAS AN EXCELLENT LIEUTENANT.

16

17 **RICHARD E. DROOYAN:** DID THE USE OF FORCE INCIDENTS INCREASE  
18 OVER TIME IN THE 2,000 TO 3,000 FLOORS?

19

20 **MR. POLLARO:** DID IT INC EAST?

21

22 **RICHARD E. DROOYAN:** DID IF USE OF FORCE INDENTS INCREASE ON  
23 THE 2,000 AND 3,000 FLOORS?

24

25 **MR. POLLARO:** I BELIEVE IT DID, YES.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** WHAT WERE THE CAUSES OF THE INCREASES?

3

4 **MR. POLLARO:** WELL BESIDES THE DEPUTIES DOING THEIR OWN THING,  
5 ALSO I THINK THERE WAS A PROBLEM WITH OVERCROWDING. I THINK WE  
6 ALSO HAD A PROBLEM OF GANGS. YOU HAD EVERY GANG IN L.A. COUNTY  
7 AT MEN'S CENTRAL JAIL AT ONE TIME. YOU DIDN'T HAVE THE HOUSING  
8 FOR THEM. SO WHEN YOU PUT THEM TOGETHER, YOU'RE GOING TO HAVE  
9 PROBLEMS. AND THEN YOU ALSO HAD DEPUTIES THAT WERE GOING TO  
10 RUN THE FLOOR THEY WANTED IT. AND THAT MEANS IF SOMEBODY MIGHT  
11 HAVE DONE SOMETHING A LITTLE BIT OUT OF LINE, I GUESS THEY  
12 TUNED THEM UP.

13

14 **RICHARD E. DROOYAN:** WHAT DO YOU MEAN BY TUNED THEM UP?

15

16 **MR. POLLARO:** USE SOME TYPE OF FORCE BECAUSE THEY DIDN'T LIKE  
17 THE WAY IT WAS GOING.

18

19 **RICHARD E. DROOYAN:** CAN YOU GIVE US AN EXAMPLE OF AN INSTANCE  
20 IN WHICH YOU OBSERVED OR LEARNED ABOUT DEPUTIES TUNING UP AN  
21 INMATE?

22

23 **MR. POLLARO:** I DIDN'T SEE THIS. I WAS TOLD OF THIS. THAT THREE  
24 DEPUTIES WERE BRINGING AN INMATE FROM I BELIEVE THE 4,000  
25 FLOOR TO THE 2,000 FLOOR. AND I WAS THE SERGEANT ON THE 2,000

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 FLOOR AT THAT TIME. AND THEY WERE GOING TO TAKE HIM INTO THE  
2 DISCIPLINE MODULE, WHICH WAS 2500 AT THE TIME. AND AS THEY  
3 ENTERED THE MODULE, THE ONE DEPUTY TOLD TO THE OTHER TWO  
4 DEPUTIES THAT THEY COULD LEAVE. HE COULD HANDLE IT FROM THERE.  
5 HE THEN TOOK THE -- THE DEPUTY THEN TOOK THE INMATE DOWN THE  
6 ROW AND BEFORE HE PUT HIM IN THE CELL, AGAIN HE TUNED HIM UP.  
7 HE USED FORCE ON HIM. PUT HIM IN THE CELL. AND THEN LEFT  
8 WITHOUT NOTIFYING ANYONE.

9

10 **RICHARD E. DROOYAN:** AND WAS THIS ON YOUR SHIFT?

11

12 **MR. POLLARO:** YES.

13

14 **RICHARD E. DROOYAN:** AND THESE WERE DEPUTIES THAT WERE ACTING  
15 UNDER YOUR CONTROL?

16

17 **MR. POLLARO:** NO. THESE I BELIEVE, IF MY MEMORY SERVES ME, THEY  
18 WERE FROM THE 4,000 FLOOR. I WAS ON THE 2,000 FLOOR. WHICH I  
19 SHOULD HAVE BEEN NOTIFIED.

20

21 **RICHARD E. DROOYAN:** WHY SHOULD YOU HAVE BEEN NOTIFIED?

22

23 **MR. POLLARO:** BECAUSE THEY WERE PUTTING THIS PERSON IN THE  
24 HOLE. AND BEING THE 2,000 FLOOR SERGEANT, YOU SHOULD KNOW  
25 WHO'S COMING ON YOUR FLOOR, ESPECIALLY IN THE DISCIPLINE.

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012

1

2 **RICHARD E. DROOYAN:** YOU WERE NOT NOTIFIED OF THIS?

3

4 **MR. POLLARO:** NO.

5

6 **RICHARD E. DROOYAN:** HOW DID YOU FIND OUT ABOUT IT?

7

8 **MR. POLLARO:** WELL WHEN THE P.M. CREW CAME ON, THE DEPUTY WOULD  
9 WALK DOWN AND THEY WOULD DO THEIR COUNT TO MAKE SURE WHO'S IN  
10 WHAT CELL AND IT'S THE RIGHT PERSON IN THAT CELL. THIS PERSON,  
11 YOU KNOW, WAS BLOODIED FACE AND OBVIOUSLY THE DEPUTY ASKED  
12 WHAT HAPPENED AND HE TOLD HIM. THE DEPUTY THEN NOTIFIED THE  
13 SERGEANT. AND THEN THE SERGEANT NOTIFIED THE LIEUTENANT. AND  
14 THEN NOT FINDING OUT WHO DID IT RIGHT AWAY, I'M PRETTY SURE I,  
15 A, WAS PROBABLY CALLED INTO SOMETHING LIKE THIS. AND THAT SET  
16 THE WHOLE BALL.

17

18 **RICHARD E. DROOYAN:** YOU LEARNED ABOUT IT THE NEXT DAY?

19

20 **MR. POLLARO:** YES.

21

22 **RICHARD E. DROOYAN:** FROM SOMEONE WHO WAS IN ONE MUCH THOSE  
23 SHIFTS?

24

25 **MR. POLLARO:** YES.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** AND THIS INMATE HAD BEEN BEATEN UP BY ONE  
3 OF THE DEPUTIES?

4

5 **MR. POLLARO:** YES.

6

7 **RICHARD E. DROOYAN:** DO YOU KNOW HOW THAT WAS RESOLVED? WHETHER  
8 THAT WAS INVESTIGATED BY IA AND WHAT RESULT?

9

10 **MR. POLLARO:** IF I'M NOT MISTAKEN, I BELIEVE THE DEPUTY WAS  
11 RELESMED OF DUTIES FOR A WHILE, FOR A PERIOD OF TIME.

12

13 **RICHARD E. DROOYAN:** YOU AND THE OTHER SERGEANTS REVIEW THE USE  
14 OF FORCE POLICIES WITH THE DEPUTIES?

15

16 **MR. POLLARO:** WHAT WE WOULD DO IS WHEN WE HAD A FORCE ISSUE,  
17 THE DEPUTIES WOULD TELL US WHAT HAPPENED. THEN THEY WOULD  
18 WRITE A FORCE MEMO. AND THEY WOULD GIVE THAT TO US. AND THEN  
19 WE WOULD CONTACT THE INMATE, GET HIS SIDE OF THE STORY. AND IF  
20 HE HAD ANY WITNESSES, WE WOULD INTERVIEW THE WITNESS. MOST  
21 TIMES IT WAS DONE ON EITHER RECORDING, TAPE RECORDING OF HIS  
22 STATEMENTS OR WE'D SOMETIMES WE WOULD VIDEO IT.

23

24 **RICHARD E. DROOYAN:** THESE ARE THINGS THAT YOU TOLD THE  
25 DEPUTIES HOW TO HANDLE THESE INSTANCES?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. POLLARO:** AS I SAID BEFORE, WE WOULD HAVE INSERVICES. WE  
3 WOULD GO OVER THE FORCE POLICY. EACH SERGEANT WOULD TAKE TIME  
4 TO EXPLAIN WHAT HAS TO BE REPORTED AS FORCE. EITHER  
5 SIGNIFICANT OR SOMETHING AS SIMPLE AS GRABBING ONE OF THE  
6 INMATES' ARMS, PUTTING THEM BEHIND HIS BACK AND HANDCUFFING  
7 IT, IT HAS TO BE REPORTED.

8

9 **RICHARD E. DROOYAN:** LET ME BACK UP A LITTLE BIT. THAT'S  
10 TALKING ABOUT THE REPORTING OF USE OF FORCE.

11

12 **MR. POLLARO:** RIGHT.

13

14 **RICHARD E. DROOYAN:** MY QUESTION IS DID YOU GO OVER THE USE OF  
15 FORCE POLICIES ON WHEN FORCE WAS APPROPRIATE TO BE?

16

17 **MR. POLLARO:** OH YES.

18

19 **RICHARD E. DROOYAN:** HOW DID YOU DO THAT? WHAT MADE YOU DO  
20 THAT?

21

22 **MR. POLLARO:** WE WOULD DO THAT, AS I SAID, IN THE INSERVICES.  
23 THE INSERVICES WE'D GO OVER THE FORCE WHEN YOU COULD -- WHAT  
24 WAS REASONABLE AND WHAT WAS UNREASONABLE. YOU COULD REASONABLY  
25 YOU HAD TO OVERCOME THE FORCE THAT THAT PERSON WAS USING AT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THAT POINT IT STOPPED. AND HANDCUFFING. AND ANYBODY THAT WAS  
2 INVOLVED, EVEN IF YOU DIDN'T PARTAKE IN THE TAKING DOWN OF THE  
3 INMATE, YOU HAD TO, AS A WITNESS, YOU HAD TO MAKE A STATEMENT  
4 AS TO WHAT YOU SAW.

5

6 **RICHARD E. DROOYAN:** DID YOU FEEL YOUR TRAINING WAS HAVING ANY  
7 IMPACT ON THE USE OF FORCE BY THE DEPUTIES?

8

9 **MR. POLLARO:** NOT REALLY.

10

11 **RICHARD E. DROOYAN:** WHY NOT?

12

13 **MR. POLLARO:** BECAUSE AS I STATED BEFORE, I THINK THESE  
14 DEPUTIES WERE -- THEY WERE THEIR OWN THINKING. THEY WERE THEIR  
15 OWN LITTLE GROUP THAT WAS GOING TO DO WHAT THEY WANTED TO DO  
16 AND HOW THEY WANTED TO DO IT WITHOUT ANY DISCIPLINE OR WITHOUT  
17 ANY INSTRUCTION.

18

19 **RICHARD E. DROOYAN:** DID YOU FEEL THERE WERE CLIQUES FORMING ON  
20 THE 2,000 AND 3,000 FLOORS?

21

22 **MR. POLLARO:** OH VERY MUCH SO. AS I SAID BEFORE, ON EACH FLOOR,  
23 YOU HAD DEPUTIES THAT PROBABLY WERE IN THE JAIL FOR MAYBE  
24 FOUR, FIVE YEARS. AND A LOT OF THE YOUNGER DEPUTIES USED TO  
25 CALL THESE OLDER DEPUTIES, THESE GUYS WERE OLD G. THESE GUYS

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 HAD ALL THE ANSWERS. AND I'VE HAD SEVERAL INCIDENTS WHERE YOU  
2 WOULD GET A YOUNG DEPUTY COME ON THE FLOOR AND WOULD LISTEN TO  
3 WHAT THE OLD G DEPUTY WOULD TELL HIM TO DO INSTEAD OF  
4 LISTENING TO ME. AND I WAS REALLY SHOCKED AT THAT. YOU KNOW,  
5 I'D LOOK AT HIM AND SAY "YOU KNOW, I'VE GOT MORE TIME THAN ALL  
6 OF YOU PEOPLE AND YOU'RE GOING TO LISTEN TO THIS PERSON"? JUST  
7 THE PEER PRESSURE OF THAT PERSON, THAT OLD G DEPUTY, WOULD  
8 MAKE THESE YOUNG DEPUTIES JUST FOLLOW WHATEVER HE SAID.

9

10 **RICHARD E. DROOYAN:** AND DID THAT, IN YOUR VIEW, LEAD TO THE  
11 INCREASE IN USE OF FORCE?

12

13 **MR. POLLARO:** I BELIEVE SO, YES.

14

15 **RICHARD E. DROOYAN:** UM, WHO WAS THE CAPTAIN IN MEN'S CENTRAL  
16 JAIL WHEN YOU FIRST GOT ASSIGNED TO THE 2,000 FLOOR? PULL FULL  
17 IF I'M NOT MISTAKEN IT WAS CAPTAIN RAY LAV AN.

18

19 **RICHARD E. DROOYAN:** AT SOME POINT WAS HE REPLACED?

20

21 **MR. POLLARO:** YES.

22

23 **RICHARD E. DROOYAN:** WHO REPLACED HIM?

24

25 **MR. POLLARO:** CAPTAIN ADAMS.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** AND WHO REPLACED HAD IM?

3

4 **MR. POLLARO:** CAPTAIN JOHN CLARK.

5

6 **RICHARD E. DROOYAN:** AT SOME POINT IN TIME DID CAPTAIN CLARK  
7 COME UP WITH A POLICY OF DEPUTIES STAYING TOO LONG IN ONE  
8 MODULE?

9

10 **MR. POLLARO:** YES, HE DID.

11

12 **RICHARD E. DROOYAN:** WHAT WAS THAT PLAN?

13

14 **MR. POLLARO:** HE CAME UP WITH A PLAN TO TRY TO GET SOME OF THE  
15 OLD G DEPUTIES, THAT ONES THAT HAD MORE EXPERIENCE, TAKE THEM  
16 OFF THE THIRD AND SECOND FLOORS AND PUT THEM ON FLOORS LIKE  
17 4,000, 5,000 AND THE HOSPITAL AND BRING UP SOME OF THE  
18 DEPUTIES THAT QUIT DIDN'T HAVE THE EXPERIENCE OR WERE A LITTLE  
19 BIT INTIMIDATED, BRING THEM ON THE FASTER SIDE TO BRING THEM  
20 UP TO PAR TO MAKE THEM A BETTER DEPUTY.

21

22 **RICHARD E. DROOYAN:** MEMBERS OF THE COMMISSION, IF YOU LOOK IN  
23 THE BOOKS THAT YOU HAVE, TAB NO. 1 IS THE MEMORANDUM THAT JOHN  
24 CLARK, CAPTAIN OF MEN'S CENTRAL JAIL, SENT TO ALL PERSONNEL IN  
25 MEN'S CENTRAL JAIL DATED FEBRUARY 8, 2006, REGARDING JOB

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ROTATIONS. I DON'T PROPOSE TO GO THROUGH THIS IN DETAIL, BUT  
2 THIS IS THE MEMORANDUM THAT CAPTAIN CLARK SENT OUT TO ALL THE  
3 DEPUTIES ADVISING THEM IN FEBRUARY OF 2006 OF THESE JOB  
4 ROTATIONS.

5

6 **REV. CECIL L. MURRAY:** I HAVE A RELATED QUESTION? NO. JUST ON  
7 THE TENURE OF OFFICERS ON CERTAIN LEVELS, FLOORS. I'LL WAIT.  
8 IF YOU PLEASE, WE HAVE HAD RECOMMENDATIONS CONCERNING THE  
9 LENGTH OF TIME A DEPUTY SHOULD HAVE ON A DIFFERENT FLOOR. AND  
10 THE GENERAL RECOMMENDATION IS THREE MONTHS. MAY WE HAVE YOUR  
11 REACTIONS TO THAT RECOMMENDATION?

12

13 **MR. POLLARO:** IF I UNDERSTAND THE QUESTION CORRECTLY, YOU SAY  
14 THERE SHOULD BE A REQUIREMENT THAT DEPUTIES ONLY STAY THREE  
15 MONTHS ON THE FLOOR AND THEN MOVE?

16

17 **REV. CECIL L. MURRAY:** YES.

18

19 **MR. POLLARO:** I THINK THREE MONTHS IS TOO SHORT. I BELIEVE  
20 MAYBE AT LEAST SIX MONTHS WOULD PROBABLY BE BETTER. FOR THREE  
21 MONTHS, WHEN YOU FIRST GET THERE FROM THE ACADEMY, MEN'S  
22 CENTRAL, YOU GET PUT INTO A MODULE. AND IT IS VERY SCARY. IT'S  
23 A SITUATION WHERE YOU HAVE TO LEARN HOW TO OPEN THE CELLS AND  
24 GET PEOPLE ALSO. I THINK THREE MONTHS WOULD BE -- SIX MONTHS  
25 WOULD BE BETTER.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** WHAT WAS THE REACTION OF THE DEPUTIES TO  
3 CAPTAIN CLARK'S MEMORANDUM PROPOSING THE JOB ROTATION?

4

5 **MR. POLLARO:** I WAS TOLD -- AND WHAT HAPPENED WAS THAT THEY  
6 WERE VERY UPSET ABOUT IT, THAT THEY DIDN'T WANT ANY PART OF  
7 IT. AND I WAS TOLD THAT ONE DEPUTY EMAILED MR. TIN ACAN AND  
8 VOICED THEIR COMPLAINT ABOUT WHAT CAPTAIN CLARK WAS PLANNING  
9 ON DOING.

10

11 **RICHARD E. DROOYAN:** WHAT WAS MR. TANAKA'S POSITION AT THAT  
12 TIME?

13

14 **MR. POLLARO:** IF I'M NOT MISTAKEN, HE WAS THE ASSISTANT SHERIFF  
15 OR ONE OF THE ASSISTANT SHERIFFS?

16

17 **RICHARD E. DROOYAN:** THE HIERARCHY OF THE DEPARTMENT, IT GOES  
18 CAPTAIN, COMMANDER, CHIEF, AND THEN ASSISTANT?

19

20 **MR. POLLARO:** YES.

21

22 **RICHARD E. DROOYAN:** THEN IT GOES ON TO SHERIFF. CAPTAIN, MEN'S  
23 CENTRAL JAIL. THERE'S A COMMANDER OVER SEVERAL OF THE JAILS.  
24 THERE'S A CHIEF OF CUSTODY. THEN THERE'S AN ASSISTANT SHERIFF  
25 OF CUSTODY AND ASSISTANT SHERIFF FOR PATROL AND THOSE TWO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ASSISTANT SHERIFFS REPORT TO THE UNDERSHERIFF. AT THIS TIME IN  
2 2006, MR. TANAKA WAS THE ASSISTANT SHERIFF. IF YOU'LL LOOK IN  
3 YOUR BOOKS AT ITEM NO. 2, IT'S A COPY OF THE EMAIL THAT WAS  
4 SENT TO ASSISTANT SHERIFF TANAKA DATED FEBRUARY 10TH, 2006. WE  
5 HAVE BLACKED OUT THE NAME OF THE DEPUTIES. IT IS MY  
6 UNDERSTANDING THAT MANY, MANY DEPUTIES ACTUALLY SENT EMAILS.  
7 BUT I WOULD JUST DIRECT YOUR ATTENTION PARTICULARLY TO THE  
8 FIRST SENTENCE. IT SAYS "SIR, YOU TOLD US AT A BRIEFING THAT  
9 IF THERE WERE ANY PROBLEMS INVOLVING THE LEADERSHIP OF MEN'S  
10 CENTRAL JAIL TO CONTACT YOU. SIR, WE HAVE A PROBLEM IN MEN'S  
11 CENTRAL JAIL." AS YOU RED THIS, YOU WILL SEE THE DEPUTY  
12 CONTESTING THE JOB ROTATION. . MR. POLLARO, DID YOU SEE MR.  
13 TANAKA IN MEN'S CENTRAL JAIL AFTER THE EMAIL WAS SENT?

14

15 **MR. POLLARO:** NO.

16

17 **RICHARD E. DROOYAN:** DID YOU HAVE AN UNDERSTANDING AS TO  
18 WHETHER OR NOT HE EVER MET WITH THE DEPUTIES IN MEN'S CENTRAL  
19 JAIL?

20

21 **MR. POLLARO:** YES, I WAS TOLD THAT HE DID MEET WITH THEM.

22

23 **RICHARD E. DROOYAN:** AND WERE YOU IN THAT MEETING?

24

25 **MR. POLLARO:** NO.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** DO YOU KNOW IF THE SUPERVISORS IN MEN'S  
3 CENTRAL JAIL ATTEND THAT HAD MEETING?

4

5 **MR. POLLARO:** NO. WE WERE ALL EXCLUDED.

6

7 **RICHARD E. DROOYAN:** DID YOU EVER GET A REPORT BACK FROM ANY  
8 DEPUTY WHO WAS AT THAT MEETING AS TO WHAT WAS SAID?

9

10 **MR. POLLARO:** NO.

11

12 **RICHARD E. DROOYAN:** NOW, DID YOU EVER PERSONALLY ATTEND A  
13 MEETING WITH ASSISTANT SHERIFF TANAKA AFTER THE ROTATION WAS  
14 CANCELED?

15

16 **MR. POLLARO:** YES. APPROXIMATELY HOW SOON AFTER THE  
17 CANCELLATION OF THE ROTATION DID THIS MEETING THAT YOU  
18 ATTENDED TAKE PLACE?

19

20 **MR. POLLARO:** I WOULD SAY WITHIN A FEW DAYS, MAYBE A WEEK AT  
21 THE MOST.

22

23 **RICHARD E. DROOYAN:** WHO WAS IN THIS MEETING?

24

25 **MR. POLLARO:** ALL THE SUPERVISORS. AND CAPTAIN CLARK.

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012

1

2 **RICHARD E. DROOYAN:** WHEN YOU SAY THE SUPERVISORS, ARE YOU  
3 TALKING SERGEANTS AND LIEUTENANTS?

4

5 **MR. POLLARO:** YES.

6

7 **RICHARD E. DROOYAN:** WAS CAPTAIN CLARK PRESENT?

8

9 **MR. POLLARO:** YES.

10

11 **RICHARD E. DROOYAN:** WAS -- OPERATIONS LIEUTENANT AT THAT TIME?

12

13 **MR. POLLARO:** YES.

14

15 **RICHARD E. DROOYAN:** DO YOU KNOW IF HE WAS PRESENT AS WELL?

16

17 **MR. POLLARO:** I DON'T KNOW.

18

19 **RICHARD E. DROOYAN:** IN THIS MEETING, DID ASSISTANT SHERIFF  
20 TANAKA INTRODUCE ANY OF THE LIEUTENANTS THAT HE SAID WERE  
21 BEING ASSIGNED TO THE JAIL?

22

23 **MR. POLLARO:** HE HAD MENTIONED HE HAD HAND PICKED THREE  
24 LIEUTENANTS THAT HE PICKED HIMSELF THAT WERE GOING TO BE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ASSIGNED TO MEN'S CENTRAL JAIL TO SEE IF THEY COULD CORRECT  
2 THE PROBLEM OR SEE WHAT THE PROBLEM WAS.

3

4 **RICHARD E. DROOYAN:** DID HE MENTION THE NAMES OF THOSE THREE  
5 LIEUTENANTS?

6

7 **MR. POLLARO:** HE DID.

8

9 **RICHARD E. DROOYAN:** DO YOU RECALL THEIR NAMES?

10

11 **MR. POLLARO:** NO.

12

13 **RICHARD E. DROOYAN:** DID HE INDICATE THAT THOSE THREE  
14 LIEUTENANTS WERE GOING TO REPORT DIRECTLY TO HIM?

15

16 **MR. POLLARO:** YES.

17

18 **RICHARD E. DROOYAN:** DID YOU SAY ANYTHING IN THIS MEETING?

19

20 **MR. POLLARO:** YES.

21

22 **RICHARD E. DROOYAN:** WHAT DID YOU SAY?

23

24 **MR. POLLARO:** WELL, AFTER MR. TANAKA WAS TALKING ABOUT HOW WE  
25 HAD TO TREAT THESE DEPUTIES IN A DIFFERENT WAY AND WED TO MORE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 OR LESS CUDDLE THEM AND WED TO RESPECT THEIR BEHAVIOR OR  
2 UPBRINGING, I RAISED MY HAND AND I STOOD UP AND I SAID MR.  
3 TANAKA, I'VE BEEN ON THE DEPARTMENT JUST A LITTLE BIT LONGER  
4 THAN YOU HAVE. SHERIFF'S DEPARTMENT, WE'VE ALWAYS HAD A  
5 TRADITION: YOU WORK HARD. YOU FOLLOW THE RULES. YOU TAKE TESTS  
6 WHEN THEY'RE THERE. YOU TAKE ALL THE OPPORTUNITIES THAT ARE  
7 AFFORDED TO YOU. AND GOOD THINGS WILL HAPPEN TO YOU. YOU'LL  
8 MAKE A GOOD CAREER IN THE SHERIFF'S DEPARTMENT.

9

10 **RICHARD E. DROOYAN:** AND WHAT WAS HIS RESPONSE?

11

12 **MR. POLLARO:** WELL HE LOOKED AT ME AND HE SAID WITH A SMILE ON  
13 HIS FACE. HE SAID DO YOU KNOW WHAT? YOU SOUND JUST LIKE MY  
14 FATHER. AND I SAID TO HIM, I SAID WELL, YOU MUST HAVE LISTENED  
15 TO HIM BECAUSE LOOK WHERE YOU ARE NOW.

16

17 **RICHARD E. DROOYAN:** WHAT WAS YOUR RESPONSE TO THAT?

18

19 **MR. POLLARO:** HE JUST KIND OF GAVE ME ONE OF THOSE LOOK LIKE  
20 YOU GOT ME AND TOLD ME TO SIT DOWN.

21

22 **RICHARD E. DROOYAN:** DID HE SAY ANYTHING ABOUT BEING DINOSAURS?

23

24 **MR. POLLARO:** YES, HE THEN MENTIONED PEOPLE LIKE ME, A DINOSAUR  
25 LIKE ME ARE A DYING BREED. AND I TOOK THAT AS THE STATEMENT I

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 MADE ABOUT TRADITION AND HONOR IN THE SHERIFF'S DEPARTMENT WAS  
2 GONE.

3

4 **RICHARD E. DROOYAN:** WHAT DID YOU FEEL THE IMPACT OF THIS  
5 MEETING WITH ASSISTANT SHERIFF TANAKA WAS ON SUPERVISION IN  
6 MEN'S CENTRAL JAIL?

7

8 **MR. POLLARO:** WELL AFTER THE MEETING WHEN I LEFT, I FELT LIKE I  
9 MIGHT AS WELL TAKE MY STRIPES OFF BECAUSE HOW WERE WE GOING TO  
10 SUPERVISE DEPUTY PERSONNEL THAT KNOW THAT THEY CAN EMAIL THE  
11 UNDERSHERIFF OR THE ASSISTANT SHERIFF AND AT THEIR WHIM, HE'S  
12 GOING TO COME OVER TO THE JAIL AND TELL THEM DON'T LISTEN, YOU  
13 DO WHAT YOU WANT, THINGS ARE GOING TO BE ALL RIGHT. LIEUTENANT  
14 GONZALES AND MYSELF JUST -- I MEAN WE HUNG OUR HEADS. IT WAS  
15 HURTFUL. VERY HURTFUL THAT THE SHERIFF'S DEPARTMENT WAS COMING  
16 TO SOMETHING LIKE THIS.

17

18 **RICHARD E. DROOYAN:** DID YOU FEEL IT UNDERMINED THE AUTHORITY  
19 OF CAPTAIN CLARK TO RUN THE MEN'S CENTRAL JAIL?

20

21 **MR. POLLARO:** I THINK HE DID. DURING THAT MEETING WHEN CAPTAIN  
22 CLARK TRIED TO DEFEND HIS POLICY, HE WAS TOLD TO KEEP QUIET.  
23 AND IF HE WANTED HIM TO ANSWER, HE'D TELL HIM WHEN TO ANSWER.  
24 I THOUGHT IT WAS VERY DISRESPECTFUL THAT A CAPTAIN WOULD BE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012**

1 PUT THROUGH SOMETHING LIKE THAT WITH HIS SUBORDINATES IN THE  
2 SAME ROOM WITH HIM.

3

4 **RICHARD E. DROOYAN:** THIS WOULD HAVE BEEN SOMETIME IN EARLY  
5 2006, CORRECT?

6

7 **MR. POLLARO:** YES.

8

9 **RICHARD E. DROOYAN:** YOU AT SOME POINT DID CAPTAIN CLARK LEAVE  
10 MEN'S CENTRAL JAIL?

11

12 **MR. POLLARO:** YES.

13

14 **RICHARD E. DROOYAN:** DO YOU RECALL WHEN THAT WAS?

15

16 **MR. POLLARO:** I DON'T RECALL.

17

18 **RICHARD E. DROOYAN:** WAS THAT BEFORE YOU RETIRED THAT CAPTAIN  
19 CLARK LEFT MEN'S CENTRAL JAIL?

20

21 **MR. POLLARO:** IT WAS BEFORE I RETIRED, YES.

22

23 **RICHARD E. DROOYAN:** AND THEN YOU RETIRED IN MARCH OF 2007.

24

25 **MR. POLLARO:** '7.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** I DON'T HAVE ANY FURTHER QUESTIONS FOR MR.  
3 POLLARO.

4

5 **HON. ROBERT BONNER:** I HAVE A FEW QUESTIONS I'D LIKE TO ASK.  
6 FIRST OF ALL WHAT DOES OG STAND FOR WHEN YOU SAY AN OG DEPUTY?

7

8 **MR. POLLARO:** ORIGINAL GANGSTER. IT WAS A GANG SLANG. BUT IT  
9 WAS NOT USED AS THAT TERM, THE DEPUTY. THE TERM THE DEPUTIES  
10 WOULD USE IT FOR WAS LIKE A DEPUTY THAT HAD A LONG TIME IN  
11 THERE. HE WAS THERE FOR QUIT A LONG TIME, SO HE KNEW WHAT WAS  
12 GOING ON.

13

14 **HON. ROBERT BONNER:** WHO MAKES UP THE INSERVICE LIST?

15

16 **MR. POLLARO:** THAT IS MADE UP BY THE EARLY MORNING WATCH  
17 SERGEANT.

18

19 **HON. ROBERT BONNER:** AND YOU INDICATED THERE WAS AN INSERVICE.  
20 BUT LET ME ASK IT. IS THERE A MUSTER BEFORE EACH SHIFT OF  
21 DEPUTIES BEFORE THEY GO ON SHIFT OR NOT?

22

23 **MR. POLLARO:** I'M SORRY?

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. ROBERT BONNER:** IS THERE A MUSTER? FIRST OF ALL, YOU SAID  
2 -- LET ME START IT ANOTHER WAY. YOU SAID YOU GAVE USE OF  
3 FORCE, THAT YOU GAVE INSTRUCTIONS AS TO WHAT THE POLICY WAS  
4 AND THE REPORTING POLICY WAS FOR USE OF FORCE. AND YOU SAID  
5 YOU DID IT AT INSERVICES. IS THAT A MUSTER THAT TAKES PLACE  
6 IMMEDIATELY BEFORE THE SHIFT CHANGE?

7

8 **MR. POLLARO:** YES, SIR.

9

10 **HON. ROBERT BONNER:** OR IS THAT SOMETHING THAT TAKES PLACE  
11 EVERY MONTH? I'M TRYING TO UNDERSTAND WHETHER OR NOT YOU GUYS  
12 MUSTER BEFORE YOU ACTUALLY REPORT ON DUTY.

13

14 **MR. POLLARO:** RIGHT. BEFORE THE START OF DUTY, WE WOULD PUT  
15 OVER ON THE MIC, "ANY AVAILABLE DEPUTIES" WE COULDN'T TAKE ALL  
16 THE DEPUTIES OFF THE FLOOR. WE NEEDED SO MANY DEPUTIES ON THE  
17 FLOOR. SO WE WOULD ASK FOR "ALL AVAILABLE DEPUTIES TO REPORT  
18 TO THE CONFERENCE ROOM ON THE SECOND FLOOR FOR AN INSERVICE."  
19 NOT ONLY DID WE GIVE AN INSERVICE FOR FORCE ISSUES, BUT MOST  
20 OF THE DEPUTIES WERE PLANNING ON GOING TO PATROL. SO WE, AS  
21 FORMER PATROL DEPUTIES, WE'D GIVE THEM, YOU KNOW, LITTLE  
22 SCENARIOS OF WHAT TO LOOK FORWARD TO WHEN YOU GO OUT TO  
23 PATROL, POSSE BOX, HOW TO FORM IT, ALL INFORMATION THAT THEY  
24 COULD USE.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. ROBERT BONNER:** SO AN INSERVICE REALLY IS A TYPE OF  
2 TRAINING, WHICH COULD BE DONE AT A MUSTER, BUT YOU ACTUALLY  
3 DON'T MUSTER EVERYBODY BEFORE YOU GO ON SHIFT?  
4

5 **MR. POLLARO:** RIGHT.  
6

7 **HON. ROBERT BONNER:** AT THE COUNTY JAIL?  
8

9 **MR. POLLARO:** YES.  
10

11 **HON. ROBERT BONNER:** DO YOU DO A MUSTER ON PATROL? YOU DO A  
12 MUSTER, DO YOU NOT?  
13

14 **MR. POLLARO:** ROLL CALL.  
15

16 **HON. ROBERT BONNER:** ROLL CALL EVERYBODY IS HERE AND THEN THEY  
17 GO OUT ON DUTY.  
18

19 **MR. POLLARO:** YES, SIR.  
20

21 **HON. ROBERT BONNER:** MAYBE I HAVE BEEN WATCHING TOO MUCH  
22 TELEVISION. [LAUGHTER.] DO YOU DO THAT AT THE LAKEWOOD STATION  
23 BEFORE PEOPLE GO OUT ON PATROL?  
24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. POLLARO:** AT LAKEWOOD STATION WE WOULD HAVE A ROLL CALL,  
2 YES, SIR.

3

4 **HON. ROBERT BONNER:** SO YOU DON'T HAVE I GUESS ROLL CALL WAS  
5 THE WORD I WAS LOOKING FOR YOU DON'T HAVE A ROLL CALL  
6 ESSENTIALLY BEFORE YOU GO ON DUTY AT THE MEN'S CENTRAL JAIL?

7

8 **MR. POLLARO:** WHAT WE WOULD DO PRIOR TO THEM, IF DEPUTIES  
9 COMING IN FOR THE START OF DUTY, THEY WOULD COME TO A TABLE  
10 LIKE THIS, AND WE'D HAVE A LIST OF EVERYBODY THAT WAS ASSIGNED  
11 THE INSERVICE. WHEN THEY CAME IN, THEY WOULD SIGN. AND THEN  
12 WE'D CHECK OFF THEIR NAME. JOHN DOE'S HERE, BILL SMITH'S HERE.  
13 HE'D SIGN THE BOOK. AND THE WAY WE'D KNOW THAT THEY WERE LATE  
14 IS AT 7:00 OR 6:00 THE GATE WOULD SHUT. AND WE COULD LOOK AT  
15 THE INSERVICE. AND IF YOU WERE SUPPOSED TO BE AT WORK AND YOUR  
16 NAME WASN'T CHECKED OFF, WELL YOU'RE NOT THERE.

17

18 **HON. ROBERT BONNER:** NOW, PART OF THE -- I GUESS I'LL FIRST OF  
19 ALL THE INSUBORDINATION PROBLEM THAT YOU'VE DESCRIBED, PERHAPS  
20 RELATED TO USE OF FORCE, AS WELL, IS THE FACT THAT YOU HAD  
21 DEPUTIES WHO SERVED FOR VERY LONG PERIODS OF TIME AS DEPUTIES  
22 IN THE JAIL. AND NOT ONLY DID THEY SERVE FOR VERY LONG TIMES,  
23 APPARENTLY THEY COULD SELF-SELECT WHICH FLOOR THEY WANTED TO  
24 SERVE ON ACCORDING TO YOUR TESTIMONY. MY QUESTION FOR YOU IS:  
25 WHAT IS THE IDEAL LENGTH OF TIME FOR A DEPUTY TO SERVE IN THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 COUNTY JAIL ITSELF BEFORE GOING OUT ON PATROL? I REALIZE THERE  
2 ARE FACTORS OF ATTRITION AND THERE ARE FACTORS OF HIRING THAT  
3 GO INTO THIS. BUT IF THERE WERE AN IDEAL LENGTH OF SERVICE  
4 LET'S SAY AS A FIRST ASSIGNMENT OUT OF THE ACADEMY, WHAT IS  
5 THE IDEAL LENGTH OF SERVICE? BEFORE GOING OUT TO PATROL.

6

7 **MR. POLLARO:** RIGHT. I STARTED IN 1980, THE AVERAGE WAS  
8 APPROXIMATELY TWO YEARS. AND NOW IT'S SOMETHING LIKE FOUR OR  
9 FIVE YEARS, MAYBE EVEN SIX YEARS. IF YOU WANTED TO GO TO THE  
10 FASTER STATIONS, THE WEST STATIONS, YOU USUALLY WOULD GET OUT  
11 SOONER. IF YOU WANTED TO GO TO THE STATIONS ON THE WEST -- OR  
12 THE EAST SIDE, IT WAS A LONGER WAIT. I BELIEVE NO MORE THAN  
13 THREE YEARS MAXIMUM THAT A DEPUTY SHOULD HAVE TO SPEND IN  
14 CUSTODY.

15

16 **HON. ROBERT BONNER:** THANK YOU. I THINK YOU WERE DESCRIBING A  
17 BIT THE NEW SHERIFFS, STRIKE THAT, THE NEW SERGEANT SYNDROME  
18 OF THE JAIL WHERE YOU ACTUALLY HAVE OG DEPUTIES, IF I CAN USE  
19 THAT TERM, WHO ARE THERE FOR FOUR OR FIVE YEARS, BUT YOU HAVE  
20 NEW SERGEANTS WHO HAVE JUST BEEN PROMOTED TO BEING SERGEANT,  
21 THEY'RE AN SIGNED TO THE JAIL. I'M TRYING TO GET IF YOU WERE  
22 GOING TO TRY TO GIVE A SENSE TO THE COMMISSION OF PART OF THE  
23 SOLUTION MIGHT BE MAKE SHORTER LENGTHS OF ASSIGNMENTS FOR  
24 DEPUTIES COMING INTO CUSTODY, BUT IS THERE -- DO YOU HAVE ANY  
25 THOUGHTS OR COMMENTS ON WHAT I'LL CALL THE NEW SERGEANT ISSUE?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 I MEAN HOW DO YOU GET SERGEANTS THAT HAVE MORE EXPERIENCE THAN  
2 THE DEPUTIES THAT ARE SERVING IN THE COUNTY JAIL AND THEREFORE  
3 ARE PERHAPS IN A BETTER POSITION TO EXERT AUTHORITY AND  
4 DISCIPLINE OVER THEM?

5

6 **SPEAKER:** SPEAKING FOR MYSELF, WHEN I WAS PROMOTED IN 2000, I  
7 NEVER WORKED THE JAIL SIDE OF MEN'S CENTRAL JAIL. I WORKED THE  
8 OLD IRC WHEN INMATES FIRST CAME OFF THE STREETS. SO WHEN I  
9 WALKED IN THE FIRST DAY, I DIDN'T KNOW WHERE 2,000, 3,000,  
10 4,000 FLOOR WERE. I DIDN'T KNOW HOW TO OPEN UP A CELL. SO  
11 BASICALLY I WAS NO BETTER -- I SHOULDN'T SAY NO BETTER, BUT MY  
12 EXPERIENCE WAS LESS THAN AN OG DEPUTY. I DIDN'T HAVE THE  
13 EXPERIENCE BECAUSE I NEVER WORKED THERE. SO, YOU KNOW, EACH  
14 FLOOR HAS A TWO STRIPER OR CORPORAL AND HE'S SUPPOSED TO BE  
15 YOUR RIGHT-HAND PERSON. SO, YOU KNOW YOU WOULD RELY ON HIM.  
16 BUT THROUGH PEER PRESSURE ALSO, HE'S GOING TO BE FAVORING THE  
17 DEPUTIES AND NOT THE SERGEANT. SO MAYBE A RECOMMENDATION WOULD  
18 BE WHEN YOU GET PROMOTED, YOU GO TO A SERGEANT SCHOOL? YOU  
19 KNOW I THINK THEY HAVE A THREE-WEEK ORIENTATION FOR NEW  
20 SERGEANTS? AND NOT ONLY DO YOU HAVE PATROL ISSUES, BUT MAYBE A  
21 COUPLE WEEKS OR A WEEK SHOULD BE DEVOTED TO MEN'S CENTRAL JAIL  
22 AS A SUPERVISOR, GOING OVER THE FORCE ISSUES, THE PAPERWORK,  
23 LEARNING, GETTING FAMILIARIZED WITH THE DIFFERENT FLOORS,  
24 WHICH WOULD BE VERY HELPFUL. BECAUSE WHEN YOU'RE A BRAND NEW  
25 SERGEANT, IT'S TOUGH STARTING NEW LIKE THAT.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **HON. ROBERT BONNER:** CAPTAIN CLARK'S ROTATION POLICY MEMO OF  
3 FEBRUARY 2006, DID ASSISTANT -- I GUESS THE ASSISTANT SHERIFF  
4 AT THE TIME, TANAKA, DID HE RESCIND CAPTAIN CLARK'S ROTATION  
5 MEMO?

6

7 **MR. POLLARO:** YES.

8

9 **HON. ROBERT BONNER:** AND YOU SAID -- YOU DESCRIBED A SITUATION  
10 WHERE HE DID THAT AFTER GETTING A MESSAGE FROM ONE OF THE  
11 DEPUTIES OR SOMEBODY, THAT'S EXHIBIT 2, AND THEN MEETING  
12 WITHOUT ANY OF THE SUPERVISORS OF THE AT THE COUNTY JAIL  
13 HAVING A MEETING WITH THE DEPUTIES TO DISCUSS THE MERITS, I  
14 GUESS, OF CAPTAIN CLARK'S ROTATION POLICY. IS THAT A FAIR  
15 SUMMARY OF YOUR TESTIMONY?

16

17 **MR. POLLARO:** YES.

18

19 **HON. ROBERT BONNER:** AND THEN HE RESCINDED THE MEMO. WHAT DOES  
20 THAT SAY ABOUT THE CHAIN OF COMMAND AT THE L.A. COUNTY  
21 SHERIFF'S DEPARTMENT?

22

23 **MR. POLLARO:** IT SAYS THAT HE COMPLETELY WENT AGAINST IT. I  
24 MEAN, FROM A DEPUTY ALL THE WAY UP TO THE ASSISTANT SHERIFF

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WITHOUT GOING THROUGH THE SERGEANT, THE LIEUTENANT, THE  
2 CAPTAIN, THE COMMANDER OR CHIEF IS UNHEARD OF. UNHEARD OF.

3

4 **HON. ROBERT BONNER:** DO YOU KNOW WHETHER CAPTAIN CLARK KNEW  
5 THAT ASSISTANT SHERIFF TANAKA WAS GOING TO BE MEETING WITH THE  
6 DEPUTIES ABOUT HIS ROTATION POLICY MEMO?

7

8 **MR. POLLARO:** IF I REMEMBER, HE WAS NOT.

9

10 **HON. ROBERT BONNER:** I DON'T HAVE ANYTHING FURTHER.

11

12 **SPEAKER:** I HAVE A COUPLE OF QUESTIONS. YOU INDICATED THAT  
13 THERE WAS A PROBLEM WITH DEPUTIES SHOWING UP ON TIME AND THEN  
14 LEAVING EARLY. BUT THEY DID, IN FACT, SIGN IN. WERE THESE  
15 SIGN-IN LISTS KEPT TO MEMORIALIZE THE ATTENDANCE OF THESE  
16 DEPUTIES?

17

18 **MR. POLLARO:** WHAT WE DID IS AFTER THE START OF THE SHIFT, WE  
19 WOULD TAKE, AS BEING THE WATCH SERGEANT AT THE TIME, I WOULD  
20 TAKE THE LIST AND I'D HANG ONTO IT. SO IF A DEPUTY CAME IN,  
21 SAY, 20 MINUTES LATER, I WOULD ASK WHAT'S THE PROBLEM? AS THE  
22 PROBLEM GREW WITH THESE DEPUTIES, WE WOULD HAVE A SIGN-IN BOOK  
23 THAT WAS FOR LATE, EACH DAY IF YOU WERE LATE. AND AFTER A  
24 CERTAIN NUMBER, MAYBE THREE OR FOUR LATES, WE WOULD WRITE UP A  
25 LITTLE COMMENT, A LITTLE COMMENT SHEET THAT YOU'VE BEEN LATE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THREE, FOUR TIMES, YOU WERE COUNSELED. AND WE WOULD PUT IT IN  
2 A FOLDER WITH HIS NAME ON IT. SOME WAY OF TRYING TO GET THE  
3 DEPUTIES TO --

4

5 **SPEAKER:** WOULD THAT ULTIMATELY END UP IN THE PERSONNEL FILE OF  
6 THE DEPUTY?

7

8 **MR. POLLARO:** WELL, EVENTUALLY MAYBE IF IT CONTINUED TO A POINT  
9 WHERE WE WOULD HAVE TO TAKE IT TO THE LIEUTENANT AND MAYBE  
10 RECOMMEND DAYS OFF, WOULD IT GO IN THERE. BUT USUALLY ONCE  
11 THEY SIGNED THE BOOK AND WE PUT THIS NOTE IN HIS JACKET, IT  
12 USUALLY SOLVED THE PROBLEM.

13

14 **SPEAKER:** DO YOU KNOW WHETHER OR NOT THERE WAS ANY MOU,  
15 MEMORANDUM OF UNDERSTANDING, BETWEEN THE UNION AND THE  
16 SHERIFF'S DEPARTMENT WITH REGARD TO ATTENDANCE BY THE  
17 DEPUTIES?

18

19 **MR. POLLARO:** I'M NOT 100 PERCENT SURE, BUT I KNOW THAT WHEN  
20 YOU START A SHIFT, YOU'RE SUPPOSED TO BE THERE ON TIME AND  
21 YOU'RE SUPPOSED TO LEAVE ON TIME.

22

23 **SPEAKER:** WHETHER OR NOT THE UNION WAS SUPPORTIVE OR INTERFERED  
24 OR NOT --

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. POLLARO:** NO. THE UNION NEVER, NEVER STEPPED IN.

2

3 **SPEAKER:** NOW, YOU INDICATED THAT THE DEPUTIES THEMSELVES MADE  
4 CHANGES IN THE INSERVICE ASSIGNMENTS FOR ANY PARTICULAR DAY,  
5 BYPASSING THE HIERARCHY THAT WAS IN PLACE.

6

7 **MR. POLLARO:** YES.

8

9 **SPEAKER:** AND THAT YOU FOUND OUT TO BE FRUSTRATING AS A  
10 SERGEANT IN THE SHERIFF'S DEPARTMENT?

11

12 **MR. POLLARO:** VERY FRUSTRATING.

13

14 **SPEAKER:** MY UNDERSTANDING IS THAT THE SHERIFF'S DEPARTMENT IS  
15 MUCH LIKE A PARAMILITARY ORGANIZATION. THERE IS A STRUCTURE IN  
16 PLACE. AND THAT THESE CHANGES WERE BYPASSING THAT STRUCTURE.  
17 WHEN ASSISTANT CHIEF TANAKA MET WITH THE DEPUTIES, DID THAT  
18 CAUSE A FURTHER PROBLEM WITH REGARD TO HOW THE, I CALL IT THE  
19 FOOD CHAIN, OR THE CHAIN OF AUTHORITY WAS HANDLED?

20

21 **MR. POLLARO:** YES.

22

23 **SPEAKER:** WAS IT VERY DIFFICULT FOR YOU AS A SERGEANT TO GET  
24 ANY RESPECT FROM THESE DEPUTIES THAT YOU SOUGHT TO SUPERVISE?

25

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012

1 **MR. POLLARO:** YES.

2

3 **SPEAKER:** DO YOU THINK THAT BREAKDOWN IN THE COMMAND CHAIN  
4 CONTRIBUTED TO THE PROBLEMS THAT WE'RE HERE TODAY LOOKING AT  
5 IN TERMS OF THE ISSUES THAT HAVE COME OUT OF THE MEN'S CENTRAL  
6 JAIL?

7

8 **MR. POLLARO:** VERY MUCH SO.

9

10 **SPEAKER:** TELL ME.

11

12 **MR. POLLARO:** WELL, WHEN YOU'RE NOT WORRIED ABOUT ANY  
13 REPERCUSSIONS BECAUSE OF YOUR BEHAVIOR, BECAUSE YOU KNOW YOU  
14 GOT THE EAR OF THE ASSISTANT SHERIFF, WHY WOULD YOU CHANGE? IF  
15 YOU'RE TOLD WHAT YOU'RE DOING IS RIGHT AND WHAT I TELL YOU,  
16 YOU'RE NOT LISTENING TO, HOW COULD YOU HAVE ANY GOOD OUTCOME?  
17 YOU'RE GOING TO HAVE THE SAME OUTCOME THAT THESE GUYS ARE, YOU  
18 KNOW, ACTING THE WAY THEY WANT TO ACT. AND THAT'S THE WAY IT  
19 WAS. I LEFT -- WHEN I WALKED OUT OF THAT MEETING, I FELT LIKE  
20 MY CAREER IS DONE. AND I WAS FORTUNATE. I ONLY HAD A FEW  
21 MONTHS LEFT BECAUSE I WOULD WANT TO TRANSFER OUT OF THAT  
22 LOCATION BECAUSE I HAD NO MORE SUPERVISORY POWER THAN AN OG  
23 DEPUTY. HE PROBABLY HAD MORE THAN I DID.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** THE SHERIFF, HOW MANY TIMES DID YOU ACTUALLY SEE HIM  
2 AT MEN'S CENTRAL JAIL DURING THE TIME THAT YOU WERE THERE?

3

4 **MR. POLLARO:** I DON'T THINK I EVER SAW HIM.

5

6 **SPEAKER:** HOW ABOUT THE STATEMENT ABOUT OLDER DEPUTIES VERSUS  
7 NEWER DEPUTIES? YOU HAD MADE A RECOMMENDATION THAT THEY  
8 SHOULDN'T -- YOU KNOW, YOU SHOULD ROTATE OUT OF THERE EVERY  
9 ABOUT THREE YEARS. ONE OF THE ISSUES THAT HAS COME UP, IT'S A  
10 CONFLICT THAT I'M LOOKING AT RIGHT NOW AND THAT IS THAT THERE  
11 HAVE BEEN SOME SUGGESTIONS THAT YOU NEED MORE SENIOR DEPUTIES  
12 OR DEPUTIES WITH A LONGER PERIOD OF TIME IN MEN'S CENTRAL  
13 JAIL. BUT YOU'RE INDICATING THAT THAT 'S NOT GOOD.

14

15 **MR. POLLARO:** IF I MAY, I THINK WHAT THEY SHOULD HAVE IN MEN'S  
16 CENTRAL JAIL IS WHAT THEY HAVE IN PATROL. YOU HAVE LIKE -- I  
17 THINK YOU HAVE A SENIOR TRAINING OFFICER. THEY SHOULD HAVE  
18 SEEN I DON'T REMEMBER TRAINING OFFICERS IN MEN'S CENTRAL JAIL.  
19 SENIOR DEPUTIES THAT WILL TRAIN THE NEW GUYS THAT COME IN THE  
20 WAY THE SHERIFF'S DEPARTMENT OPERATES, NOT HOW AN OG WANTS THE  
21 FLOOR TO RUN. SOMEBODY THAT IS NOT INTIMIDATED BY OLDER  
22 DEPUTIES. SOMEBODY THAT'S BEEN ON THE DEPARTMENT FOR A WHILE.  
23 BECAUSE I KNOW THE SENIOR DEPUTY IN PATROL IS WORKING OUT  
24 WELL. AND I THINK IF YOU HAD A SEEN OR SENIOR DEPUTY IN MEN'S  
25 CENTRAL JAIL TO RUN IT AND TO DO ALL THE PAPERWORK AND TO BE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THE SERGEANT'S RIGHT HAND MAN OR PERSON ON THAT FLOOR, YOU  
2 WOULD SEE THINGS WOULD CHANGE.

3

4 **SPEAKER:** THANK YOU FOR COMING FORWARD.

5

6 **SPEAKER:** JUSTICE, JUST ONE QUESTION. YOU'VE DESCRIBED A SYSTEM  
7 OF PREFERENCES FOR ASSIGNMENTS, PREFERENCES FOR OVERTIME,  
8 DEPUTIES WHO WANTED TO WORK MORE OVERTIME. COULD YOU DESCRIBE,  
9 IF YOU KNOW, WHETHER OR NOT THOSE PREFERENCES WERE BASED ON  
10 ANY PARTICULAR CHARACTERISTICS, WHETHER IT WAS TENURE ON THE  
11 JOB, RACE, RELIGIOUS AFFILIATION, AFFILIATION WITH INTERNAL OR  
12 EXTERNAL GROUPS? HOW WERE THESE PREFERENCES DETERMINED, IF YOU  
13 KNOW? AND IF THERE WAS ANY PATTERN?

14

15 **MR. POLLARO:** IF I UNDERSTAND CORRECTLY, AT THE TIME THERE WAS  
16 THE OVERTIME WAS JUST ABUNDANT. THERE WAS SO MUCH OVERTIME  
17 THAT AT TIMES, THEY ALMOST HAD TO FORCE PEOPLE TO WORK.

18

19 **SPEAKER:** AND IS THAT SOMETHING DEPUTIES DESIRED, GENERALLY?

20

21 **MR. POLLARO:** SOMETIMES IT WAS AND SOMETIMES IT WASN'T. BUT WE  
22 HAD A JOB TO DO. AND IF WE NEEDED PERSONNEL AND YOU WERE  
23 LEAVING THE DAY AND DIDN'T WORK OVERTIME, THEN WE'D SAY COME  
24 OVER HERE, YOU'RE WORKING TODAY. THAT'S JUST THE WAY IT WAS AT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THE TIME. BUT WE MADE SURE THAT WE DIDN'T PUT A DOUBLE DOUBLE,  
2 A BACK-TO-BACK OVERTIME TOGETHER.

3

4 **SPEAKER:** AGAIN, MY QUESTION WAS: CAN YOU DISCERN ANY PATTERN  
5 AS TO THE BASIS FOR AWARDING THESE PREFERENCES? WAS IT TENURE  
6 ON THE JOB? AGE? MEMBERSHIP IN AN ORGANIZATION OF SOME SORT?

7

8 **MR. POLLARO:** THERE WAS NONE. NO PREFERENCE.

9

10 **SPEAKER:** DO YOU THINK THE PREFERENCES WERE EVENLY DISTRIBUTED?

11

12 **MR. POLLARO:** I BELIEVE SO, YES.

13

14 **SPEAKER:** JUST IF I COULD A QUICK CLARIFICATION. I ASSUME THAT  
15 THE FIRST THING YOU DO WHEN YOU WANT SOMEBODY TO WORK OVERTIME  
16 IS YOU SEE WHETHER THERE ARE ANY VOLUNTEERS FIRST, RIGHT?  
17 PROXIMATE.

18

19 **MR. POLLARO:** YES.

20

21 **SPEAKER:** THAT WOULD NOT BE DOUBLE DOUBLES.

22

23 **MR. POLLARO:** WHAT WOULD HAPPEN IS IN THE MORNING DAY SHIFT, BY  
24 MID AFTERNOON, MID MORNING, WE WOULD KNOW HOW MANY PEOPLE  
25 CALLED OFF ON THE P.M. SHIFT OR HOW MANY DEPUTIES WE WOULD

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 NEED. THEY'D PUT OUT A RADIO BROADCAST, "ANYBODY WISHING TO  
2 WORK OVERTIME, COME ON DOWN TO THE DEPUTY, WATCH DEPUTY'S  
3 OFFICE AND SIGN IN." SAY WE NEEDED FIVE THAT DAY, THREE SHOWED  
4 UP. THEN WHAT THEY WOULD DOUGH -- DO IS THEY'D SEE WHO HAS THE  
5 LESS THE AMOUNT OF OVERTIME? AND THEN THAT PERSON WOULD GET A  
6 SPOT. AND THEN THE NEXT LEAST WOULD GET A SPOT.

7

8 **SPEAKER:** LET ME FOLLOW-UP, IF I MIGHT, WITH A COUPLE OF  
9 QUESTIONS.

10

11 **RICHARD E. DROOYAN:** WITH RESPECT TO THE DEPUTY WHO INSISTED ON  
12 WORKING THE BACK-TO-BACK DOUBLE OVERTIME AND WHO YOU HAD TO  
13 TAKE IN TO SEE LIEUTENANT GONZALES, DO YOU KNOW IF THAT DEPUTY  
14 RECEIVED ANY DISCIPLINE FOR HIS CONDUCT VIS-A-VIS YOU AND  
15 LIEUTENANT GONZALES?

16

17 **MR. POLLARO:** I BELIEVE HE DID. LIEUTENANT GONZALES AND I, WE  
18 WROTE, AS WE SAY, WE WROTE PAPER ON HIM. WE DOCUMENTED HIS  
19 ATTITUDE, HIS BEHAVIOR AND WE PRESENTED IT TO ONE OF THE  
20 COMMANDERS THAT WAS IN CHARGE OF CJ AT THAT TIME.

21

22 **RICHARD E. DROOYAN:** DO YOU RECALL WHAT YOU RECOMMENDED IN THE  
23 WAY OF DISCIPLINE?

24

25 **MR. POLLARO:** I REALLY DON'T KNOW.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** DO YOU KNOW IF DISCIPLINE WAS IMPOSED?

3

4 **MR. POLLARO:** THAT I DON'T KNOW EITHER.

5

6 **RICHARD E. DROOYAN:** DO YOU KNOW ULTIMATELY WHAT HAPPENED TO  
7 THAT DEPUTY?

8

9 **MR. POLLARO:** YES. I WAS TOLD THAT HE WAS BEING INVESTIGATED  
10 FOR SPOUSAL ABUSE. AND THEN HE WAS TESTED. AND HE WAS TESTED  
11 FOR STEROIDS AND PROVED POSITIVE AND HAS BEEN FIRED.

12

13 **SPEAKER:** LET ME GO BACK FOR A MOMENT TO A MEETING THAT YOU  
14 ATTENDED WITH ASSISTANT SHERIFF TANAKA. DID YOU SAY ANYTHING  
15 ABOUT WORKING IN THE GRAY AREA OR NOT WORKING IN THE GRAY AREA  
16 IN YOUR COMMENTS TO ASSISTANT SHERIFF TANAKA?

17

18 **MR. POLLARO:** YOU KNOW, I DON'T REMEMBER.

19

20 **RICHARD E. DROOYAN:** LET ME JUST -- AND WE'LL HAVE THIS FOR THE  
21 COMMISSIONERS, BUT WE HAVE AN EMAIL THAT WAS FROM A JOHN DOE  
22 IT'S DATED FRIDAY, FEBRUARY 10TH, TO DEPUTIES, THE SUBJECT IS  
23 CROSS-TRAINING. AND THEN THE LAST SENTENCE SAYS "IT YOUR  
24 RESPONSIBILITY AS A CJ DEPUTY TO FORWARD THIS LETTER OR ONE OF  
25 YOUR OWN TO ASSISTANT SHERIFF TANAKA. TOGETHER WE CAN MAKE A

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DIFFERENCE." AND WHAT'S ATTACHED TO IT IS EXHIBIT 2. IT'S OUR  
2 INFORMATION THAT MANY DEPUTIES SENT IT TO ASSISTANT SHERIFF  
3 TANAKA.

4

5 **MR. POLLARO:** THANK YOU, YOUR HONOR.

6

7 **HON. LOURDES BAIRD, CHAIR:** FORMER SHERIFF GONZALEZ?

8

9 **SPEAKER:** HELLO, JUDGE. I USED TO TESTIFY IN FRONT OF YOU. NICE  
10 TO SEE YOU, MAYOR.

11

12 **RICHARD E. DROOYAN:** WOULD YOU STATE YOUR NAME, PLEASE?

13

14 **SPEAKER:** ALFRED GONZALES. GONZALES. MR. GONZALES DID YOU WANT  
15 TO MAKE A STATEMENT BEFORE I START ASKING YOU SOME QUESTIONS?

16

17 **SPEAKER:** YES, SIR.

18

19 **RICHARD E. DROOYAN:** PLEASE GO AHEAD. NOTE.

20

21 **SPEAKER:** I COME FROM A FAMILY WITH A LONG HISTORY OF PUBLIC  
22 SERVICE. MY FATHER WAS SEVERELY WOUNDED IN WORLD WAR II AND  
23 RETIRED AS A FEDERAL CIVIL SERVANT. I AM ONE OF EIGHT FAMILY  
24 MEMBERS, WHICH INCLUDES MY WIFE, WHO IS IN THE AUDIENCE, WHO  
25 ARE CURRENT OR RETIRED LAW ENFORCEMENT OFFICERS. FOUR OF THESE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 MEMBERS ALSO SERVED IN THE MILITARY, INCLUDING THREE VIETNAM  
2 VETERANS AND ONE IRAQI WAR VETERAN. I AM A VIETNAM VETERAN OF  
3 THE UNITED STATES MARINE CORPS. I HAVE 35 YEARS OF PUBLIC  
4 SERVICE, 26 YEARS WITH THE LOS ANGELES COUNTY SHERIFF'S  
5 DEPARTMENT. I RETIRED WITH A RANK OF LIEUTENANT. ALTHOUGH I AM  
6 HERE VOLUNTARILY, I WAS ASKED TO TESTIFY. I DID NOT ASK TO  
7 PARTICIPATE IN THESE PROCEEDINGS. IT PAINS ME TO BE HERE. AND  
8 MY INTENT TODAY IS NOT TO MALIGN OR BRING DISCREDIT UPON THE  
9 SHERIFF'S DEPARTMENT. MY GOAL IS TO BRING TRANSPARENCY TO WHAT  
10 IS OCCURRING -- WHAT WAS OCCURRING AT MEN'S CENTRAL JAIL  
11 BETWEEN 2003 AND MY RETIREMENT IN 2007. IN MY OPINION, 90 TO  
12 95 PERCENT OF SHERIFF'S PERSONNEL PERFORM THEIR DUTIES IN AN  
13 HONORABLE AND PROFESSIONAL MANNER.

14

15 **RICHARD E. DROOYAN:** LET'S START WITH YOUR STATEMENT. IN 2003,  
16 YOU WERE A LIEUTENANT WITH THE LOS ANGELES SHERIFF'S  
17 DEPARTMENT, IS THAT CORRECT?

18

19 **SPEAKER:** YES, I WAS.

20

21 **RICHARD E. DROOYAN:** WHERE WERE YOU ASSIGNED IN 2003?

22

23 **SPEAKER:** I WAS PROMOTED TO LIEUTENANT IN APRIL OF 2003 AND  
24 ASSIGNED TO MEN'S CENTRAL JAIL.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** AND WHEN DID YOU RETIRE FROM THE  
2 DEPARTMENT?

3

4 **SPEAKER:** IN MARCH OF 2007.

5

6 **RICHARD E. DROOYAN:** 2000 DID YOU SAY?

7

8 **SPEAKER:** 2007.

9

10 **RICHARD E. DROOYAN:** WERE YOU LIEUTENANT IN MEN'S CENTRAL JAIL  
11 AT THE TIME YOU RETIRED?

12

13 **SPEAKER:** YES, THE ENTIRE FOUR YEARS I WAS LIEUTENANT AT MEN'S  
14 CENTRAL JAIL.

15

16 **RICHARD E. DROOYAN:** STARTING IN 2003 WHEN YOU WERE PROMOTED TO  
17 LIETENANT, WHAT WAS YOUR SHIFT AT THAT TIME?

18

19 **MR. GONZALES:** INITIALLY I WAS ASSIGNED TO EARLY MORNING SHIFT  
20 FROM 10 IN THE EVENING TO 6 IN THE MORNING FOR ONE YEAR.

21

22 **RICHARD E. DROOYAN:** AND THEN DID THAT CHANGE AFTER A YEAR?

23

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. GONZALES:** YES. I WAS REASSIGNED TO DAY SHIFT AS THE DAY  
2 SHIFT WATCH COMMANDER FROM 6 -- ACTUALLY FROM 0500, 5 A CLOCK  
3 IN THE MORNING TO 1:00 IN THE AFTERNOON.

4

5 **RICHARD E. DROOYAN:** AND SO WOULD YOUR SHIFT AS LIEUTENANT, YOU  
6 WOULD OVERLAP A LITTLE BIT WITH THE EVENING SHIFT AND THEN A  
7 LITTLE BIT WITH THE AFTERNOON P.M. SHIFT?

8

9 **MR. GONZALES:** MY SHIFT BEGAN AT -- ARE YOU REFERRING TO THE  
10 DAY SHIFT?

11

12 **RICHARD E. DROOYAN:** YES. I'M SORRY. WHEN YOU HAD THE A.M.  
13 SHIFT, DID IT OVERLAP WITH THE EVENING SHIFT AND THE EVENING  
14 SHIFT?

15

16 **MR. GONZALES:** MY SHIFT BEGAN AT 5. WELL, NO, IT ENDED AT 1  
17 O'CLOCK IN THE AFTERNOON.

18

19 **RICHARD E. DROOYAN:** YEAH, MY QUESTION IS NOT VERY GOOD. LET ME  
20 START OVER AGAIN. THAT'S THE A.M. SHIFT, CORRECT?

21

22 **MR. GONZALES:** YES. THE GRAVEYARD SHIFT IS I THINK WHAT YOU'RE  
23 REFERRING TO?

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012**

1 **RICHARD E. DROOYAN:** WHAT I'M ASKING IS WHEN YOU CAME IN IN THE  
2 MORNING TO START YOUR A.M. SHIFT, THE GRAVEYARD SHIFT WAS JUST  
3 GETTING OFF AT THAT POINT, CORRECT?

4

5 **MR. GONZALES:** YES. THE LINE DEPUTIES, THE DEPUTIES WERE  
6 GETTING OFF AT 6:00. THE EARLY MORNING DEPUTIES WERE GETTING  
7 OFF AT 6:00. I WAS COMING ON AT 5. SO I HAVE A ONE HOUR  
8 OVERLAP. AND LIEUTENANTS ALWAYS HAVE A ONE HOUR OVERLAP OVER  
9 THE CONSISTENT SHIFTS, THE P.M. SHIFT, THE GRAVEYARD SHIFT,  
10 THE DAY SHIFT.

11

12 **RICHARD E. DROOYAN:** THAT'S WHAT I WAS DRIVING AT.

13

14 **MR. GONZALES:** YES, SIR.

15

16 **RICHARD E. DROOYAN:** DID YOU THEN HAVE AN OVERLAP AT THE END  
17 WITH THE P.M. SHIFT?

18

19 **MR. GONZALES:** YES.

20

21 **RICHARD E. DROOYAN:** IT WAS MY UNDERSTANDING AT LEAST ONE DAY A  
22 WEEK YOU WOULD WORK THE P.M. SHIFT RATHER THAN THE A.M. SHIFT,  
23 IS THAT CORRECT?

24

25 **MR. GONZALES:** THAT'S CORRECT.

1

2 **RICHARD E. DROOYAN:** AND WAS THIS BASICALLY THE SAME FROM  
3 ROUGHLY 2004 THROUGH YOUR RETIREMENT IN 2007 THAT FOUR DAYS A  
4 WEEK YOU WORKED THE A.M. SHIFT AND ONE DAY A WEEK YOU WORKED  
5 THE P.M. SHIFT?

6

7 **MR. GONZALES:** THAT'S CORRECT.

8

9 **RICHARD E. DROOYAN:** DID YOU NOTICE A CULTURA MONG THE DEPUTIES  
10 WHEN YOU CAME TO MEN'S CENTRAL JAIL IN 2003?

11

12 **MR. GONZALES:** YES. BUT THE FIRST THING I NOTICED, IF I?

13

14 **RICHARD E. DROOYAN:** YES. WHAT WAS THE FIRST THING YOU NOTICED?

15

16 **MR. GONZALES:** THE FIRSTY NOTICED IS SOMETHING THAT SERGEANT  
17 POLLARO ALLUDED TO. I NOTICED THE CHRONIC TARDINESS OF  
18 DEPUTIES REPORTING TO WORK.

19

20 **RICHARD E. DROOYAN:** LET'S START WITH THAT. AND WHAT DID YOU DO  
21 TO TRY TO ADDRESS THIS PROBLEM OF CHRONIC -- LET ME BACK UP.  
22 WHY DON'T YOU DESCRIBE, IN YOUR WORDS, WHAT YOU MEAN BY  
23 CHRONIC TARDINESS AND WHAT YOU OBSERVED.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. GONZALES:** I BEGAN TO NOTICE THAT MY PARTICULAR SHIFT WAS  
2 ARRIVING TO WORK LATE. NOT ALL OF THEM, LIKE I SAID 90 TO 95  
3 PERCENT OF DEPUTY PERSONNEL OR SHERIFF PERSONNEL ARE  
4 OUTSTANDING. BUT THERE WERE THAT SEGMENT THAT WERE REPORTING  
5 LATE. AND THEN I ALSO NOTICED THAT THE PRIOR SHIFT WERE  
6 LEAVING EARLY WITHOUT BEING PROPERLY RELIEVED UP TO SOMETIMES  
7 AN HOUR EARLY. THEY WERE JUST LEAVING THE FACILITY. AND I  
8 PICKED UP ON THIS RIGHT AWAY AND I ADDRESSED IT TO MY EARLY  
9 MORNING WATCH SERGEANT. AND HE SAYS IT'S BEEN GOING ON FOR  
10 SOMETIME. AND HE SAYS I TRIED TO PUT A STOP ON IT BUT I'M ONLY  
11 A SERGEANT. I SAID WELL GUESS WHAT? WE'RE GOING TO DO  
12 SOMETHING ABOUT IT. AND I IMMEDIATELY BEGAN TO BRIEF THE P.M.  
13 SHIFT AND MY SHIFT ABOUT THE POLICY AND PROCEDURES ABOUT WORK  
14 HOURS. YOU'RE GETTING PAID FOR EIGHT HOURS. I EXPECT YOU HERE  
15 FOR EIGHT HOURS. NOT 7-1/2, NOT SEVEN HOURS. BUT SOME OF THESE  
16 DEPUTIES WERE JUST ARBITRARILY LEAVING THE FACILITY. I WAS  
17 INTERCEPTING THEM AND I'D SAY -- OR IT GOT TO THE POINT WHERE  
18 WORD GOT AROUND THAT IS NEW LIEUTENANT WAS HOLDING PEOPLE TO  
19 THE LINE. AND THEY WOULD SEE ME AND THEY WOULD MAKE A U-TURN  
20 180 AND GO BACK TO THEIR ASSIGNMENT CENTER. THAT WAS A LITTLE  
21 DISTURBING FOR ME. SO I BEGAN TO BRIEF WHAT I EXPECTED OF THE  
22 DEPUTIES. SO I IMPLEMENTED A FEW CHANGES.

23

24 **RICHARD E. DROOYAN:** WHAT WAS THE REACTION TO THE CHANGES THAT  
25 YOU MADE?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. GONZALES:** WORD IMMEDIATELY BEGAN TO FILTER BACK TO ME THAT  
3 THE DEPUTIES WERE A LITTLE UPSET.

4

5 **RICHARD E. DROOYAN:** KEEP YOUR VOICE UP A LITTLE BIT, TOO.

6

7 **MR. GONZALES:** THAT THE DEPUTIES WERE A LITTLE UPSET. THEY WERE  
8 UPSET THAT I WAS HOLDING THEIR FEET TO THE FIRE, THAT HOLDING  
9 THEM TO THE HOURS OF THE WORK. AND MY POLICY WAS: AT CENTRAL  
10 JAIL, THERE'S GATES THAT GO INTO THE FACILITY. AND I WOULD SAY  
11 TO THEM: DO NOT HIT THOSE GATES UNTIL 15 MINUTES BEFORE THE  
12 END OF YOUR SHIFT PROVIDED YOU WERE PROPERLY RELIEVED. BUT  
13 DEPUTIES WERE COMING DOWNERLY OFF THE FLOORS AND LIKE I SAID,  
14 THEY WOULD MAKE 180-DEGREE TURNS AND GO BACK UP ON THE FLOORS.  
15 SO WHAT I STARTED TO DO, I BRIEFED MY SERGEANTS AND I TOLD  
16 THEM YOU STAY ON THOSE FLOORS AND REMAIN DIGILEANT AND MAKE  
17 SURE THIS E STAY ON THEIR FLOORS AND DO THEIR DUTIES. I WAS  
18 THE ONE WHO IMPLEMENTED THE WATCH SERGEANT TO SIT NEXT TO THE  
19 WATCH DEPUTY AND LOG THE DEPUTIES AS THEY CAME IN AS SERGEANT  
20 POLLARO ARTICULATED, I'M THE ONE WHO IMPLEMENTED THAT SO WE  
21 COULD TRACK WHO WAS COMING IN AND WHO WAS COMING IN LATE. AND  
22 THEN I PURPOSELY WOULD SIT UP THERE. THERE WAS A DESK UP THERE  
23 IN THAT AREA AND I WOULD SIT ON THE DESK, ON TOP OF THE DESK  
24 AND GREET MY DEPUTIES AS THEY CAME IN. IT WAS TO FOLD. FIRST I  
25 WANTED TO GREET MY DEPUTIES AND I WANTED TO IS HE HOW THEY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WERE COMING IN, HOW ARE YOU DOING IF ANYONE HAD ANY CHITCHAT  
2 I'D SAY HI TO THEM. BUT IT ALSO LET THE DEPUTIES KNOW THAT THE  
3 OLD MAN WAS UP THERE, THE SERGEANT, THE LIEUTENANT WAS UP  
4 THERE. WHAT IT DID IS PUT PRESSURE ON THEM TO GET THROUGH  
5 THOSE GATES. AND IT WORKED FOR THE MOST PART. BUT IT WASN'T  
6 WELL RECEIVED BY A LOT OF PERSONNEL.

7

8 WERE THERE OTHER ISSUES WITH THE DEPUTIES ON THE 2003 AND  
9 3,000 FLOORS THAT CONCERNED YOU?

10

11 **MR. GONZALES:** I NOTICED THIS WHEN THE FIRST YEAR I WAS  
12 ASSIGNED TO CENTRAL JAIL. I NOTICED SOME EERIE MOVEMENT ON 2  
13 AND 3,000 SPECIFICALLY. THIS WASN'T THE JAIL ENTIRELY. JUST  
14 2,000 AND 3,000. THAT THE DEPUTIES, ONCE THEIR SHIFTS WERE  
15 OVER, THEY WOULD CONGREGATE ON THOSE FLOORS. FOR EXAMPLE, IF  
16 YOU WERE 2,000 DEPUTY AND YOU CAME OUT OF YOUR MODULE, YOU  
17 WOULD STAY ON THAT FLOOR UNTIL THE ENTIRE SHIFT WAS  
18 CONGREGATED IN FRONT OF THE ENTRANCE TO THAT FLOOR AND THEN  
19 THEY WOULD ALL, IN A WAY, MARCH OFF THE FLOOR, DOWN THE  
20 ESCALATORS AND OUT OF MAIN CONTROL AND TO THE LOCKER ROOMS,  
21 CHANGE OUT. THEY WOULD WAIT FOR THEMSELVES, WAIT FOR EACH  
22 OTHER OUTSIDE OF THE DRESSING ROOMS AND THEN THEY WOULD WALK  
23 OUT TOGETHER EN MASSE INTO THE PARKING LOT. AND WHAT WAS SO  
24 EERIE ABOUT IT IS THAT THESE DEPUTIES DIDN'T COMMINGLE WITH  
25 THE OTHER FLOORS. IT WAS A CLICK. AND THEY WOULD CONFINE IT TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THEIR FLOORS. 3,000 DID THE SAME THING. ONLY THOSE TWO FLOORS.  
2 AND AS A MATTER OF FACT, A COUPLE OF TIMES I WAS STANDING OUT  
3 JUST OUTSIDE OF SECURITY IN MY UNIFORM, SO THEY KNEW WHO I  
4 WAS. THEY KNEW WHO I WAS, ANYWAYS. AND AS THEY WERE COMING  
5 OUT, THEY WOULDN'T EVEN ACKNOWLEDGE ME. THEY WOULD JUST STONE  
6 FACE WALK RIGHT BY ME AND DOWN THE HALLWAY AND INTO THE LOCKER  
7 ROOM.

8

9 **RICHARD E. DROOYAN:** WERE THESE DEPUTIES IN THE 2,000 AND 3,000  
10 FLOORS TRY TO EXCLUDE OTHERS FROM WORKING ON THOSE FLOORS?

11

12 **MR. GONZALES:** YES. WHAT I BEGAN TO NOTICE -- AND IT WASN'T  
13 JUST ON THE P.M. SHIFT, THE EVENING SHIFT, BUT ALSO THE DAY  
14 SHIFT, I BEGAN TO NOTE -- I'M GETTING A LITTLE AHEAD OF MYSELF  
15 HERE, BUT AFTER I HAD BEEN THERE FOR A WHILE, I BEGAN TO  
16 NOTICE PATTERNS OF FORCE ON THOSE FLOORS. AND I BEGAN TO  
17 IDENTIFY WHO MY HEAVY HANDED DEPUTIES WERE. BUT ONE WAY I  
18 WANTED TO MINIMIZE THEIR EXPOSURE TO THOSE FLOORS WAS WHEN  
19 THEY WORKED OVERTIME, I WAS GOING TO ASSIGN THEM OVERTIME IN A  
20 DIFFERENT SECTION OF THE JAIL. WELL, EASY SOLUTIONS. BUT I'D  
21 GET BACK ON THOSE FLOORS AND LO AND BEHOLD THE DEPUTIES ARE  
22 BACK ON THOSE FLOORS. SO I THEN BEGAN TO QUESTION MY  
23 SERGEANTS. WHY IS THIS DEPUTY A ON THIS FLOOR? HE WAS ASSIGNED  
24 TO 5,000. AND THEN I BEGAN TO HEAR THROUGH THE GRAPEVINE THAT  
25 THE DEPUTIES WERE COMING BACK AT THE BEGINNING OF THE SHIFT,

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THEY'D COME BACK AND THEY WOULD BROW BEAT THE DEPUTY WHO WAS  
2 WORKING THE ASSIGNMENT THERE "HEY, LISTEN, THIS IS MY FLOOR,  
3 THIS IS MY ASSIGNMENT. YOU NEED TO TAKE MY SPOT ON 5,000. I'M  
4 WORKING 2,000. I'M A 2,000 FLOOR DEPUTY. ". AND SO IT  
5 CONTINUED UNTIL I APPROACHED MY SERGEANTS AND I SAID NO, THIS  
6 ISN'T GOING TO HAPPEN.

7

8 **RICHARD E. DROOYAN:** DID YOU EVER TRY TO COUNSEL THE DEPUTIES  
9 ABOUT NOT BEING ASSIGNED A SPECIFIC FLOOR, WHAT THEIR ATTITUDE  
10 SHOULD BE?

11

12 **MR. GONZALES:** I BEGAN TO CONDUCT BRIEFINGS. SEVERAL THINGS,  
13 SEVERAL INCIDENTS HAPPENED ON DUTY AND OFF DUTY WHERE DEPUTIES  
14 WERE REFERRING TO THEMSELVES AS 2,000 FLOOR DEPUTIES, 3,000  
15 FLOOR DEPUTIES. I GOT OUT A BRIEFING. OUR BRIEFINGS WERE NOT  
16 THE ENTIRE JAIL BECAUSE THE JAIL HAS TO FUNCTION, SO WE WOULD  
17 GET AS MANY DEPUTIES AVAILABLE INTO THE BRIEFINGS, WHICH IS  
18 WHAT YOU REFERRED TO AS MUSTER. THEY'RE ACTUALLY CALLED  
19 BRIEFINGS. AND I WOULD SAY TO THEM -- AND I'M IN UNIFORM, AND  
20 I WOULD SAY TO THEM, "LADIES AND GENTLEMEN, WE ARE DEPUTY  
21 SHERIFFS." 'AND I REMEMBER SPECIFICALLY THIS ONE INCIDENT. I  
22 POINTED TO MY PATCH. AND I SAID "WE ARE DEPUTY SHERIFFS. WE  
23 WORK FOR THE LOS ANGELES SHERIFF'S DEPARTMENT. WE'RE NOT 2,000  
24 FLOOR DEPUTIES. WE'RE NOT 3,000 FLOOR DEPUTIES. WE ARE DEPUTY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SHERIFFS. AND WE WORK AS A TEAM. WE ARE A FAMILY. ". AND I  
2 REPEATED THAT THEME THROUGHOUT MY CAREER, MY FOUR YEARS THERE.

3

4 **RICHARD E. DROOYAN:** WITH RESPECT TO THE 2,000 AND 3,000  
5 FLOORS, WERE THESE AREAS WITH THE HIGHEST USE OF FORCE  
6 INCIDENTS?

7

8 **MR. GONZALES:** 2,000, 3,000 AND 4,000.

9

10 **RICHARD E. DROOYAN:** AND WAS THIS OF CONCERN TO YOU THAT THE  
11 AMOUNT OF USE OF FORCE INCIDENTS ON THESE FLOORS?

12

13 **MR. GONZALES:** YES. BUT I EXPECTED A HIGHER LEVEL OF FORCE ON  
14 THOSE FLOORS. THAT'S WHERE OUR HARDCORE GANG BANGERS OR  
15 HARDCORE MEMBERS ARE MORE VIOLENT ARE 187 SUSPECTS WERE ALL  
16 CONGREGATED ON THOSE THREE FLOORS. SO OBVIOUSLY OUR MORE  
17 RECALCITRANT INMATE WOULD BE HOUSED ON THOSE FLOORS. SO, YES,  
18 THERE WOULD BE MORE FORCE ON THOSE FLOORS. BUT WHAT CONCERNED  
19 ME WERE THAT THE NUMBERS WERE BEGINNING TO ESCALATE. AND IT  
20 WAS THE SAME, FOR THE MOST PART, I'M GENERALIZING HERE, BUT A  
21 LOT OF THE SAME DEPUTIES. DEPUTY A, DEPUTY B, DEPUTY C, EVERY  
22 ONCE IN A WHILE YOU'D HAVE A DIFFERENT DEPUTY. BUT TYPICALLY  
23 IT WHATES THE SAME DEPUTIES OVER AND OVER AND OVER. WE'D HAVE  
24 FORCE THROUGHOUT THE JAIL. AND I EXPECTED FORCE. BUT NOT LIKE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THESE THREE FLOORS. AND IT WAS THE SAME, USUALLY THE SAME  
2 DEPUTIES.

3

4 **RICHARD E. DROOYAN:** WOULD YOU DESCRIBE FOR THE COMMISSIONERS  
5 THE INSTANCE IN WHICH YOU TRIED TO COUNSEL A 2, 000 FLOOR  
6 DEPUTY ON ONE OCCASION AND THE OTHER DEPUTIES WAITED FOR HIM?  
7 WHAT HAPPENED ON THAT OCCASION?

8

9 **MR. GONZALES:** I DESCRIBED EARLIER HOW I BEGAN TO IDENTIFY THE  
10 CLIQUES ON THE FLOORS. THEY WOULD WALK OUT TOGETHER EN MASSE.  
11 NOT COMMINGLE. WELL, THIS ONE PARTICULAR EVENING I WAS WORKING  
12 AS A GRAVEYARD LIEUTENANT. I HAD -- AND I DON'T REMEMBER THE  
13 SPECIFICS, BUT I HAD TO COUNSEL A DEPUTY. AND I REMEMBER HE  
14 WAS ONE OF THE SHOT CALLERS, ONE OF THE OGS LIKE SERGEANT  
15 POLLARO IDENTIFIED HIM. AND SO I WENT TO UP THE 2,000 FLOOR  
16 SERGEANT'S OFFICE AND I ASKED ONE OF THE SERGEANTS TO WITNESS  
17 THE COUNSELING. I ALWAYS WANTED SOMEONE TO WITNESS WHEN I HAD  
18 TO COUNSEL A YOUNG MAN. AND WE BROUGHT HIM INTO THE SERGEANT'S  
19 OFFICE. AND THE OFFICE HAS WINDOWS BUT THERE'S A FILM ON IT SO  
20 YOU CAN SEE SILHOUETTES BUT YOU CAN'T SEE WHO'S OUTSIDE. WE  
21 CLOSED THE DOOR AND I'M BEGINNING TO COUNSEL THIS YOUNG MAN.  
22 AND I CAN SEE A LOT -- THIS IS AFTER THE SHIFT. NOW THIS IS  
23 15, 20 MINUTES AFTER THE SHIFT. AND I CAN SEE THERE'S A  
24 CONGREGATION OF PEOPLE OUTSIDE. AND SO I STOPPED THE MEETING.  
25 I WALKED OUTSIDE. OPENED THE DOOR. AND HERE'S THE ENTIRE 2,000

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 FLOOR, THE PREVIOUS SHIFT STANDING OUTSIDE THE DOOR. AND SO I  
2 SAID, WHAT ARE YOU DOING HERE? AND THEY SAID TO ME, WELL WE'RE  
3 WAITING FOR DEPUTY SO-AND-SO, THE DEPUTY THAT I WAS  
4 COUNSELING. AND I SAID HE'LL BE A WHILE. SO AREN'T YOU GUYS  
5 OFF DUTY? AND THEY ACKNOWLEDGED, YES. AND I SAID OKAY. YOU  
6 GUYS CAN LEAVE THE FACILITY AND YOU CAN WAIT FOR HIM OUTSIDE  
7 OF SECURITY. THEY STOOD THERE AND I LOOKED AT THEM AND SAID  
8 DID YOU HEAR WHAT I SAID? I SAID YOU GUYS ARE OFF DUTY. LEAVE  
9 THE FACILITY. YOU GUYS CAN WAIT FOR HIM OUTSIDE. IT IS ONLY  
10 THE SECOND TIME THAT I TOLD THEM WAS A LITTLE BIT MORE FORCEFUL  
11 IN MY TONE THAT THEY ALL RELUCTANTLY LEFT. BUT THAT WAS JUST  
12 AN EXAMPLE. THEY WERE GOING TO WAIT FOR THEIR LAST STRAY  
13 BEFORE THEY ALL WALKED OUT TOGETHER.

14

15 **RICHARD E. DROOYAN:** LET ME MOVE BACK TO THE USE OF FORCE  
16 INCIDENTS. YOU WERE NOTICING HIGHER LEVEL OF USE OF FORCE BY  
17 SPECIFIC DEPUTIES, IS THAT CORRECT? SAME DEPUTIES OVER AND  
18 OVER AGAIN?

19

20 **MR. GONZALES:** YES.

21

22 **RICHARD E. DROOYAN:** AND WERE THESE INSTANCES CONSENTED IN  
23 THE 2,000 AND 3,000 AND 4,000 AREAS?

24

25 **MR. GONZALES:** YES.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** HOW WAS IT THAT YOU LEARNED ABOUT THESE  
3 INCIDENTS? WHAT YEAR WERE YOU GETTING YOURSELF KNOWLEDGEABLE  
4 TO GET YOURSELF ON THOSE FLOORS?

5

6 **MR. GONZALES:** IT TOOK ME A WHILE. I WAS A NEW LEE TENANT. I  
7 WAS NOT NEW TO THE JAILS. I HAD STARTED MY CAREER AS A SHEET  
8 METAL WORKER ASSIGNED TO THE JAIL. I WORKED THERE SIX YEARS AT  
9 CENTRAL JAIL. I KNEW EVERY NOOK AND CRANNY OF THAT FACILITY.  
10 THEN I BECAME A DEPUTY WORKED TWO YEARS AND SERGEANT TWO  
11 YEARS. SO I HAD AN EXTENDED AMOUNT OF TIME. I KNEW THE JAIL.  
12 YOU COULDN'T PULL THE WOOL OVER MY EYES. I'M THE WATCH  
13 COMMANDER AND I START SEEING THE REPORTS COME ACROSS MY DESK.  
14 ALL FORCE REPORTS COME ACROSS MY DESK. I STARTED SEEING THE  
15 NUMBERS COME ACROSS MY DESK. I STARTED SEEING THE INJURIES.  
16 THE LOG, THE LOG ENTRIES THAT HAVE TO GO TO THE CHEF ACROSS  
17 THE STREET. ALL OF THESE CUMULATIVES STARTED GIVING ME A  
18 PICTURE OF WHAT WAS GOING ON IN THE JAIL. AND IT ALL STARTED  
19 DRAWING TOWARDS 2,000, 3,000 AND 4,000, PARTICULARLY THE P.M.  
20 SHIFT, WHICH IS WHERE I EXPECTED MOST OF THE FORCE TO HAPPEN.  
21 MOST OF THE INMATES ARE COMING BACK FROM COURT IN NOT VERY  
22 GOOD MOODS. AND THERE'S LIKELY TO BE MORE FORCE UP THERE. WHAT  
23 CONCERNED ME WAS THE DEPUTIES WHOEVER USES THE FORCE, THE  
24 EXTENT OF THE INJURIES AND THE NUMBER OF INJURIES, THE NUMBER  
25 OF INCIDENTS, I SHOULD SAY. SO IT WAS CUMULATIVE.

1

2 **RICHARD E. DROOYAN:** DID YOU SEE SIMILAR PATTERNS OR  
3 SIMILARITIES IN THE USE OF FORCE?

4

5 **MR. GONZALES:** YES.

6

7 **RICHARD E. DROOYAN:** WHAT WERE THE SIMILARITIES THAT YOU  
8 OBSERVED?

9

10 **MR. GONZALES:** WELL, A LOT OF IT, M.O., MODUS OPERANDI. IT WAS  
11 THE SAME PATTERN. THE REPORTS LOOKED LIKE -- A LOT OF THE  
12 REPORTS LOOKED LIKE THEY HAD NOT BEEN ARTICULATED PROPER AND  
13 IT WAS THE SAME PATTERN OF THE DEPUTY, THE INMATE CLENCHED HIS  
14 FIST AND LUNGED FORWARD. THERE WAS A REPEATED PATTERN OVER AND  
15 OVER. I THOUGHT WOW, THIS ISN'T RIGHT. IF THERE'S GOING TO BE  
16 FORCE, THERE'S GOING TO BE DIFFERENT VARIATIONS OF FORCE. IT'S  
17 ALWAYS THE SAME KIND OF FORCE AS AN EXAMPLE.

18

19 **RICHARD E. DROOYAN:** WERE YOU SEEING SIMILAR INJURIES AS WELL?

20

21 **MR. GONZALES:** I SAW SIMILAR INJURIES. A LOT OF BROKEN LENS AND  
22 SO FORTH. A LOT OF SUTURING.

23

24 WHAT DID YOU DO TO TRY TO ADDRESS THE CONCERNS YOU HAD  
25 REGARDING THESE INCIDENTS OF USE OF FORCE?

1

2 **MR. GONZALES:** WELL, I NOTED IT. BUT I HAD OTHER INCIDENCES  
3 PRIOR TO THAT THAT WERE HAPPENING, OFF DUTY CONDUCT. AND IT  
4 WAS ALL CUMULATIVE THAT I TOOK MY CONCERNS TO AT THE TIME  
5 CAPTAIN LEYVA. WITH ALL DUE RESPECT TO SERGEANT POLLARO, YOU  
6 HAD HIS NAME CORRECT. CAPTAIN RICK ADAMS WAS MY INITIAL  
7 CAPTAIN. AND THEN IT WAS CAPTAIN LEYVA AND THEN CAPTAIN CLARK  
8 AND THEN CAPTAIN OLMSTEAD IN THAT ORDER.

9

10 **RICHARD E. DROOYAN:** YOU TOOK YOUR CONCERNS TO CAPTAIN LEYVA?

11

12 **MR. GONZALES:** I TOOK MY CONCERNS TO CAPTAIN LEYVA BUT YOU HAVE  
13 TO UNDERSTOOD I WAS THE GRAVEYARD AND VERY LITTLE OF THIS WAS  
14 CONDUCTED ON MY SHIFT. A LOT OF THE OFF DUTY CONDUCT THAT  
15 DEPUTIES WERE GETTING INVOLVED WITH WAS LANDING ON MY  
16 SHOULDERS BECAUSE THEY GET OFF AT 10. I COME ON AT 9 CAN. THEY  
17 GET OFF AT 10. THEY'RE DOING WHAT THEY DO UNTIL 2 O'CLOCK IN  
18 THE MORNING AND PRETTY SOON I'M GETTING PHONE CALLS FROM --  
19 DO.

20

21 LET'S GET PHONE CALLS. TO LAY THE GROUNDWORK. YOU'RE COMING  
22 INTO THE GRAVEYARD THAT FIRSTIER. BY REVIEWING THE VARIOUS  
23 RECORDS YOU HAVE SOME PRETTY GOOD IDEA OF WHAT KIND OF FORCE  
24 IS GOING ON IN THE P.M. SHIFT. AND THEN WHAT'S HAPPENING IS

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 YOU'RE GETTING CALLS DURING YOUR GRAVEYARD SHIFT REGARDING THE  
2 CONDUCT OF THOSE SAME DEPUTIES OFF DUTY, IS THAT CORRECT?

3

4 **MR. GONZALES:** THAT'S CORRECT.

5

6 **RICHARD E. DROOYAN:** WHAT'S THE FIRST OFF DUTY INCIDENT  
7 INVOLVING THESE DEPUTIES THAT YOU BEING RECALL?

8

9 **MR. GONZALES:** SOMETIME IN 2003, COULD HAVE BEEN THE SUMMER OF  
10 2003 I RECEIVED A CALL FROM WEST COVINA POLICE DEPARTMENT.  
11 THEY HAD DETAINED ONE OF MY P.M. DEPUTIES, THE EVENING SHIFT  
12 DEPUTIES, FOR DUI, DRIVING UNDER THE INFLUENCE. AND THEY WERE  
13 HAVING A HARD TIME DEALING WITH THIS DEPUTY. SO I SENT -- I  
14 WAS THE SENIOR LIEUTENANT. I ASKED THE JUNIOR LIEUTENANT TO  
15 RESPOND OUT THERE TO FACILITATE THE BOOKING. THE DEPUTY HAD  
16 BASICALLY TALKED HIMSELF INTO JAIL. WHEN THEY WERE GIVING HIM  
17 THE FIELD SOBRIETY TEST, HE KEPT TELLING THE ARRESTING OFFICER  
18 "DO YOU KNOW WHO YOU'RE FING WITH? I'M A 3,000 FLOOR DEPUTY.  
19 YOU'RE FING WITH A 3,000 FLOOR DEPUTY. AND I'M OH, BOY, OH,  
20 BOY. I'M ALREADY STARTING TO DEVELOP A PATTERN OF WHAT'S GOING  
21 ON IN 2 AND 3,000, BUT THEN NOW I GET A PHONE CALL FROM WEST  
22 COVINA TELLING ME THAT THERE'S THIS GUY OUT THERE, THE DEPUTY  
23 OUT THERE CLAIMING HE'S A 3,000 FLOOR DEPUTY. SO THAT WAS MY  
24 FIRST INCIDENT.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** TELL ME THE NEXT INCIDENTS. WOULD YOU  
2 DESCRIBE THAT FOR THE COMMISSIONERS? FULLERTON?

3

4 **MR. GONZALES:** THERE WAS AN INCIDENT, P.M. DEPUTIES ONCE AGAIN  
5 WERE GOING OUT TONIGHT SPOTS IN THE CITY OF FULLERTON. AND I  
6 LIVE IN A NEIGHBORING CITY, SO I'M VERY FAMILIAR WITH THE  
7 COMMUNITY. AND I KNOW SOME OF THE OFFICERS THERE AT FULLERTON  
8 PD. AND THEY HAD BEEN GETTING CALLS AND HAVING TO DETAIN  
9 DEPUTY SHERIFFS COMING OUT OF BARS OFF OF HARBOR BOULEVARD.  
10 THIS PARTICULAR NIGHT, THEY HAD GONE CODE 5. THEY HAD SURVEYED  
11 A PARTICULAR BAR WHERE DEPUTIES WERE KNOWN TO PARTY. AND I GET  
12 THIS PHONE CALL. AND IT'S A FULLERTON POLICE SERGEANT. AND  
13 HE'S ADVISING ME THAT THEY DETAINED FOUR P.M. DEPUTIES AT A  
14 BAR AFTER AN ASSAULT ON A LONE INDIVIDUAL. AND AS HE'S  
15 EXPLAINING THE SITUATION TO ME, I HEAR A RUCKUS IN THE  
16 BACKGROUND. THERE'S SOMEBODY YELLING BACK THERE. I INTERRUPTED  
17 THE SERGEANT AND SAID EXCUSE ME WHAT'S THAT NOISE? HE SAID CAN  
18 YOU HEAR THAT? I SAID YES. HE SAID THAT'S WHEN OF YOUR  
19 DEPUTIES GIVING US A HARD TIME. NOW I'M ON THE PHONE A LAND  
20 LINE HERE AT CENTRAL JAIL. AND THEN HE GOES AHEAD AND TELLS ME  
21 THAT WHAT HAPPENED IS THEY'RE SURVEYING THE BACK OF THIS BAR  
22 WHEN THEY SEE FOUR INDIVIDUALS CHASING ONE INDIVIDUAL OUT OF  
23 THE BAR. THEY KNOCKED THE INDIVIDUAL TO THE GROUND. TWO OF  
24 THEM COMMENCED TO BEAT HIM WHILE THE OTHER TWO STAND BY AND  
25 MAKE SURE NO ONE INTERVENES. THOSE FOUR INDIVIDUALS WERE MY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DEPUTIES FROM P.M. SHIFT. I HAD HEARD ENOUGH. AND I HAD HEARD  
2 THIS YOUNG DEPUTY YELLING IN THE BACKGROUND. AND I SAID I KNOW  
3 THE AREA. AND I KNOW THAT THAT NIGHTCLUB IS ABOUT A BLOCK AWAY  
4 FROM THE BLESS STATION. AND I SAID HAVE THOSE FOUR DEPUTIES  
5 WALKED TO THE STATION. I'M IN ROUTE WITH ONE OF MY SERGEANTS,  
6 WHICH IS WHAT I DID. I RESPONDED TO FULLERTON POLICE  
7 DEPARTMENT.

8

9 **RICHARD E. DROOYAN:** DID YOU EVER HAVE ANY DISCUSSIONS WITH ANY  
10 OF THOSE DEPUTIES TO TRY TO COUNSEL THEM?

11

12 **MR. GONZALES:** WELL, WHAT HAPPENED WAS WHEN I GOT TO THE  
13 STATION, THEY INFORMED ME -- I TALKED TO THE DEPUTIES, THEY  
14 HAD A FEMALE COMPANION WITH THEM WHO WAS SOBER. THE DEPUTIES  
15 WERE ALL IN VARIOUS STAGES OF INEBRIATION. I ASKED THE FEMALE  
16 TO DRIVE THEM HOME. SUBSEQUENTLY TWO OF THOSE DEPUTIES  
17 RECEIVED EIGHT DAYS. ONE DEPUTY RECEIVED 15 DAYS OFF. AND THE  
18 FOURTH DEPUTY RECEIVED 20 DAYS WITHOUT PAY. THERE WERE NO  
19 CHARGES FILED BECAUSE THE VICTIM WAS NONDESIROUS. LATER ON, I  
20 DID HAVE -- WHILE I HAD WORDS IN TIME WITH ALL OF THEM, THEY  
21 WERE GOOD DEPUTIES. THE ONE THAT RECEIVED 20 DAYS WAS A NEW  
22 DEPUTY. AND I HAD HIM FOR MY ENTIRE FOUR YEARS. AND I HAD  
23 DEALINGS WITH HIM DURING THOSE ENTIRE FOUR YEARS. THE OTHER  
24 THREE DEPUTIES ARE REALLY GOOD. THEY WERE GOOD DEPUTIES. THEY  
25 JUST NEEDED STRONG LEADERSHIP. AND THEY MANNED UP. AND THEY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 TOOK THEIR PUNISHMENT. I'VE HEARD THEY'RE DOING GREAT IN  
2 PATROL. THEY JUST NEEDED LEADERSHIP IS WHAT THEY NEEDED.

3

4 **RICHARD E. DROOYAN:** LET'S TALK ABOUT THAT. THE DEPUTY THAT WAS  
5 A PROBLEM DEPUTY, DID YOU HAVE DISCUSSION WITH HIM AFTER THIS  
6 INCIDENT?

7

8 **MR. GONZALES:** YES.

9

10 **RICHARD E. DROOYAN:** TELL US WHAT THE CONVERSATION YOU HAD WITH  
11 THAT DEPUTY.

12

13 **MR. GONZALES:** IT WASN'T SHORTLY AFTER THAT, IT WAS AROUND  
14 2006, I BELIEVE, THERE'S A POLICE FOOT RACE CALLED BAKER TO  
15 VEGAS. IT BEGINS IN BAKER, CALIFORNIA AND TERMINATES IN LAS  
16 VEGAS. THERE'S AN AWARD CEREMONY THERE. I HAPPENED TO, AT THE  
17 AWARDS CEREMONY, RUN INTO HIM THERE. AND HE APPROACHED ME,  
18 OFFERED TO BUY ME A BEER. I THOUGHT, HEY, I'LL SMOKE A PEACE  
19 PIPE WITH YOU. AND DURING OUR CONVERSATION, HE SAID TO ME,  
20 "YOU KNOW, LIEUTENANT, WHY DO YOU -- I'M TRYING TO REMEMBER --  
21 I'M PARAPHRASING -- WHY DO YOU SCREW WITH US? WHY DO YOU SCREW  
22 WITH US ON 2,000? HE SAYS YOU DON'T NEED -- BECAUSE I HAD A  
23 HABIT, I KNEW WHAT WAS GOING ON IN THOSE FLOORS. I WAS NOT A  
24 LIEUTENANT THAT WOULD SIT IN MY OFFICE AND INUNDATE MYSELF  
25 WITH PAPERWORK. I WOULD WALK THOSE FLOORS. AND I WOULD MANDATE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 MY SERGEANTS TO DO THOSE FLOORS. YOU KEEP THOSE SERGEANTS ON  
2 THOSE FLOORS, AND YOUR FORCE IS GOING TO GO DOWN. THOSE  
3 SERGEANTS DISAPPEAR IN THOSE SARGE HE'S OFFICE AND FORCE  
4 ESCALATES. THAT WAS JUST THE NATURE. AND I USED TO MANDATE MY  
5 SERGEANTS, YOU STAY ON THOSE FLOORS. I WOULD WALK THOSE  
6 FLOORS. AND I WOULD WALK UP TO 2,000 AND 3,000. I WOULD DO IT  
7 DAILY. STAY IN TUNED WITH WHAT WAS HAPPENING? HE SAID WHY DO  
8 YOU COME UP ON THOSE FLOORS? YOU DON'T NEED TO COME UP ON  
9 THESE FLOORS. WE CONTROL THESE FLOORS. WE'LL TAKE CARE OF IT  
10 FOR YOU. HE ACTUALLY CALLED ME DISPARAGING NAME. BUT HE HAD  
11 BEEN DRINKING SO I JUST LET IT GO BY. AND I SAID TO HIM, YOU  
12 KNOW, I CALLED HIM BUY HIS FIRST NAME, I SAID YOU KNOW, I'M  
13 NOT GOING TO GO AWAY. YOU'RE GOING TO GET YOURSELF IN TROUBLE.  
14 YOU'RE GOING TO GET FIRST DOWN ONE OF THESE DAYS. AND I'LL  
15 NEVER FORGET WHAT HE SAID TO ME. HE SAID, YOU KNOW,  
16 LIEUTENANT, MY FAMILY HAS MONEY. I CAN ALWAYS GET A JOB. I  
17 SHOOK MY HEAD. THIS KID'S NOT GOING TO LEARN. HE'S GOING TO  
18 GET IN TROUBLE.

19

20 **SPEAKER:** [INAUDIBLE]

21

22 **MR. GONZALES:** YES, HE DID.

23

24 **RICHARD E. DROOYAN:** DID HE GET FIRED?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. GONZALES:** HE WAS THE DEPUTY WHO WAS WORKING ALL THE BACK-  
2 TO-BACK DOUBLES, 167 HOURS, 16 HOURS. HE WORKED THREE DOUBLE  
3 SHIFTS, 16 ON WEDNESDAY, 16 ON THURSDAY, 16 ON FRIDAY. AND I  
4 INTERCEPTED IT. AND I SENT SERGEANT POLLARO OUT THERE AND TELL  
5 HIM YOU CAN'T WORK. WE HAVE A FATIGUE FACTOR THERE. YOU WORK  
6 THAT MANY HOURS, THERE'S GOING TO BE FORCE ON THERE. YOUR  
7 JUDGMENT WILL COME INTO PLAY. HOW CAN YOU POSSIBLY MAKE GOOD  
8 JUDGMENT CALLS WHEN YOU'RE SO TIRD? SO THERE'S A REAL ISSUE  
9 THERE. AND BLATANT VIOLATION OF POLICY. HE'S NOT GOING TO  
10 WORK. SERGEANT POLLARO, DIDN'T AR YOU LATE EXACTLY WHAT  
11 HAPPENED BUT IT GOT RATHER RATHER VOCAL IF YOU WANT ME TO  
12 ARTICULATE.

13

14 **RICHARD E. DROOYAN:** PLEASE.

15

16 **MR. GONZALES:** WHAT HAPPENED WAS I SENT HIM OVER THERE. AND I  
17 WAS STANDING IN THE HALLWAY AND I HEARD THE YOUNG MAN YELL  
18 "YOU'RE GOING TO PAY ME FOUR HOURS OVERTIME. I'M NOT GOING  
19 HOME. YOU'RE GOING TO PAY ME FOUR HOURS OVERTIME." AND THEN  
20 SERGEANT PO, LLARO LOOKED MY DIRECTION. I WAVED THEM OVER.  
21 THEY CAME OCHER. THAT'S WHEN I HEARD THE YOUNG DEPUTY TURN TO  
22 SERGEANT WHY ARE YOU AFRAID OF ME? YOU AFRAID OF ME? ARE YOU  
23 SCARED OF ME. I PUT A TIME OUT. NO, NO, NO, IT'S NOT GOING TO  
24 HAPPEN. LET'S GO IN MY OFFICE. I DON'T WANT TO DISCUSS THIS  
25 HERE IN THE HALLWAY. THAT'S WHEN HE SAID I WANT A WITNESS. HE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WENT UPSTAIRS, GRABBED ANOTHER DEPUTY, CAME DOWNSTAIRS. WE  
2 WAITED FOR HIM. I HAD ANOTHER SERGEANT THEN I WANTED TO  
3 OUTNUMBER HIM. I HAD TWO SERGEANTS MYSELF, LIEUTENANT. HE CAME  
4 IN WITH HIS DEPUTY FRIEND. AND AS WE CAME TO THE DOOR, I SAID  
5 GO ON IN. HE SAID NO, YOU GO ON IN. AND I GO NO, SERIOUSLY  
6 WANT YOU TO GO ON IN. HE SAID NO, YOU GO ON IN. I SAID WELL  
7 THIS YOUNG MAN IS POSTURING. SO I WENT IN. SAT DOWN AT MY  
8 DESK. AND I ASKED HIM, THERE WERE PLENTY OF CHAIRS. I ASKED  
9 THEM ALL TO SIT DOWN. AND HE DEMANDED TO STAND UP. AND I WAS  
10 IN FRONT OF MY DESK AND HE'S LOOKING DOWN AT ME. POSITION OF  
11 POWER. AND I'M SITTING THERE. AND I SAID OKAY, WE'LL GO  
12 THROUGH THIS. AND I START TO EXPLAIN TO HIM AND HE STARTS  
13 DEMANDING THAT HE WORK OVERTIME. AND WHEN I EXPLAINED THE  
14 POLICY TO HIM. THEN HE DEMANDED THAT I GIVE HIM FOUR HOURS  
15 OVERTIME FOR SHOWING UP. I TOLD HIM I WASN'T GOING TO DO THAT.  
16 AND AT ONE POINT I REFERRED TO HIM AS HIS LAST NAME. AND HE  
17 RESPONDED WITH "GONZALES" LET'S JUST SAY HIS NAME WAS JOHN  
18 DOE. I SAID DOE. HE SAID GONZALES. DOE. GONZALES. AND HE  
19 POINTED HIS FINGER DOWN AT ME. AND OH MY GOD THIS IS GETTING  
20 OUT OF CONTROL. I FINALLY SAID DO YOU KNOW WHAT? YOU'RE BEING  
21 INSUBORDINATE THIS CONVERSATION IS OVER WITH. YOU CAN LEAVE MY  
22 OFFICE AND GO HOME. AND HE DEMANDED TO BE HEARD. AND I LOOKED  
23 AT HIM. AND I SAID CONVERSATION'S OVER WITH. SO HE ASKED TO  
24 SPEAK TO ANOTHER SUPERVISOR OF HIGHER RANK AND I SAID THE  
25 CAPTAIN'S NOT HERE. I'M THE BOSS OF THIS FACILITY. YOU'RE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 GOING HOME. AND HIS FRIEND, THE OTHER DEPUTY, GOT UP AND HAD  
2 TO NUDGE HIM. AND I KNOW REMEMBER HIM YELLING SOMETHING OUT  
3 THE DOOR. AND IT WAS ALMOST COMICAL. AND THEN I HAD SERGEANT  
4 POLLARO AND MY OTHER SERGEANT, SERGEANT HURON, WRITE THE  
5 REPORT. ULTIMATELY THE DEPUTY RECEIVED 15 DAYS FOR  
6 INSUBNATION. THAT'S SOMETHING SERGEANT POLLARO DIDN'T KNOW. HE  
7 RECEIVED 15 DAYS FOR THAT INCIDENT. AND I RETIRED SHORTLY  
8 AFTER THAT. WHILE I WAS RETIRED, COMMANDER OLMSTEAD INFORMED  
9 ME, WHILE HE WAS DOING THOSE 15 DAYS WITHOUT PAY, HE GOT IN AN  
10 ALTERCATION WITH HIS GIRLFRIEND AND SHE WAS ARRESTED FOR  
11 SPOUSAL. WHILE SHE WAS BEING BOOKED, SHE TOLD THE ARRESTING  
12 AGENCY HE WAS ON STEROIDS. OUR DEPARTMENT TESTED HIM. HE  
13 TESTED POSITIVE FOR STEROIDS. AND HE WAS TERMINATED.

14

15 **RICHARD E. DROOYAN:** YOU TOLD US ABOUT THE WEST COVINA  
16 INCIDENT. WAS THERE A THIRD INCIDENT OF OFF DUTY?

17

18 **MR. GONZALES:** I WAS WORKING AS A WATCH COMMANDER ON EARLY  
19 MORNINGS. HAVING BEEN ON THE DEPARTMENT FOR AS LONG AS I HAD,  
20 I HAD FRIENDS OUT THERE. AND I RECEIVED A PHONE CALL FROM ONE  
21 OF MY FRIENDS WHO WAS A FIELD SERGEANT IN THE CITY OF  
22 INDUSTRY. AND HE CALLED TO ADVISE ME THAT THE P.M. DEPUTIES  
23 WERE CAUSING PROBLEMS AT A NIGHT SPOT IN HIS JURISDICTION. AND  
24 THEN HE GAVE ME THE NAMES OF THE DEPUTIES. AND THEY WERE THE  
25 2,000, 3,000 -- ACTUALLY THEY WERE 2,000 FLOOR DEPUTIES. SAME

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DEPUTIES WHO WERE GETTING ON TROUBLE ON THE FLOORS AND OFF  
2 DUTY WERE ONCE AGAIN CAUSING HAVOC IN THE CITY OF INDUSTRY. SO  
3 I DECIDED I HAD TO INTERVENE AND SPOKE TO ONE OF THOSE  
4 DEPUTIES.

5

6 **RICHARD E. DROOYAN:** YOU TOLD US ABOUT YOU EXPERIENCED  
7 INSUBORDINATION BY DEPUTIES. WAS THERE AN INCIDENT ON THE ROOF  
8 THAT INVOLVED INSUBORDINATION BY THE DEPUTIES?

9

10 **MR. GONZALES:** YES.

11

12 **RICHARD E. DROOYAN:** DESCRIBE THAT FOR THE COMMISSIONERS.

13

14 **MR. GONZALES:** YES. THIS WAS IN 2003-2004. THERE HAD BEEN AN  
15 INMATE ON INMATE ASSAULT ON THE ROOF BY 3,000 FLOOR INMATES,  
16 THE HARDCORE GANG MEMBERS. BY THE TIME -- I WAS IN MY OFFICE.  
17 BY THE TIME I RECEIVED NOTICE, IT WAS ALREADY A CODE 4. THINGS  
18 WERE OKAY. BUT I HAD HEARD THAT IT WAS A PRETTY SEVERE  
19 STABBING. SO I WENT UPSTAIRS. IT'S A LONG -- YOU'RE GOING  
20 ALMOST FOUR FLOORS IN A JAIL. I WALKED UP. AND AS I GET UP TO  
21 THE LAST LANDING BEFORE I GET TO THE ROOF WHERE THE VICTIM AND  
22 THE SUSPECTS ARE BEING DETRAINED, I FIND A WHOLE ROW FULL OF  
23 INMATES. THEY WERE THE INMATES THAT WERE UP THERE, BUT THEY  
24 WERE NOT INVOLVED IN THE ALTERCATION. BUT THEY HAD BEEN UP  
25 THERE ON THE ROOF. THE DEPUTIES HAD THEM ON THEIR KNEES ON THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CONCRETE FLOOR ON THEIR KNEES FACING THE WALL. WE HAD WHEN  
2 DEPUTY BEHIND EACH INMATE AND THEN YOU HAD ADDITIONAL DEPUTIES  
3 BEHIND THEM WITH PEPPER GUNS. I HAD NO ISSUES WITH THAT. I  
4 ASKED. THEY SAID IT WAS A CODE 4. THERE WERE CONTROLLING THE  
5 SITUATION. I WENT UP TO THE ROOF. I ASSESSED THE SITUATION UP  
6 THERE. SAW THE VICTIM. SAW THE SUSPECTS. AND ASSESSED IT.  
7 FOUND EVERYTHING WAS UNDER CONTROL. AS I CAME BACK DOWN 15, 20  
8 MINUTES LATER, TO THAT LANDING, HERE'S THE SAME INMATES DMEG  
9 ON THE FLOOR. THAT CAN BE RATHER UNPLEASANT. MY OBJECTIVE AS  
10 WATCH COMMANDER IS: LET'S DIFFUSE THE SITUATION. LET'S GET  
11 THESE INMATES BACK IN THEIR CELLS. IT'S OVER WITH. BUT IF WE  
12 HAVE TO WAIT A LITTLE BIT. AND THESE INMATES ARE GOING TO  
13 REMAIN HERE, LET'S GET THEM ON THEIR BUTTS, LET'S GET THEM OFF  
14 THEIR KNEES. LET'S DIFFUSE THE SITUATION. SO I TELL MY  
15 SERGEANT, A GOOD SERGEANT. I CALL HIM OVER. AND I SAID IS IT  
16 OKAY? IT'S CODE 4. OKAY. LET'S GET THEM ON THEIR BUTTS UNTIL  
17 WE CAN GET THEM READY FOR OUR CELLS. HE WALKED OVER TO MY TWO  
18 STRIPER WHO IS MY IMMEDIATE SUPERVISOR, I DON'T KNOW HIS EXACT  
19 WORDS, I DON'T BELIEVE HE SAID THE LIEUTENANT WAS. I THINK HE  
20 TOOK COMMAND AND SAID HEY, LET'S GET THESE INMATES ON THEIR  
21 BUTTS. AND THE TWO STRIPER TURNS TO HIM AND SAYS "IF YOU WANT  
22 THEM ON THEIR BUTTS, YOU DO IT YOURSELF BECAUSE I'M NOT GOING  
23 TO DO IT." I HEARD THIS. INSUBORDINATION. I CAN'T BELIEVE A  
24 SUPERVISOR IS TELLING A HIGHER SUPERVISOR HE'S NOT GOING TO DO  
25 IT. HE LOOKED AT ME AND TELLS HIM AGAIN. HE REPEATS IT. AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ONCE AGAIN THE TWO STRIPER SAYS I'M NOT GOING TO DO IT. YOU DO  
2 IT, IF YOU WANT IT, DO YOURSELF. THAT'S WHEN I STOPPED  
3 EVERYTHING AND I CALLED HIM OVER. I DIDN'T WANT TO EMBARRASS  
4 THE YOUNG MAN IN FRONT OF ALL HIS PEERS AND THE INMATES. I  
5 TOOK HIM AROUND THE LANDING WITH THE SERGEANT AND SAID TO HIM.  
6 IS THERE ANY DOUBT IN YOUR MIND THAT THE SERGEANT GAVE YOU A  
7 LAWFUL ORDER? LIEUTENANT THESE ARE GANG MEMBERS. I REMEMBER  
8 LOOKING AT HIM AND SAID YOU'RE NOT HERE TO PUNISH INMATES.  
9 YOU'RE HERE FOR THEIR WELFARE. AND WHEN THAT SERGEANT TELLS  
10 YOU TO DO SOMETHING, I EXPECT YOU TO FOLLOW IT. HE BEGAN TO  
11 ARGUE AND I DIDN'T HAVE ANYMORE OF IT. I SENT HIM DOWN TO MY  
12 OFFICE. ULTIMATELY I FILED A COMPLAINT OR A UNIT LEVEL  
13 INVESTIGATION ON HIM. HE RECEIVED 10 DAYS DISCIPLINE.

14

15 **RICHARD E. DROOYAN:** WAS THERE A CONVERSATION YOU HAD WITH A  
16 DEPUTY REGARDING GANG-LIKE BEHAVIOR BUY DEPUTIES?

17

18 **MR. GONZALES:** YES.

19

20 **RICHARD E. DROOYAN:** TELL THE COMMISSIONERS ABOUT THAT  
21 CONVERSATION, WHERE IT WAS AND APPROXIMATELY WHEN IT WAS? AND  
22 WHAT BROUGHT IT ABOUT.

23

24 **MR. GONZALES:** WELL, THIS WAS LATTER PART OF 2003, MAYBE 2004  
25 BECAUSE I WAS STILL ON GRAVEYARD SHIFT. I HAD, BY THAT TIME,

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ALREADY IDENTIFIED FORCE ISSUES. I HAD IDENTIFIED WHO MY  
2 DEPUTIES WERE THAT WERE BEING A LITTLE HEAVY HANDED, IN MY  
3 OPINION. I MEAN, THEIR NUMBERS REFLECTED IT AND I COULD BRING  
4 UP THEIR PPI, I DON'T KNOW IF YOU GENTLEMEN, MA'AM, KNOW WHAT  
5 PPI IS? PERSONNEL PERFORMANCE INDEX? IT'LL GIVE YOU ALL THE  
6 FORCE THAT THE DEPUTY HAS BEEN INVOLVED IN. AND I COULD SEE  
7 THESE EXTENDED RECORDS ON THESE YOUNG DEPUTIES. THEN I WAS  
8 COUPLED WITH ALL THE OFF DUTY CONDUCT THAT WAS BEING REPORTED  
9 TO ME BY THESE DIFFERENT AGENCIES, I HAPPENED TO -- THE ONE  
10 DEPUTY WHO WAS IDENTIFIED BY INDUSTRY, I HAPPENED TO IS HE HIM  
11 WALKING THE HALLWAY. AND I THOUGHT THIS IS MY CHANCE TO  
12 COUNSEL HIM. SO I BROUGHT HIM IN MY OFFICE. AND I REMEMBER  
13 HAVING THIS CONVERSATION WITH HIM AND TELLING HIM, "YOU KNOW -  
14 - THIS IS THE WAY THE CONVERSATION WENT. I SAID YOU KNOW,  
15 DEPUTY SO-AND-SO. I SAID I KNOW YOU HAVE A LONG CAREER HEAD OF  
16 YOU. I KNOW YOU'VE BEEN HERE A LONG TIME. THESE POOR GUYS HAD  
17 BEEN HERE FIVE, SIX, SEVEN YEARS, TOO LONG FOR A DEPUTY  
18 SHERIFF TO BE ASSIGNED TO CUSTODY. AND I SAID HAVE YOU SEEN  
19 YOUR PPI? ONE OF THESE DAYS YOU'RE GOING TO WANT TO GO TO  
20 PATROL. YOU ARE GOING TO GO TO PATROL. AND YOU WANT TO GO TO  
21 AN ELITE UNIT OR INVESTIGATIVE BODY AND THEY MIGHT NOT TAKE  
22 YOU BASED ON YOUR PPI. YOU NEED TO -- AND THEN I REFERRED TO  
23 COMING OFF THOSE FLOORS IN UNISON, IN WHAT I THOUGHT WAS A  
24 CLICK MENTALITY, AND I SAID -- AND NOW THIS OFF DUTY CONDUCT,  
25 I SAID YOU KNOW, YOU GUYS, THIS IS REMINISCENT OF A GANG. YOU

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 GUYS REMIND ME OF GANG MEMBERS. THIS IS HOW GANG MEMBERS ACT.  
2 AND I COULD TELL FROM THAT CONVERSATION THAT HE WAS NOT  
3 RECEPTIVE. AND I REMEMBER HE LOOKED AT ME AND HE SAID, YOU  
4 KNOW, LIEUTENANT, YOU GUYS COME AND GO. HE SAYS, YOU GUYS ARE  
5 HERE FOR, REFERRING TO SERGEANTS AND LIEUTENANTS, HE GOES, YOU  
6 GUYS ARE HERE FOR A YEAR, 18 MONTHS AND YOU LEAVE. AND THEN WE  
7 GET A NEW CROP OF SERGEANTS AND LIEUTENANTS. WE'RE HERE FOR A  
8 LONG TIME. WHICH IS TRUE. AND THEN HE SAID TO ME, I REMEMBER  
9 LOOKING AT HIM AND GOING WELL, DO YOU KNOW WHAT? I HAVE FOUR  
10 YEARS -- IT HAD TO BE, IT HAD TO BE 2003 BECAUSE I REMEMBER  
11 TELLING HIM. I HAVE FOUR YEARS BEFORE I RETIRE. I PLAN ON  
12 RETIRING HERE FROM CENTRAL JAIL. I REMEMBER THAT LOOK ON HIM  
13 OH MY GOD, I'M GOING TO HAVE THIS GUY FOR FOUR YEARS. I SAID  
14 YOU TELL YOUR GUYS ON THE FLOOR THAT I'M NOT GOING ANYWHERE.  
15 I'M HERE THREE TO FOUR YEARS. THAT CONVERSATION, BY THE WAY,  
16 CAME UP LATER ON.

17

18 **RICHARD E. DROOYAN:** WE'LL COME BACK TO THAT. AT SOME POINT DID  
19 JOHN CLARK BECOME THE CAPTAIN IN MEN'S CENTRAL JAIL?

20

21 **MR. GONZALES:** I'M SORRY, SIR.

22

23 **RICHARD E. DROOYAN:** AT SOME POINT DID JOHN CLARK BECOME THE  
24 CAPTAIN IN MEN'S CENTRAL JAIL?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. GONZALES:** YES.

2

3 **RICHARD E. DROOYAN:** DO YOU REMEMBER WHEN THAT WAS?

4

5 **MR. GONZALES:** I BELIEVE IT WAS 2004.

6

7 **RICHARD E. DROOYAN:** WOULD YOU DESCRIBE FOR THE COMMISSION YOUR  
8 FIRST MEETING WITH JOHN CLARK AFTER BECAME THEP CAPTAIN OF  
9 MEN'S CENTRAL JOHN JAIL?

10

11 **MR. GONZALES:** I KNEW OF JOHN CLARK. I HAD SEEN JOHN CLARK BUT  
12 I DIDN'T KNOW HIM PERSONALLY. I WAS, BY THAT TIME, WORKING THE  
13 DAY SHIFT. AND LIKE I SAID EARLIER, I HAD IMPLEMENTED THAT A  
14 SERGEANT BE PRESENT AT THE GATES TO ASSIST THE WATCH DEPUTY IN  
15 LOGGING IN DEPUTIES AS THEY CAME THROUGH THOSE GATES BECAUSE I  
16 WANTED TO PUT -- I WANTED TO ACKNOWLEDGE THEM BUT I WANTED TO  
17 PUT PRESSURE ON THEM TO GET TO WORK ON TIME. AND I WAS SITTING  
18 ON THE DESK AND I LOOKED UP AND HERE COMES JOHN CLARK. AND  
19 JOHN CLARK WAS THE KIND OF GUY THAT LIKED TO WEAR HIS UNIFORM.  
20 AND I SAW THE BARS AS HE CAME IN. AND HE CAME UP TO ME AND  
21 INTRODUCED HIMSELF. I REMEMBER HE HAD A LOOK ON HIS FACE AND  
22 SAID WHAT ARE YOU DOING HERE? AND I SAID I'M MONITORING MY  
23 SHIFT COMING IN. HE GOES WHY? THEN I EXPLAINED TO HIM ABOUT  
24 THE TARDINESS. AND I REMEMBER HE LOOKED AT ME AND HE LAUGHED  
25 AND HE GOES GOOD, GOOD. AND I KNEW THEN WE WERE GOING TO GET

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012**

1 ALONG. AND HE WALKED OUT. THAT WAS MY INTRODUCTION TO JOHN  
2 CLARK.

3

4 **RICHARD E. DROOYAN:** WAS CAPTAIN CLARK GENERALLY SUPPORTIVE OF  
5 YOU?

6

7 **MR. GONZALES:** JOHN CLARK'S SUPPORT OF ME NEVER WAVERED. I  
8 RECEIVED OUTSTANDING EVALUATIONS THE THREE YEARS THAT I WORKED  
9 UNDER HIS COMMAND. HE NEVER WAVERED IN MY SUPPORT OF ME TO THE  
10 DAY HE WAS TRANSFERRED OUT.

11

12 **RICHARD E. DROOYAN:** AT SOME POINT DID YOU WILL EARN THAT  
13 CAPTAIN CLARK PLANNED THE ROTATION OF THE DEPUTIES IN MINUTE'S  
14 CENTRAL JAIL?

15

16 **MR. GONZALES:** YES.

17

18 **RICHARD E. DROOYAN:** WE LOOKED AT SOME DOCUMENTS THAT THERE WAS  
19 A ROTATION MEMO DATED FEBRUARY 8, 2006. DID YOU KNOW OF  
20 CAPTAIN CLARK'S PLANS TO IMPLEMENT ROTATION BEFORE THAT MEMO  
21 WENT OUT?

22

23 **MR. GONZALES:** WELL WE CAN GO BACK FURTHER THAN THAT.

24

25 **RICHARD E. DROOYAN:** SURE, GO AHEAD.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. GONZALES:** WELL I REALIZED AND RECOGNIZED THE PROBLEMS AT  
3 CENTRAL JAIL, I WENT TO CAPTAIN LEYVA--

4

5 **RICHARD E. DROOYAN:** SPEAK UP A LITTLE BIT.

6

7 **MR. GONZALES:** I WENT TO CAPTAIN RAY LEYVA, AND I SAID WE HAVE  
8 ISSUES ON THOSE FLOORS. AND I PINPOINTED SPECIFICALLY TO 2 AND  
9 3,000. I SAID WE NEED TO BREAK THESE GUYS UP. WE NEED TO BREAK  
10 THESE DEPUTIES UP. NO ONE -- AND WHEN I SAID THAT, I WASN'T  
11 TALKING ABOUT MOVING THEM FROM P.M. SHIFT TO DAY SHIFT TO  
12 GRAVEYARD. JUST MOVING THEM THROUGHOUT THE FACILITY, THE JOB  
13 ASSIGNMENT. I SAID WE NEED TO BREAK THEM UP. THEY HAVE FORMED  
14 CLIQUES UP THERE AND THEY'RE GOING TO GET THEMSELVES IN  
15 TROUBLE AND THERE'S GOING TO BE MORE FORCE ON THOSE FLOORS.  
16 AND BEFORE HE COULD IMPLEMENT ANYTHING, HE WAS TRANSFERRED  
17 OUT. I FLOATED AND I BELIEVE THERE WAS ANOTHER LIEUTENANT  
18 WHICH I WON'T MENTION HIS NAME WHO WERE -- WE WERE ON THE SAME  
19 PAGE AND WE WENT BACK TO STAFF METTINGS AND I REMEMBER TELLING  
20 JOHN CLARK, WE NEED TO BREAK THESE DEPUTIES UP. WE CAN'T  
21 AFFORD TO LET THEM FORM THESE CLIQUES. THESE POWER, THIS POWER  
22 THAT THEY THOUGHT THEY HAD. THEY DIDN'T HAVE IT WITH ME, BUT  
23 THEY DID HAVE IT WITH SOME OF THE SERGEANTS THEY WERE BROW  
24 BEATING AND INTIMIDATE SOME OF THE SUPERVISORS. AND I SAID WE  
25 NEED TO BREAK THEM UP. AND IT WAS SHORTLY, 2-1/2, MAYBE THREE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 YEARS LATER WHEN I FINALLY HEAR JOHN CLARK IS GOING TO  
2 IMPLEMENT THIS. AND I TOLD MYSELF WE'RE FINALLY GOING TO DO  
3 IT. WE'RE GOING TO BREAK THESE FLOORS UP. WE'RE NOT GOING TO  
4 INCONVENIENCE THESE DEPUTIES. WE'RE JUST GOING TO GIVE THEM  
5 DIFFERENT JOB ASSIGNMENTS.

6

7 **RICHARD E. DROOYAN:** BEFORE HE ISSUED THE MEMO YOU LEARNED HE  
8 WAS GOING TO DO IT?

9

10 **MR. GONZALES:** RIGHT. REAL SHORTLY.

11

12 **RICHARD E. DROOYAN:** DID THAT ROTATION ULTIMATELY GO THROUGH?

13

14 **MR. GONZALES:** NO.

15

16 **RICHARD E. DROOYAN:** WAS IT CANCELED?

17

18 **MR. GONZALES:** YES.

19

20 **RICHARD E. DROOYAN:** AND WHY WAS IT CANCELED?

21

22 **MR. GONZALES:** I HAD HEARD -- I WAS NOT PRIVY TO THE FORMING OF  
23 THE PLAN. THAT WAS DONE OUTSIDE BY LIEUTENANT CASEY BALD, THE  
24 SCHEDULING DEPUTY, SERGEANT AND THE CAPTAIN. I WAS THE GUY  
25 INSIDE HAVING TO DO THE ACTUAL IMPLEMENTATION OF IT. SO I HAD

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 HEARD AND THEN I BELIEVE MIGHT HAVE BEEN CASEY BALD THAT SAYS  
2 "HEY, IT'S GOING TO HAPPEN NEXT WEEK." THAT'S HOW I HEARD. BUT  
3 THEN I HEARD, I HAD DEPUTIES WHO WOULD COME TO ME NOT AS  
4 MOLES, BUT JUST WALK IN THE DOOR AND SAY LIEUTENANT, COULD I  
5 TALK TO YOU? THEY WOULD IF HE HAD ME AS TO THE TEMPO THAT WAS  
6 GOING ON ON THE FLOORS. I KNEW A LOT, BUT SOME DEPUTIES DID  
7 NOT LIKE ME. AND THEY SAID, TANAKA WAS HERE. AND I SAID  
8 REALLY? THAT'S UNUSUAL. THE ASSISTANT SHERIFF HERE AT CENTRAL  
9 JAIL. I THOUGHT HE WAS ON INSPECTION TOUR. NO. HE WAS HERE TO  
10 TALK TO THE DEPUTIES. AND THAT SET ME BACK. I SAID WHY? HE  
11 SAYS EVIDENTLY THE DEPUTIES CONTACTED HIM. I DIDN'T KNOW ABOUT  
12 EMAILS LATER ON. BUT LATER ON I FOUND OUT BUT AT THE TIME I  
13 DIDN'T KNOW. THE DEPUTIES CONTACTED HIM. AND HE'S COME DOWN TO  
14 MET WITH THE DEPUTIES. AND I SAID JUST THE DEPUTIES? HE SAID  
15 JUST DEPUTIES. NO SUPERVISORS. THEN IT WAS SHORTLY AFTER THAT  
16 I HEARD THAT THE ROTATION HAD BEEN SQUASHED.

17

18 **RICHARD E. DROOYAN:** DID YOU EVER LEARN WHAT WAS ACTUALLY SAID  
19 IN THAT MEETING WITH ASSISTANT SHERIFF TANAKA HAD WITH THE  
20 DEPUTIES?

21

22 **MR. GONZALES:** I HAD HEARD -- THIS IS WHAT THEY TOLD ME. THEY  
23 SAID THEY'RE NOT HAPPY WITH THE JOB ROTATION. AND, SIR,  
24 THEY'RE COMPLAINING ABOUT YOU. I SAID ME? YEAH. THEY'RE  
25 COMPLAINING ABOUT YOU. I SAID OKAY. I DIDN'T CARE. I WAS DOING

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 MY JOB. I SAID OKAY. YOU'RE ALWAYS GOING TO GET SOME PERSONNEL  
2 THAT ARE NOT HAPPY. BUT I KNEW WHERE THE COMPLAINTS WERE BEING  
3 GENERATED FROM. THEY WERE BEING GENERATED FROM THESE SPECIFIC  
4 FLOORS.

5

6 **RICHARD E. DROOYAN:** AFTER YOU LEARNED THAT THE ROTATION HAD  
7 BEEN CANCELED, DID YOU EVER ATTEND A MEETING WITH ASSISTANT  
8 SHERIFF TANAKA?

9

10 **MR. GONZALES:** YES.

11

12 **RICHARD E. DROOYAN:** AND AT THIS TIME, WAS ASSISTANT SHERIFF  
13 TANAKA THE ASSISTANT SHERIFF OVER CUSTODY OR OVER PATROL?

14

15 **MR. GONZALES:** I DON'T KNOW.

16

17 **RICHARD E. DROOYAN:** AND WHERE WAS THE MEETING?

18

19 **MR. GONZALES:** IN THE 2,000 FLOOR BRIEFING ROOM.

20

21 **RICHARD E. DROOYAN:** HAD YOU EVER MET ASSISTANT SHERIFF TANAKA  
22 BEFORE THIS MEETING?

23

24 **MR. GONZALES:** NO.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** WHO WAS IN ATTENDANCE AT THIS MEETING?

2

3 **MR. GONZALES:** EVERY SERGEANT, EVERY LIEUTENANT AND OUR  
4 CAPTAIN, CAPTAIN CLARK.

5

6 **RICHARD E. DROOYAN:** HOW SOON BEFORE THE MEETING DID YOU LEARN  
7 ABOUT IT?

8

9 **MR. GONZALES:** THE DAY BEFORE.

10

11 **RICHARD E. DROOYAN:** AND TELL US WHAT WAS SAID IN THIS MEETING  
12 THAT YOU ATTENDED.

13

14 **MR. GONZALES:** GIVE YOU A BETTER PERSPECTIVE, THERE WAS THE  
15 PODIUM. HE'S BEHIND THE PODIUM. WE HAD ROWS OF CHAIRS. I'M IN  
16 THE FRONT ROW. HE'S OFF TO MY LEFT. HERE TO THERE. AND I HAD  
17 SERGEANT POLLARO, ONE OF MY BETTER SERGEANTS, SITTING NEXT TO  
18 ME. I HAD I BELIEVE CAPTAIN CLARK WAS ABOUT THREE OR FOUR TO  
19 MY RIGHT IN THE FRONT ROW. THE ASSISTANT SHERIFF RIGHT OUT OF  
20 THE GATE, IT WAS A ONE-SIDED MEETING. HE SPOKE. EVERYONE ELSE  
21 LISTENED. ASSISTANT SHERIFF. AND HE BEGAN TO PONTIFICATE HOW  
22 HE HAD HAND PICKED THREE LIEUTENANTS TO COME IN TO CENTRAL  
23 JAIL, TO ASSIST THE SITUATION AND RECTIFY IT BECAUSE THE  
24 SUPERVISION AT CENTRAL JAIL WAS LACKING. AND AT ONE POINT HE  
25 SAYS "HOW DARE" -- HE YELLED AT THE TOP OF HIS VOICE -- "HOW

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DARE A LIEUTENANT ON THE SHERIFF'S DEPARTMENT REFER TO DEPUTY  
2 SHERIFFS AS GANG MEMBERS!" AND I TOLD MYSELF UH-OH. HE'S  
3 TALKING ABOUT ME. BUT THAT CONVERSATION HAD HAPPENED TWO YEARS  
4 BEFORE. BUT I KNEW HE WAS TALKING ABOUT ME. AND I SAT THERE.  
5 AND THEN HE BEGAN TO "YOU GUYS ARE A BUNCH OF DINOSAURS. YOUR  
6 SUPERVISORIAL SKILLS ARE ANTIQUATED." AND HE BEGAN TO MAKE  
7 REFERENCES TO THE FLOORS. AND HE SAYS "YOU SUPERVISORS WILL  
8 STAY OFF THOSE FLOORS AND LET THOSE DEPUTIES DO WHAT THEY HAVE  
9 TO DO." AND I TOLD MYSELF YOU GOT TO BE KIDDING ME. AND THEN  
10 AT ONE POINT HE STEPS -- THE PODIUM'S RIGHT THERE. HE STEPS  
11 AWAY FROM THE PODIUM AND HE GRABS HIS ARMS IN THIS FASHION HE  
12 BEGINS TO ROCK THEM AND HE SAYS THIS IS THE -- REFERRING TO  
13 THE DEPUTIES. THIS IS THE XYZ GENERATION. THIS IS THE -- AND I  
14 REMEMBER HE POINTED AT A Y AND HE SAYS THIS IS THE Y  
15 GENERATION. YOU WILL CODDLE THEM. AND AT THAT POINT I REMEMBER  
16 LOOKING TO MY LEFT BECAUSE I COULD NOT BELIEVE WHAT I HAD JUST  
17 HEARD. AND HE LOOKED DOWN AT ME AND HE RAISED HIS HAND LIKE  
18 THIS AND HE GOES YES, YOU, LIEUTENANT, WILL CODDLE THESE MEN.  
19 AND AT THAT POINT TO HIS CREDIT, CAPTAIN CLARK, WHO WAS TO MY  
20 RIGHT, STOOD UP. EXCUSE ME. STOOD UP. AND TRIED TO INTERVENE  
21 ON MY BEHALF. AND HE TURNED AROUND TO CAPTAIN CLARK AND HE  
22 SAID I DON'T WANT TO HEAR FROM YOU, CAPTAIN. AND I TOLD  
23 MYSELF, YOU KNOW, WE'VE LOST IT. WE'VE LOST IT. HOW CAN WE  
24 HAVE ASSISTANT SHERIFFS BE LISTENING TO DEPUTIES? WHAT  
25 HAPPENED TO ALL THE SERGEANTS, LIEUTENANTS, CAPTAINS AND IN

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 BETWEEN? THE CHAIN OF COMMAND WAS TOTALLY BROKEN. THE MEETING  
2 LASTED A FEW MINUTES LATER. AND AS WE'RE WALKING OUT, ONE OF  
3 MY PEERS, ANOTHER LIEUTENANT, TAPS ME ON THE SHOULDER AND HE  
4 SAYS, WELL, THAT WHOLE MEETING WAS ABOUT YOU. I SAID I DON'T  
5 CARE. I DON'T CARE. I SAID WE GOT TO DO THE RIGHT THING. THAT  
6 WAS THE GIST OF THAT MEETING.

7

8 **RICHARD E. DROOYAN:** YOU RETIRED IN MARCH OF 2007, IS THAT  
9 RIGHT?

10

11 **MR. GONZALES:** MARCH 19TH.

12

13 **RICHARD E. DROOYAN:** HOW FAR IN ADVANCE OF YOUR RETIREMENT DID  
14 THIS MEETING TAKE PLACE? THE ROTATION MEMO SUGGESTS THE  
15 ROTATION WAS ISSUED, THE ROTATION MEMO WAS ISSUED FEBRUARY OF  
16 2006. YOU RETIRED IN MARCH OF 2007? CAN YOU PLACE WHEN THIS  
17 [INAUDIBLE]

18

19 **MR. GONZALES:** TO THE BEST OF MY RECOLLECTION, I REALIZED THERE  
20 WAS TESTIMONY TODAY THAT IT WAS A WEEK AFTER. IT WASN'T. THERE  
21 WAS SEVERAL MONTHS. I ESTIMATE IT COULD HAVE BEEN MAY OR JUNE  
22 OF 2006 THAT THIS OCCURRED.

23

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** DID YOU HAVE ANY CONVERSATION -- WHO WAS -  
2 - CAPTAIN CLARK WAS CAPTAIN MEN'S CENTRAL JAIL. WHO WAS THE  
3 COMMANDER [INAUDIBLE]

4

5 **MR. GONZALES:** DENNIS CONTINUEY. -- CONTI.

6

7 **RICHARD E. DROOYAN:** DID YOU HAVE ANY CONVERSATIONS WITH  
8 COMMANDER CONTI ABOUT THE MEETING THAT YOU HAD WITH MR.  
9 TANAKA?

10

11 **MR. GONZALES:** YES, LATER ON. THERE WAS -- WELL, I DIDN'T  
12 CHANGE. I DIDN'T CODDLE THE MEN. MY GOD, THESE WERE MEN AND  
13 WOMEN. THESE WERE ADULT MEN AND WOMEN. I WASN'T GOING TO  
14 CODDLE ANYONE. WE'D A JOB TO DO. AND SO I DIDN'T CHANGE. I  
15 REMAINED VIGILANT. AND THEN I GET CALLED INTO THE OFFICE, THE  
16 CAPTAIN'S OFFICE, AND HE SAYS "THE CHIEF WANTS TO MEET YOU.  
17 HE'S ACROSS THE STREET AT TWIN TOWERS, EIGHTH FLOOR."

18

19 **RICHARD E. DROOYAN:** IT WOULD HAVE BEEN CHIEF JONES.

20

21 **MR. GONZALES:** CHIEF SAMMY JOHNS.

22

23 **SPEAKER:** CHIEF JONES WOULD HAVE BEEN ABOVE COMMANDER CONTE,  
24 CORRECT?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. GONZALES:** YES. AND HE SAYS THE CHIEF WANTS TO SEE YOU,  
2 WHICH IS NOT A GOOD SIGN. SO AS I WAS GOING -- I WENT  
3 UPSTAIRS, WENT ACROSS THE STREET TO THE EIGHTH FLOOR. AS I  
4 WENT PAST THE COMMANDER'S OFFICE, HE CALLED ME INTO HIS  
5 OFFICE.

6

7 **RICHARD E. DROOYAN:** THIS IS COMMANDER CONTE.

8

9 **MR. GONZALES:** I GUESS I'M AT LIBERTY TO SAY OUR CONVERSATION?

10

11 **RICHARD E. DROOYAN:** YES, PLEASE.

12

13 **MR. GONZALES:** I LIKE COMMANDER CONTE. HE WAS VERY FAIR WITH  
14 ME. AND HE SAYS, "AL," HE CAUTIONED ME, HE SAID "AL, BE CAREFUL  
15 WHAT YOU SAY TO SAMMY JONES." I HAD KNOWN CHIEF JONES SINCE WE  
16 WORKED PATROL 30 YEARS PRIOR TO THAT. GREAT GUY. AND HE SAYS  
17 "BE CAREFUL WHAT YOU SAY TO HIM. HE SAYS TANAKA WANTS YOU OUT  
18 OF THE JAILS." I SAID OKAY. AND THEN HE SAYS TO ME "IN ALL MY  
19 YEARS IN LAW ENFORCEMENT", IF YOU KNOW COMMANDER CONTE, HE HAD  
20 RETIRED FROM LAPD AFTER A 25 YEAR CAREER HE WENT TO LA AS 10  
21 YEARS. WE ABSORBED HIM. 40-YEAR MAN LAW ENFORCEMENT. HE SAYS  
22 "YOU KNOW, I HAVE NEVER EVER SEEN AN EXECUTIVE SUPERVISE FROM  
23 THE BOTTOM UP. SUPERVISORS SUPERVISE FROM THE TOP DOWN." AND  
24 HE WAS REFERRING TO TANAKA. AND I JUST LISTENED. HE SAYS BUT  
25 HE WANTS YOU OUT OF CENTRAL JAIL. I SAID OKAY. BUT I THINK I

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 TALKED HIM OUT OF IT. THEN HE GAVE ME REASONS WHY HE THOUGHT  
2 THAT TANAKA SHOULD NOT MOVE ME. AND HE GAVE ME FOUR OR FIVE  
3 REASONS. AND THEN HE ENUMERATED THEM. I LISTENED. AND THEN I  
4 WALKED OUT. I COULD GIVE YOU THE REASONS WHY HE TOLD ME. BUT  
5 IT'S NOT -- DO YOU WANT?.

6

7 **RICHARD E. DROOYAN:** YES.

8

9 **MR. GONZALES:** HE SAID FIRST OF ALL EVERY BILLET IS FULL. I  
10 HAVE TO DISPLACE A LIEUTENANT TO MOVE YOU THERE. BUT YOU'RE  
11 ALREADY WORKING CUSTODY DIVISION. NOBODY WANTS TO WORK CUSTODY  
12 DIVISION. AND HE SAYS YOU'RE ALSO A DELEGATE TO POPA, WHICH IS  
13 OUR ASSOCIATION. I WAS THE REPRESENTATIVE FOR CENTRAL JAIL.  
14 YOU'RE HISPANIC. YOU'RE GETTING READY TO RETIRE. I TOLD TANAKA  
15 JUST LET GONZALES RETIRE HERE. SO I THANKED HIM. I THANKED HIM  
16 FOR HIS TIME. AND THEN HE SENT ME ON MY WAY TO CHIEF JONES'  
17 OFFICE. [INAUDIBLE]

18

19 HE ASKED ME TO SIT DOWN. WE TALKED ABOUT THE OLD TIMES WORKING  
20 PATROL AT EAST L.A. AND THEN HE SAYS YOU KNOW, AL, HE SAYS  
21 TANAKA'S NOT HAPPY WITH YOU. AND I GO OKAY. HE SAYS THERE'S A  
22 LOT -- THERE'S SOME MOLES OVER AT CENTRAL JAIL THAT ARE  
23 TELLING TANAKA EVERYTHING YOU ARE DOING AND SAYING. I SAID  
24 OKAY. AND I REMEMBER LOOKING AT HIM AND SAYING -- I WAS  
25 SITTING UP AT HIS DESK LIKE THIS. I REMEMBER DOING THIS. YOU

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 KNOW CHIEF, WHAT AM I DOING THAT IS WRONG? TELL ME WHAT I'M  
2 DOING THAT IS WRONG. I WANT MY DEPUTIES TO GET TO WORK ON  
3 TIME, DON'T LEAVE EARLY AND DO YOUR JOB. THAT'S ALL I ASK OF  
4 MY DEPUTIES. AND I REMEMBER HE LOOKED AT ME AND HE GOES, YOU  
5 KNOW, AL, THAT'S WHAT I WANT. I SAID WELL, SIR, THEN WE'RE ON  
6 THE SAME PAGE. THEN HE THOUGHT FOR A MINUTE. AND HE GOES YOU  
7 KNOW, AL, GO ON BACK TO THE JAILS. CONTINUE TO DO WHAT YOU'RE  
8 DOING. AND I SAID YOU KNOW, IF YOU WANT ME TO, I'LL GO TALK TO  
9 TANAKA. AND HE SAYS NO, NO, NO, GO BACK TO THE JAILS. I WILL  
10 TALK TO TANAKA FOR YOU. I NEVER HEARD ANOTHER WORD, SO I'M  
11 ASSUMING -- AND THEN LATER ON, I HAD A CONVERSATION WITH BOB  
12 OLMSTEAD. [INAUDIBLE]

13

14 **MR. GONZALES:** I HAD RETIRED FROM THE JAILS AND I HAD  
15 CONVERSATION WITH BOB OLMSTEAD.

16

17 **RICHARD E. DROOYAN:** YOU DON'T NEED TO RELATE THAT. MY POINT IS  
18 THAT YOU HAD THE MEETING WITH CHIEF JONES. CHIEF JONES TOLD  
19 YOU TO GO BACK TO THE JAILS. DO YOUR JOB. AND THEN YOU  
20 COMPLETED YOUR JOB UNTIL YOU RETIRED IN MARCH OF 2007?

21

22 **MR. GONZALES:** WELL, I HAD A FEW MORE INCIDENTS IN THERE,  
23 COUPLE INCIDENTS THAT TRANSPIRED.

24

25 **RICHARD E. DROOYAN:** DESCRIBE THOSE FOR US.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. GONZALES:** THERE WAS A YOUNG MAN, SERGEANT POLLARO TALKED  
3 ABOUT A YOUNG DEPUTY WHO HE AND TWO OTHER DEPUTIES ESCORTED AN  
4 INMATE OVER TO DISCIPLINE ON THE 2,000 FLOOR. ONE OF THE  
5 DEPUTIES EXCUSED TWO DEPUTIES AND THEN HE WENT AHEAD AND  
6 ALLEGEDLY BEAT THE INMATE AND THEN PUT HIM IN HIS HOLDING  
7 CELL. I HAD HAD -- THAT DEPUTY HAD COME TO MY ATTENTION  
8 SEVERAL TIMES FOR FORCE INCIDENCES. THE STORY OF THE  
9 OCCURRENCE JUST DIDN'T PAN OUT. AND I BEGAN TO QUESTION HIS  
10 FORCE. AND I WOULD BRING HIM IN DURING THE WATCH COMMANDER'S  
11 INQUIRY AND I WOULD REQUEST WHY HE USED FORCE AND HOW MUCH  
12 FORCE HE USED. DID HE NEED TO USE THAT KIND OF FORCE? BECAUSE  
13 THE INJURIES WERE RATHER SERIOUS. I'M TALKING BROKEN JAWS. AND  
14 THEN I HAD THIS INCIDENT WHERE WE HAD A FORCE AGAIN WITH THIS  
15 SAME DEPUTY. AND WHEN I INTERVIEWED THE INMATE, HE WAS A K-10,  
16 WHICH IS OUR WORST OF WORST INMATES. THIS IS A HARDCORE GANG  
17 BANGER AND I'M INTERVIEWING HIM ON CAMERA. AND HE'S  
18 HANDCUFFED. AND HE BREAKS DOWN. THIS IS A HARDCORE HISPANIC  
19 INMATE. AND YOU DON'T GET TOO MANY HISPANIC HARDCORE GUYS  
20 BREAK DOWN. HE BREAKS DOWN. AND HE LOOKS AT ME AND HE GOES  
21 LIEUTENANT, I DIDN'T DESERVE THIS. AND THE WHOLE SIDE OF HIS  
22 FACE IS JUST HUGE. TURNED OUT TO BE A BROKEN JAW. I QUESTIONED  
23 THAT YOUNG MAN, THE DEPUTY, AS TO WHY HE DID, WHY HE HAD TO  
24 HIT AN INMATE THAT WAS HANDCUFFED. AND THIS DEPUTY THAT I'M  
25 SPEAKING ABOUT WAS VERY FORMIDABLE. HE WAS ONE OF THESE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ULTIMATE TYPE FIGHTERS, MMA-TYPE FIGHTERS. HE WAS VERY  
2 FORMIDABLE. I BECAME SO CONCERNED ABOUT HIM THAT WE HAD A  
3 MUTUAL FRIEND BY COINCIDENCE WHO WAS WORKING OUR SWAT TEAM.  
4 AND I REACHED OUT TO THAT FRIEND AND I SAID "HEY, LET'S HAVE  
5 SOME LUNCH." AND DURING THE LUNCH I REMEMBER TELLING OUR  
6 FRIEND, OUR MUTUAL FRIEND, YOU NEED TO TALK TO YOUR FRIEND,  
7 THIS DEPUTY. HE'S GOING TO GET HIMSELF FIRED. I CAN'T PROVE  
8 IT, BUT I KNOW THAT HE'S USING UNREASONABLE FORCE. I KNOW HE  
9 IS. I SAID HE'S GOING TO GET FIRST DOWN. ULTIMATELY NOT IN AN  
10 INCIDENT WITH ME BUT HE WAS CAUGHT IN AN INCIDENT WHERE YOU'RE  
11 AWARE WHERE A YOUNG MAN WANTED TO TRANSFER TO ANOTHER -- WHAT  
12 HAPPENED IS HE WAS INVOLVED IN FORCE WHERE THERE WERE OTHER  
13 DEPUTIES INVOLVED. AND I WAS NOT INVOLVED IN THIS INCIDENT.  
14 BUT THE GIST OF IT HAPPENED THAT A YOUNG DEPUTY WHO WITNESSED  
15 THE FORCE INCIDENT, ANYONE THAT WITNESSES AN INCIDENT HAS TO  
16 WRITE A REPORT. THAT YOUNG DEPUTY HAD JUST GRADUATED FROM THE  
17 ACADEMY, WROTE THE REPORT, BUT HE HAD PLANS TO TRANSFER TO A  
18 RIVERSIDE AGENCY. DURING THAT BACKGROUND PROCESS WITH THAT  
19 AGENCY, THEY DID A POLYGRAPH ON HIM. AND THEY ASKED HIM HAVE  
20 YOU EVER LIED ON A POLICE REPORT? AND HE SAID YES. AND HE  
21 REFERRED TO THIS INCIDENT WHERE HE WITNESSED THIS FORCE. AND  
22 HE LIED. WELL, THE MAIN NUMBER ONE DEPUTY IN THAT INCIDENT WAS  
23 THIS SAME DEPUTY WHO HAD BROKEN THE JAWS. AND ULTIMATELY HE  
24 WAS PROSECUTED FOR THAT CASE AND RECEIVED ACCORDING TO WHAT I

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 READ IN THE NEWSPAPER, HE RECEIVED THREE YEARS PROBATION. THEN  
2 THERE WAS THE OTHER INCIDENT WITH I DON'T KNOW.

3

4 **RICHARD E. DROOYAN:** TELL US ABOUT THE OTHER INCIDENT.

5

6 **MR. GONZALES:** WAS I STATED EARLIER, I HAD A TENDENCY OF ALWAYS  
7 WALKING THE FLOORS. FEELING THE TEMPO OF THE JAIL. AND THIS  
8 ONE PARTICULAR TIME I WAS GOING UP TO 4,000, WHICH IS WHERE  
9 THIS YOUNG MAN WORKED, NOT THAT PARTICULAR DAY, BUT AS I GET  
10 UP ON THAT FLOOR IN THE LANDING, THE DEPUTIES HADN'T SEOWARN  
11 THAT THE LIEUTENANT'S ON THE FLOOR. BUT AS I TURNED THE FLOOR,  
12 I ENCOUNTERED ONE OF MY BETTER SERGEANTS. AND HE HAD THIS DEER  
13 IN THE HEAD LIGHT LOOK. AND HE HAD A CAMERA IN HIS HAND, WHICH  
14 WAS NOT A GOOD SIGN. I REMEMBER LOOKING AT HIM AND SAYING  
15 WHAT'S UP, MAN? AND IT WAS MY SERGEANT VANDER HORCK. AND HE  
16 RELAYS THIS STORY ABOUT HOW HE CAUGHT ONE OF THE DEPUTIES.  
17 LIKE I SAID EARLIER IN MY PRESENTATION, I WAS ABLE TO IDENTIFY  
18 WHO MY DEPUTIES WERE WHO WERE USING -- WHO HAD A PROPENSITY TO  
19 USE TOO MUCH FORCE. AND THIS WAS ONE OF THOSE DEPUTIES. AND HE  
20 GOES I JUST CAUGHT DEPUTY SO-AND-SO BEATING AN INMATE. AND HE  
21 GOES AHEAD AND GIVES ME HIS STORY. BUT I WANT TO KEEP AN OPEN  
22 MIND. I SAID OKAY. WELL HE WAS WITH ANOTHER DEPUTY. I SAID  
23 WHERE ARE THE DEPUTIES? WHEN I WENT AND GOT THE CAMERA, THEY  
24 DISAPPEARED. I SAID GET THEM ON THE AIR. HAVE THEM MEET US IN  
25 THE OFFICE. BY THE TIME WE GOT TO THE OFFICE, THEY FINALLY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SHOWED UP. AND I TELL THE DEPUTIES INDIVIDUALLY TO GIVE ME A  
2 SCENARIO OF WHAT HAPPENED. AND THEIR VERSION OF WHAT THEY DID  
3 WAS TOTALLY OPPOSITE OF WHAT THE SERGEANT SAW. AND WHAT THE  
4 SERGEANT SAW AS HE CAME ON THE FLOOR, HE SAW THE DEPUTIES  
5 STANDING OVER AN ELDERLY BLACK MAN WHO HAD HIS HAND UP TO HIS  
6 FACE AND THE BLACK MAN, THE INMATE WAS SAYING: WHAT DID I DO?  
7 WHAT DID I DO? AS THE DEPUTY WAS HITTING HIM. AND SERGEANT  
8 VANDER HORCK HAD TO RUN UP ON HIM AND LITERALLY GET IN THE WAY  
9 AND STOP THE DEPUTY FROM THE ASSAULT. AFTER THE TWO DEPUTIES  
10 GAVE THEIR VERSION OF THE EVENTS, IT WAS CONTRARY TO WHAT THE  
11 SERGEANT HAD SEEN. I DISMISSED THE DEPUTIES. I SAID WRITE YOUR  
12 REPORTS. I TOLD THE SERGEANT LET'S GO INTERVIEW THE INMATE. I  
13 INTERVIEWED THE INMATE AND THE INMATE'S VERSION OF THE EVENT  
14 WAS ALMOST VERBATIM TO WHAT THE SERGEANT JUST TOLD ME. SO WE  
15 WROTE THE REPORTS. AND THAT DEPUTY WAS ULTIMATELY FIRED. THIS  
16 HAPPENED AFTER THE MEETING WITH TANAKA. SO I DIDN'T CHANGE MY  
17 TACTICS. I WAS GOING TO DO MY JOB.

18

19 **RICHARD E. DROOYAN:** I HAVE NO FURTHER QUESTIONS.

20

21 **SPEAKER:** JUST A FEW QUESTIONS. THANK YOU. YOU MENTIONED IN THE  
22 INCIDENT WHERE THE DEPUTY HAD ALLEGEDLY STRUCK THE INDIVIDUAL  
23 WHO HAD THE HANDCUFFS ON, WHO HAD THE FRACTURED JAW, YOU ASKED  
24 FOR AN EXPLANATION FROM HIM AS TO WHY HE HAD TO USE THAT  
25 FORCE, WHAT WAS HIS EXPLANATION?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. GONZALES:** THAT HE FELT THREATENED. SINCE HE WAS A MARTIAL  
3 ARTIST, THE DEPUTY, HE KNEW THAT -- HE ALLEGED THAT THE INMATE  
4 HAD STOOD UP AND WAS CHARGING HIM WITH HIS HEAD, THAT HE FELT  
5 THREATENED BY THE INMATE. SO HE HIT HIM WITH HIS FIST.

6

7 **SPEAKER:** YOU MENTIONED THAT THERE WAS A PROBLEM WITH CHRONIC  
8 TARDINESS. AND WE HEARD ABOUT THAT, CHRONIC TARDINESS. AND  
9 THAT SOME OFFICERS WOULD LEAVE THE SHIFT UP TO AN HOUR BEFORE  
10 THE SHIFT WOULD ACTUALLY END. AND THAT THIS WAS HAPPENING ON  
11 THE 2,000 AND THE 3,000S? OR WAS IT THROUGHOUT THE FACILITY?

12

13 **MR. GONZALES:** NO, IT WAS HAPPENING THROUGHOUT THE JAIL.

14

15 **SPEAKER:** AND WHAT WERE THE IMPLICATIONS OF STAFF LEAVING  
16 BEFORE THOSE POSITIONS WOULD BE COVERED?

17

18 **MR. GONZALES:** WELL, THE IMPLICATIONS ARE YOU HAD MODULES THAT  
19 WERE NOT BEING COVERED. AND WHAT THEY WOULD DO IS ONE OFFICER  
20 WOULD TELL THE OTHER OFFICER "COVER FOR ME." AND SO, IN  
21 ESSENCE, YOU'D HAVE ONE OFFICER DOING THE WORK OF TWO OR YOU'D  
22 HAVE ONE OF THE OFFICERS IN THE HALLWAY COME IN AND TAKE HIS  
23 POSITION. BUT THERE WAS ALWAYS THAT POTENTIAL YOU'RE  
24 UNDERSTAFFED. IF WE DIDN'T NEED HIM, WHY WAS HE THERE?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** YOU ALSO TALKED ABOUT THAT ON THE 2,000 AND 3,000S AT  
2 FIRST YOU WERE NOT TO PARAPHRASE SORT OF SURPRISED BY THE  
3 INCREASED LEVEL IN THE USE OF FORCE BECAUSE OF THE INDIVIDUALS  
4 WHO WERE ON THOSE FLOORS. BUT YOU ALSO SAID HERE TODAY THAT  
5 YOU CAME TO REALIZE THAT IT WAS, IN FACT, THE OFFICERS WHO  
6 WERE STAFFING THOSE FLOORS THAT WERE PART OF THE CAUSE OF THE  
7 INCREASED USE OF FORCE?

8

9 **MR. GONZALES:** IT WAS BECAUSE IT WAS THE SAME, IN MY, BY  
10 LOOKING AT THE NUMBERS, IT WAS THE SAME OFFICERS WHO WERE  
11 BEING INVOLVED. WE HAD NUMEROUS OFFICERS ON THOSE FLOORS. BUT  
12 IT APPEARED TO BE BY THE STATS AND THE NUMBERS COMING ACROSS  
13 THAT IT WAS THE SAME OFFICERS WHO WERE CONDUCTING THE FORCE.  
14 SO I STARTED TO LEAN TOWARDS THOSE OFFICERS THAT HAD A  
15 PROPENSITY. AND THEN I CONFIRMED IT BY PRINTING THEIR PPIs AND  
16 SAYING THERE'S A LOT OF FORCE BEING USED BY DEPUTY A HERE. AND  
17 DEPUTY B. BUT HERE'S DEPUTY C, WHO'S ON THE SAME FLOOR,  
18 DOESN'T SEEM TO HAVE THE SAME LEVEL OF FORCE. SO BY DEDUCING,  
19 I WAS ABLE TO PINPOINT WHO -- THEN OF COURSE WITH THE OFF DUTY  
20 CONTACT, I WAS ABLE TO PINPOINT WHO MY SHOT CALLERS WHO, WHO  
21 THE GUYS WERE WHO WERE CONTROLLING THE FLOORS.

22

23 **SPEAKER:** AND WHAT IS THE PPI?

24

25 **MR. GONZALES:** PERSONNEL PERFORMANCE INDEX.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **SPEAKER:** AND WHAT INFORMATION IS CONTAINED IN THE PPI?

3

4 **MR. GONZALES:** ALL HIS INFORMATION, THE DATE OF THE INCIDENT,  
5 THE TYPE OF INCIDENT. I BELIEVE IT'S ANY INJURIES. IF GAS WAS  
6 USED. YOU'RE TAXING MY MEMORY. I RETIRED OVER FIVE YEARS AGO.

7

8 **SPEAKER:** YOU ALSO TALKED ABOUT SOME INCIDENTS, ONE INVOLVING  
9 INSUBORDINATION IN THE OFFICE WHERE THE OFFICERS WERE POINTING  
10 DOWN AT YOU WHERE HE RECEIVED HOW MANY DAYS WAS HE SUSPENDED  
11 WITHOUT PAY? ROUGHLY?

12

13 **MR. GONZALES:** HE INITIALLY RECEIVED 10 DAYS. AND 5 DAYS IN THE  
14 BANDS. IN OTHER WORDS, IN RESERVE. IF HE'S A GOD BOY AND DOES  
15 THE 10 DAYS. WELL HE AGGRIEVED THAT AND THE CHIEF GAVE HIM THE  
16 ENTIRE 15 DAYS.

17

18 **SPEAKER:** AND THEN THERE WAS THE INCIDENT ON THE ROOF AND YOU  
19 SAID THAT THERE WAS AN INDIVIDUAL WHO RECEIVED 10 DAYS  
20 SUSPENSION AS A RESULT OF WHAT HAPPENED?

21

22 **MR. GONZALES:** THAT WAS FOR INSUBORDINATION, YES.

23

24 **SPEAKER:** YOU ALSO TOLD US ABOUT AN INCIDENT WHERE FOUR OF THE  
25 DEPUTIES WERE INVOLVED ASSAULTING THE INDIVIDUAL AT THE BAR.

1

2 **MR. GONZALES:** YES.

3

4 **SPEAKER:** AND HOW MUCH TIME DID THEY RECEIVE?

5

6 **MR. GONZALES:** THE TWO DEPUTIES THAT WERE STANDING OVER AND NOT  
7 PARTICIPATING ACTIVELY RECEIVED 8 DAYS EACH. ONE OF THE  
8 DEPUTIES THAT WAS INVOLVED IN THE ACTUAL ASSAULT RECEIVED I  
9 BELIEVE 15 DAYS. AND THE LAST DEPUTY RECEIVED 20 DAYS.

10

11 **SPEAKER:** I'M JUST TRYING TO GET SOME SENSE. SO THE INDIVIDUAL  
12 WHO POINTS HIS FINGER AT YOU GETS ESSENTIALLY THE SAME AMOUNT  
13 OF TIME AS THE DEPUTIES WHO WERE INVOLVED IN THIS ASSAULT.

14

15 **MR. GONZALES:** DISCIPLINE ON THE SHERIFF'S DEPARTMENT IS  
16 GRADUATED. YOUR FIRST OFFENSE ONE NATURE GIVES YOU SO MANY  
17 DAYS. SECOND OFFENSE, OF COURSE, IT'S JUST LIKE CRIME. SECOND  
18 TIME, THE PENALTY'S A LITTLE BIT MORE SEVERE, THIRD TIME. THE  
19 DEPUTY WHO RECEIVED THE 20 DAYS IS IN FACT THE SAME DEPUTY WHO  
20 RECEIVED THE 15 DAYS. I DON'T KNOW IF YOU PICKED UP ON THIS.  
21 IT'S ONE AND THE SAME PERSON. WHO EVENTUALLY WAS TESTED FOR  
22 STEROIDS AND TESTED POSITIVE, SAME DEPUTY. ALL THE SAME. WHO  
23 WAS ALSO THE SAME DEPUTY WHO I ENCOUNTERED OR I RAN INTO IN  
24 LAS VEGAS WHO TOLD ME, SIR, STAY OFF THE FLOORS. WE CONTROL

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THOSE FLOORS. WITHOUT US, THOSE FLOORS WILL FALL APART. NO  
2 IT'S NOT GOING TO HAPPEN. SAME DEPUTY.

3

4 **SPEAKER:** AND IN THE INCIDENT THAT HAPPENED IN THE BAR, YOU  
5 SAID THE LATEST VICTIM WAS NONDEZIRPOUS OF GOING FORWARD?

6

7 **MR. GONZALES:** YES.

8

9 **SPEAKER:** DID YOU SPEAK TO THAT INDIVIDUAL?

10

11 **MR. GONZALES:** NO.

12

13 **SPEAKER:** DID ANYBODY, TO YOUR KNOWLEDGE, INTERVIEW THAT  
14 INDIVIDUAL?

15

16 **MR. GONZALES:** I CAN ONLY ASSUME DURING THE INTERNAL  
17 INVESTIGATION BECAUSE IT WENT TO AN INVESTIGATION, THEY WOULD  
18 HAVE BEEN, THEY WOULD HAVE INTERVIEWED THAT VICTIM. I DID NOT  
19 DO THE INVESTIGATION.

20

21 **SPEAKER:** BUT THERE WAS A LAW ENFORCEMENT RESPONSE INITIALLY AT  
22 THE BAR THAT LED TO YOUR PHONE CALL?

23

24 **MR. GONZALES:** YES.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** AND LAW ENFORCEMENT DID NOT MAKE ANY ARRESTS OF THE  
2 DEPUTIES THAT THEY ENCOUNTERED, OF THE FOUR INDIVIDUALS YOU  
3 DESCRIBED?

4

5 **MR. GONZALES:** IT WAS A MISDEMEANOR. IT WAS AN ASSAULT. THEY  
6 WITNESSED IT. THEY CALLED ME. THEY RELEASED THEM TO ME.  
7 PENDING THE FURTHER INVESTIGATION.

8

9 **SPEAKER:** AND WAS THAT USUAL PROTOCOL IF A DEPUTY WAS ENGAGED  
10 IN MISCONDUCT AFTER HOURS ON THE STREET THAT A MEMBER OF THE  
11 DEPARTMENT WOULD BE CALLED AN AND NOT HAVE IT GO THROUGH THE  
12 NORMAL CRIMINAL CHANNELS?

13

14 **MR. GONZALES:** WHEN A LAW ENFORCEMENT OFFICER IS DETAINED FOR  
15 ANY SORT OF A CRIMINAL INVESTIGATION, TO THE BEST OF MY  
16 KNOWLEDGE, THE AGENCY THAT HE'S EMPLOYED BY GETS A COURTESY  
17 CALL.

18

19 **SPEAKER:** RIGHT. I UNDERSTAND THE COURTESY CALL. I'M JUST  
20 TRYING TO GET AN UNDERSTANDING WHY IN THIS CASE THESE FOUR  
21 INDIVIDUALS WERE SORT OF SENT TO WALK OVER TO THE POLICE  
22 STATION ON THEIR OWN AND NOT TAKEN BY POLICE, PLACED IN  
23 HANDCUFFS OR SOME SORT OF CRIMINAL INVESTIGATION WAS CONDUCTED  
24 AS TO WHAT HAPPENED WITH THE BAR INVOLVING THIS ASSAULT.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** I SEE YOUR POINT. I REQUESTED THAT THEY WALK BECAUSE  
2 I KNEW WHERE IT WAS. HE WAS IN AGREEMENT WITH ME. EVIDENTLY IT  
3 WAS A CODE FOUR AND THE VICTIM AND THE FOUR DEPUTIES HAD BEEN  
4 QUESTIONED. APPARENTLY PD THOUGHT IT WAS OKAY AND THEY THOUGHT  
5 THEY WERE ABLE TO WALK. I DIDN'T REQUEST THAT. I QUESTIONED  
6 THAT THEY WERE OKAY AND THEY WALKED OVER THERE AND THEN WHEN I  
7 RESPONDED, I FOUND THEM SITTING OUTSIDE IF POLICE STATION.

8

9 **SPEAKER:** SEEK SOME CLARIFICATION? ABSOLUTELY JUMP IN.

10

11 **SPEAKER:** I THINK THE LINE YOU WERE ASKING ABOUT, IN TERMS OF  
12 THE INCIDENT WITH MATT VANDER HORCK, I THOUGHT YOU MENTIONED  
13 THERE WERE TWO DEPUTIES INVOLVED. THE DEPUTY WHO CAME BACK AND  
14 TOLD A VERSION OF EVENTS THAT WAS LATER DETERMINED TO NOT BE  
15 ACCURATE, WHAT SORT OF DISCIPLINE DID SHE RECEIVE?

16

17 **MR. GONZALES:** I BELIEVE SHE RECEIVED 10 DAYS.

18

19 **SPEAKER:** THE STATION LEFT THAT OUT.

20

21 **REV. CECIL L. MURRAY:** YES. WOULD YOU PLEASE SPECULATE, THERE  
22 IS A HIGH LEVEL OF DISCONTENT AMONG DEPUTIES BECAUSE THEY  
23 DON'T WANT PRISON, THEY WANT PATROL. THEY WEREN'T TRAINED FOR  
24 PRISONS. SO WE HAVE TWO COMPONENTS: LACK OF DESIRE, WHICH  
25 LEADS TO FRUSTRATION AND VIOLENCE ON THE PART OF PRISONERS AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 LACK OF TRAINING. SO IGNORANCE OF HOW THEY SHOULD CONDUCT  
2 THEMSELVES IS PRESENT. WOULD YOU RESPOND?

3

4 **MR. GONZALES:** WE HIRE ON TO BE PATROL DEPUTIES, TO BE ON THE  
5 STREETS. I DON'T KNOW OF TOO MANY DEPUTY SHERIFFS THAT HIRE TO  
6 WORK THE JAILS AS A CAREER. THERE ARE SOME. BUT I BELIEVE  
7 THEY'RE IN THE MINORITY. I PERSONALLY ONLY SPENT 22 MONTHS  
8 BEFORE I WENT TO A CHOICE STATION. I THINK I HAD SEEN ENOUGH  
9 IN 22 MONTHS. SERGEANT POLLARO MADE A STATEMENT THAT THREE  
10 YEARS. I THINK THAT'S AN ACCEPTABLE AMOUNT OF TIME. BUT THESE  
11 YOUNG MEN WERE BEING, BECAUSE OF A HIRING CYCLE, SOMETIMES  
12 THERE'S A HIRING FREEZE. AND SOME OF THESE POOR GUYS WERE IN  
13 THE JAILS FOR SIX, SEVEN, EIGHT YEARS. I KNOW OF ONE DEPUTY  
14 WHO WAS IN THE JAIL FOR 10 YEARS BEFORE SHE FINALLY WENT.  
15 THAT'S WAY TOO LONG. AND WHAT HAPPENS IS -- AND HE WAS RIGHT --  
16 - MOST SUPERVISORS COME IN FOR SIX MONTHS, A YEAR, YEAR AND A  
17 HALF AND WE LEAVE. AND THESE POOR DEPUTIES ARE IN THERE FOR  
18 HOWEVER UNTIL SOMEONE RELIEVES THEM AND THEY CAN GO TO PATROL.  
19 AND THEY'RE VERY FRUSTRATED. AND YES THEY DEVELOP POWER  
20 CLIQUES. I CAN UNDERSTAND HOW IT HAPPENS. BUT I JUST DIDN'T --  
21 IT'S THE EMPOWERMENT THAT I QUESTION.

22

23 **SPEAKER:** JUST A COUPLE. DO YOU KNOW THE SHERIFFS INVOLVED IN  
24 THE INCIDENT INVOLVED IN FULLERTON IN THE CITY OF FULLERTON

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WEREN'T CHARGED CRIMINALLY BY THE ORANGE COUNTY DISTRICT  
2 ATTORNEY'S OFFICE?

3

4 **MR. GONZALES:** IT WAS A MISDEMEANOR, I BELIEVE. THE VICTIM WAS  
5 NONDESIROUS. TO THE BEST OF MY KNOWLEDGE IT WAS NOT  
6 PURSUED BY THE DISTRICT.

7

8 **SPEAKER:** DID YOU INTERVENE ONE WAY OR ANOTHER AT ALL WHETHER  
9 THEY SHOULD BE CRIMINAL CHARGED?

10

11 **MR. GONZALES:** NO, SIR, I DIDN'T.

12

13 **SPEAKER:** YOU DESCRIBED VARIOUS INDICATORS OF DEPUTY CLIQUES ON  
14 THE SECOND AND THIRD FLOOR OF THE MEN'S CENTRAL JAIL. DID  
15 THOSE INDICATORS THAT YOU'VE DESCRIBED, DID THEY CONTINUE  
16 ESSENTIALLY RIGHT UP UNTIL YOU RETIRED FROM THE L.A. COUNTY  
17 SHERIFF'S DEPARTMENT?

18

19 **MR. GONZALES:** SOME OF THE STRONGER PERSONALITIES IN THOSE  
20 CLIQUES EVENTUALLY WENT TO PATROL 2004, 2005. WE WERE ABLE TO  
21 TRY TO -- I WOULD DIRECT MY SUPERVISORS TO STAY ON THE FLOOR  
22 TO MINIMIZE THOSE CLIQUES FROM FORMULATING AND STAYING INTACT.  
23 BUT THE WAY IT WAS WHEN I WAS THERE AND INITIALLY IN 2003, I  
24 THOUGHT WE HAD SOMEWHAT DIMINISHED IT, ALTHOUGH THERE WERE  
25 RUMBLINGS OF IT UP THERE UNTIL MR. TANAKA CAME IN.

1

2 **SPEAKER:** JUST REMIND US. WHEN WAS THE INCIDENT INVOLVING THE I  
3 THINK A PARTY AROUND CHRISTMASTIME? DO YOU KNOW WHAT YEAR THAT  
4 WAS?

5

6 **SPEAKER:** 2010.

7

8 **RICHARD E. DROOYAN:** DECEMBER 20 10.

9

10 **HON. ROBERT BONNER:** I'M JUST TRYING TO SEE IF YOU COULD  
11 CHARACTERIZE THE STRENGTH OF THESE, WHETHER THEY GOT STRONGER  
12 BETWEEN 2003 AND 2007, REMAINED ABOUT THE SAME OR THAT THERE  
13 WAS SOME SORT OF DIMINUTION IN THE COHESIVENESS OF THESE  
14 DEPUTY CLIQUES?

15

16 **MR. GONZALES:** I DON'T BELIEVE THERE WERE -- WHEN I RETIRED, I  
17 DON'T BELIEVE THEY WERE AS STRONG BECAUSE I HAD INTERVENED. I  
18 WAS CONSTANTLY ON THOSE FLOORS. I MANDATED MY SERGEANTS TO  
19 STAY ON THOSE FLOORS. AS YOU CAN TELL BY MY TESTIMONY, THE  
20 DEPUTY KEPT TELLING ME WHY ARE YOU SCREWING WITH US? WHY ARE  
21 YOU SCREWING WITH US? I TOLD EVERYONE YOU'RE GOING TO GET  
22 FIRED, YOU'RE GOING TO GET IN TROUBLE. SO I WAS ON THOSE  
23 FLOORS, MY SERGEANTS WERE ON THOSE FLOORS. WE WERE TRYING TO  
24 MINUTE MS. WHAT WAS GOING ON IN THOSE FLOORS. -- MINIMIZE. I  
25 THOUGHT WE HAD MINIMIZED IT A BIT. BUT HAD WE GOT RID OF? WERE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THEY SOCIALIZING AFTER WORK? OF COURSE I THINK THEY WERE. BUT  
2 WERE THEY WALKING OUT IN UNISON THE WAY THEY WERE WHEN I  
3 INITIALLY ARRIVED IN THE JAILS I DIDN'T SEE THAT ANYMORE.

4

5 **SPEAKER:** BUT AN IMPORTANT FACTOR IN REDUCING THE COHESIVENESS  
6 OF OR THE FORMATION OF CLIQUES WOULD BE TO HAVE ADOPTED THE  
7 ROTATION PLAN OR POLICY THAT CAPTAIN CLARK WAS PROPOSING,  
8 WOULD IT NOT? WOULD YOU AGREE WITH THAT?

9

10 **MR. GONZALES:** 100 PERCENT.

11

12 **HON. ROBERT BONNER:** THE SITUATION IN FEBRUARY 2006 WHERE  
13 ASSISTANT AT THAT TIME I GUESS HE WAS THE ASSISTANT SHERIFF  
14 NOW THE UNDERSHERIFF OF THE SHERIFF'S DEPARTMENT TANAKA, THAT  
15 SEEMS LIKE, AT LEAST ON ITS FACE, AN EXTRAORDINARY BREACH OF  
16 THE CHAIN MUCH COMMAND. I JUST WANTED TO ASK YOU, LIEUTENANT  
17 GONZALES, IN YOUR 26 YEARS WITH THE L.A. COUNTY SHERIFF'S  
18 DEPARTMENT, HAD YOU EVER SEEN OR HEARPD OF SUCH A CLEAR-CUT  
19 BREACH OF THE CHAIN OF COMMAND THAT WOULD BE IN ANY WAY  
20 COMPARABLE TO THAT SITUATION THAT YOU DESCRIBED IN FEBRUARY OF  
21 '6?

22

23 **MR. GONZALES:** I NEVER HAD -- NO, SIR, I NEVER HAD. NEVER.

24

25 **SPEAKER:** THANK YOU FOR YOUR TESTIMONY.

1

2 **MR. GONZALES:** THANK YOU, SIR.

3

4 **SPEAKER:** I HAVE JUST A FEW. THANK YOU FOR COMING HERE TODAY.

5 YOU HAD PRIOR MILITARY EXPERIENCE, I THINK, WHEN YOU MADE YOUR

6 OPENING REMARKS TO THE COMMISSION. WHEN YOU WERE IN THE

7 SHERIFF'S DEPARTMENT AT THE MEN'S CENTRAL JAIL FROM 2003-2007,

8 DID YOU SEE THAT SAME CHAIN OF COMMAND THAT'S PREVALENT IN A

9 MILITARY ORGANIZATION, PREVALENT OR IN FORCE AND EFFECT AT THE

10 MEN'S CENTRAL JAIL?

11

12 **MR. GONZALES:** NO, SIR. I HAD SEEN -- I COULD SEE THE

13 DISCIPLINE, THE CHAIN OF COMMAND WAS ALREADY BEGINNING TO

14 BREAK.

15

16 **SPEAKER:** THE CLIQUES THAT YOU TALKED ABOUT, DID THESE DEPUTIES

17 COME FROM THE SAME HIGH SCHOOLS, JUNE I DON'T REMEMBER

18 COLLEGES, COLLEGES, NEIGHBORHOODS? YOU KNOW, WHAT WAS THEIR

19 COME COME MOND BOND OTHER THAN BEING DEPUTYSHIRE I WAS IF YOU

20 CAN IDENTIFY ANYTHING? DEPUTY SHERIFFS.

21

22 **MR. GONZALES:** YOU'RE ASKING ME TO SPECULATE, SIR. I WOULD SAY

23 THAT MOST OF THEM WERE ATHLETIC-LOOKING. HEAD STRONG. STRONG

24 WILLED. WERE DRAWN TO EACH OTHER. AND THE MORE THEY HAD, THE

25 STRONGER THEY GOT. THEY WEREN'T USED TO INDIVIDUALS LIKE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 MYSELF. I REMEMBER WHEN I FIRST STARTED WORKING CENTRAL JAIL,  
2 DEPUTIES WOULD COME UP TO ME AND SAY "LIEUTENANT, YOU'RE  
3 PICKING ON THE RIGHT ONES. YOU'RE PICKING ON THE RIGHT ONES."  
4 AND I'D SAY TO THEM I'M NOT PICKING ON ANYONE. I'M  
5 SUPERVISING. ONE YOUNG MAN, IN FACT HE WAS A TWO STRIPER, SAID  
6 WE FINALLY HAVE A STRONG LIEUTENANT IN HERE. AND I WAS BESIDE  
7 MYSELF. I SAID WHAT ARE YOU TALKING ABOUT? THERE'S A LOT OF  
8 GOOD LIEUTENANTS ON THE SHERIFF'S DEPARTMENT. I'M NOT THE ONLY  
9 ONE. THERE'S A LOT OF GOOD LIEUTENANTS. WHAT DO YOU MEAN I'M  
10 THE ONLY? WE FINALLY HAVE A STRONG. LATER ON, I FOUND OUT  
11 THERE WAS ANOTHER LIEUTENANT WHO HAD JUST TRANSFERRED OUT WHEN  
12 I TRANSFERRED IN WHO WAS VERY PROACTIVE, AS WELL. AND HAD EVEN  
13 SUGGESTED THE SHIFT ROTATION. AND IT WAS REJECTED. SO MY IDEA  
14 WAS NOT NEW. INITIALLY I THOUGHT IT WAS, BUT IT WASN'T. BUT  
15 COMMON BOND? THEY WERE JUST VERY FORMIDABLE YOUNG MEN. GOOD  
16 MEN. THEY JUST NEEDED STRONG LEADERSHIP. IT PAINED ME. IT  
17 PAINED ME WHEN THESE DEPUTIES WERE TERMINATED BECAUSE I SAW  
18 THE GOODNESS. I SAW WHAT THEY HAD TO OFFER THE SHERIFF'S  
19 DEPARTMENT. BUT WHEN YOU'RE BEING CIRCUMVENTED BY SOMEONE UP  
20 ON TOP AND THESE DEPUTIES WERE GOING STRAIGHT TO THAT  
21 INDIVIDUAL, IT NEGATED US AS SUPERVISORS. IT NEGATED US. JOHN  
22 CLARK WAS A GREAT MAN. JOHN CLARK JUST -- AND HE KEPT SAYING  
23 TO ME AL, GO BACK IN THERE. I FELT LIKE I WAS GOING BACK INTO  
24 THE SNAKE PIT. GO BACK IN THERE AND I HAD TO GO BACK IN THERE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 AND DO WHAT I HAD TO DO. SORRY IT WAS UNFORTUNATE WHAT  
2 HAPPENED TO JOHN CLARK.

3

4 **SPEAKER:** YOU INDICATED 95 PERCENT OR MORE OF THE DEPUTY  
5 SHERIFFS ARE PRETTY DECENT, LAW-ABIDING DEPUTIES. AND IT'S A  
6 SMALL PERCENTAGE THAT'S SORT OF THE ROGUE OR THE COWBOYS. IS  
7 THERE ANY WAY THAT YOU CAN IDENTIFY, DISCIPLINE THOSE ROGUE OR  
8 SMALL PERCENTAGE THAT DON'T FOLLOW THE RULES THAT YOU WOULD  
9 LIKE TO SUGGEST OF THIS COMMISSION?

10

11 **MR. GONZALES:** IF WE COULD DISCIPLINE?

12

13 **SPEAKER:** THAT WE COULD TRACK AND DISCIPLINE. AND EVEN REMOVE.

14

15 **MR. GONZALES:** I THOUGHT MY SOLUTIONS BY IDENTIFYING THOSE AND  
16 REMOVING THEM OFF THOSE FLOORS -- AS A MATTER OF FACT, WE HAD  
17 ONE LIEUTENANT WHO IDENTIFIED ONE DEPUTY ON 2,000 AND  
18 TRANSFERRED HIM OUT. TRANSFERRED HIM TO 4 OR 5,000. AND I  
19 REMEMBER THAT DEPUTY CAME UP TO ME. I WAS SITTING AT THE  
20 ENTRANCE MONITORING MY DEPUTIES COMING IN ON DUTY. AND THAT  
21 DEPUTY CAME UP TO ME AND HE GOES "LIEUTENANT, WHY'D YOU  
22 TRANSFER ME? AND I REMEMBER CHUCKLING TO MYSELF. I SAID DO YOU  
23 KNOW, DEPUTY? I WISH I HAD THOUGHT OF IT. BECAUSE I THINK IT'S  
24 A GOOD IDEA. BUT I DIDN'T TRANSFER YOU. I GUESS I HAD THIS  
25 STIGMA THAT THERE'S THIS LIEUTENANT AGAIN. HE PUT THE BLAME ON

1 ME. BUT THIS OTHER LIEUTENANT TOOK THE INITIATIVE OF  
2 TRANSFERRING TO ANOTHER PART OF THE JAIL. AND FOR THE MOST  
3 PART, IT SOLVED THE PROBLEM UNTIL THAT DEPUTY WENT TO PATROL.  
4 UNFORTUNATELY THAT DEPUTY WENT TO THE SAME STATION THAT I USED  
5 TO WORK AT AND I UNDERSTAND HE HAD ISSUES AT THAT STATION, AS  
6 WELL.

7

8 **SPEAKER:** WHAT I'M SPECIFICALLY TRYING TO FIND OUT: IS THERE  
9 ANY BETTER WAY TO IDENTIFY THE SMALL PERCENTAGE OF DEPUTIES  
10 THAT EVENTUALLY CAUSE PROBLEMS IN ADVANCE OF THOSE PROBLEMS?

11

12 **MR. GONZALES:** I'M FRIENDS WITH -- I USED TO WORK THE  
13 BACKGROUND UNIT OF THE SHERIFF'S DEPARTMENT. AND I UNDERSTAND  
14 THAT THE BACKGROUND STANDARDS WERE REVISED AND LOWERED BECAUSE  
15 WE NEEDED MORE DEPUTIES THROUGH THE DOORS. THAT MIGHT BE  
16 SOMETHING THAT WE NEED TO LOOK AT AND IMPROVE OR INCREASE THE  
17 STANDARDS FOR THE SHERIFF'S DEPARTMENT SO THAT CERTAIN  
18 INDIVIDUALS, WE CAN SCREEN THERE. I KNOW THAT ONCE I GET THEM  
19 IN THE JAILS, ONCE I HAD THEM IN THE JAILS, THAT I HAD TO WORK  
20 WITH THEM. AND LIKE I SAID, MY SOLUTION WAS TO MONITOR THEM,  
21 TO THEIR DISLIKE, AND TO TRANSFER THEM WHERE I COULD. BUT ONCE  
22 AGAIN LIKE I SAID, I WAS -- WE WERE INTERVENED AND TOLD US WE  
23 WERE TO TAKE OUR HANDS OFF THOSE FLOORS AND LET THOSE DEPUTIES  
24 DO WHAT THEY HAD TO DO ON THOSE FLOORS.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** FROM 2003 TO 2007, HOW MANY TIMES WOULD YOU SAY YOU  
2 SAW SHERIFF BACA AT THE JAIL WHEN YOU WERE THERE?

3

4 **MR. GONZALES:** ME PERSONALLY? I NEVER SAW HIM.

5

6 **SPEAKER:** YES, YOU PERSONALLY.

7

8 **MR. GONZALES:** I NEVER SAW HIM.

9

10 **SPEAKER:** DO YOU THINK IT WOULD BE HELPFUL IF A SHERIFF ON A  
11 REGULAR BASIS MET WITH THE COMMAND STAFF AT THE JAIL TO FIND  
12 OUT HOW THE JAIL ACTUALLY FUNCTIONS RATHER THAN RELY UPON  
13 ADVISORS?

14

15 **MR. GONZALES:** I CAN'T ANSWER THAT QUESTION, SIR. I DON'T KNOW.  
16 IT'S ABOVE ME.

17

18 **SPEAKER:** SOME DISCUSSION WAS HAD ABOUT OVERTIME. DO YOU FEEL  
19 THAT ANY OF THE DEPUTIES THAT CONSISTENTLY GOT OVERTIME WERE  
20 FAVORED IN ANY WAY AND THAT'S WHY THEY WENT TO THE CLIQUES OR  
21 JOINED THE CLIQUES?

22

23 **MR. GONZALES:** I DON'T BELIEVE THEY WERE FAVORED. THERE WAS SO  
24 MUCH OVERTIME, LIKE SERGEANT POLLARO STATED, THAT WE HAD TO  
25 DRAFT PEOPLE. WE COULDN'T FILL THE OVERTIME, SO SOMETIMES WE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WOULDNT LET THE PREVIOUS SHIFT GO HOME UNTIL WE WENT TO THE  
2 ROSTERS AND WERE ABLE TO DEDUCE WHICH DEPUTIES WERE NOT  
3 WORKING ENOUGH OVERTIME AND THEN WE MANDATED THEY WORK  
4 OVERTIME. MY ISSUE AND ONE WAY OF MINIMIZING THE FORCE ON  
5 THOSE FLOORS IS NOT ALLOW THOSE DEPUTIES WHEN THEY WERE  
6 WORKING OVERTIME TO GET BACK ON THOSE FLOORS, IS TO DISPERSE  
7 THEM THROUGHOUT THE JAILS. AS A MATTER OF FACT, I HAD A FEW  
8 SUPERVISORS THAT IN MY OPINION WERE VERY WEAK SUPERVISORS. AND  
9 I WOULD INSIST THAT IF THEY WORKED OVERTIME ON MY SHIFT, THEY  
10 WERE NOT GOING TO WORK THOSE HOT FLOORS. THEY WERE GOING TO BE  
11 DELEGATED TO THE HOSPITAL OR 5,000.

12

13 **SPEAKER:** WHAT NECESSITATED ALL THE OVERTIME DURING THIS  
14 PERIOD?

15

16 **MR. GONZALES:** I THINK WE WERE SHORT ON PERSONNEL, SIR. I  
17 BELIEVE.

18

19 **SPEAKER:** WAS IT SHORT OF PERSONNEL BECAUSE THEY WEREN'T  
20 HIRING? OR JUST SHORT OF PERSONNEL ASSIGNED TO THE JAILS?

21

22 **MR. GONZALES:** I DIDN'T HEAR THE LAST PART, SIR.

23

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** WERE YOU SHORT OF PERSONNEL BECAUSE THE SHERIFF'S  
2 DEPARTMENT WASN'T HIRING NEW DEPUTIES? OR WERE YOU SHORT OF  
3 PERSONNEL BECAUSE THEY DIDN'T STAFF THE JAILS ADEQUATELY?  
4

5 **MR. GONZALES:** A COMBINATION OF BOTH. I BELIEVE IT WAS THE  
6 LATTER. THERE WAS A HIRING FREEZE FOR A LONG TIME, WHICH  
7 PLEASED SOME OF THE DEPUTIES THAT LOVED THE OVERTIM. SO MUCH  
8 SO THAT I HAD THIS INCIDENT WITH THIS DEPUTY WHEN HE WORKED  
9 16, 16 AND 16. AND THAT WAS HAPPENING FREQUENTLY. A LOT OF  
10 DEPUTIES WERE BREAKING THE RULES TO DO THAT. BUT THERE WAS  
11 ALSO A SHORTAGE OF, TO MINIMIZE THE OVERTIME, THERE WERE ALSO  
12 MINIMIZING SOME OF THE STAFFING. BUT EVENTUALLY THEY STARTED  
13 TO INCUR A LOT OF INMATE-ON-INMATE VIOLENCE SO WED TO INCREASE  
14 THE OVERTIME AND STAFF SOME --  
15

16 **SPEAKER:** ONE LAST QUESTION. WE HEARD A SUGGESTION TODAY THAT  
17 PEOPLE BE ROTATED OUT OF THE JAIL AFTER SERVING ABOUT THREE  
18 YEARS. DO YOU CONCUR IN THAT SUGGESTION?  
19

20 **MR. GONZALES:** MY ONLY QUESTION TO THAT, SIR, I'D ANSWER WITH A  
21 QUESTION IS: WHO ARE WE GOING TO GET TO WORK THE JAILS IF WE  
22 MOVE THESE PEOPLE OUT? BECAUSE PEOPLE ON PATROL DO NOT WANT TO  
23 GO BACK TO THE JAILS. PEOPLE IN DETECTIVES DO NOT WANT TO GO  
24 BACK TO THE JAILS. IT'S WHERE YOU START. I DO WANT TO SAY ONE  
25 THING. AND I WANT TO GIVE CREDIT TO MY CUSTODY ASSISTANTS.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THEY WERE THE GREATEST PEOPLE THAT WORKED FOR ME. CUSTODY  
2 ASSISTANTS ARE CIVILIAN, THEY WEAR GREEN AND GREEN THEY DON'T  
3 WEAR THE TAN AND GREEN, THEY'RE NOT SWORN. BUT I USED TO TELL  
4 WHY CUSTODY ASSISTANTS DO SUCH A GREAT JOB? IT'S OWNERSHIP.  
5 THEY'RE NOT GOING ANYWHERE. IT'S THEIR JOB. AND I HAD JUST AN  
6 OUTSTANDING CADRE OF CUSTODY ASSISTANTS. THAT'S NOT GOING TO  
7 GET YOU MUCH APPLAUSE FROM THE ASSOCIATION BECAUSE THEY WANT  
8 DEPUTY SHERIFFS. BUT THEY DID AN OUTSTANDING JOB FOR ME.

9

10 **SPEAKER:** WE'VE HEARD TESTIMONY OR A STATEMENT FROM OUR  
11 EXECUTIVE DIRECTOR ABOUT THE COOK COUNTY SITUATION AND HOW THE  
12 JAILS ARE RUN THERE. DO YOU HAVE ANY OPINION AS TO WHETHER OR  
13 NOT A CAREER IN A CUSTODY ENVIRONMENT IS ONE THAT WITH  
14 APPROPRIATE SUPERVISION AND POLICIES AND SO FORTH, DO YOU HAVE  
15 ANY VIEWS ON THAT AS A CAREER PATH FOR SHERIFF'S DEPUTIES?  
16 WHICH WOULD ENTAIL OBVIOUSLY NOT ONLY LONGER ASSIGNMENTS BUT  
17 PERHAPS PERMANENT ASSIGNMENTS.

18

19 **MR. GONZALES:** I'VE HEARD OF THAT THEORY IN RELATIONSHIP TO THE  
20 L.A. COUNTY SYSTEM. IT MIGHT WORK. I KNOW THAT THERE ARE  
21 DEPUTIES, THOSE OF US THAT WORKED THE SHERIFF'S DEPARTMENT  
22 WILL TELL YOU, THAT LIKE WORKING THE JAILS. THAT WILL SPEND  
23 THEIR ENTIRE CAREERS IN THE JAILS. IT MIGHT. I KNOW THAT  
24 RIVERSIDE HAS SOMETHING SIMILAR TO IT. AND IT APPEARS TO BE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WORKING THERE. I REALLY DON'T HAVE AN OPINION. I REALLY  
2 HAVEN'T STUDIED IT IN DEPTH.

3

4 **SPEAKER:** JUST ONE MORE QUESTION AND FOLLOWING UP ON JUDGE  
5 TEVRIZIAN'S QUESTIONS ABOUT THE CHARACTERISTICS OF SOME OF  
6 THESE SO-CALLED CLIQUES. IS THERE ANYTHING THAT YOU COULD  
7 IDENTIFY IN TERMS OF RACE, GENDER, RELIGIOUS AFFILIATION OR  
8 ANYTHING THAT WOULD BE COMMON TO THESE CLIQUES?

9

10 **MR. GONZALES:** THEY RESPONDED TO THE CLIQUE?

11

12 **SPEAKER:** GENDER, WERE THEY ALL MALE? OR WAS THERE A MIX AND  
13 FEMALES AND MALES?

14

15 **MR. GONZALES:** TO THE DEPUTY CLIQUES?

16

17 **SPEAKER:** NO, THE DEPUTY CLIQUES THAT YOU REFERRED TO.

18

19 **MR. GONZALES:** YES, SIR. IF I'M UNDERSTANDING THAT CORRECTLY,  
20 PREDOMINANTLY MALE.

21

22 **SPEAKER:** DID THE COMPOSITION CROSS ALL RACIAL LINES?

23

24 **MR. GONZALES:** PREDOMINANTLY HISPANIC.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** PREDOMINANTLY HISPANIC. AND ANY OTHER CHARACTERISTIC  
2 IN TERMS OF RELIGIOUS AFFILIATION OR ANYTHING?

3

4 **MR. GONZALES:** BUT I'M GENERALIZING WHEN I SAY PREDOMINANTLY  
5 HISPANIC. THERE WERE SOME CAUCASIANS, BUT IT WAS PREDOMINANTLY  
6 HISPANIC. MY DEPUTIES, MY FULLERTON FOUR DEPUTIES WERE ALL  
7 HISPANIC. MY WEST COVINA DEPUTY WHO GOT IN TROUBLE WAS  
8 HISPANIC. THE DEPUTY THAT GOT IN TROUBLE WITH INDUSTRY WAS  
9 HISPANIC. I HAD OTHER INCIDENTS HISPANIC. BUT THEY WERE GOOD  
10 DEPUTIES, THEY WERE GOOD PEOPLE. THEY JUST NEEDED STRONG  
11 SUPERVISION. THEY WERE LACKING SUPERVISION.

12

13 **SPEAKER:** THANK YOU.

14

15 **SPEAKER:** COULD I ASK A FOLLOWUP QUESTION, TOO? WAS THERE ANY  
16 PATTERN WITH REGARD TO THE ALLEGED INCIDENTS THAT THESE  
17 CLIQUES TOOK OUT AGAINST OTHER RACIALLY -- RACIAL PROFILE? IN  
18 OTHER WORDS, WAS THERE ANY HISPANIC AGAINST HISPANIC? HISPANIC  
19 AGAINST WHITE? HISPANIC AGAINST BLACK?

20

21 **MR. GONZALES:** YOU'RE REFERRING TO THE DEPUTIES ON THE  
22 ETHNICITY THAT THEY WERE USING FORCE ON? IS THAT WHAT YOU'RE  
23 ASKING ME, SIR?

24

25 **SPEAKER:** YES.

1

2 **MR. GONZALES:** IT WAS NEUTRAL. THEY WERE JUST USING FORCE ON  
3 INMATE.

4

5 **SPEAKER:** ACROSS-THE-BOARD?

6

7 **MR. GONZALES:** ACROSS-THE-BOARD, SIR, YES, SIR.

8

9 **SPEAKER:** JUDGE BAIRD, CAN I FOLLOW-UP VERY BRIEFLY TO ONE  
10 QUESTION I THINK AS A FOLLOWUP TO JUDGE TEVRIZIAN'S EARLIER  
11 QUESTION ON THE EARLY WARNING SYSTEMS AND THE IDENTIFICATION  
12 OF ROGUE DEPUTIES? HOW EFFECTIVE WOULD PPI BE TO IDENTIFY  
13 ROGUE DEPUTIES? OR THOSE FEW DEPUTIES THAT HAVE PROBLEMS OVER  
14 AND OVER AGAIN?

15

16 **MR. GONZALES:** I BELIEVE THAT WAS ONE OF THE REASONS WE USED  
17 PPI IS TO IDENTIFY ROGUE DEPUTIES. AND IT WAS VERY OBVIOUS.

18

19 **MIRIAM A. KRINSKY:** AND IS THE ABILITY TO USE PPI FOR THAT  
20 PURPOSE DEPENDENT ON PAPERWORK BEING PROCESSED IN A TIMELY  
21 FASHION AND BEING ABLE TO MAKE ITS WAY INTO PPI?

22

23 **MR. GONZALES:** I DON'T UNDERSTAND THE QUESTION.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MIRIAM A. KRINSKY:** IF PAPERWORK IS DELAYED, IF IT'S JUST  
2 SITTING SOMEWHERE, IS PPI GOING TO BE EFFECTIVE?

3

4 **MR. GONZALES:** I DON'T KNOW HOW IT'S IMPLEMENTED. BUT SOMEHOW  
5 IT FINDS ITS WAY INTO THE PPI. I DON'T KNOW. I'M SORRY.

6

7 **SPEAKER:** YES. I THINK WE SHOULD GO TO A LUNCH BREAK.

8

9 **MR. GONZALES:** THANK YOU, MA'AM.

10

11 **SPEAKER:** THANK YOU, JUDGE. (LUNCH RECESS)

12

13

14

15

16

17

18

19

20 **MARCELLLUS MCRAE:** WOULD YOU PLEASE STATE YOUR NAME FOR THE  
21 RECORD.

22

23 **MARCELLLUS MCRAE:** ARE YOU CURRENTLY EMPLOYED? JUST GENERALLY  
24 SPEAKING WHERE ARE YOU EMPLOYED?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. EILER:** I HAVE SEVERAL PART TIMES JOBS. I WORK FOR A LAW  
2 FIRM AS I DO SECURITY WORK.

3

4 **SPEAKER:** WOULD YOU SPEAK UP A LITTLE LOUDER?

5

6 **MR. EILER:** I HAVE JOBS THAT ARE PART-TIME OR TEMPORARY AS THEY  
7 COME AND GO.

8

9 **SPEAKER:** PERHAPS YOU CAN USE MOVE THE MICROPHONE A LITTLE  
10 CLOSER TO YOU. OR MAYBE YOU CLOSER TO THE MICROPHONE.

11

12 **MR. EILER:** YES, MA'AM. IS THAT BETTER?

13

14 **SPEAKER:** YES. BETTER. THANK YOU.

15

16 **MARCELLLUS MCRAE:** MR. I WILLER WAS THERE A TIME WHEN YOU WERE  
17 INCARCERATED IN LOS ANGELES COUNTY JAILS?

18

19 **MR. EILER:** YES, SIR. ON TWO OCCASIONS.

20

21 **MARCELLLUS MCRAE:** LET'S TALK ABOUT THE FIRST OCCASION. CAN YOU  
22 RECALL APPROXIMATELY THE FIRST TIME THAT YOU WERE ARRESTED?

23

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. EILER:** I WAS ARRESTED IN MARCH OF 2010. I DON'T KNOW THE  
2 EXACT DAY. I WAS HOUSED IN MEN'S CENTRAL JAIL UNTIL THE EASTER  
3 OF 2010.

4

5 **MARCELLLUS MCRAE:** FOR APPROXIMATELY HOW LONG?

6

7 **MR. EILER:** I BELIEVE IT WAS 21 DAYS.

8

9 **MARCELLLUS MCRAE:** AND, SIR, WHY WERE YOU ARRESTED?

10

11 **MR. EILER:** ASSAULT WITH A DEADLY WEAPON.

12

13 **MARCELLLUS MCRAE:** DID THAT ARREST RESULT IN A CONVICTION?

14

15 **MR. EILER:** YES, SIR.

16

17 **MARCELLLUS MCRAE:** AND YOU SERVED THAT SENTENCE?

18

19 **MR. EILER:** YES, SIR. I AGREED TO A PLEA AGREEMENT WHERE I  
20 WOULD SERVE EIGHT MONTHS IN EXCHANGE FOR A MISDEMEANOR  
21 CONVICTION.

22

23 **MARCELLLUS MCRAE:** IF WE COULD BRACKET THE TIME OF THE SENTENCE  
24 WAS IT SOMETIME IN 2011 THAT YOU SERVED THE EIGHT MONTHS.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. EILER:** YES, SIR FROM JANUARY 3RD, 2011 UNTIL AUGUST 12,  
2 2011.

3

4 **MARCELLLUS MCRAE:** AND WHAT FACILITY DID YOU SERVE THIS  
5 SENTENCE?

6

7 **MR. EILER:** I WAS AT MEN'S CENTRAL JAIL. I WAS IN TWIN TOWERS.  
8 I WAS AT NCCF. I BELIEVE THAT WAS IT. I WAS IN DIFFERENT  
9 LOCATIONS IN EACH FACILITY.

10

11 **MARCELLLUS MCRAE:** LET'S TALK SPECIFICALLY FIRST ABOUT THE  
12 MEN'S CENTRAL JAIL. APPROXIMATELY HOW LONG DID YOU SPEND THERE  
13 DURING THIS JANUARY 2011-AUGUST 2011 TIME PERIOD?

14

15 **MR. EILER:** APPROXIMATELY TWO MONTHS.

16

17 **MARCELLLUS MCRAE:** WAS THERE ANY OCCASION WHILE YOU WERE  
18 SERVING YOUR SENTENCE IN THE MEN'S CENTRAL JAIL WHERE YOU  
19 EXPERIENCED THE USE OF FORCE?

20

21 **MR. EILER:** YES, SIR.

22

23 **MARCELLLUS MCRAE:** CAN YOU TELL US APPROXIMATELY THE DATE THIS  
24 HAPPENED?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. EILER:** I BELIEVE MARCH OF 2011. IT WAS BETWEEN FEBRUARY  
2 AND MARCH OF 2011.

3

4 **MARCELLLUS MCRAE:** AND NOW IF YOU COULD TELL US TO THE BEST OF  
5 YOUR RECOLLECTION WHAT HAPPENED IN OR ABOUT MARCH 2011  
6 REGARDING THIS USE OF FORCE INCIDENT.

7

8 **MR. EILER:** I WAS WORKING AS A TRUSTEE IN THE 1750 UNIT OF  
9 MEN'S CENTRAL JAIL. I WORKED GRAVEYARD SHIFT. I WAS SLEEPING  
10 IN THE MORNING. THE NURSE CAME BY EARLY IN THE MORNING WITH  
11 MEDICATION. I TOOK MOTRIN FOR MY SHOULDER. SHE SCREAMED  
12 MEDICATION. BUT I WAS IN MY BOXERS. I WANTED TO PUT PANTS ON.  
13 I THOUGHT IT WOULD BE DISRESPECTFUL TO WALK IN FRONT OF HER  
14 WITH MY UNDERWEAR. THE DEPUTY GOT VERY UPSET THAT I STOPPED TO  
15 PUT MY PANTS ON.

16

17 **MARCELLLUS MCRAE:** LET ME STOP YOU THERE. FIRST OF ALL YOU SAID  
18 YOU WERE A TRUSTEE. CAN YOU BRIEFLY TELL US WHAT THAT MEANT?  
19 WHAT EXAMINES AT CAPACITY YOU WERE OPERATING IN?

20

21 **MR. EILER:** I WOULDN'T CALL IT EMPLOYEE. I CLEANED. I DELIVERED  
22 FOOD. I DID LAUNDRY. I SERVED THE DEPUTIES LUNCH, WHATEVER  
23 THEY HAD REQUESTED US TO DO, WE DID IT.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MARCELLLUS MCRAE:** I BELIEVE YOU WERE TELLING US THAT YOU WERE  
2 TRYING TO PUT ON YOUR PANTS, IS THAT RIGHT?

3

4 **MR. EILER:** YES, SIR.

5

6 **MARCELLLUS MCRAE:** APPROXIMATELY HOW LONG WAS IT TAKING YOU  
7 FROM THE TIME THAT YOU HEARD MEDICATION TO PUT ON YOUR PANTS  
8 AND TO GATHER YOURSELF?

9

10 **MR. EILER:** MAYBE 30 SECONDS.

11

12 **MARCELLLUS MCRAE:** AND DURING THAT PERIOD, YOU SAY THAT A  
13 DEPUTY WAS SAYING SOMETHING TO YOU?

14

15 **MR. EILER:** YES, SIR.

16

17 **MR. EILER:** HE WAS SAYING GET THE F OUT HER. ARE YOU FING  
18 RETARDED GET THE F OUT HERE?

19

20 **MARCELLLUS MCRAE:** CAN YOU TELL US WHAT HAPPENED NEXT?

21

22 **MR. EILER:** I RECEIVED THE MOTRIN FROM THE NURSE. THE DEPUTY  
23 CALLED ME AND SAID WHAT THE FUK IS WRONG CAN YOU WHAT THE FUK  
24 TOOK YOU SO LONG?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MARCELLLUS MCRAE:** CAN YOU DESCRIBE THE DEPUTY NOT ASKING FOR A  
2 NAME BUT A PHYSICAL DESCRIPTION?

3

4 **MR. EILER:** I WOULD SAY APPROXIMATELY 5' 6, 160 POUNDS. HE WAS  
5 TAN SKINNED AND HE WAS OF ASIAN DECENT.

6

7 **MARCELLLUS MCRAE:** DID YOU ACTUALLY GET YOUR MEDICATION?

8

9 **MR. EILER:** YES, I DID.

10

11 **MARCELLLUS MCRAE:** WHAT HAPPENED AFTER YOU GOT YOUR MEDICATION  
12 FROM THE NURSE?

13

14 **MR. EILER:** I TOOK MY MEDICATION AND THAT'S WHEN THE DEPUTY  
15 TOLD ME TO -- HE ASKED ME WHAT THE F WAS WRONG WITH ME?

16

17 **MARCELLLUS MCRAE:** WHAT HAPPENED NEXT.

18

19 **MR. EILER:** HE TOLD ME TO TURN AROUND AND FACE THE WALL, WHICH  
20 I DID. AND ONCE I DID, SOMETHING STRUCK ME FROM IN THE BACK OF  
21 MY HEAD. THE TWO WITNESSES SAID THAT HE HAD PUNCHED ME. I KNEW  
22 THERE WAS BLOOD ON THE WALL. AND HE GRABBED MY ARMS BEHIND MY  
23 BACK AND DROVE ME INTO THE WALL.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MARCELLLUS MCRAE:** WHEN YOU SAY HE, DID YOU EVER LEARN WHO THIS  
2 HE WAS?

3

4 **MR. EILER:** I DON'T KNOW HIS NAME, SIR. IT WAS THE SAME DEPUTY.

5

6 **MARCELLLUS MCRAE:** THE SAME DEPUTY THAT WHAT?

7

8 **MR. EILER:** THE SAME ONE THAT HAD BEEN SCREAMING AT ME A FEW  
9 SECONDS PRIOR TO THE ASSAULT.

10

11 **MARCELLLUS MCRAE:** AND DID YOU EVENTUALLY TURN AROUND AND SEE  
12 THIS DEPUTY?

13

14 **MR. EILER:** AFTER HE HAD THROWN ME ON THE FLOOR AND YELLED A  
15 FEW THREATS AT ME, YES, SIR.

16

17 **MARCELLLUS MCRAE:** AND SO HOW LONG DID THIS WHOLE INCIDENT TAKE  
18 PLACE WHEN YOU WERE FACING THE WALL AND HAD YOUR FACE PRESSED  
19 UP AGAINST THE WALL AND HAD THESE BLOWS?

20

21 **MR. EILER:** APPROXIMATELY A MINUTE.

22

23 **MARCELLLUS MCRAE:** DID ANYTHING HAPPEN TO YOU IN TERMS OF ANY  
24 SORT OF INJURY AS A RESULT OF THIS INCIDENT?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. EILER:** YES, SIR. I HAD A LARGE GASH ON MY CHIN. THE GASH  
2 HAD SPLIT APART TO APPROXIMATELY THE SIZE OF A QUARTER. AND IT  
3 WAS BLEEDINGY COULDN'T GET THE BLOOD TO STOP.

4

5 **MARCELLLUS MCRAE:** AND DO YOU STILL CARRY THAT SCAR?

6

7 **MR. EILER:** YES, SIR. IT'S RIGHT HERE.

8

9 **MARCELLLUS MCRAE:** AND THAT'S ON THE WHAT SIDE OF YOUR FACE?

10

11 **MR. EILER:** I WOULD SAY THE RIGHT SIDE, MY CHIN.

12

13 **MARCELLLUS MCRAE:** DID YOU ASK FOR MEDICAL ATTENTION?

14

15 **MR. EILER:** I HAD TRIED TO GET THE BLOOD TO STOP FOR 20  
16 MINUTES. I DIDN'T WANT TO FILE A COMPLAINT BUT I COULDN'T GET  
17 THE BLOOD TO STOP SO I ASKED FOR MEDICAL ATTENTION.

18

19 **MARCELLLUS MCRAE:** TO WHOM DID YOU DIRECT THE REQUEST FOR  
20 MEDICAL ATTENTION?

21

22 **MR. EILER:** THERE IS A DEPUTY BOOTH, IT'S COVERED WITH ONE-WAY  
23 GLASS SO I CAN'T SEE INSIDE. THERE'S A SMALL SPOT WHERE YOU  
24 COULD SPEAK INTO. I JUST SPOKE TO WHOEVER WAS INSIDE, WHICH  
25 WAS MULTIPLE DEPUTIES AT THE TIME.

1

2 **MARCELLLUS MCRAE:** WHAT WAS THE RESPONSE TO YOUR REQUEST FOR  
3 MEDICAL ATTENTION?

4

5 **MR. EILER:** GO BACK TO THE ROOM AND WAIT FOR THEM.

6

7 **MARCELLLUS MCRAE:** AND THEN WHAT HAPPENED?

8

9 **MR. EILER:** I WAITED ON MY BUNK FOR APPROXIMATELY 15 MINUTES.  
10 AND THEN TWO DEPUTIES APPROACHED THE ROOM WITH A PAPER FOR ME.

11

12 **MARCELLLUS MCRAE:** THEN WHAT HAPPENED?

13

14 **MR. EILER:** THEY CALLED ME OUT AND THEY SAID IF YOU WANT  
15 MEDICAL ATTENTION, YOU IN ED TO SIGN HERE, STATE THAT YOU  
16 FELL.

17

18 **SPEAKER:** I'M SORRY, SAY THAT YOU FELL.

19

20 **MR. EILER:** THEY WANTED ME TO WRITE ON PAPER THAT I FELL. I  
21 WROTE I FELL.

22

23 **SPEAKER:** AND PUT YOU HIT YOUR CHIN.

24

25 **MR. EILER:** SO I PUT I FELL AND HIT MY CHIN.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MARCELLLUS MCRAE:** MR. I EILER WAS IT THE TRUTH THAT YOU FELL?

3

4 **MR. EILER:** NO, SIR. I WAS HIT INTO THE WALL.

5

6 **MARCELLLUS MCRAE:** THEN WHY DID YOU WRITE I FELL?

7

8 **MR. EILER:** ONE OF THE DEPUTIES THAT HAD APPROACHED ME TWO DAYS  
9 PRIOR HAD ASKED ME TO BEAT UP ANOTHER PRISONER AND WHEN I TOLD  
10 HIM I ONLY HAD SIX MONTHS TO GO, I DIDN'T WANT TO GET IN  
11 TROUBLE. HE SAID DON'T WORRY, WE'LL WRITE IT UP AS IF HE  
12 ATTACKED YOU. WE DO IT ALL THE TIME. I WAS AFRAID THESE CAN  
13 DEPUTIES WHEN I'M SITTING THERE 15 MINUTES THAT HE'S GOING TO  
14 THINK OF A THAT I ATTACKED THAT DEPUTY AND AS A RESULT OF HIM  
15 STOPPING ME, I WAS INJURED. I BELIEVE THAT THEY WERE TRYING TO  
16 PROTECT THEMSELVES AND THEY WOULD MAKE IT LOOK LIKE I WAS THE  
17 THE ANF AGGRESSOR IN THE ALTERCATION.

18

19 **MARCELLLUS MCRAE:** AFTER YOU WROTE YOU SLIPPED AND FELL WHAT  
20 HAPPENED NEXT?

21

22 **MR. EILER:** THEY TOOK ME TO RECEIVE MEDICAL ATTENTION.

23

24 **MARCELLLUS MCRAE:** AND WHAT HAPPENED WHEN YOU GOT THE MEDICAL  
25 ATTENTION, IF ANY?

1

2 **MR. EILER:** I RECEIVED 8 STITCHES IN MY CHIN, LARGE BANDAGE.

3

4 **MARCELLLUS MCRAE:** THEN WHAT HAPPENED?

5

6 **MR. EILER:** THE NEXT DAY MY WIFE CAME TO VISIT ME AND I TOLD  
7 HER WHAT HAPPENED AND SHE FILED A COMPLAINT.

8

9 **MARCELLLUS MCRAE:** AND DID YOU FILL ANY OTHER COMPLAINTS?

10

11 **MR. EILER:** YES. AFTER MY WIFE -- I HAD WANTED TO SPEAK TO MY  
12 WIFE BEFORE I FILED A COMPLAINT. I WANT SOMEBODY ON THE  
13 OUTSIDE TO KNOW WHAT HAPPENED BECAUSE I WAS IN FEAR OF BEING  
14 ATTACKED AGAIN. AFTER MY WIFE KNEW WHAT HAPPENED, I MADE A  
15 FORMAL COMPLAINT WITH THE SERGEANT AND THE LIEUTENANT. NO I  
16 BELIEVE IT WAS THE CAPTAIN. THEY TOOK A CAMERA, INTERVIEWED  
17 ME.

18

19 **MARCELLLUS MCRAE:** DO YOU KNOW WHERE YOUR WIFE WENT TO MAKE THE  
20 COMPLAINT?

21

22 **MR. EILER:** SHE WENT TO THE OFFICER IN THE VISITATION AREA BUT  
23 HE DIDN'T WANT TO TAKE A COMPLAINT. HE ARGUED WITH HER FOR AT  
24 LEAST 15 MINUTES UNTIL SHE THREATENED TO GO TO LAPD AND FILE A

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1 COMPLAINT THERE. AND FINALLY THEY ALLOWED HER TO FILL OUT A  
2 COMPLAINT FORM.

3

4 **MARCELLLUS MCRAE:** WAS THERE EVER A TIME THAT YOU WERE  
5 INTERVIEWED IN CONNECTION WITH THIS INCIDENT?

6

7 **MR. EILER:** YES, SIR.

8

9 **MARCELLLUS MCRAE:** AND DO YOU RECALL WHO INTERVIEWED YOU? NOT  
10 THEIR NAMES BUT THEIR RANKING?

11

12 **MR. EILER:** THERE WERE TWO SERGEANTS INITIALLY. THEY CAME TO  
13 INTERVIEW ME. THEY ASKED ME WHAT HAPPENED. AND WE TALKED FOR A  
14 WHILE.

15

16 **MARCELLLUS MCRAE:** NOW, IN ADDITION TO TALKING ABOUT THE  
17 INCIDENT ITSELF, WHEN YOU SAY THEY TALKED FOR A WHILE, DID YOU  
18 HAVE ANY OTHER CONVERSATIONS WITH THESE TWO INDIVIDUALS ABOUT  
19 THE POSSIBILITY OF YOU WITHDRAWING YOUR COMPLAINT?

20

21 **MR. EILER:** OH, YES. ONE SERGEANT, HE VERY MUCH WANTED ME TO  
22 WITHDRAW THE COMPLAINT. HE TRIED TO ACT LIKE HE WAS MY FRIEND  
23 AND IT'S NO BIG DEAL. I HAD BEEN A CORRECTIONAL OFFICER FOR  
24 SIX YEARS PRIOR AND HE STATED YOU KNOW, YOU'VE DONE THIS.  
25 YOU'VE SEEN IT. IT'S NO BIG DEAL. IT HAPPENS ALL THE TIME. IF

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1 YOU DON'T FILE THIS COMPLAINT, YOUR TIME'S GOING TO BE A LOT  
2 EASIER AS A RESULT. JUST LET IT GO AWAY.

3

4 **MARCELLLUS MCRAE:** YOU SAID THAT YOU HAD BEEN A CORRECTIONAL  
5 OFFICER. WHERE WAS THAT, SIR?

6

7 **MR. EILER:** I WAS CONTRACTOR FOR THE U.S. MARSHAL SERVICE FOR  
8 SIX YEARS. I WAS DETENTION OFFICER FOR IMMIGRATION AND CUSTOM  
9 ENFORCEMENT AGENCY FOR TWO YEARS. I USED TO DO PRISONER  
10 TRANSPORTATION. I USED TO DO CELL BLOCK DETENTION BUILDING A  
11 FEW BLOCKS AWAY FROM HERE.

12

13 **MARCELLLUS MCRAE:** DID YOU HEED THIS ADMONITION AND DROP YOUR  
14 COMPLAINT?

15

16 **MR. EILER:** NO, SIR.

17

18 **MARCELLLUS MCRAE:** WHY NOT

19

20 **MR. EILER:** HE'S A POLICE OFFICER, HE SHOULDN'T BE ASSAULTING  
21 PEOPLE. WHAT ELSE SHOULD HE BE ALLOWED TO DO? POLICE SHOULDN'T  
22 HURT VICTIMS, HE SHOULD HELP VICTIMS. YES I WAS UPSET. HE WAS  
23 TRYING TO DO IT AND HIS COWORKERS WERE TRYING TO ASSIST HIM IN  
24 GETTING AWAY WITH IT.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MARCELLLUS MCRAE:** AND, SIR, WERE YOU ACTUALLY INTERVIEWED BY  
2 THESE SERGEANTS?

3

4 **MR. EILER:** YES, SIR.

5

6 **MARCELLLUS MCRAE:** AND WAS THAT INTERVIEW VIDEOTAPED?

7

8 **MR. EILER:** YES, SIR.

9

10 **MARCELLLUS MCRAE:** AND APPROXIMATELY HOW LONG DID THAT  
11 INTERVIEW LAST?

12

13 **MR. EILER:** I WOULD SAY APPROXIMATELY 30 SECONDS.

14

15 **MARCELLLUS MCRAE:** AND WERE THERE ANY PICTURES TAKEN OF YOUR  
16 INJURIES?

17

18 **MR. EILER:** YES. AFTER THE VIDEO THEY TOOK ME TO THE DOCTOR  
19 AGAIN AND HE REMOVED THE BANDAGE AND THEY TOOK A PICTURE.

20

21 **MARCELLLUS MCRAE:** DID ANYTHING HAPPEN ON YOUR WAY TO HAVE YOUR  
22 PICTURES TAKEN?

23

24 **MR. EILER:** YES. THERE WAS A LARGE DEPUTY AND ANOTHER SERGEANT  
25 AND THEY KEPT CALLING ME A PUSSY AND A SNITCH. AND THE WHOLE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WAY DOWN AND THE WHOLE WAY BACK, THEY'RE SPEAKING VERY  
2 NEGATIVELY TOWARDS ME.

3

4 **MARCELLLUS MCRAE:** WHAT HAPPENED NEXT?

5

6 **MR. EILER:** THE LARGER DEPUTY HE HAD ME STRIP NAKED IN THE  
7 MIDDLE OF THE HALLWAY. HE TOOK A LOT OF MY PERSONAL ITEMS LIKE  
8 MY STORE ITEMS AND THREW THEM AWAY. HE HAD ME SQUAD AND COUGH  
9 REPEATEDLY OVER AND OVER WHILE OTHER INMATES WERE WALKING UP  
10 AND DOWN THE HALL AND OTHER DEPUTIES STOPPED TO LAUGH AT ME.

11

12 **MARCELLLUS MCRAE:** WAS THIS A STRIP SEARCH?

13

14 **MR. EILER:** YES, SIR.

15

16 **MARCELLLUS MCRAE:** I'M SORRY. GO AHEAD.

17

18 **MR. EILER:** I HAD NEVER BEEN STRIP SEARCHED IN A HALLWAY  
19 BEFORE. I HAD NEVER BEEN STRIPPED SERVED THAT LONG. WHILE  
20 DEPUTIES STAND AROUND AND LAUGH AT ME BEFORE. IT FELT LIKE  
21 PUNISHMENT FOR TALKING NOT JUST A STRIP SEARCH.

22

23 **MARCELLLUS MCRAE:** DO YOU KNOW WHETHER THE DEPUTY WHO STRIP  
24 SEARCHED HAD ANY KNOWLEDGE OF WHETHER YOU HAD FILED A  
25 COMPLAINT?

1

2 **MR. EILER:** HE WAS THE ONE THAT HELD THE CAMERA DURING THE  
3 INTERVIEW.

4

5 **MARCELLLUS MCRAE:** AFTER YOUR INTERVIEW AND YOUR PROXIMATIC THE  
6 YOURS HAD BEEN TAKEN, DID YOU EVER LEARN THAT ANYTHING HAD  
7 BEEN DONE BY WAY OF AN INVESTIGATION REGARDING YOUR COMPLAINT?

8

9 **MR. EILER:** NO, SIR. WE HAD REQUESTED A REPORT ON THE  
10 INVESTIGATION, BUT THIS E REFUSED TO REVEAL ANY INFORMATION OF  
11 WHAT THE FINAL RESULTS WERE.

12

13 **MARCELLLUS MCRAE:** IF I MAY, MR. EILER, I WANT TO CIRCLE BACK  
14 TO SOMETHING. YOU INDICATED YOU DIDN'T TELL THE DOCTOR OR  
15 NURSE WHAT HAPPENED TO YOU BECAUSE OF CONCERN OF YOUR SAFETY  
16 AND YET YOU PROCEEDED ULTIMATELY TO FILE A COMPLAINT. CAN YOU  
17 EXPLAIN WHAT IF ANYTHING ALLOWED YOU TO NOT HAVE TREPIDATION  
18 TO FILE THE COMPLAINT?

19

20 **MR. EILER:** I FELT VERY ALONE IN THAT UNIT. THEY WOULD ASSAULT  
21 US FREQUENTLY. I WANTED SOMEBODY ON THE OUTSIDE TO KNOW WHAT  
22 HAPPENED IN CASE I WAS ATTACKED AGAIN, IN CASE I WAS ACCUSE OF  
23 ANYTHING OR IN CASE I WAS KILLED WHILE INSIDE. I WANTED  
24 SOMEBODY ON THE OUTSIDE TO KNOW THE TRUTH, WHAT HAPPENED. I  
25 WANTED TO SPEAK TO MY WIFE FIRST. AND AFTER I SPOKE TO HER,

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THEN I FILED THE COMPLAINT. BUT I FELT LIKE I WOULD BE IN MORE  
2 DANGER IF NOBODY ELSE KNEW WHAT HAD HAPPENED.

3

4 **MARCELLLUS MCRAE:** FOLLOWING THE PERIOD WHERE YOU WERE  
5 INTERVIEWED, DID ANYTHING ELSE HAPPEN TO YOU AT THAT POINT?

6

7 **MR. EILER:** I WAS A SECURITY LEVEL 4, BUT I WAS IMMEDIATELY  
8 MADE A SECURITY LEVEL 7. WHEN I ASKED THE CUSTODY ASSISTANT  
9 WHY. HE SAID BECAUSE YOU MADE AN AN ACCUSATION AGAINST A  
10 DEPUTY. SO I WAS HOUSED WITH MORE DANGEROUS INMATES FROM THEN  
11 ON.

12

13 **MARCELLLUS MCRAE:** JUST AS A POINT OF CLARIFICATION, IS THE  
14 SECURITY LEVEL THAT YOU HAVE AS FAR AS GOING FROM A 4 TO A 7  
15 CALIBRATED TO INDICATE A HIGHER SECURITY LEVEL OR THREAT?

16

17 **MR. EILER:** YES, SIR. MORE DANGEROUS CRIMES. MORE DANGEROUS  
18 CRIMINALS.

19

20 **MARCELLLUS MCRAE:** DID YOU EVER LEARN WHY YOUR SECURITY LEVEL  
21 HAD BEEN CHANGED?

22

23 **MR. EILER:** JUST WHAT THE CUSTODY ASSISTANT HAD TOLD ME BECAUSE  
24 I MADE ACCUSATIONS AGAINST A DEPUTY. I DON'T KNOW IF THAT'S  
25 THE TRUTH OR NOT. THAT'S JUST WHAT I WAS TOLD.

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012

1

2 **MARCELLLUS MCRAE:** WAS THERE A POINT YOU ASKED FOR PROTECTIVE  
3 CUSTODY?

4

5 **MR. EILER:** YES, SIR.

6

7 **MARCELLLUS MCRAE:** WHAT HAPPENED RELATIVE TO THAT?

8

9 **MR. EILER:** I WAS DENIED. I WAS PUT BACK IN GENERAL POPULATION.

10

11 **MARCELLLUS MCRAE:** WHY DID YOU SEEK PROTECTIVE CUSTODY?

12

13 **MR. EILER:** ONE BECAUSE MY LAW ENFORCEMENT BACKGROUND. I FELT  
14 SOMEBODY WOULD RECOGNIZE ME. MY LIFE WOULD BE IN DANGER. ALSO  
15 I WAS IN FEAR OF RETALIATION FROM THE SHERIFF'S DEPARTMENT.

16

17 **MARCELLLUS MCRAE:** AND DID YOU, IN FACT, RETURN TO THE GENERAL  
18 POPULATION AFTER YOUR PROTECTIVE CUSTODY REQUEST WAS DENIED?

19

20 **MR. EILER:** YES, SIR.

21

22 **MARCELLLUS MCRAE:** AND WHAT HAPPENED NEXT?

23

1 **MR. EILER:** I HAD FILED A COMPLAINT WITH THE ACLU. I WAS  
2 TRANSFERRED TO NCCF AND I RECEIVED A RESPONSE IF THE ACLU. AND  
3 THE DEPUTIES AT NCCF BECAME VERY UPSET WITH ME.

4

5 **MARCELLLUS MCRAE:** COULD YOU PLEASE EXPLAIN THAT?

6

7 **MR. EILER:** I WAS INTERVIEWED BY A FEW SERGEANTS. ONE OF THE  
8 COMPLAINTS WAS ABOUT THE MAIL. THE PEOPLE IN THE MAIL ROOM  
9 YELLED AT ME AND TOLD ME TO STOP FILING COMPLAINTS. I TELL  
10 THEM. I RECEIVED BOOKS. I HAVE THE TRACKING NUMBER, THE DATE,  
11 TIME THEY WERE DELIVERED WHICH WAS SEVERAL WEEKS PRIOR AND I  
12 WANTED MY BOOKS. THEY SAID OKAY. FILL OUT THIS COMPLAINT FORM.  
13 PUT ALL THE INFORMATION IN THERE AND SUBMIT IT. WHICH I DID.  
14 THE NEXT MORNING, THE SERGEANT BROUGHT BACK THE COMPLAINT  
15 FORM. HIT BEEN FILLED OUT BY A SHERIFF'S EMPLOYEE. HAD THEIR  
16 EMPLOYEE NUMBER, SIGNATURE, EVERYTHING ON IT. SHE THREW IT  
17 BACK AT ME AND SHE SAID SHE KNOWS WHAT I'M BEEN DOING. STOP  
18 COMPLAINING. AND A FEW HOURS LATER THE CUSTODY ASSISTANT  
19 PULLED UP THE HOME ME REPRESENTATIVE AND WHITE REPRESENTATIVE  
20 AND HAD A CONVERSATION WITH THEM. THEY APPROACHED ME AND THEY  
21 SAID -- THEY KNEW WHAT I WAS DOING. I SHOWED THEM THE LETTERS  
22 FROM THE ACLU. I TOLD THEM EVERYTHING THAT WAS GOING ON. SHE  
23 WANTS US TO FUCK YOU UP.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** CAN YOU TAKE A STEP BACK? YOU SAID THE HOMEY  
2 REPRESENTATIVE? WHAT'S A HOMEY REPRESENTATIVE?

3

4 **MR. EILER:** THERE'S LATINO GANG GROUPS THAT JOIN TOGETHER.  
5 THEY'RE CALLED THE HOMEYS. THERE'S THE NONGANG LATINOS THAT  
6 ARE THE PISAS. THE WHITES THAT JOIN TOGETHER AND BLACKS THAT  
7 JOIN TOGETHER. WHETHER YOU WANT TO OR NOT, THAT'S THE GROUP  
8 THAT YOU BELONG TO. AND THEY EACH HAVE ONE PERSON THAT SPEAKS  
9 FOR ALL OF THEM.

10

11 **MARCELLLUS MCRAE:** AND YOU WERE APPROACHED BY WHICH  
12 INDIVIDUALS?

13

14 **MR. EILER:** THE HOMEY REPRESENTATIVE. THE REPRESENTATIVE FOR  
15 THE LATINO REPRESENTATIVES AND THE REPRESENTATIVE FOR THE  
16 WHITE PEOPLE.

17

18 **MARCELLLUS MCRAE:** NOW IN TERMS OF THE SEQUENCE, DID THEY  
19 APPROACH YOU AFTER THEY SPOKE TO THIS CUSTODY ASSISTANT?

20

21 **MR. EILER:** YES. THEY TOOK ME UNDERNEATH THE STAIRS WHERE NO  
22 CAMERA COULD SEE US AND NO DEPUTY COULD SEE US AND THEY HAD A  
23 CONVERSATION WITH ME.

24

25 **MARCELLLUS MCRAE:** AND WHAT DID THEY TELL YOU?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. EILER:** THE CUSTODY ASSISTANT WANTS THEM TO F ME UP. AND I  
3 WAS ON FRIENDLY TERMS WITH THEM. THEY BUNKED IN THE BED NEXT  
4 TO MINE. I WROTE LETTERS. THEY ARE VIOLATING SO MANY OF OUR  
5 TITLE 13 RIGHTS IT'S NOT LEGAL HOW THEY'RE TREATING US AND  
6 THEY APPRECIATED THAT. BUT THEY TOLD ME YOU KNOW WHAT? NOT  
7 EVERYBODY LEAVES COUNTY JAIL ALIVE. TO JUST KNOCK IT THE F  
8 OFF.

9

10 **MARCELLLUS MCRAE:** COULD YOU TELL US WHAT HAPPENED NEXT?

11

12 **MR. EILER:** IT WAS A ONE TIME PASS. THEY MADE THAT CLEAR. IF  
13 ANYTHING ELSE HAPPENED, THEY WOULD COME AFTER ME AND IT WOULD  
14 BE VIOLENT. THEN AFTER THAT THE CUSTODY ASSISTANT GOT VERY  
15 AGITATED THAT THEY HADN'T ASSAULTED ME. SO SHE TRANSFERRED ME  
16 TO ANOTHER UNIT WHERE I WAS WITH A DIFFERENT CLASS OF  
17 CRIMINALS. ALMOST EVERYBODY IN THIS UNIT HAD BEEN INCARCERATED  
18 ONE TIME OR ANOTHER FOR MANSLAUGHTER OR HOMICIDE. I WAS  
19 SITTING AT A TABLE ONE DAY STUDYING SPANISH AND TWO GUYS SIT  
20 DOWN NEXT TO ME AND THEY'RE TALKING ABOUT KILLING PEOPLE.  
21 THERE WAS JUST A VERY DIFFERENT CLASS OF CRIMINALS. AND I  
22 BELIEVE SHE DID THAT TO TEACH ME A LESSON.

23

24 **MARCELLLUS MCRAE:** AND THIS WAS WITHIN THE SAME YEAR THAT YOU  
25 HAD AT ONE POINT BEEN A TRUSTEE?

1

2 **MR. EILER:** YES, SIR. I HAD NEVER BEEN IN TROUBLE. I WAS A  
3 MODEL INMATE. I STUDIED SPANISH EVERY DAY AND CLASS RAL  
4 LITERATURE. I WROTE MY WIFE A LETTER EVERY DAY. I NEVER ONCE  
5 GOT IN TROUBLE.

6

7 **MARCELLLUS MCRAE:** SIR, I WANT TO FOCUS YOUR OBSERVATION TO  
8 OTHER USE OF FORCE INCIDENTS. FIRST I WANT TO DIRECT YOUR  
9 ATTENTION TO YOUR TIME IN THE MEN'S CENTRAL JAIL. WHILE YOU  
10 WERE THERE, DID YOU WITNESS ANY OTHER USE OF FORCE INCIDENTS?

11

12 **MR. EILER:** FELLOW TRUSTEE, ONE OF THE ONES THAT HAD WITNESSED  
13 THE ASSAULT. AFTER HE HAD WITNESSED IT HE KEPT ASKING TO QUIT.  
14 HE DIDN'T WANT TO BE A TRUSTEE. THEY WERE THROWING APPLES AT  
15 OUR HEAD, THROWING MILK CARTONS AT OUR HEAD, PUNCHING US.  
16 MAKING FUN OF US. HE DIDN'T WANT IT ANYMORE. A DEPUTY GRABBED  
17 HIM, THROUGH HIM IN A ROOM, TWISTED HIM AND THREW HIM IN AN  
18 AREA THAT THE DEPUTY SAID HE WOULD BREAK HIS FING ARM IF THEY  
19 DON'T KNOCK IT OFF. THEY DON'T WANT PEOPLE TO QUIT.

20

21 **MARCELLLUS MCRAE:** I WANT TO ASK YOU IF AT ANY POINT YOU SAW  
22 THIS TRUSTEE RESIST IN ANY WAY?

23

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. EILER:** NO, SIR. HE WAS AN AN OLD MAN. HE WAS CLOSE TO 60  
2 YEARS OLD. HE WASN'T BUILT TO FIGHT. HE WAS JUST VERY SMALL.  
3 HE LOOKED FRAGILE. HE COULDN'T FIGHT.

4

5 **MARCELLLUS MCRAE:** AND SIMILARLY WITH RESPECT TO THE INCIDENT  
6 THAT YOU DESCRIBED WITH THE ASIAN DEPUTY WHERE YOU WERE HIT  
7 FROM BEHIND, DID YOU AT ANY POINT STRIKE THAT DEPUTY?

8

9 **MR. EILER:** NO, SIR.

10

11 **MARCELLLUS MCRAE:** DID YOU AT ANY POINT RESIST THAT DEPUTY.

12

13 **MR. EILER:** NO, SIR.

14

15 **MARCELLLUS MCRAE:** AFTER YOU SAW THIS ALTERCATION WITH THE  
16 OTHER INDIVIDUAL, THE MAN THAT YOU DESCRIBED AS BEING SOMEWHAT  
17 ELDERLY, WHAT HAPPENED NEXT?

18

19 **MR. EILER:** THE DEPUTY CAME OUT AFTER A FEW MINUTES AND THEN  
20 THE TRUSTEE CAME OUT AND HE SAID THE DEPUTY TOLD HIM HE WAS  
21 GOING TO BREAK HIS ARM.

22

23 **MARCELLLUS MCRAE:** NOW WHILE YOU WERE IN SANTA CLARITA, WAS  
24 THERE ANY POINT WHERE YOU WITNESSED ANY USE OF FORCE INCIDENTS  
25 THERE?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. EILER:** TOWARDS THE END OF MY SENTENCE IT WAS LATE JULY,  
3 EARLY AUGUST. INSIDE THE DORMS THERE'S ABOUT 70 MEN. BUT THE  
4 DEPUTIES ONLY WANT ONE MAN TO COME TO THE BARS AND ASK  
5 QUESTIONS. THEY DON'T LIKE WHEN TOO MANY PEOPLE APPROACH THE  
6 BAR TO ASK QUESTIONS. EVERY DORM ELECTS A BAR MAN TO SPEAK.  
7 BUT THE DORM NEXT TO US THERE WAS A LOT OF NEW PEOPLE.  
8 APPARENTLY THEY DIDN'T UNDERSTAND THAT RULE. A YOUNGER  
9 GENTLEMAN, HE KEPT APPROACHING THE BARS AND TALKING TO THE  
10 DEPUTY AND THE DEPUTY STARTED YELLING BACK, GET THE F13 AWAY  
11 FROM THE BARS WHAT THE F IS AWAY FROM YOU CALLING HIM DECISION  
12 OR TORY NAMES LIKE B CH. HE GOT VERY UPSET.

13

14 **SPEAKER:** CAN YOU DESCRIBE WHAT THIS OTHER INMATE LOOKED LIKE  
15 TO WHOM THESE COMMENTS WERE BEING DIRECTED?

16

17 **MR. EILER:** HE WAS BLACK. HE LOOKED MAYBE 5'8. MAYBE 150  
18 POUNDS. NOT VERY LARGE AT ALL. HE WAS SMALLER THAN THE CUSTODY  
19 ASSISTANT. AND THE CUSTODY ASSISTANT WAS PRETTY SMALL.

20

21 **MARCELLLUS MCRAE:** AFTER THIS VERBAL EXCHANGE WITH THIS OTHER  
22 INMATE, WHAT IF ANYTHING HAPPENED NEXT?

23

24 **MR. EILER:** THE CUSTODY ASSISTANT PULLED THE INMATE OUT. AND HE  
25 WAS WALKING IN FRONT OF MY DORM. AND I HAD THE BUNK RIGHT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THERE IN FRONT OF THE DOOR. AND THE CUSTODY ASSISTANT JUST  
2 PUSHED HIM INTO THE WALL THEN WRAPPED HIS ARM AROUND HIS  
3 THROAT AND STARTED CHOKING HIM OUT. AND INITIALLY THE INMATE  
4 DIDN'T STRUGGLE. HE DIDN'T RESIST. HE DIDN'T DO ANYTHING. BUT  
5 AFTER A FEW SECONDS, HE STARTED TO FIGHT BACK. AND THEN THE  
6 CUSTODY ASSISTANT TOOK HIM TO THE GROUND AND A HUGE CROWD OF  
7 DEPUTIES RAN OVER AND THEY JUST STARTED BEATING THIS GUY.

8

9

10

11 **MARCELLLUS MCRAE:** RIGHT BEFORE THE DEPUTY REACHED AROUND AND  
12 GRABBED THIS INMATE, HAD THAT INMATE DONE ANYTHING THAT YOU  
13 SAW BY WAY OF AN ATTACK OR THREATENING GESTURE TOWARDS THAT  
14 DEPUTY?

15

16 **MR. EILER:** NO, SIR. HE WAS WALKING PAST THE CUSTODY ASSISTANT.  
17 AS SOON AS HE PASSED THE CUSTODY ASSISTANT THAT'S WHEN THE  
18 CUSTODY ASSISTANT PUSHED HIM.

19

20 **SPEAKER:** CUSTODY ASSISTANT.

21

22 **MR. EILER:** YES, SIR.

23

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MARCELLLUS MCRAE:** HOW LONG UNTIL THE OTHER CUSTODY ASSISTANTS  
2 JOINED IN THIS ALTERCATION? HOW LONG DID THIS TAKE PLACE WAS  
3 THIS INMATE BEING ATTACKED?

4

5 **MR. EILER:** HE WAS ON THE GROUND. HE WAS UNDER CONTROL. THEY  
6 KEPT BEATING HIM FOR OVER 30 SECONDS, MAYBE A MINUTE.

7

8 **MARCELLLUS MCRAE:** WHEN THE INMATE WAS ON THE GROUND, WAS HE  
9 KICKING AT ALL?

10

11 **MR. EILER:** I DIDN'T SEE HIM PUT UP A FIGHT. THERE WAS TOO MANY  
12 OF THEM. HE WAS JUST, HE LOOKED LIKE A LITTLE KID IN MY  
13 OPINION.

14

15 **MARCELLLUS MCRAE:** AFTER THIS INCIDENT INVOLVING THIS OTHER  
16 INMATE AT SANTA CLARITA, DID ANYONE FROM THE SHERIFF'S  
17 DEPARTMENT COME TO SPEAK WITH YOU?

18

19 **MR. EILER:** SHERIFF AND TWO DEPUTIES WALKED INTO OUR DORM. THEY  
20 HAD VIDEO CAMERA. THEY HELD IT UP IN FRONT OF OUR DORM AND SAY  
21 DID ANYBODY HERE SEE ANYTHING? DOES ANYBODY WANT TO TALK? AND  
22 THEN THAT WAS IT. NOBODY SPOKE. THEY WALKED OUT WITH THE  
23 CAMERA.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012**

1 **MARCELLLUS MCRAE:** SIR, DO YOU HAVE A LAWSUIT CURRENTLY PENDING  
2 AGAINST THE SHERIFF'S DEPARTMENT?

3

4 **MR. EILER:** NO, SIR. NOT AT THIS TIME.

5

6 **MARCELLLUS MCRAE:** I DON'T HAVE ANY FURTHER QUESTIONS.

7

8 **HON. LOURDES BAIRD, CHAIR:** ANY QUESTIONS?

9

10 **SPEAKER:** WHEN YOU SAID NOT AT THIS TIME? ARE YOU CONTEMPLATING  
11 FILING A LAWSUIT AGAINST THE COUNTY AND THE SHERIFF'S  
12 DEPARTMENT?

13

14 **MR. EILER:** IT'S A POSSIBILITY, YES, SIR.

15

16 **HON. LOURDES BAIRD, CHAIR:**

17

18 **SPEAKER:** I DON'T KNOW IF I HEARD IT CORRECTLY. DID YOU MENTION  
19 PRIOR TO THE TIME THAT YOU WERE PUSHED UP AGAINST THE WALL,  
20 HAD THE DEPUTIES ASKED YOU TO ENGAGE IN A FIGHT WITH ANOTHER  
21 INMATE?

22

23 **MR. EILER:** YES, SIR.

24

25 **RICHARD E. DROOYAN:** WOULD YOU JUST TELL BUS THAT INCIDENT?

1

2 **MR. EILER:** I WAS WORKING ONE DAY AND A DEPUTY AND CUSTODY  
3 ASSISTANT, THEY KNEW ABOUT MY BACKGROUND IN CORRECTIONS. AND  
4 THEY APPROACHED ME AND THEY WERE ASKING ME IF I COULD BEAT UP  
5 ONE OF THE PRISONERS BECAUSE THEY THOUGHT IT WOULD BE FUNNY TO  
6 SEE A TRUSTEE BEATING UP ONE OF THE PRISONERS IN THEIR UNIT.  
7 AND I TOLD THEM I ONLY HAD SIX MONTHS TO GO. I DIDN'T WANT ANY  
8 PROBLEMS. I JUST WANT TO DO MY TIME. AND THAT WAS THE END OF  
9 THE CONVERSATION.

10

11 **MARCELLUS MCRAE:** THANK YOU.

12

13 **HON. LOURDES BAIRD, CHAIR:** ANY FURTHER QUESTIONS? REVEREND  
14 MURRAY?

15

16 **REV. CECIL L. MURRAY:** YES. WAS THIS A NEW INCIDENT IN YOUR  
17 EXPERIENCE, OR HAD THE GRAPEVINE ALERTED YOU THAT THIS WAS  
18 LIKELY TO HAPPEN?

19

20 **MR. EILER:** I HEARD SIMILAR STORIES TIME AND TIME AGAIN WHILE I  
21 WAS INCARCERATED. MANY PEOPLE TOLD IT TO ME. I THOUGHT THEY  
22 WERE EXAGGERATING. I DIDN'T BELIEVE THEM UNTIL IT HAPPENED TO  
23 ME.

24

25 **REV. CECIL L. MURRAY:** YES.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **HON. LOURDES BAIRD, CHAIR:** ANY FURTHER QUESTIONS? MR. GRAY?  
3 ANY FURTHER QUESTIONS?

4

5 **SPEAKER:** NO. THANK YOU VERY, VERY MUCH MR. JOHNSON, FOR COMING  
6 AND TESTIFYING.

7

8 **MR. EILER:** EILER. MR. JOHNSON IS NEXT.

9

10 **HON. LOURDES BAIRD, CHAIR:** I HAD IT IN THE WRONG ORDER. I'M  
11 SORRY. MR. EILER. THANK YOU VERY MUCH FOR COMING HERE. THANK  
12 YOU.

13

14 **RICHARD E. DROOYAN:** OUR NEXT WITNESS IS JOHNNY JOHNSON WHO IS  
15 PRESENT. MR. JOHNSON? MR. JOHNSON, GOOD AFTERNOON, SIR.

16

17 **SPEAKER:** GOOD AFTERNOON.

18

19 **SPEAKER:** PLEASE STATE YOUR NAME FOR THE RECORD.

20

21 **SPEAKER:** JOHNNY JOHNSON, JO-NNY.

22

23 **SPEAKER:** HOW OLD ARE YOU?

24

25 **SPEAKER:** I'M 46.

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held on May 14, 2012

1

2 **SPEAKER:** WHAT DO YOU CURRENTLY DO FOR A LIVING?

3

4 **SPEAKER:** I WORK IN THE ENTERTAINMENT INDUSTRY, TRANSPORTATION.

5

6 **RICHARD E. DROOYAN:** I UNDERSTAND THAT YOU SPENT SOME TIME IN  
7 THE LOS ANGELES COUNTY JAILS, SPECIFICALLY THE MEN'S CENTRAL  
8 JAIL. CAN YOU TELL US WHEN YOU WERE IN THE MEN'S CENTRAL JAIL?

9 .

10

11 **SUP. YAROSLAVSKY, CHAIR:** SEPTEMBER OF 09 FOR ABOUT THREE DAYS  
12 AND THEN AGAIN IN 09.

13

14 **SPEAKER:** TALKING ABOUT THE SEPTEMBER 2009 PERIOD THAT YOU WERE  
15 IN THE MEN'S CENTRAL JAIL. WHY WERE YOU THERE?

16

17 **SPEAKER:** DUI.

18

19 **SPEAKER:** WAS THAT AN ARREST THAT OCCURRED EARLIER?

20

21 **RICHARD E. DROOYAN:** YES.

22

23 **SPEAKER:** WHEN APPROXIMATELY?

24

25 **SPEAKER:** IT WAS AROUND APRIL.

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1

2 **RICHARD E. DROOYAN:** 2009?

3

4 **SPEAKER:** YES.

5

6 **RICHARD E. DROOYAN:** AFTER YOU SPENT APPROXIMATELY THREE DAYS  
7 OR SO IN MEN'S CENTRAL JAIL IN SEPTEMBER 2009 DID YOU ALSO  
8 SPEND TIME AGAIN IN MEN'S CENTRAL JAIL?

9

10 **SPEAKER:** YES. IN OCTOBER OF '09.

11

12 **SPEAKER:** WHY WAS THAT.

13

14 **SPEAKER:** I WAS DRIVING ON SUSPENDED LICENSE AND VIOLATION OF  
15 PROBATION.

16

17 **RICHARD E. DROOYAN:** SO IN CONNECTION WITH THE PRIOR SENTENCE  
18 WHERE YOU SERVED IN SEPTEMBER, YOU PLED GUILTY TO THAT DUI  
19 OFFENSE?

20

21 **SPEAKER:** YES.

22

23 **RICHARD E. DROOYAN:** AND IN OCTOBER 2009 YOU PLED GUILTY TO  
24 DRIVING ON A SUSPENDED LICENSE?

25

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1 **SPEAKER:** YES, SIR.

2

3 **RICHARD E. DROOYAN:** NOW DID YOU ACTUALLY SPEND YOUR FULL TERM  
4 IN OCTOBER 2009 IN JAIL?

5

6 **SPEAKER:** I GOT SENTENCE TODAY 90 DAYS. I DID ABOUT 20.

7

8 **SPEAKER:** SO OUT OF 90 DAYS YOU DID ABOUT 20 DAYS.

9

10 **SPEAKER:** YES, SIR.

11

12 **SPEAKER:** I WANT TO DIRECT YOUR ATTENTION TO OCTOBER 2009. WAS  
13 THERE AN INCIDENT WHERE YOU WERE USE OF FORCE OF DEPUTIES?

14

15 **SPEAKER:** WHO WAS REQUESTING. AND LET ME ASK YOU TO STEP  
16 SLIGHTLY FORWARD TO THE MICONTRIBUTES. WHO WAS INITIATING  
17 THIS? PLEASE PROCEED.

18

19 **SPEAKER:** THE DEPUTIES. I WAS SECOND IN LINE WITH THE WHITES.  
20 AND THERE WAS A GUY IN FRONT OF ME. HAD MENTAL PROBLEMS. HE  
21 LOOKED HOMELESS. HAD A SCRABBLELY BEARD. TALKING TO HIMSELF.  
22 AND HE WAS SUPPOSED TO STOP. AND HE CONTINUED WITH THE BLACKS.  
23 AND I WENT TO STOP HIM.

24

25 **SPEAKER:** WAS HE AN AFRICAN-AMERICAN?

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1

2 **SPEAKER:** NO, HE WAS WHITE. CAUCASIAN.

3

4 **SPEAKER:** PLEASE PROCEED. HE CONTINUED TO WALK. THEY TAUNTED  
5 HIM. YOU THINK YOU'RE BLACK YOU WANT TO GO WITH THE BLACKS.

6

7 **SPEAKER:** WHO WAS TAUNTING HIM?

8

9 **MR. JOHNSON:** THE DEPUTY.

10

11 **SPEAKER:** PLEASE PROCEED.

12

13 **MR. JOHNSON:** THEY BROUGHT HIM BACK TO THE CREM. OUR CELL WAS  
14 PRETTY FULL. THEY PULLED HIM BACK OUT. THEY WERE TAUNTING HIM.  
15 WHY DON'T YOU FART AGAIN? YOU WERE FARTING IN FRONT OF US.  
16 THEY WERE TAUNTING HIM AND LAUGHING. THERE WERE FOUR DEPUTIES.  
17 WHEN THEY PUT HIM BACK IN THE CELL, HE ASKED IF HE COULD GET  
18 ANOTHER SANDWICH. AND THEY TOOK A SACK OF LUNCH AND THREW IT  
19 AND HIT HIT HIM INE SIDE OF THE HEAD.

20

21 **SPEAKER:** WHO DID?

22

23 **SPEAKER:** I SAID WHY DON'T YOU GUYS LEAVE HIM ALONE? WHAT ARE  
24 YOU HIS F'G BODY GUARD AND THEY TOOK ME AROUND THE CORNER AND  
25 GRABBED ME. ONE OF THEM HAD ME BY THE BACK OF THE HEAD AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WENT TO PUSH MY HEAD INTO THE WALL. I TURNED MY FACE AND HIT  
2 THE SIDE OF MY FACE. AND THE OTHER THREE CONTINUED TO ONE HELD  
3 MY HEAD AND THE OTHERS CONTINUED TO HIT ME IN THE RIBS AND IN  
4 THE CHEST.

5

6 **SPEAKER:** HOW MANY DEPUTIES WERE INVOLVED IN THIS USE OF FORCE  
7 INCIDENT AGAINST YOU?

8

9 **MR. JOHNSON:** I BELIEVE THERE WERE THREE OF THEM IF I RECALL  
10 RIGHT.

11

12 **SPEAKER:** AND HOW LONG WOULD YOU SAY THAT THIS USE OF FORCE  
13 INCIDENT OCCURRED?

14

15 **MR. JOHNSON:** ABOUT A MINUTE, MAYBE A MINUTE AND A HALF.

16

17 **SPEAKER:** AND WHAT HAPPENED NEXT?

18

19 **MR. JOHNSON:** NEXT THEY PUT ME BACK IN THE CELL. AND A COUPLE  
20 OF THE GUYS SAID, YOU KNOW, YOU GOT TO KEEP YOUR MOUTH SHUT.  
21 YOU SHOULDN'T HAVE SAID ANYTHING.

22

23 **SPEAKER:** WERE THESE INMATES?

24

25 **MR. JOHNSON:** INMATES, YES, SIR.

1

2 **SPEAKER:** THEN WHAT HAPPENED?

3

4 **MR. JOHNSON:** THEN WHEN THEY BROUGHT US OUT, THEY WERE  
5 SEPARATING PEOPLE AND THEY TOOK ME TO THE MEDICAL FACILITY.

6

7 **SPEAKER:** DID YOU ASK FOR MEDICAL ATTENTION?

8

9 **MR. JOHNSON:** NO.

10

11 **SPEAKER:** PLEASE PROCEED.

12

13 **MR. JOHNSON:** SO WHEN WE WENT OUT TO THE MEDICAL FACILITY, ONE  
14 OF THE SAME DEPUTIES WANTED ME TO HAND OUT THE BEDDING AND  
15 LINENS AND TOLD ME THAT I HAD TO SAY "I'M A FAG OUGHT. THE  
16 DEPUTIES ARE THE BOMB. "AND THAT WAS ABOUT 15 MINUTES I HAD TO  
17 DO THAT TO EVERY INMATE THAT WAS COMING THROUGH THERE.

18

19 **SPEAKER:** DID YOU DO THAT?

20

21 **MR. JOHNSON:** YES.

22

23 **SPEAKER:** WHY?

24

25 **MR. JOHNSON:** I WAS AFRAID I WOULD GET BEAT UP AGAIN.

1

2 **SPEAKER:** AND WHILE YOU DID THIS, DO YOU KNOW WHETHER OTHER  
3 PEOPLE SAW YOU?

4

5 **MR. JOHNSON:** THE DEPUTIES WERE STANDING AROUND LAUGHING ABOUT  
6 IT, THE OTHER DEPUTIES.

7

8 **SPEAKER:** JOHN OF THE DEPUTIES TRIED TO STOP IT OR BREAK IT UP?

9

10 **MR. JOHNSON:** NO.

11

12 **SPEAKER:** WHAT HAPPENED NEXT, SIR?

13

14 **MR. JOHNSON:** SO I WAS THERE ROUGHLY ABOUT FIVE DAYS. I DON'T  
15 KNOW IF IT WAS THE NEXT DAY OR COUPLE DAYS LATER, I FINALLY  
16 SEEN A DOCTOR. I DIDN'T ASK TO BE PUT IN THERE. THEY ASKED WHY  
17 I WAS THERE I SAID I DON'T KNOW. I'VE NEVER BEEN IN JAIL FOR  
18 THIS LENGTH OF TIME. SO I THOUGHT IT WAS PART OF THE PROCESS.

19

20 **SPEAKER:** SIR, WHY DIDN'T YOU TELL THEM PERHAPS I'M HERE  
21 BECAUSE OF THE USE OF FORCE THAT OCCURRED JUST A COUPLE OF  
22 DAYS PRIOR?

23

24 **MR. JOHNSON:** I WAS AFRAID TO. I DIDN'T KNOW WHAT WOULD HAPPEN.

25

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012

1 **SPEAKER:** WHAT HAPPENED NEXT, SIR?

2

3 **MR. JOHNSON:** THEN THEY MOVED ME INTO THE GENERAL POPULATION.  
4 9200, I BELIEVE.

5

6 **SPEAKER:** DID YOU EVER REPORT THIS USE OF FORCE INCIDENT?

7

8 **MR. JOHNSON:** NO.

9

10 **SPEAKER:** WHY NOT?

11

12 **MR. JOHNSON:** I JUST, YOU KNOW, I DIDN'T WANT ANYMORE TROUBLE.  
13 I WAS AFRAID IT WOULD CAUSE MORE FURTHER PROBLEMS DOWN THE  
14 LINE FOR MYSELF.

15

16 **SPEAKER:** NOW, AS YOU WERE BEING TRANSFERRED TO THIS 9200  
17 BLOCK, WHAT IF ANYTHING HAPPENED?

18

19 **MR. JOHNSON:** WHEN I WAS IN THE MEDICAL, THEY NEVER TURN THE  
20 LIGHTS OFF. AND THEY CALLED OUT MY NAME AND I WAS ASLEEP. SO I  
21 JUMPED UP, I WAS GATHERING MY THINGS. AND DEPUTIES STARTED  
22 CUSSING AT ME, WHAT IF F ARE YOU DOING? SO HE GRABBED MY BAG.  
23 AND I HAD RETAINERS FOR MY TEETH IN THERE. I WENT TO GRAB MY  
24 RETAINERS OUT AND HE GRABBED ME WHAT ARE YOU, ARE YOU A FURKS  
25 BEING BOX, I SAID THEY WERE MY RETAINER, WHAT ARE FUKING

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 BROKE. I SAID THEY WERE NIGH RETAINERS. THREW IT AND STEMMED  
2 ON THEM AND THROUGH ALL MY PERSONAL BELONGINGS IN THE TRASH.

3

4 **SPEAKER:** SIR WHEN YOU WERE GATHERING YOUR ITEMS AFTER YOU  
5 HEARD YOUR NAME BE CALLED, CAN YOU ESTIMATE FOR US  
6 APPROXIMATELY HOW LONG IT WAS TAKING YOU TO DO THAT?

7

8 **MR. JOHNSON:** INCOMPETENT WAS PROBABLY 45 SECONDS -- IT WAS  
9 PROBABLY 45 SECONDS. AS I SAID I WAS ASLEEP. I WAS PUTTING MY  
10 CLOTHING ON. I HAD EVERYTHING KIND OF TOGETHER.

11

12 **SPEAKER:** DID THE DEPUTY PROVIDE YOU ANY EXPLANATION FOR WHY HE  
13 WAS SPEAKING TO YOU IN THIS MANNER?

14

15 **MR. JOHNSON:** NO.

16

17 **SPEAKER:** ANY EXPLANATION FOR WHY HE TOOK YOUR PERSONAL ITEMS?

18

19 **MR. JOHNSON:** HE SAID I WAS TAKING TOO LONG.

20

21 **SPEAKER:** ANY EXPLANATION FOR WHY HE BROKE YOUR RETAINER?

22

23 **MR. JOHNSON:** NO.

24

25 **SPEAKER:** APPROXIMATELY WHAT WAS THE VALUE OF THE RETAINER?

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1

2 **SPEAKER:** ABOUT \$500.

3

4 **SPEAKER:** DID YOU EVER REPORT THE DEPUTY THROWING AWAY YOUR  
5 BELONGINGS OR BREAKING YOUR RETAINER?

6

7 **MR. JOHNSON:** I DIDN'T KNOW WHO TO REPORT TO. I DIDN'T WANT,  
8 YEAH.

9

10 **SPEAKER:** IF THAT INFORMATION HAD BEEN PROVIDED TO YOU WHILE  
11 YOU WERE INCARCERATED, WOULD YOU HAVE --

12

13 **MR. JOHNSON:** PROBABLY NOT. I WOULD HAVE BEEN AFRAID TO AT THAT  
14 POINT.

15

16 **SPEAKER:** NOW, I UNDERSTAND THAT WHILE YOU WERE IN THE 9200  
17 BLOCK, THERE WAS ANOTHER INCIDENT?

18

19 **MR. JOHNSON:** YES.

20

21 **SPEAKER:** CAN YOU PLEASE DESCRIBE THAT FOR US?

22

23 **MR. JOHNSON:** YES. THERE WAS DIFFERENT RACE GROUPS. IT WAS AN  
24 OLDER DORM, SO IT WAS A VERY CALM DORM. THE TOILETS WEREN'T  
25 SEGREGATED. USUALLY BLACKS HAVE A TOILET, WHITES AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 HISPANICS, IT'S KIND OF DESIGNATED. IT WAS A VERY PEACEFUL  
2 DORM. AND SOME YOUNGER GANGSTERS, YOU KNOW, CAME IN. AND THEY  
3 WANTED TO REGULATE THE DORM. AND NOBODY WANTED TO. THEY HAD  
4 THEIR REPS.

5

6 **SPEAKER:** WHEN YOU SAY REPS, WHAT DO YOU MEAN?

7

8 **MR. JOHNSON:** IT WOULD BE THE HOMEY REP, THE PISSER REP AND THE  
9 WHITE REP AND THE BLACK REP. THE WHITE AND LATIN REPS DIDN'T  
10 WANT TO DO IT. THE PYSIS, THE HOMEY REP IS THE GUY WHO WANTED  
11 TO DO IT. HE WAS A NEW GUY IN THERE.

12

13 **SPEAKER:** WHAT IS IT SPECIFICALLY THAT HE WANTED?

14

15 **MR. JOHNSON:** HE WANTED TO JUST RUN THE DORM AND DESIGNATE THE  
16 SHOWERS AND THE TOILETS TO CERTAIN RACES. AND IT WAS A VERY  
17 PEACEFUL DORM UP UNTIL THEN.

18

19 **SPEAKER:** SO WHAT HAPPENED?

20

21 **MR. JOHNSON:** SO THEY WENT INTO THE SHOWERS TO TRY TO WORK IT  
22 OUT. AND THE HOMEY REP, WHEN HE GOT OUT OF THE SHOWER, HE TOLD  
23 EVERYBODY TO SIDE UP.

24

25 **SPEAKER:** WHAT DOES THAT MEAN?

1

2 **MR. JOHNSON:** SIDE UP. ALL THE BLACKS WENT TO ONE SIDE. ALL THE  
3 LATINS THEN JOINED TOGETHER AND THE WHITES NATURALLY THERE WAS  
4 ONLY FIVE OF US AT THAT TIME IN THE WHOLE DORM.

5

6 **SPEAKER:** WHAT WOULD BE THE POINT OF SIDING UP IN YOUR  
7 UNDERSTANDING?

8

9 **MR. JOHNSON:** FOR A FIGHT. AND THEN THE REPS WENT INTO THE  
10 CENTER OF THE DORM. AND THEY'RE SCREAMING AT EACH OTHER AND  
11 THE DEPUTIES WERE UP IN THEIR TOWER. TAUNTING THEM SAYING  
12 SOMEBODY BETTER F'G SWING OR WE'RE GOING TO COME IN AND BREAK  
13 IT UP, YOU KNOW.

14

15 **SPEAKER:** I'M SORRY. WHO WAS SAYING SOMEONE BETTER SWING?

16

17 **SPEAKER:** THE DEPUTIES.

18

19 **SPEAKER:** THEY WERE DIRECTING THAT TO WHOM?

20

21 **MR. JOHNSON:** TO THE HEADS, TO THE REPS THAT WERE IN THE MIDDLE  
22 OF THE DORM.

23

24 **SPEAKER:** DID ANYBODY SWING?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. JOHNSON:** NOBODY SWUNG. IT WENT IN ABOUT FIVE MINUTES. THEY  
2 CAME IN AND BROKE IT UP AND TOOK THEM OUT. CAME BACK. STRIPPED  
3 US DOWN TO OUR BOXERS.

4

5 **SPEAKER:** WHO STRIPPED YOU DOWN TO YOUR BOXERS? JOANS JOHNS THE  
6 DEPUTIES. THEY TOOK EVERYBODY'S STORE GOODS AND BELONGINGS  
7 THEY HAD THROUGH THEM ALL IN THE MIDDLE OF THE DORM AND TURNED  
8 THE AIR ON FOR ABOUT TWO DAYS.

9

10 **SPEAKER:** AND WERE YOU CLOTHED?

11

12 **MR. JOHNSON:** WE HAD BOXERS ON.

13

14 **SPEAKER:** FOR HOW LONG?

15

16 **MR. JOHNSON:** IT WAS FROM THAT MORNING UNTIL THE NEXT MORNING.

17

18 **SPEAKER:** AND DID YOU AT ANY TIME PRIOR TO THIS POINT WHEN THE  
19 REPRESENTATIVES WERE IN THE CENTER, THE INMATES, HAVE A  
20 CONCERN ABOUT WHAT WOULD TRANSPIRE IF SOMEONE HAD THROWN A  
21 PUNCH?

22

23 **MR. JOHNSON:** YEAH, I WAS VERY CONCERNED BECAUSE LIKE I SAID, I  
24 WAS IN THERE FOR VIOLATION OF PROBATION. THERE WAS ONLY FOUR

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WHITE GUYS. AND NATURALLY WE'RE SIDED UP WITH THE LATINOS. BUT  
2 I WAS CONCERNED.

3

4 **SPEAKER:** WAS IT A THOUGHT THAT THERE WOULD BE A FIGHT ALONG  
5 THE WAY?

6

7 **MR. JOHNSON:** THERE WAS GOING TO BE A FIGHT. THE INTENSITY WAS  
8 VERY HIGH.

9

10 **SPEAKER:** AND, SIR, HAVE YOU FILLED A LAWSUIT BASED ON YOUR  
11 EXPERIENCE AT THE MEN'S CENTRAL JAIL?

12

13 **MR. JOHNSON:** NO.

14

15 **SPEAKER:** AND DID YOU OF FILL A REPORT BASED ON WHAT YOU  
16 WITNESSED RELATIVE TO THIS INSTIGATION OF A FIT?

17

18 **MR. JOHNSON:** NO.

19

20 **SPEAKER:** ARE YOU PLANNING ON FILING A LAWSUIT?

21

22 **MR. JOHNSON:** NO.

23

24 **SPEAKER:** I HAVE NOTHING FURTHER.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. LOURDES BAIRD, CHAIR:** ANY QUESTIONS?

2

3 **SPEAKER:** JUST HAVE YOU SPOKEN TO OR RETAINED A LAWYER IN  
4 CONNECTION WITH ANY POTENTIAL ACTION?

5

6 **MR. JOHNSON:** NO.

7

8 **HON. LOURDES BAIRD, CHAIR:** ANY OTHER QUESTIONS? REVEREND  
9 MURRAY? NO?

10

11 **REV. CECIL L. MURRAY:** WOULD YOU SPECULATE WHY YOU DIDN'T FILE  
12 SUIT OR BRING A CLAIM?

13

14 **MR. JOHNSON:** YOU KNOW, IT WAS SOMETHING I WANT TO BE IN THE  
15 PAST. IT WAS SOMETHING I DON'T WANT TO DRAG OUT. I DON'T THINK  
16 IT'S FAIR TO BE TREATED THAT WAY, BUT ...

17

18 **HON. LOURDES BAIRD, CHAIR:** ANY OTHER QUESTIONS? I HOPE I HAVE  
19 YOUR NAMES RIGHT NOW. THANK YOU VERY MUCH, MR. JOHNSON, FOR  
20 YOUR TESTIMONY. THANK YOU VERY MUCH, MR. JOHNSON, FOR  
21 YOUR TESTIMONY. THANK YOU VERY MUCH, MR. JOHNSON, FOR

21

22 **MR. JOHNSON:** THANK YOU. THANK YOU FOR YOUR EXAMINATION. WELL  
23 IT'S ONLY BEEN AN HOUR. WHY DON'T WE TAKE ONE MORE WITNESS?

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** [INAUDIBLE] HE'S GOING TO GET THE WITNESS. TAKE A  
2 SEAT.

3

4 **SPEAKER:** WOULD YOU STATE YOUR NAME FOR THE RECORD, SIR?

5

6 **SPEAKER:** ROBERT OLMSTEAD. OLMSTED.

7

8 **SPEAKER:** AND MR. OLMSTEAD ARE YOU RETIRED FROM THE LOS ANGELES  
9 SHERIFF'S DEPARTMENT?

10

11 **SPEAKER:** YES, SIR.

12

13 **SPEAKER:** AND WHEN DID YOU RETIRE?

14

15 **SPEAKER:** NOVEMBER OF 10.

16

17 **SPEAKER:** WHAT YEAR?

18

19 **SPEAKER:** 2010.

20

21 **SPEAKER:** WHAT WAS YOUR RANK WHEN YOU RETIRED?

22

23 **SPEAKER:** COMMANDER. WHAT WAS YOUR ASSIGNMENT AS COMMANDER WHEN  
24 YOU RETIRED?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** I OVERSAW THE SOUTHERN HALF OF THE JAIL OPERATIONS,  
2 MEN'S CENTRAL JAIL, TWIN TOWERS AND CRDF.

3

4 **SPEAKER:** AND WHAT WAS YOUR POSITION BEFORE YOU WERE A  
5 COMMANDER OVERSEEING THE SOUTHERN FACILITIES?

6

7 **SPEAKER:** I WAS THE CAPTAIN AT MEN'S CENTRAL JAIL AND PROMOTED  
8 TO THE POSITION OF COMMANDER IN CHARGE OF THE THREE JAILS.

9

10 **SPEAKER:** WHEN DID YOU BECOME THE CAPTAIN OF MEN'S CENTRAL  
11 JAIL?

12

13 **SPEAKER:** WOULD HAVE BEEN THE VERY END OF '06. DECEMBER 29TH,  
14 THE VERY TAIL END.

15

16 **SPEAKER:** DESCRIBE THE CIRCUMSTANCES UNDER WHICH YOU BECAME THE  
17 CAPTAIN OF MEN'S CENTRAL JAIL. HOW DID IT HAPPEN.

18

19 **SPEAKER:** I WAS A CAPTAIN OF DETECTIVE CRIMES BUREAU. I WAS  
20 DOING FRAUD INVESTIGATIONS. I GOT A PHONE CALL ONE DAY FROM  
21 MR. TANAKA. I HEARD RUMORS THAT I WAS GOING TO BE TRANSFERRED.  
22 I KNEW WHO MR. TANAKA WAS. I NEVER TALKED WITH HIM PERSONALLY.  
23 HE SAYS WE'D LIKE YOU TO TAKE OVER MEN'S CENTRAL JAIL. I'M  
24 THINKING TO MYSELF, WHY WOULD I WANT TO LEAVE A PRESTIGIOUS  
25 ASSIGNMENT DOING ALL THE GOOD DETECTIVE WORK TO GO TO MEN'S

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CENTRAL JAIL BUT I FOUND IT EXTREMELY REWARDING. I SAID SURE,  
2 I'LL DO IT, I'M A TEAM PLAYER. WHATEVER YOU NEED FOR ME, I'LL  
3 GO AHEAD AND DO.

4

5 **SPEAKER:** DID HE TELL YOU WHY HE WANTED YOU TO TAKE OVER MEN'S  
6 CENTRAL JAIL?

7

8 **SPEAKER:** HE SAID HE WAS HAVING MORALE ISSUES. HE WANTED A BODY  
9 SWAP. THIS IS EVENTUALLY WHAT HAPPENED. JOHN CLARK TOOK MY  
10 SPOT AND I TOOK JOHN'S SPOT.

11

12 WHAT WAS MR. TANAKA'S POSITION AT THE TIME THAT HE CALLED YOU  
13 ABOUT TAKING OVER MEN'S CENTRAL JAIL?

14

15 **SPEAKER:** HE WAS THE ASSISTANT SHERIFF IN CHARGE OF JAIL AND  
16 CUSTODY ON THAT SIDE OF THE SHOP.

17

18 **SPEAKER:** AND IN THAT CONVERSATION WITH MR. TANAKA DID HE  
19 MENTION ANY CONVERSATION WITH CAPTAIN CLARK ABOUT ROTATING  
20 DEPUTIES?

21

22 **SPEAKER:** YEAH. I HEARD THAT FROM MR. TANAKA AS WELL AS CAPTAIN  
23 CLARK.

24

25 **SPEAKER:** WHAT DID YOU HEAR FROM MR. TANAKA FIRST OF ALL?

1

2 **SPEAKER:** MORALE ISSUES, FORCE ISSUES. AND THERE WAS AN ATTEMPT  
3 TO ROTATE ALL THE DEPUTIES IN THE JAIL. BASICALLY THAT WAS IT.  
4 IT WAS A PHONE CONVERSATION ONLY. WE DIDN'T MEET FACE-TO-FACE.  
5 AND IT WAS LIKE THREE WEEKS AFTER THAT I WAS TRANSFERRED.

6

7 **SPEAKER:** DID YOU UNDERSTAND FROM MR. TANAKA THAT THAT ROTATION  
8 HAD BEEN CANCELED?

9

10 **SPEAKER:** YES.

11

12 **SPEAKER:** HE TELL YOU WHY HE CANCELED IT?

13

14 **SPEAKER:** NO.

15

16 **SPEAKER:** BEFORE YOU ACFULLLY TOOK OVER THE JAIL ASSIGNMENT,  
17 DID YOU HAVE ANY CONVERSATIONS WITH CAPTAIN CLARK ABOUT HIS  
18 WORK AS CAPTAIN OF THE MEN'S CENTRAL JAIL?

19

20 **SPEAKER:** YES, I DID. TO ANTICIPATE A SMOOTH TRANSITION, I WENT  
21 TO CAPTAIN CLARK'S OFFICE AT MEN'S CENTRAL JAIL PRIOR TO MY  
22 FIRST DAY OF ASSIGNMENT. WE TALKED FOR HOURS ABOUT WHAT WAS  
23 GOING ON TRYING TO GET AN IDEA OF WHAT I WAS GOING TO BE  
24 WALKING INTO.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** WHAT DID HE TELL YOU OF THE PROBLEMS?

2

3 **SPEAKER:** FORCE ISSUES, DEPUTY CLIQUES. HE TRIED TO DO SOME  
4 JAIL ROTATION ASSIGNMENTS. HE SAID IT WAS NEGATED BY MR. FIN  
5 ACAN. HE SAID THAT -- BY MR. TANAKA. HE SAID THAT -- I THINK  
6 THIFS ABOUT IT. -- THAT WAS ABOUT IT.

7

8 **SPEAKER:** WHO WAS THE OPERATIONS PLU TENANT AT THE TIME.

9

10 **SPEAKER:** TRACEY BALD.

11

12 **SPEAKER:** AT SOME POINT IN TIME AFTER YOU BECAME CAPTAIN WAS  
13 TRACEY BALD REPLACED?

14

15 **MR. OLMSTED:** YES. TWO, MAYBE THREE MONTHS AFTER MY ASSISTANTY  
16 GOT A PHONE CALL FROM MR. TANAKA SAYING WE'RE GOING TO  
17 TRANSFER CASEY BALD AND WANTED ME TO TAKE CAPTAIN DAN CRUISE,  
18 I'M SORRY LIEUTENANT DAN CRUZ.

19

20 **SPEAKER:** DID YOU HAVE ANY INPUT INTO THAT DECISION?

21

22 **SPEAKER:** NO, NOT AT ALL.

23

24 **SPEAKER:** AS FAR AS YOU KNOW WHO MADE THAT DECISION?

25

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012

1 **MR. OLMSTED:** MR. TANAKA.

2

3 **SPEAKER:** DID YOU KNOW LIEUTENANT CRUZ AT THAT TIME?

4

5 **SPEAKER:** I KNEW HIM FROM PATROL, YES.

6

7 **SPEAKER:** WAS HE YOUR CHOICE TO BE THE OPERATIONS LIEUTENANT?

8

9 **MR. OLMSTED:**NO.

10

11 **SPEAKER:** WAS HE THE RIGHT HAND MAN?

12

13 **MR. OLMSTED:** TO ANSWER YOUR QUESTION, YES. I DID NOT KNOW I

14 WAS GETTING ANY NEW OPERATIONS LIEUTENANT. HAD I DONE SO I

15 WOULD HAVE DONE SOME RESEARCH WHO I WANTED. I WASN'T GIVEN

16 THAT OPPORTUNITY. I WAS ON A PHONE CALL WE'RE MAKING A

17 TRANSFER AND WE WANT YOU TO TAKE DAN CRUZ.

18

19 **SPEAKER:** AFTER THAT PHONE CALL DID YOU DO A LITTLE BIT OF

20 RESEARCH TO FIND OUT ABOUT MR. CRUZ?

21

22 **SPEAKER:** I TOLD MY CHIEF. I SAID DO YOU KNOW I'M GETTING A NEW

23 OPERATIONS LIEUTENANT? AND HE SAID NO. WHO ARE WE GETTING ?

24 DAN CRUZ. AND I SAW A LOOK ON HIS FACE AND HE BASICALLY SAID

25 YOU DON'T HAVE TO TAKE HIM. TAKE WHOMEVER YOU CHOOSE.

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012

1

2 **SPEAKER:** WHO WAS THIS PERSON WHO SAID THAT?

3

4 **MR. OLMSTED:** THIS WAS SAMMY JONES TCHIEF OF CUSTODY. I SAID  
5 SAMMY, IF THE ASSISTANT SHERIFF SAYS I NEED TO TAKE HIM, I  
6 CAN'T ARGUE. AND I KNOW DAN. HE WOULD NOT HAVE BEEN MY CHOICE.  
7 BUT I CAN WORK WITH IT. SO I TOOK HIM.

8

9 **SPEAKER:** WHY WOULD YOU SAY IT WOULD NOT HAVE BEEN YOUR CHOICE?

10

11 **MR. OLMSTED:** I KNEW DAN FROM PATROL. HE WAS NOT AN ACTIVE GUY.  
12 HE WAS COMPETENT IN MY OPINION IN PATROL. I NEED SOMEBODY  
13 WHO'S MORE HANDS-ON, MORE PERSONABLE, SOMEBODY WHO CAN  
14 ACTUALLY TALK TO THE DEPUTIES, GET THEM GOING, GET THEM  
15 MOTIVATED. I JUST NEEDED SOMEBODY A LITTLE DIFFERENT THAN  
16 THAT.

17

18 **SPEAKER:** AT THE TIME THAT THIS TRANSFER TOOK PLACE, DID YOU  
19 KNOW OF ANY PROBLEMS THAT CAPTAIN -- LIETENANT CRUZ HAD HAD AT  
20 THE LENNOX STATION?

21

22 **MR. OLMSTED:** AT THAT TIME, NO.

23

24 **SPEAKER:** DID YOU LATER LEARN OF PROBLEMS THAT HE HAD AT THE  
25 LENNOX STATION?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. OLMSTED:** I'M SORRY?

3

4 **SPEAKER:** DID YOU LATER LEARN ABOUT PROBLEMS THAT WILL YOU  
5 TENANT CRUZ HAD AT THE LENNOX STATION?

6

7 **SPEAKER:** YES, THAT WAS AFTER I WAS RETIRED. I WAS GETTING  
8 PHONE CALLS RIGHT AND LEFT ON THINGS THAT WERE TRANSPIRG AT  
9 THE DEPARTMENT. RETIRED COMMANDER GAVE ME A CALL AND SAID I'M  
10 THE ONE WHO ROLLED UP OR MANDATED THAT DAN CRUZ BE TRANSFERRED  
11 AS A LIEUTENANT LENNOX STATION. I SAID OH REALLY WHY DID YOU  
12 TRANSFER HIM? THIS IS THE FIRST I HEARD OF THIS. HE SAID HE  
13 AND ANOTHER LIEUTENANT OVER THERE WERE DEFICIENT ON THEIR  
14 SERVICE COMMENT REPORTS FORCE PACK. SO ALL THE PAPERWORK  
15 NECESSARY AND REQUIRED TO TAKE A LOOK AT THE WELL-RUN,  
16 FUNCTIONING OPERATION, HE WAS 18 MONTHS BEHIND. AND I SAID  
17 WELL NOW THIS ALL MAKES SENSE, AFTER THE FACT ON SOME OF THE  
18 PROBLEMS I WAS HAVING AS A COMMANDER OF MEN'S CENTRAL JAIL.

19

20 **SPEAKER:** WHAT'S A SERVICE COMMENT REPORT?

21

22 **MR. OLMSTED:** SERVICE COMMENT REPORT IS A DOCUMENT THE CITIZEN  
23 COMES TO THE COUNTER AND SAYS I'D LIKE TO MAKE A COMPLAINT,  
24 THAT THEY PULL OUT A SERIALIZED PIECE OF PAPER. YOU TAKE DOWN  
25 THE NECESSARY INFORMATION. ALL CONTACT INFORMATION. AND THEN

1 FOLLOW-UP AND FIND OUT WHAT THE COMPLAINT IS. SOMETIMES THE  
2 COMPLAINT IS VALIDATED. SOMETIMES IT'S NOT. SOMETIMES IT'S  
3 JUST A MISINTERPRETATION. BUT WE OWE IT TO THE CITIZENS TO GO  
4 AHEAD AND LISTEN TO WHAT THEIR COMPLAINTS ARE. AND WHEN YOU  
5 DON'T ANSWER THESE COMPLAINTS AND LET THEM GO VOID FOR 18  
6 MONTHS, IT IS WRONG, INAPPROPRIATE. IT'S NOT INDICATIVE OF A  
7 WELL-RUN OPERATION.

8

9 **SPEAKER:** AND WHAT'S A USE OF FORCE PACKAGE?

10

11 **MR. OLMSTED:** I'M SORRY ANY.

12

13 **SPEAKER:** WHAT'S A USE OF FORCE PACKAGE? OHM OL' A USE OF FORCE  
14 PACKAGE IS ANY TIME A USE OF FORCE IS USED ON AN INDIVIDUAL,  
15 THE PACKAGE GETS INVESTIGATED. IT HAS ALL THE SUBJECTS,  
16 WITNESSES THAT OBSERVE IT, MEDICAL REPORTS, WHAT OCCURRED AND  
17 THEN THE SERGEANT TAKES A LOOK AT THE PACKAGE, VALIDATES THE  
18 INFORMATION, DOES THE INTERVIEW OF ALL THE WITNESSES, VICTIM  
19 SUS SUSPECTS, THE LIEUTENANT GETS INVOLVED FROM THAT  
20 STANDPOINT. VIDEOTAPES IT. MAKES SURE IT IS WELL DOCUMENTED.  
21 THEN THE PACKAGE ALL GOES TO THE OPERATIONS LIEUTENANT AND/OR  
22 CAPTAIN FOR FINAL ADJUDICATION.

23

24 **SPEAKER:** IS IT IMPORTANT TO GET THE USE OF FORCE PACKETS  
25 COMPLETED TIMELY?

1

2 **MR. OLMSTED:** ABSOLUTELY.

3

4 **SPEAKER:** WHY IS THAT?

5

6 **MR. OLMSTED:** USE OF FORCE, IF YOU FIND OUT LATER THAT USE OF  
7 FORCE IS INAPPROPRIATE AND IT DIDN'T GET ADJUDICATED OR LOOKED  
8 AT FOR FINAL RENDITION ON IT FOR 11 MONTHS, YOU'VE GOT 11  
9 MONTHS WINDOW WHERE NOTHING PROPERLY WAS DONE. WHETHER IT BE  
10 TO RETRAIN OR TO EVALUATE OR A NEW TOOL THAT MIGHT BE NEEDED.  
11 ON TOP OF THAT, IF YOU FIND OUT IT WAS SOMETHING THAT MIGHT BE  
12 PUNITIVE WHERE YOU'RE GOING TO DISCIPLINE THE DEPUTY, YOU ONLY  
13 HAVE ONIER TO LOOK INTO IT, WHERE YOU CAN THEN PUNISH,  
14 DISCIPLINE THE DEPUTY FOR INAPPROPRIATE USE OF FORCE.

15

16 **SPEAKER:** SO IF IT WERE LANGUISHING FOR 18 MONTHS AND  
17 DETERMINED TO BE OUT OF POLICY, THERE WOULD BE NOTHING YOU  
18 COULD DO.

19

20 **MR. OLMSTED:** NOTHING YOU COULD DO. NOTHING YOU COULD DO TO THE  
21 DEPUTY.

22

23 **SPEAKER:** IS THE INFORMATION ABOUT THE USE OF FORCE REPORTS AND  
24 FINDINGS SUPPOSED TO BE IN THE PPI, AS WELL?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** YES.

2

3 **SPEAKER:** AND WHAT IS THE PPI USED FOR?

4

5 **MR. OLMSTED:** THE PERFORMANCE, PERSONNEL PERFORMANCE INDEX IS A  
6 WAY TO MONITOR ALL INDIVIDUALS ON THE DEPARTMENT. TOOK A LOOK,  
7 THEY CATEGORIZED USE OF FORCE PACKAGES, CIVIL SUITS, LAWSUITS,  
8 TYPE OF FORCE BEING USED SIGNIFICANT, LESS THAN SIGNIFICANT.  
9 IT SETS -- YOU CAN IDENTIFY PATTERNS, LOBECATIONS WHERE THINGS  
10 MIGHT HAVE OCCURRED, IDENTIFY WHETHER OR NOT -- JUST BECAUSE  
11 YOU'RE IN A PPI INDEX DOESN'T MEAN ANYTHING IS WRONG. HOWEVER  
12 IF YOU'RE IN THERE MULTIPLE, MULTIPLE TIMES IT MIGHT 12EU8 BE  
13 OKAY BUT IT MIGHT BE AN INDICATOR WHERE THERE'S SMOKE THERE'S  
14 FIRE WHERE YOU KIND OF TAKE A LOOK AT STUFF.

15

16 **SPEAKER:** DID YOU HAVE ANY CONCERNS ABOUT DAN CRUZ'S MANAGEMENT  
17 STYLE WHEN HE WAS A LIEUTENANT AND YOU WERE THE CAPTAIN OF  
18 MEN'S CENTRAL JAIL?

19

20 **MR. OLMSTED:** ABSOLUTELY.

21

22 **SPEAKER:** WHAT WERE YOUR CONCERNS?

23

24 **MR. OLMSTED:** DAN'S THE KIND OF GUY THAT WANTS TO BE LIKED. HE  
25 WILL DO EVERYTHING HE CAN TO TRY AND MAKE THE DEPUTIES HAPPY.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 I HAVE NO PROBLEM WITH THAT. BUT SOMETIMES DISCIPLINE NEEDS TO  
2 COME INTO PLAY. SO WE WOULD ARGUE A LOT ON THE TYPE OF  
3 DISCIPLINE OR OUTCOMES OF INVESTIGATIONS. OF COURSE I WAS THE  
4 CAPTAIN, I HAD THE FINAL SAY IN THE WHOLE THING. ON TOP OF  
5 THAT, BEING IN OPERATIONS LIEUTENANT, THAT'S A POSITION WHERE  
6 YOU WANT TO GROOM SOMEBODY. SO I WANT TO BE ABLE TO FROM MY  
7 STANDPOINT IS TEACH, AS WELL. WHAT'S RIGHT, WHAT'S WRONG. HOW  
8 TO TAKE IT AND LOOK AT IT, INVESTIGATE IT FROM A MANAGEMENT  
9 STANDPOINT. SO WE WOULD CONSTANTLY BICKER. BUT I'D LET HIM  
10 HAVE HIS VIEW. AND I WOULD SAY OKAY, WELL THAT'S FINE. AND  
11 THIS IS THE WAY WE'LL DO IT.

12

13 **SPEAKER:** SOON AFTER YOU BECAME THE CAPTAIN AT MEN'S CENTRAL  
14 JAIL, DID ASSISTANT SHERIFF TANAKA EVER DIRECT YOU TO TRANSFER  
15 ANY SUPERVISORY DEPUTIES?

16

17 **MR. OLMSTED:** THAT WAS ON ONSET.

18

19 **SPEAKER:** [INAUDIBLE]

20

21 **MR. OLMSTED:** TOLD ME THAT I WANT YOU TO ROLL UP FOR SERGEANTS  
22 AT MEN'S CENTRAL JAIL. OKAY. THAT'S FINE. WHO ARE THEY? AND HE  
23 GAVE ME THE NAMES.

24

25 **SPEAKER:** WAS ONE OF THEM AL GONZALES?

1

2 **MR. OLMSTED:** ONE OF THEM WAS AL GONZALES. ONE WAS JEFF  
3 PETERSON, THE TRAINING SERGEANT, ONE WAS JEFF REILLY, THE --  
4 SORRY, JEFF REILLY WAS THE TRAINING SERGEANT. JEFF PETERSON  
5 WAS THE SCHEDULING SERGEANT, LIEUTENANT AL GONZALES WAS THE  
6 LINE LIEUTENANT. AND I JUST DON'T REMEMBER WHO THE FOURTH  
7 SERGEANT WAS. I BELIEVE HE RETIRED THE SAME TIME AL DID.

8

9 **SPEAKER:** DID HE SAY WHY HE WANTED THEM TRANSFERRED?

10

11 **MR. OLMSTED:** NO. I WANT THOSE GUYS TRANSFERRED. GET THEM OUT  
12 OF THERE.

13

14 **SPEAKER:** WHAT WAS YOUR RESPONSE?

15

16 **MR. OLMSTED:** OKAY. NO PROBLEM.

17

18 **SPEAKER:** DID YOU TRANSFER THEM?

19

20 **MR. OLMSTED:** NO.

21

22 **SPEAKER:** WHY NOT?

23

24 **MR. OLMSTED:** I WANTED TO FIND OUT WHAT THE ISSUES WERE. SO  
25 WITHOUT LETTING ANYBODY KNOW WHAT'S GOING ON, KNOWING THAT I

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ALREADY HAD A MANDATE. I WALKED IN THERE TO TAKE A LOOK AND  
2 EVALUATE THE FOUR PEOPLE AS TO WHY I NEED TO DO IT AND TO SEE  
3 IF IT'S JUSTIFIED.

4

5 **SPEAKER:** WHAT DID YOU CONCLUDE?

6

7 **MR. OLMSTED:** I CONCLUDED THAT THESE FOUR PEOPLE WERE JUST  
8 DOING AN OUTSTANDING JOB. THE TRAINING SERGEANT, JEFF  
9 PETERSON, WAS MAKING SURE THAT DAYS OFF WERE BEING MAINTAINED,  
10 THAT SCHEDULE'S RUN WELL, THERE'S NO UNNECESSARY OVERTIME,  
11 THAT PEOPLE WERE DOING WHAT NEEDED TO BE DONE. THE TRAINING  
12 SERGEANT, JEFF REILLY, WAS DOING THE TRAINING HE NEEDED BUT  
13 WASN'T GIVING OUT THE TRAINING APPARENTLY THAT THE DEPUTIES  
14 WANTED. AL WAS HANDS-ON. AGAIN I DON'T REMEMBER THE FOURTH  
15 INDIVIDUAL. I DETERMINED THAT THESE FOUR INDIVIDUALS WERE  
16 DOING A BANG UP JOB.

17

18 **SPEAKER:** DID YOU HAVE A SECOND CONVERSATION WITH ASSISTANT  
19 SHERIFF TANAKA ABOUT TRANSFERRING THESE DEPUTIES?

20

21 **MR. OLMSTED:** HE CALLED ME UP ABOUT FIVE, SIX WEEKS AFTER MY  
22 ONSET AND SAID ARE YOU GOING TO TRANSFER THEM? I SAID BOSS,  
23 THEY'RE DOG A BANG UP JOB. EVERYTHING YOU WANT OUT OF THESE  
24 PEOPLE, THEY'RE DOG EXACTLY WHAT NEEDS TO BE DONE. HIS  
25 STATEMENT WAS VERY SHORT. VERY CURT. BEFORE HE HUNG UP AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SAID OKAY YOU'RE STUCK WITH THEM THEN, OKAY, HUNG UP. FINE,  
2 I'M HAPPY TO HAVE THEM.

3

4 **SPEAKER:** DID YOU HAVE ANY INPUT INTO THE ASSIGNMENT OF  
5 LIEUTENANTS AND SERGEANTS TO THE MEN'S CENTRAL JAIL WHEN YOU  
6 WERE THE CAPTAIN?

7

8 **MR. OLMSTED:** NO.

9

10 **SPEAKER:** WHO WERE IF LIEUTENANTS WHO WERE ASSIGNED TO THE JAIL  
11 WHEN YOU BECAME THE CAPTAIN, BESIDES MR. BALD WHO LATER ON WAS  
12 REPLACED BY MR. CRUZ?

13

14 **MR. OLMSTED:** I CAN'T REMEMBER ALL OF THEM. I KNOW KEVIN EBERT,  
15 WES SUTTON, CHRIS KNEE, OBVIOUSLY GONZALES, AL GONZALES,  
16 REYES, RANDY OLSON. I HAD PROBABLY 13 IF I REMEMBER RIGHT.

17

18 **SPEAKER:** DID ANY OF THEM REPORT DIRECTLY TO MR. TANAKA?

19

20 **MR. OLMSTED:** I WAS TOLD THAT WES SUTTON, CHRIS KNEE AND KEVIN  
21 EBERT ALL REPORTED CERTAIN EP TISH USUALLY AFTER WORK AND HAD  
22 MONTHLY MEETINGS WITH LIEUTENANT TANAKA.

23

24 **SPEAKER:** YOU THAT?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** CASEY BALD TOLD ME. CAPTAIN CLARK TOLD ME. I  
2 THINK THAT WAS IT.

3

4 **SPEAKER:** WAS YOUR UNDERSTANDING THEN THAT THEY WERE REPORTING  
5 DIRECTLY TO ASSISTANT SHERIFF TANAKA?

6

7 **MR. OLMSTED:** YES.

8

9 **SPEAKER:** WERE YOU PRESENT FOR ANY OF THOSE MEETINGS?

10

11 **MR. OLMSTED:** NO.

12

13 **SPEAKER:** DID YOU EVER HEAR ASSISTANT SHERIFF TANAKA TELL  
14 DEPUTIES HOW THEY SHOULD DO THEIR JOBS WHERE HE WAS ACTUALLY  
15 IN A MEETING WHERE YOU HEARD HIM TELLING THEM HOW THEY SHOULD  
16 BE DOING THE JOBS?

17

18 **MR. OLMSTED:** I DON'T THINK I WAS EVER IN A MEETING WHEN THAT  
19 OCCURRED, NO.

20

21 **SPEAKER:** DID YOU EVER HEAR HIM USE THE TERM WORKING THE GRAY  
22 AREAS?

23

24 **MR. OLMSTED:** I HEARD THAT SECOND AND THIRD HAND INFORMATION.  
25 VERY GOOD FRIEND OF MINE SAID THAT WHEN HE WAS IN SERGEANT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SUPER SCHOOL, BRAND NEW SERGEANT, THEY DO TOURS OF  
2 ORIENTATION. EXECUTIVE COMES IN, TEAL TOKS THEM. HAPPENED TO  
3 BE MR. TANAKA. AND HE TOLD ME, HE SAID MR. TANAKA CAME IN AND  
4 SAID YOU GUYS NEED TO WORK THE GRAY AREA. WORK IT HARD. YOU  
5 NEED TO PROTECT THESE GUYS THE BEST YOU CAN.

6

7 **SPEAKER:** WHAT DO YOU UNDERSTAND THE TERM WORKING THE GRAY  
8 AREAS MEANS?

9

10 **MR. OLMSTED:** ANYTHING IN THE GRAY AREAS IS CONSIDERED OUTSIDE  
11 POLICY AS FAR AS I'M CONCERNED. IT'S EITHER RIGHT OR WRONG,  
12 YOU HAVE THE LETTER OF THE LAW. BUT THE GRAY AREA CAN BE  
13 INTERPRETED SO MANY WAYS AND ANY PERSONAL WAY YOU WANT. IT CAN  
14 BE VERY EASILY CONSTRUED TO BE ILLEGAL BY NATURE.

15

16 **SPEAKER:** SHORTLY AFTER YOU BECAME THE CAPTAIN OF MEN'S CENTRAL  
17 IN JANUARY OF 2007, DID A JUDGE CAME TO VISIT MEN'S CENTRAL  
18 JAIL?

19

20 **MR. OLMSTED:** YEAH. THE FIRST WEEK I HAD A JUDGE COME IN. HE  
21 GAVE ME A PHONE CALL AROUND NOON ONE DAY. I REMEMBER IT  
22 DISTINCTLY BECAUSE YOU DON'T HAVE A JUDGE CALL YOU UP OFTEN.  
23 I'D LIKE TO COME DOWN AND VISIT YOUR JAIL. YOU'RE MORE THAN  
24 WELCOME. I WANT TO IS HE ALL THE WRITING ON THE WALLS. YEAH,  
25 WELL THAT'S WHAT INMATES DO. THEY WRIT ON WALLS. BUT SURE,

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 LET'S GO IN THERE AND SEE WHAT YOU CAN FIND. NO THIS IS IN THE  
2 CONTROL BOOTH. IT'S ONLY OPERATIONAL BY CUSTODY ASSISTANTS OR  
3 DEPUTIES. I GO REALLY? YEAH, PLEASE COME DOWN. I BELIEVE THE  
4 JUDGE WAS FROM THE DOWNTOWN AREA. HE WAS THERE LITERALLY IN  
5 15, 20 MINUTES. AND THEN WE WALKED UP TO 3100. HIS AREA THAT  
6 HE WANTED TO LOOK INTO WHERE HE HAD A COMPLAINT. I FOUND AN  
7 ATROCIOUS SITE.

8

9 **SPEAKER:** WHAT DID YOU SEE? AND WHERE WAS IT THAT YOU SAW IT?

10

11 **MR. OLMSTED:** THE 3100 CONTROL BOOTH. THE CONTROL BOOTH ITSELF  
12 IS ONLY OPERATED BY SWORN PERSONNEL. YOU HAVE TO GET A KEY,  
13 TWO KEYS TO GET INTO IT. ME AND SALLY PORT AND AN INDIVIDUAL  
14 PORT. INSIDE THE SECOND LOCKED AREA, LITERALLY WAS WRITING,  
15 SCRIBBLING, MALICIOUS SCRIBBLING WITH SHARPIES ALL OVER THE  
16 PLACE, ALL OVER THE WALL. I REMEMBER AROUND THE COMPUTER  
17 MONITOR, ON THE KEYBOARD, THE FIRE HOSE, WHICH WAS A SAFETY  
18 ISSUE, WAS ON THE FLOOR STRUNG OUT JUST LAYING THERE DROOPED  
19 DOWN WITH SCRIBBLING JUST WRITING UP AND DOWN ON THE FIRE  
20 HOSE. WRITING ON THE WALLS OF THE DESK. HE WAS MAINLY  
21 CONCERNED ABOUT A BUMPER STICKER THAT WAS ON THE CONTROL KEY  
22 BOX LOCK THAT SAID PLEASE DON'T FEED THE ANIMALS. IT WAS UGLY.  
23 JUST PLAIN UGLY.

24

25 **SPEAKER:** WAS IT A FEDERAL JUDGE OR A STATE JUDGE?

Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012

1

2 **MR. OLMSTED:** YOU KNOW, I REALLY DON'T REMEMBER.

3

4 **SPEAKER:** DOES THE NAME PRANKER SON REFRESH YOUR RECOLLECTION?

5

6 **SPEAKER:** DOES THE NAME PREAGER SON?

7

8 **MR. OLMSTED:** I KNOW MR. PRAYINGER SON CAME THROUGH THE JAIL A  
9 FEW TIMES. MY THOUGHT WAS IT MIGHT HAVE BEEN HIM. I DON'T WANT  
10 TO SAY IT IS. I DON'T REMEMBER EXACTLY.

11

12 **SPEAKER:** DID YOU REQUEST AN INVESTIGATION BY INTERNAL AFFAIRS?

13

14 **MR. OLMSTED:** IMMEDIATELY.

15

16 **SPEAKER:** AND WHAT WAS THE RESULT OF THE INTERNAL AFFAIRS  
17 INVESTIGATION?

18

19 **MR. OLMSTED:** I ASKED FOR AN MEDROLOUT. TWO OF THEM CAME OUT.  
20 THEY STARTED TAKING PICTURES OF EVERYTHING. THEY SPENT HALF  
21 THE DAY THERE DOCUMENTING ALL THE INFORMATION, TAKING SOME  
22 INFORMATION BACK WITH THEM. THE FOLLOWING DAY, THEY CAME BACK,  
23 THE TWO INVESTIGATORS CAME BACK INTO MY OFFICE AND THEY HIGHLY  
24 RECOMMENDED THAT I DO NOT DO AN INVESTIGATION. AND I SAID  
25 REALLY? WHY IS THAT? AND HE SAID WELL, 'CUZ WE DETERMINED THAT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ONE OF THE NAMES THAT WAS WRITTEN ON THE WALL, LET ME BACK  
2 BACKTRACK. THERE WAS ONE NAME WRITTEN ON THE WALL. SO-AND-SO  
3 IS A PUTO. SPANISH FOR I'M NOT EVEN SURE ANYMORE. THEY SAID WE  
4 LOOKED INTO THE NAME THAT WAS WRITTEN ON THE WALL. THAT NAME  
5 THAT PERSON HAD TRANSFERRED OUT OF 3100 ABOUT SIX MONTHS  
6 PRIOR. SO THEREFORE THE PROBABLY WRITING THE CONDITION OF THAT  
7 ENVIRONMENT HAD BEEN THERE FOR PROBABLY A MINIMUM, MINIMUM OF  
8 SIX MONTHS. NOW, BECAUSE THIS IS A VIOLATION OF POLICY,  
9 EVERYBODY WHO HAD WALKED INTO THAT, INTO 3100, EVERY SERGEANT,  
10 EVERY LIEUTENANT, EVERY DEPUTY, EVERY CA, EVERY COUNTY  
11 EMPLOYEE WOULD THEN BE SUBJECT TO AN INVESTIGATION. AND IT  
12 WOULD BE TOO MONUMENTOUS TO GO AHEAD AND PUT EVERYBODY AS A  
13 SUBJECT WHERE IT MIGHT BE BETTER OFF TO GO AHEAD AND JUST  
14 WRITE THIS ONE OFF. CLEAN IT UP. START SETTING SOME BENCHMARKS  
15 AND GO FROM THERE.

16

17 **SPEAKER:** DID YOU AGREE WITH THAT, THEN?

18

19 **MR. OLMSTED:** I AGREED WITH IT. I RAN IT BY MY COMMANDER. DO  
20 YOU KNOW SOMETHING? THIS IS PROBABLY A GOOD CHOICE TO DO. WE  
21 SHOULD PROBABLY JUST WRITE THIS OFF AND SET SOME NEW  
22 BENCHMARKS AND LET'S GET THIS CLEANED UP. THEY CONCURRED.

23

24 **SPEAKER:** DID YOU THEN START WALKING AROUND THE MEN'S CENTRAL  
25 JAIL TO DO AN ASSESSMENT?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. OLMSTED:** YEAH. THE ONE THING I DID PRIOR TO GOING IN  
3 THERE, I INTERVIEWED, I TALKED TO A LOT OF MY FRIENDS AND  
4 PEOPLE I RESPECTED. I SAID WHO'S THE BEST CAPTAINS THAT EVER  
5 WORKED MEN'S CENTRAL JAIL. THEY SAID IT WAS DENNIS DOLL MAN. I  
6 CALLED DENNIS AND SAID WHAT'S YOUR SECRET? WHY IS IT YOU WERE  
7 SO SUCCESSFUL? THIS IS WHAT EVERYBODY TOLD ME. YOU MANAGE BUY  
8 WALKING AROUND. YOU GOT TO GET OUTSIDE THAT DESK AND SPEND  
9 ANYWHERE FROM 12 TO 18 HOURS A WEEK, 40-HOUR WORKWEEK, ON  
10 THE FLOOR GETTING THE PULSE OF STUFF. SO THAT'S WHAT I DID.

11

12 **SPEAKER:** AND WHEN YOU STARTED TO WALK AROUND, DID YOU SEE SOME  
13 OF THE DEPUTIES IN THE CONTROL BOOTH? DID YOU GO UP TO THOSE  
14 DEPUTIES AND TALK TO THEM?

15

16 **MR. OLMSTED:** YEAH. THIS IS ONE OF THE AMAZING STUFF I SAW ON  
17 TOP OF THIS. THIS IS ALL WITHIN THE FIRST WEEK OR SO. I WALKED  
18 INTO THE 2,000 FLOOR CONTROL BOOTH. THE CONTROL BOOTH SITS IN  
19 THE MIDDLE OF THE HALLWAY. AND EACH END OF THE HALLWAY ARE THE  
20 DOORS THAT GO INTO THE MODULES. AND THE CONTROL BOOTH, WHICH  
21 IS ON THE CENTER AND CONTROLS THE INGRESS, EGRESS OF PEOPLE  
22 COMING UP AND DOWN ONTO THE FLOORS, I WALKED INTO THE CONTROL  
23 BOOTH, LOOKED AROUND, I SAW A DEPUTY HAD A BROKEN RIGHT HAND.  
24 SO, WHAT HAPPENED TO YOU? I HIT AN INMATE IN THE HEAD. I GO  
25 REALLY. YOU KNOW, THAT'S NOT GOOD FOR YOUR CAREER. YOU CAN

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 HURT YOUR HAND. HOW DID IT OCCUR? WHAT HAPPENED? WHY? YOU KNOW  
2 IF YOU'RE GOING TO GO OUT ON PATROL, YOU CAN'T GO OUT INJURED.  
3 AND THERE'S OTHER WAYS TO SUBDUE INMATES THAT ARE HOSTILE. SO  
4 WE TALKED FOR A LITTLE BIT. SO I WALKED UP ONTO THE 3,000  
5 CONTROL BOOTH. DIRECTLY ABOVE IT. MIRROR OF THE FLOORING.  
6 THERE'S A DEPUTY IN THERE WITH A BROKEN RIGHT HAND. I SAID  
7 WHAT HAPPENED TO YOU? I HIT AN INMATE IN THE HEAD. I GO  
8 REALLY. SO I WENT THROUGH THE SAME THING AGAIN. STARTED  
9 TALKING. SERIOUS HEART ATTACK. THERE WAS A DEPUTY WITH THE  
10 BROKEN RIGHT HAND. LET M E GUESS. YOU HIT AN INMATE. NO. I  
11 MISSED AND HIT THE WALL. I SAID YOU KNOW, YOU CAN'T BE DOING  
12 THIS. A BUSTED RIGHT HAND WITH ALL THE SMALL BONES IN THERE.  
13 YOU MIGHT NOT BE ABLE TO CARRY A GUN. WE GOT TO HANDLE AND DO  
14 STUFF DIFFERENTLY AROUND HERE. I STARTED TO SEE SOME OF THE  
15 THINGS THAT WERE MISSING IN THE JAIL AND THE MIND SETS JUST BY  
16 TALKING AND WALKING AND SEEING A FEW THINGS. AND THIS IS ONE  
17 OF THE VERY SIGNIFICANT THINGS. ONE OF MANY. THAT I DO  
18 REMEMBER OUT OF THE JAIL IN MY EARLY DAYS.

19

20 **SPEAKER:** DID YOU DO THINGS TO START TO CLEAN UP THE FACILITY  
21 ITSELF?

22

23 **MR. OLMSTED:** YEAH.

24

25 **SPEAKER:** WHAT DID YOU DO?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. OLMSTED:** YOU KNOW, IT REMINDED ME OF THE OLD BROKEN WINDOW  
3 THEORY. BUT ALL I EQUATE IT TO NOW WHEN I TALK TO SOME OF MY  
4 PEERS IT'S A BROKEN JAIL THEORY. IT WAS UGLY. BETWEEN THE  
5 WRITING AND STUFF THROWN ON THE FLOOR WILLY-NILLY TGLOVES WHEN  
6 THEY WOULD SEARCH INMATES. THEY THROW THEM ON THE FLOOR. WHY  
7 DON'T WE PUT A TRASH RECEPTACLE. WE DIDN'T HAVE ANY TOOLS TO  
8 CLEAN THE JAIL. WE GOT 3100 CLEANED UP PRETTY GOOD. AND WE  
9 REPAINTED IT. CLEANED IT. IT LOOKED GOOD. AND ABOUT FOUR WEEKS  
10 LATER, COMMAND, MY COMMANDER AT THE TIME, COMMANDER CANTI  
11 WALKED AROUND. HE WANTED TO SEE 3100 AGAIN BECAUSE OBVIOUSLY  
12 IT WAS AN AREA OF INTEREST FOR THE JUDGE. HE WALKED IN AND  
13 WROTE A NASTY NOTE BACK TO THE SERGEANT AND CC'D ME AND SAID  
14 THAT PLACE STILL LOOKS LIKE A PIG STY. HOLY MACKERAL WITH ALL  
15 THE WORK WE DID. LET ME LOOK AT IT AGAIN. HE WAS ABSOLUTELY  
16 RIGHT. WHAT I FOUND OUT WAS THE SERGEANT WAS UPSET. WE WORKED  
17 OUR REARS OFF TO GET THIS PLACE CLEAN. I WALKED IN AND I GO  
18 YEAH, BUT LOOK AT THE WALLS. YOU ONLY CLEANED AS FAR AS YOU  
19 COULD REACH. WHAT ABOUT THE CAGES UP ON TOP? ALL THE DIRT AND  
20 DUST? WHAT ABOUT THE FLOOR? YOU WALK ON IT YOU COULD STILL  
21 FEEL SOME STICKINESS. THEN THEY THROW FOOD AND STUFF OUT  
22 THERE. HE SAYS WELL WE DON'T HAVE THE TOOLS TO DO THAT. AH,  
23 LIGHT BULB WENT ON. ABSOLUTELY. WHAT CAN I GET YOU? WHAT IS IT  
24 YOU NEED TO GET YOUR JOB DONE AND TO DO IT WELL? I WILL GET  
25 YOU WHATEVER YOU NEED. YOU JUST TELL ME AND I'LL GET IT. AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ONCE WE GOT TO THAT POINT, THINGS STARTED TO IMPROVE. PEOPLE  
2 REALIZED THAT IF I WANT TO DO MY JOB WELL, ALL I HAVE TO DO IS  
3 ASK. AND GET SOMEBODY THAT CARES ABOUT IT AND WE CAN GO AHEAD  
4 AND WORK WITH IT. ONCE WE GOT THAT DONE, IT WORKED OUT WELL.  
5 ONE THING I DID WAS I ORDERED UP I THINK IT WAS ABOUT EIGHT, I  
6 DON'T KNOW WHAT THEY CALL THEM. I CALL THEM ZAMBONIS. THE  
7 MACHINES YOU SEE AT HOME DEPOT THAT SCRUBS, SCWEJY AND WASH  
8 ALL AT ONE TIME. AND I ORDERED UP EIGHT OF THEM. IT COST A TON  
9 OF MONEY. CONVINCED MY BOSS THAT WE NEED TO DO IT NOVMENT YOU  
10 WE COULD START SCRUNNING THESE FLOORS AND DO THINGS THE WAY  
11 THEY SHOULD BE DONE. I ALWAYS CHALLENGED THE DEPUTIES. WOULD  
12 YOU WANT YOUR MOM WORKING HERE? YOUR SISTER, YOUR WIFE? YOUR  
13 BROTHER? NO. WELL THEN LET'S FIX IT. LET'S DO IT THE WAY IT  
14 SHOULD BE DONE.

15

16 **SPEAKER:** THERE WERE ARRANGEMENTS MADE TO ALLOW INMATES TO  
17 WATCH DVDS?

18

19 **MR. OLMSTED:** YES.

20

21 **SPEAKER:** TELL US WHAT HAPPENED.

22

23 **MR. OLMSTED:** ON THE 3,000 FLOOR, AGAIN, I WAS WALKING AROUND,  
24 SPEND A LOT OF TIM ON THE FLOOR. I WALK INTO THE REC ROOM AT  
25 3200. AND I SEE ABOUT 25 INMATES PLASTERED UP AGAINST THE WALL

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 LOOKING STRAIGHT UP WATCHING TV, ALL, ALL OF THEM ON THE ONE  
2 SIDE OF THE ROOM JUST WATCHING A MOVIE. AND I'M LOOKING. IT'S  
3 QUIET AS A CHURCH MOUSE. AND I GO -- I LOOK UP AND THEY'RE  
4 WATCHING A MOVIE. A DVD. SO I LOOK AT THE DEPUTY. WHERE DID  
5 THEY GET THIS DVD? AND NOW THE DEPUTY'S UPSET BECAUSE HE  
6 THOUGHT I WOULD GET UPSET BY BRINGING IN A DVD PLAYER WITH  
7 LITTLE WIRES TO HOOKUP SO HE COULD SHOW A MOVIE. HE SAID WELL  
8 I THOUGHT IT WAS ONE WAY TO CALM THE INMATES DOWN. I GO WHAT A  
9 BRILLIANT IDEA. I WISH I WOULD HAVE THOUGHT OF SOMETHING LIKE  
10 THAT. ABSOLUTELY BRILLIANT. BECAUSE MY PARTNER AND I ARE DOING  
11 THE SAME THING DOWN AT THE OTHER END OF THE HALL AND I THINK  
12 IT WAS 36 -- 32, 34, OR 36, 38. BOTH ENDS OF THE HALLWAY. OH,  
13 THIS IS SUPER. WELL, I THINK MY EXCITEMENT, PEOPLE STARTED TO  
14 PICK UP ON. I WALKED BACK UP ONTO THE FLOOR THE NEXT DAY AND I  
15 WALK INTO THE REC ROOM AND THERE'S NOBODY WATCHING MOVIES IN  
16 THERE. THERE'S NOBODY DOING ANYTHING. SO I TALKED TO DID  
17 DEPUTY THAT DID THIS. I SAID WHAT HAPPENED? THE WIRE OFF THE  
18 PIG TAIL OFF THE LOCKED TV THAT I WAS ABLE TO MAKE WORK WAS  
19 CUT. I GO REALLY. I TAKE A LOOK AT IT. YOU COULD SEE IT WAS  
20 CUT WITH A SHARP INSTRUMENT. OKAY. WELL HOW DID THAT HAPPEN? I  
21 HAVE NO IDEA. WELL HE WAS LOOKING AT ME KIND OF FUNNY, HAD AN  
22 IDEA WHAT MIGHT HAVE OCCURRED. SO I CALL THE 3,000 FLOOR THE  
23 P.M. IN TO TALK TO THEM AND SAID WHAT HAPPENED? ONE DEPUTY  
24 SAID WELL I THINK SOMEBODY, I THINK THE THE INMATES CUT IT.  
25 REALLY? HOW DID THE INMATES GET A SHARP KNIFE TO GO AHEAD AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CUT SOMETHING LIKE THAT. THAT'S CRAZY. HOW DID THEY GET A KEY  
2 TO GET IN THIS LOCKED ROOM? THIS STUFF DOESN'T MAKE SENSE. I  
3 SAID THIS IS WHAT WE'RE GOING TO DO IN THE JAIL. WE'LL START  
4 SHOWING MOVIES. THIS IS WHAT THE SHERIFF WANTS. AND IT'S GOING  
5 TO GET DONE. AND SO THEY FINALLY BOUGHT OFF ON IT. AT THAT  
6 PARTICULAR ASPECT KNOWING I WAS GOING TO GET THIS. HOWEVER,  
7 THIS ONE PARTICULAR DEPUTY, HE CAME UP TO ME LATER AND SAID  
8 DON'T COME TALK TO ME ANYMORE. I GO I WANT TO MAKE THIS STUFF  
9 WORK AND I'M GETTING PRESSURE FROM MY PEERS AND THEY DON'T  
10 LIKE THE FACT THAT I'M TALKING BECAUSE THEY THINK I'M  
11 SNITCHING THINGS OFF TO YOU.

12

13 **SPEAKER:** THIS IS THE DEPUTY THAT PUT THE DVD PLAYER ON THERE  
14 WAS BASICALLY TELLING YOU THAT HE COULDN'T TALK TO YOU  
15 ANYMORE?

16

17 **MR. OLMSTED:** YES.

18

19 **SPEAKER:** WHEN YOU WERE THE CAPTAIN MEN'S CENTRAL JAIL, DID YOU  
20 REVIEW USE OF FORCE PACKAGES?

21

22 **MR. OLMSTED:** YES. I REVIEWED EVERY SINGLE FORCE PACKAGE THAT  
23 CAME ACROSS MY DESK.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** DID THESE COME UP FROM THE SERGEANT TO THE LIEUTENANT  
2 AND THEN UP TO YOU AS THE CAPTAIN IS THAT CORRECT?

3

4 **MR. OLMSTED:** YES.

5

6 **SPEAKER:** AND IN REVIEWING THESE USE FORCE PACKAGES, WERE THERE  
7 ANY PATTERNS THAT YOU OBSERVED WITH RESPECT TO THE USE OF  
8 FORCE IN THE MEN'S CENTRAL JAIL?

9

10 **SPEAKER:** YOU ALWAYS SEE SOME SORT OF PATTERN. AND THIS IS THE  
11 ONE THING WE TRY AND BRIEF. EVERY INCIDENT YOU'RE INVOLVED IN  
12 ALWAYS UNIQUE. SO EVERY TIME YOU'RE IN AN INCIDENT, YOU HAVE  
13 TO WRITE THE UNIQUENESS OF THE PARTICULAR INCIDENT INTO THE  
14 REPORT. WHAT YOU DON'T WANT TO HAVE, WHAT WE CAN'T EXPLAIN TO  
15 THE PUBLIC IS HOW WE GET BOILERPLATE TYPE REPORTS. DOES NOT  
16 MAKE SENSE. SO YOU START TO SEE THE STANDARD BOILERPLATE TYPE  
17 PLATES. I GO TO MY TRAINING SERGEANT. WE'RE GOING TO HAVE DO  
18 SOME TRAINING IN THIS PAR PARTICULAR TRENDS. THEN YOU START TO  
19 SEE TRENDS. THERE WAS ONE PARTICULAR TREND WHERE FORCE WAS  
20 BEING USED, AFTER THE FOURTH TIME, FIFTH TIME SEEING THIS WAIT  
21 A MINUTE. I'VE READ THIS SAME TYPE BEFORE. COMING FROM THE  
22 SAME AREA. WHAT'S GOING ON? SO I WOULD THEN TAKE THAT  
23 PARTICULAR INCIDENT, AND IT WAS A SIGNIFICANT INCIDENT. AND  
24 THEN I WENT TO EVERY FLOOR AND EVERY SHIFT AND I STARTED

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 BRIEFING EVERYBODY: WE CAN'T BE DOING THIS TYPE OF STUFF. I  
2 DON'T KNOW IF YOU WANT ME TO EXPLAIN THE INCIDENT.

3

4 **SPEAKER:** YEAH, WOULD YOU GO AHEAD, PLEASE?

5

6 **MR. OLMSTED:** WE HAVE FEMALE DEPUTIES THAT ARE IN CHARGE OF THE  
7 MODULES. THE FEMALE DEPUTIES WOULD WALK AND COUNT. IF THEY DO  
8 THAT YOU WILL SEE NAKED GUYS. THE NAKED GUYS DO STUPID STUFF  
9 IN FRONT OF THE FEMALE DEPUTIES IIT'S VERY OFFENSIVE. AND THEN  
10 THE FEMALE DEPUTY GETS VERY UPSET AND THEN GOES OUT TO THE  
11 HALLWAY AND TELLS THE MALE DEPUTIES THAT THEY WERE ACTING  
12 INAPPROPRIATE. MALE DEPUTIES WOULD COME IN SAVE HER HONOR AND  
13 PULL THE INMATE OUT AND TRY TO TELL HIM WHAT'S GOING ON. BOOM,  
14 THE FIGHT THEN ENSUES.

15

16 **SPEAKER:** AFTER SEEING THIS. THIS IS JUST ONE OF SEVERAL  
17 PATTERNS I WAS ABLE TO SEE AFTER A WHILE. STARTED TO ADDRESS.  
18 I SAID GUYS, YOU CAN'T BE DOING THIS. THE FEMALES ARE  
19 DEPUTIES. LET THEM DO THEIR OWN JOB. PULL THEIR OWN WEIGHT.  
20 PART OF IT WAS I WOULD TELL THE FEMALES. IF YOU SEE SOMETHING  
21 WRONG, YOU ROLL THEM UP. YOU PUT THEM IN THE HOLE. YOU GIVE  
22 THEM THE DISCIPLINE THAT'S NECESSARY. YOU GET A SERGEANT HERE  
23 TO GET INVOLVED IN THIS TYPE OF STUFF. DEPUTY, MALE DEPUTIES,  
24 YOU'RE NOT GOING TO BE OPENING THE DOOR FOR THE FEMALE ON

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 PATROL. THEY'RE DEPUTIES JUST LIKE YOU. DON'T TRITO BE THE  
2 PRINCE CHARMING OF THE JAILS.

3

4 **SPEAKER:** CAN YOU GIVE SOME EXAMPLES OF THE USE OF FORCE  
5 REPORTS? THE BOILERPLATE LANGUAGE THAT YOU'RE TALKING ABOUT?  
6 GIVE SOME EXAMPLES OF THAT.

7

8 **MR. OLMSTED:** PART OF IT WAS THE HEAD STRIKES. YOU TRY AND  
9 STRIKE AND YOU MISS THE SHOULDER AND YOU HIT THEM IN THE HEAD.  
10 AND PART OF THAT WAS NOT ONLY SEEING THIS TYPE OF STUFF BUT,  
11 AGAIN, BACK TO THE TOOLS ASPECT. THEY DIDN'T HAVE THE TOOLS  
12 NECESSARY TO DO THEIR JOB. ONE THING I FOUND OUT AT THE TIME  
13 WHEN I FIRST GOT THE THERE, THEY ONLY HAD 7 TASERS. AND  
14 THEY'RE LOCKED UP. AND I GO WHAT HAPPENED IF YOU NEED IT? WE  
15 HAVE TO GO DOWN TO THE ARMORY, PULL IT OUT AND THEN DEPLOY IT.  
16 THAT'S TOO LATE. SO WE ORDERED UP 30 OR 40 MANUAL ONES. WE  
17 FINALLY GOT ANOTHER 25 OR 30 VIDEO-TYPE STUFF. SO SEEING THAT  
18 I CAN TAKE THE NEGATIVE ASPECT OF DOING HEAD STRIKES AND  
19 BOILERPLATE-TYPE STUFF AND MANDATE NOW THAT THEY NEED TO USE  
20 THE RADIO. THEY NEED TO USE THE TASER. THEY WEREN'T CARRYING  
21 OC SPRAY AT THE TIME. THEN EVERYONE STARTED CARRYING OC SPRAY.  
22 THEN LOOK AT THIS FROM A DIFFERENT PERSPECTIVE.

23

24 **SPEAKER:** WHEN WERE YOU PROMOTED TO COMMANDER?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** APRIL OF '8.

2

3 **SPEAKER:** WHATTIER?

4

5 **MR. OLMSTED:** I'M SORRY. APRIL OF 2008.

6

7 **SPEAKER:** SO ROUGHLY 15 MONTHS YOU SERVED AS CAPTAIN OF MEN'S  
8 CENTRAL JAIL?

9

10 **MR. OLMSTED:** YES.

11

12 **SPEAKER:** DURING THAT TIME, DID YOU SEE ANY REDUCTION OF USE OF  
13 FORCE?

14

15 **MR. OLMSTED:** ALL FORCE WAS GOING DOWN DURING THAT PERIOD OF  
16 TIME. PART OF IT WAS MANDATING, DIFFERENT MAN DASSMENTS I  
17 REQUIRED EVERY SUPERVISOR BECAUSE 2003 WAS A BIG PROBLEM. I  
18 SAID EVERY SUPERVISOR WILL GO BUY 3,000 FLOOR ON THEIR WAY TO  
19 WORK AND ON THEIR WAY BACK FROM THEIR ASSIGNMENTS. I WANT  
20 PEOPLE TO SEE THAT THERE'S SUPERVISION ON THE FLOORS. AND ONCE  
21 WE STARTED TO SEE THAT SUPERVISORS ARE NOT GOING TO GO AWAY,  
22 WE'RE THERE TO DO OUR JOB, WE HAVE A MANDATE TO DO IT THEN  
23 FORCE STARTED TO GO DOWN. ALL TYPES OF FORCE ARE GOING DOWN  
24 BECAUSE NOW WE'RE GIVING THEM DIFFERENT TOOLS AND PROCESSES TO  
25 DO THAT TICH FORCE.

1

2 **SPEAKER:** WHO REPLACED YOU AS CAPTAIN AT MEN'S CENTRAL JAIL?

3

4 **SPEAKER:** MY OPERATIONS LIEUTENANT DAN CRUZ.

5

6 **SPEAKER:** DID DID YOU HAVE ANY INPUT INTO IT?

7

8 **MR. OLMSTED:** NO.

9

10 **SPEAKER:** WHO DID?

11

12 **MR. OLMSTED:** TANAKA.

13

14 **SPEAKER:** WHO ELSE REPORTED TO YOU WHEN YOU WERE COMMANDER?

15

16 **MR. OLMSTED:** DAN CRUZ AS THE CAPTAIN IN MEN'S CENTRAL JAIL.

17 TONY WARPED AS CAPTAIN OF TWIN TOWERS AND ALEX SCOTT, UNTIL

18 SHE RETIRED AT CENTURY REGIONAL DETENTION FACILITY -- ALICE

19 SCOTT.

20

21 **SPEAKER:** DID YOUR RELATIONSHIP WITH DAN CRUZ CHANGE AFTER HE

22 BECAME THE CAPTAIN OF MEN'S CENTRAL JAIL?

23

24 **MR. OLMSTED:** SIGNIFICANTLY.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** AND HOW DID IT CHANGE?

2

3 **MR. OLMSTED:** HE REFUSED TO COOPERATE, REFUSED TO COMMUNICATE.  
4 HE WAS THE KIND OF GUY THAT WANTED TO BE LIKED. I WAS GETTING  
5 PHONE CALLS FROM PEOPLE WORKING THE JAILS SAYING HEY, YOU GOT  
6 TO LOOK INTO. HEY, YOU GOT TO FIND OUT WHAT'S GOING ON.

7

8 **SPEAKER:** WHAT WERE IF CONCERNS AND ISSUES THAT PEOPLE WERE  
9 RAISING WITH YOU IN THESE PHONE CALLS?

10

11 **MR. OLMSTED:** THE FORCE ISSUES. THERE'S A PARAPLEGIC GOT HIS  
12 JOB I'M SORRY, GOT HIS ORBITAL BROKEN. I MEAN THIS GUY CAN'T  
13 EVEN WALK. HE GOT HIS ASH TEAL BROKEN. YOU GUYS NEED TO LOOK  
14 INTO THIS. YOU LOOK INTO IT AND WHY DID THIS EVEN NEED TO  
15 OCCUR? SO DAN WAS VERY UPSET BECAUSE HE WAS MORE CONCERNED  
16 ABOUT TRYING TO FIND OUT WHO THE LEAK WAS. WHO KEEPS TELLING  
17 YOU THIS?

18

19 **SPEAKER:** SO YOU LEARNED FROM SOMEBODY IN MEN'S CENTRAL JAIL  
20 THAT THERE'S BEEN AT LEAST THIS ONE INCIDENT WHICH THE THE  
21 INMATE'S ORBITAL BONE IS BROKEN. YOU GO BACK DOWN TO DAN CRUZ  
22 AND TELL HIM HE NEEDS TO LOOK INTO THIS.

23

24 **MR. OLMSTED:** HIS RESPONSE EVERYTHING IS FINE HAVE WE ALREADY  
25 GOT A SERGEANT WORKING ON IT. IT'S GOOD FORCE. WELL, LET ME IS

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 HE A COPY IT, DAN, BECAUSE WHAT I'VE BEEN TOLD IS IT'S NOT  
2 APPROPRIATE USE OF FORCE. WHO TOLD YOU? I SAID DON'T WORRY  
3 ABOUT IT. I'M CONSTANTLY GETTING PHONE CALLS FROM PEOPLE ABOUT  
4 TV'S. WE'RE SUPPOSED TO BE PUTTING T'S UP IN THE REC ROOM. WE  
5 STOPPED THE OPERATION. NOT GOING TO PUT MORE UP. WHY? I WOULD  
6 GO DOWN AND INQUIRE. WHY ARE WE NOT DOING THIS? I DON'T WANT  
7 TO. NO. WE'RE GOING TO DO IT. LET'S GET BUSY ON IT.

8

9 **SPEAKER:** WERE THERE OTHER EXAMPLES OF IMPROPER USE OF FORCE  
10 BESIDES THE ONE YOU JUST TOLD US ABOUT THAT WAS BROUGHT TO  
11 YOUR ATTENTION? OR POTENTIAL IMPROPER USE OF FORCE?

12

13 **MR. OLMSTED:** A TON OF FORCE. OFF DUTY, ON DUTY. I DON'T EVEN  
14 KNOW WHERE TO START.

15

16 **SPEAKER:** DID YOU REPORT THESE CONCERNS THAT YOU WERE GETTING  
17 BACK TO CRUZ?

18

19 **MR. OLMSTED:** YEAH. I WANTED SOME INQUIRIES INTO IT. I MEAN,  
20 I'M GOING TO GIVE THE BENEFIT OF WHAT HE SAYS BUT I WANT TO  
21 TAKE A LOOK AT IT TO VALIDATE IT BECAUSE IF I GET PEOPLE  
22 TELLING ME ONE THING AND YOU'RE TELLING ME SOMETHING ELSE,  
23 THEN SOMEONE'S MISSING SOMETHING. WE EITHER HAVE A TRAINING  
24 ISSUE OR MISCOMMUNICATION ABOUT WHAT ACTUALLY TRANSPIRED.  
25 LET'S GET DOWN TO THE BOTTOM DOLLAR.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **SPEAKER:** AND DID DAN CRUZ ALWAYS REPORT BACK TO YOU WHAT HE  
3 FOUND IN THESE INSTANCES?

4

5 **MR. OLMSTED:** NO. QUITE OFTEN HE DIDN'T. I WOULD HAVE TO GO ON  
6 SOMEONE ELSE. OR HE WASN'T ON THE FLOOR. OR I'M SORRY WASN'T  
7 IN HIS OFFICE. HE WAS TAKING DAYS OFF. LET ME KNOW YOU'RE OFF  
8 SO I KNOW WHO TO CONTACT. QUITE OFTEN IT WASN'T. IT WASN'T  
9 UNTIL APRIL OF '09. I STARTED DOING SIGNIFICANT DOCKTATION OF  
10 ALL MY CAPTAINS WRITTEN DOWN ON ALL THESE MAJOR INDICES WHAT I  
11 NEED TO LOOK AT.

12

13 **SPEAKER:** WE'RE GOING TO GET TO APRIL OF '09 IN A MOMENT. AFTER  
14 YOU BECAME THE COMMANDER AND DAN CRUZ, BECAME THE CAPTAIN, DID  
15 YOU HEAR OF CONCERNS FROM THE CLERGY ABOUT WHAT WAS GOING ON  
16 IN MEN'S CENTRAL JAIL?

17

18 **MR. OLMSTED:** OH ABSOLUTELY. I HAD A GREAT RELATIONSHIP WITH  
19 FATHER GEORGE AND SISTER PATTI. ONE OF THE SIGNIFICANT THINGS  
20 THAT I FOUND OUT AS A COMMANDER WHEN DAN CRUZ WAS THE CAPTAIN,  
21 THEY SAID WE WANT TO MET WITH THE CAPTAIN. WE WANT TO TALK  
22 ABOUT SOME OF OUR CONCERNS. SO I TOLD DAN TO HAVE A MEETING. A  
23 COUPLE WEEKS, MAKE SURE I'M THERE. I WANT TO BE THERE. COUPLE  
24 WEEKS GO BY. I TALK TO MY SECRETARY. IS ANYTHING A MEETING  
25 SCHEDULED? NOPE. DAN, DID YOU SET UP MEETING? I'LL GET AROUND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 TO IT. NOT UNTIL THE THIRD REQUEST. FINALLY SIT DOWN TO HAVE  
2 THE MEETING AND INVITED ALL THE CLERGY IN, THE CLERGY WAS --  
3 THEY WERE VENTING. AND ONE OF THE THINGS THEY TALKED ABOUT WAS  
4 WHEN WE'RE DONE TALKING TO THE INMATES, WALKING THE ROWS, WE  
5 COME BACK TO THE GATE AND WE GO DEPUTY, CAN WE COME OUT NOW?  
6 BECAUSE THEY GET LOCKED IN. AND THEY CAN SEE THE DEPUTY DOWN  
7 BELOW OR NEXT TO THEM. WE'LL GET TO YOU IN A MINUTE. AND ONE  
8 CLERGY MEMBER SAYS SOMETIMES I'M LOCKED UP IN THERE FOR 25, 30  
9 MINUTES AT A TIME. AND I GO REALLY? THEN ALL OF A SUDDEN  
10 SOMEONE ELSE SAYS YEAH, I'VE BEEN THERE FOR 45. I'VE BEEN  
11 THERE FOR AN HOUR. I'VE BEEN LOCKED UP FOR THAT LONG, TOO.  
12 EVERYBODY CHIMED IN ON IT. IT SEEMED LIKE THEY'RE THE ENEMY.  
13 THE CLERGY IS AN ABSOLUTELY ESSENTIAL ITEM THAT NEEDS TO BE  
14 WITHIN THE CUSTODY FACILITY. THEY HELP US. THEY HELP THE  
15 INMATES. IT'S A WIN/WIN SITUATION. BUT WHEN WE DON'T SUPPORT  
16 THEM AND IT GOES SOUTH. AND THERE WAS DOCUMENTATION I'VE GOT  
17 ON THIS WHERE DAN CRUZ JUST FAILED TO ADDRESS SISTER PATTI'S  
18 ISSUES. WHETHER YOU LIKE HER OR NOT, YOU NEED TO LISTEN TO  
19 WHAT THE PERSON HAS TO SAY.

20

21 **SPEAKER:** WHO IS YOUR -- WHO DID YOU REPORT TO WHEN YOU WERE  
22 COMMANDER OF THE SOUTH FACILITIES?

23

24 **MR. OLMSTED:** MY BOSS WAS DENNIS BURNS.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** DID YOU DISCUSS ANY CONCERNS THAT YOU HAD WITH DAN  
2 CRUZ WITH CHIEF BURNS?

3

4 **MR. OLMSTED:** ALMOST DAILY.

5

6 **SPEAKER:** WHAT GENERALLY WAS HIS RESPONSE TO YOUR CONCERNS  
7 ABOUT DAN CRUZ?

8

9 **MR. OLMSTED:** YOU KNOW, IT'S MEN'S CENTRAL JAIL. YOU CAN'T  
10 CHANGE THE CULTURE. DON'T WORRY ABOUT IT. YOU KNOW -- AND I  
11 MIGHT BE JUMPING AHEAD, BUT AT ONE POINT AFTER SOME  
12 FRUSTRATION OF GOING TO HIM MONTH AFTER MONTH AFTER MONTH HE  
13 FINALLY SAID LET HIM FAIL. AND I LOOKED AT HIM I GO YOU CAN'T  
14 LET THIS CAPTAIN FAIL BECAUSE IF HE FAILS, I FAIL, I FAIL, YOU  
15 FAIL. WE CAN'T ALLOW THAT. MY EDICT, FROM THE DAY I WAS A  
16 SUPERVISOR IS NOBODY ON MY WATCH GETS KILLED, HURT, SUED, HAS  
17 AN INVESTIGATION AGAINST THEM OR CITIZEN COMPLAINT BECAUSE IF  
18 ANY OF THOSE THINGS OCCUR, THEN I FAILED SOMEHOW IN THE  
19 PROCESS. AND TO ALLOW A CAPTAIN TO FAIL IS ABSOLUTELY TOTALLY  
20 LUDICROUS.

21

22 **SPEAKER:** AND THAT SECOND CONVERSATION WITH THAT PARTICULAR  
23 CONVERSATION WITH CHIEF BURNS ABOUT LETTING HIM FAIL, THAT  
24 TOOK PLACE SOMETIME LATER?

25

1 **MR. OLMSTED:** YEAH, THAT WAS A LITTLE BIT LATER.

2

3 **SPEAKER:** SO INITIALLY YOU HAD DISCUSSIONS WITH CHIEF BURNS AND  
4 YOU SAID THIS IS THE CULTURE OF MEN'S CENTRAL JAIL.

5

6 **MR. OLMSTED:** RIGHT.

7

8 **SPEAKER:** IN THAT TIME FRAME, DID YOU ALSO HAVE DISCUSSIONS  
9 WITH DENNIS CONTI?

10

11 **MR. OLMSTED:** YES.

12

13 **SPEAKER:** LET'S JUST SET THE -- YOU'RE THE COMMANDER OVER MEN'S  
14 CENTRAL JAIL AT THIS TIME. YOU REPLACED DENNIS CONTI, CORRECT?

15

16 **MR. OLMSTED:** CORRECT.

17

18 **SPEAKER:** HE'S STILL A COMMANDER, CORRECT?

19

20 **MR. OLMSTED:** HE'S THEN MY PEER. HIS JOB THEN WENT TO  
21 PERSONNEL. HE WAS HANDLING ALL THE PERSONNEL TRANSFERS.

22

23 **SPEAKER:** YOU DISCUSSED WITH HIM THE PROBLEMS YOU WERE HAVING  
24 WITH CAPTAIN CRUZ.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** HE SAID BOB, YOU JUST CAME FROM CJ. PEOPLE AREN'T  
2 LIKE YOU. LET DAN MAKE HIS OWN BED. LET HIM GROW AND START TO  
3 WORK INTO THE ASSIGNMENT. AND I LOOKED AT HIM AND I SAID YOU  
4 KNOW, THAT'S PROBABLY A GOOD IDEA. AT THAT PARTICULAR TIME  
5 FRAME I GOT A MANDATE FROM ASSISTANT SHERIFF CAVANAUGH WHO  
6 SAID WE HAVE SOME SIGNIFICANT PROBLEMS DOWN AT CRDF. WE WANT  
7 YOU TO GO DOWN THERE AND REIGN IN THE OVERTIME PROBLEMS THAT  
8 WERE GOING IN. SO I SPENDED MONTHS AT CRDF TO CHANGE SOME OF  
9 THE PROBLEMS DOWN THERE. BUT AT THE SAME TIME I WAS GETTING  
10 CONSTANT PHONE CALLS DAILY FROM PEOPLE AT MEN'S CENTRAL JAIL  
11 SAYING YOU NEED TO LOOK INTO, THIS, YOU NEED TO LOOK INTO  
12 THIS. PEOPLE THAT WANTED TO BE THERE BUT SAW OTHER SIGNIFICANT  
13 ISSUES THAT WERE OCCURRING. SO I LISTENED TO DENNIS. I STAYED  
14 SOME TIME AWAY. I HANDLED THE LITTLE PHONE CALLS WHEN I COULD.  
15 ABOUT SIX MONTHS INTO MY TENURE AS A COMMANDER, I COME BACK  
16 IN. AND BECAUSE I DID NOT WANT ANYBODY TO THINK I HAD IT OUT  
17 FOR DAN CRU, Z, I DON'T. I JUST WANT THE OPERATION TO BE  
18 SUCCESSFUL, I DID NOT DO ONE THING IN MEN'S CENTRAL JAIL  
19 WITHOUT RUNNING IT BY A PEER OR CHIEF BURNS FIRST. I SAY HERE,  
20 LISTEN, BOSS OR PEER, I GOT A PHONE CALL THAT THIS IS GOING  
21 ON. HERE'S WHAT I THINK I SHOULD DO. I'M GOING TO GO OVER  
22 THERE AND DO THAT, WHAT DO YOU THINK? AM I MISSING SOMETHING?  
23 NO, GOOD, GO AHEAD AND LOOK DO IT. I LOOKED INTO IT. I DID  
24 NOT WANT ANYBODY TO THINK THERE IS PREJUDICIAL ASPECT ON THIS  
25 THING. LET'S JUST GET THE JOB DONE.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **SPEAKER:** DID YOU ESSENTIALLY GO OVER BURNS' HEAD TO THE  
3 ASSISTANT CHAIR?

4

5 **MR. OLMSTED:** YOU KNOW IT WAS THAT LAST CONVERSATION WHICH  
6 UPSET ME. WHEN HE SAID LET HIM FAIL. YOU CAN'T LET ANYBODY  
7 FAIL. I SAID BOSS, THIS IS WRONG. I SAID I'M GOING OVER YOUR  
8 HEAD. IF YOU DON'T MIND, I'M GOING TO GO TALK TO CAVANAUGH.  
9 WHETHER YOU MIND OR NOT I WAS GOING UP THERE, ANYWAY.

10

11 **SPEAKER:** AT THAT POINT WAS CAVANAUGH THE ASSISTANT SHERIFF IN  
12 CHARGE OF CUSTODY?

13

14 **MR. OLMSTED:** AT THAT TIME MR. CAVANAUGH WAS ASSISTANT CHAIR OF  
15 CUSTODY, YES.

16

17 **SPEAKER:** AND MR. TANAKA HAD MOVED OVER TO BE THE ASSISTANT  
18 CHAIR OF PATROL, CORRECT?

19

20 **MR. OLMSTED:** YES.

21

22 **SPEAKER:** AND UNDERSHERIFF WAS WALLEDY?

23

24 **MR. OLMSTED:** CECT.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** WHEN YOU WENT TO CAVANAUGH WHAT WAS HIS RESPONSE?

2

3 **MR. OLMSTED:** I BROUGHT IN DOCUMENTATION. I HAD ABOUT 2, 3  
4 INCHES. I DID NOT WANT TO BE UNPREPARED IN CASE THERE WAS ANY  
5 ISSUES. I WALKED INEN I TOLD MR. CAV E NAW WE GOT MORALE  
6 ISSUES. WE GOT FORCE ISSUES. I'VE GOT NONCOMPLIANCE WITH A  
7 CAPTAIN WHO WON'T RESPOND. I SAID I STARTED TO LAY SOME STUFF  
8 OUT. I SAID NONE OF THIS THAT I'M LAYING OUT NOW WOULD BE  
9 ACCEPTABLE TO YOU. YOU WOULD HAVE HANDLED THIS A LONG TIME  
10 AGO. I'M NOT GETTING THE SUPPORT I NEED. I PERSONALLY THINK  
11 THE REASON WAS THAT DAN CRUZ WAS PROTECTED BY TANAKA. AFTER  
12 ABOUT AN HOUR AND A HALF, TWO-HOUR CONVERSATION WITH MR.  
13 CAVANAUGH AND ALL THE ISSUES THAT WERE OCCURRING OVER THERE,  
14 FORCE, THE SIGNIFICANT FORCE, THE BEATINGS THAT WERE  
15 OCCURRING, A HIGH SPIKE OF BROKEN BONES GOING ON AT MEN'S  
16 CENTRAL JAIL, NR CAVANAUGH SAID THERE'S NOTHING I CAN DO. I  
17 LOOKED AT HIM AND I GO WHY NOT? I HAD AN EPIPHANY. I SAID THIS  
18 IS YOUR SIDE OF THE SHOP.

19

20 **SPEAKER:** EVERY TIME I HAVE A DISAGREEMENT WITH MR. TANAKA, MR.  
21 TANAKA GOES TO MR. WALLEDY. MR. WALLEDY ALWAYS SIDES WITH MR.  
22 TANAKA. NOW IT'S TWO AGAINST ONE. AND I NEVER GET ANYTHING  
23 DONE AND ACCOMPLISHED THAT I WANT TO DO UNLESS IT'S AN  
24 AGREEMENT WITH MR. TANAKA. I WAS DUMBFUNDED. TO ME THAT'S AND  
25 AT THIS THINK ASSISTS ABOUT WHAT LEADERSHIP IS ABOUT. I LOOKED

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 AT HIM AND I REMEMBERED IT DISTINCTLY BECAUSE THAT'S IN THE  
2 THE LEADER I WOULD WANT TO WORK FOR.

3

4 **SPEAKER:** DID YOU NOTICE AN INCREASE IN THE INCIDENTS INVOLVING  
5 SIGNIFICANT USE OF FORCE?

6

7 **MR. OLMSTED:** YES. WE HAVE WHAT'S CALLED A SCIF. SHERIFF'S  
8 CRITICAL INFORMATION FORUM THAT MEETS TWICE A YEAR. THE CHIEF  
9 CALLS THIS MEETING. IN THIS SCIF MEETING THEY MEASURE THE  
10 INDICES OF WHAT WE FEEL IS IMPORTANT IN THE JAILS: USE OF  
11 FORCE, AMOUNT OF FORCE, SIGNIFICANT FORCE, ESCAPES, WHAT ELSE?  
12 POPULATION, INMATE POPULATION PER, INMATE BEATING, DEPUTY  
13 POPULATION PER INMATE BEATING, THIS TYPE OF STUFF. AND CJ WAS  
14 REALLY LOOKING GOOD EXCEPT ONE PARTICULAR AREA AND THAT AREA  
15 BECAUSE FORCE WAS GOING DOWN, STARTED TO GO DOWN WHEN I WAS  
16 THERE, CONTINUED TO GO AND CONTINUED TO GO AGAIN WHEN DAN WAS  
17 THERE EXCEPT SIGNIFICANT FORCE. SIGNIFICANT FORCE IS WHERE  
18 THERE'S A BROKEN BONE, A HEAD STRIKE WHICH CAUSES AN IMMEDIATE  
19 IA ROLLOUT. AND THAT WAS GOING UP SIGNIFICANTLY IN THE  
20 OPPOSITE DIRECTION. AND THAT CAME OUT IN THIS MEETING. AND ALL  
21 THESE STAFFS WERE PUT TOGETHER AT THE DIRECTION OF CHIEF  
22 BURNS.

23

24 **SPEAKER:** [INAUDIBLE]

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** LET ME EXPLAIN. IT GOES CAPTAIN. JUST A MOMENT.  
2 IDENTIFY THAT THAT'S JUDGE BONNER WHO JUST MADE THE LAST  
3 COMMENT. MR. JULIAN?

4

5 **SPEAKER:** CAPTAIN, COMMANDER, CHIEF. AND THEN ASSISTANT  
6 SHERIFF. SO THE CHIEF IS BETWEEN THE COMMANDER AND THE  
7 ASSISTANT SHERIFF. SO AT THIS TIME YOU HAVE DAN CRUZ IS THE  
8 CAPTAIN OF MEN'S CENTRAL JAIL. MR. OLMSTED IS THE COMMANDER  
9 OVER SEVERAL JAILS. YOU HAVE THE CHIEF OF CUSTODY AND THEN YOU  
10 HAVE AN ASSISTANT SHERIFF ABOVE HIM.

11

12 **HON. ROBERT BONNER:** MAY I MAKE A SUGGESTION THAT PRIOR TO OUR  
13 NEXT MEETING? -- MR. TEVRIZIAN SPEAKING? THAT PRIOR TO OUR  
14 NEXT MEETING THAT WE GET A LINE OF COMMAND FOR LET'S SAY THE  
15 YEAR 2006, 2007, 2008, ALL THE WAY UP TO 2012 WITH NAMES AND  
16 POSITIONS.

17

18 **SPEAKER:** WE'LL DO THAT. THAT'S NOT A PROBLEM. ABSOLUTELY. NO  
19 PROBLEM. MR. OLMSTED, YOU HAVE IN FRONT OF YOU A NOTEBOOK. AND  
20 I'D LIKE YOU TO TAKE A LOOK AT EXHIBIT WHAT IS MARKED AS NO. 3  
21 AND NO. 34. FOR THE RECORD, NO -- NO. 3 AND 4. FOR THE RECORD  
22 NO. 3 IS A MEMORANDUM FROM STEVEN M. SMITH TO ROBERT J.  
23 OLMSTED DATED DECEMBER 22, 2009. IT SAYS DRAFT. 2008 MEN'S  
24 CENTRAL JAIL FORCE REPORT. AND THEN THE SECOND MEMORANDUM IS  
25 ALSO FROM MR. SMITH TO MR. OLMSTED IS DATED NOVEMBER 25, 2009

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 AND IT'S A FORCE REVIEW. DO YOU RECOGNIZE THESE TWO DOCUMENTS,  
2 MR. OLMSTED?

3

4 **MR. OLMSTED:** YES, I DO.

5

6 **SPEAKER:** WOULD YOU TELL THE MEMBERS OF THE COMMISSION WHAT  
7 THESE DOCUMENTS ARE?

8

9 **MR. OLMSTED:** THE SIGNIFICANT FORCE THAT I MENTIONED EARLIER I  
10 BELIEVE WAS AROUND MAY OF '09. AND AS A RESULT, I STARTED TO  
11 LOOK INTO MORE FORCE. AND SO I REQUESTED LIEUTENANT SMITH TO  
12 GIVE ME A REPORT OF ALL THE HIGHEST USERS OF FORCE AT MEN'S  
13 CENTRAL JAIL AT THE TIME. AND I TOOK A LOOK AT IT AND I SAID  
14 THIS IS RATHER LARGE. AND IT'S ONLY FIVE, SIX PEOPLE. I SAID  
15 WELL THEN LET ME EXPAND ON IT A BIT. THE NEXT DOCUMENT,  
16 NOVEMBER 25 OF '09. I SAID GIVE ME -- AND AGAIN THROUGH PPI. I  
17 SAID GIVE ME WHAT'S A BASE LEVEL WHICH MIGHT BE CONSIDERED  
18 ACCEPTABLE USE OF FORCE FOR NUMBER-WISE IN PPIS? WE FIGURE 10  
19 MIGHT BE GOOD OVER A TWO-YEAR PERIOD. I SAID GREAT. GIVE ME A  
20 LIST OF EVERYBODY ASSIGNED TO MEN'S CENTRAL JAIL THAT HAS 10  
21 OR MORE USES OF FORCE IN A TWO-YEAR PERIOD. AND DO AN  
22 ASSESSMENT ON IT AND SEE WHAT YOU CAN COME UP FOR ME. ON TOP  
23 OF THAT, IN THIS PARTICULAR SCENARIO, OR THIS PARTICULAR MEMO,  
24 NO, IT'S THE NEXT ONE. YEAH, THAT WAS JUST THE 10 OR MORE USES  
25 OF FORCE IN THE LAST 24 MONTHS. 42 DEPUTIES WERE IDENTIFIED.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THIS IS MY DOCUMENT. IT IS MY WRITING. SCRIBBLING ON IT. EARLY  
2 WARNING SYSTEM TO BETTER TRACK FORCE ISSUES. WHERE THEY WERE  
3 BROKEN DOWN TO. BUT THERE WERE SOME SIGNIFICANT ISSUES  
4 IDENTIFIED. AND THE PEOPLE THAT WERE USING THEM, THE NUMBER  
5 THAT WERE BEING USED AND HOW THEY WERE BEING USED.

6

7 **SPEAKER:** IS THAT 42 SEPARATE DEPUTIES? OR 42 INCIDENTS  
8 INVOLVING THE SAME DEPUTIES?

9

10 **MR. OLMSTED:** 42 SEPARATE DEPUTIES THAT HAD 10 OR MORE USES OF  
11 FORCE IN A TWO-YEAR PERIOD.

12

13 **SPEAKER:** AND WE'VE REDACTED THE NAMES OF ALL THE DEPUTIES. I  
14 DON'T THINK THERE WERE ANY INMATES NAMED IN THESE TWO  
15 DOCUMENTS. BUT ALL THE DEPUTIES' NAMES HAVE BEEN REDACTED.

16

17 **SPEAKER:** AND WHAT DID YOU USE THESE TWO DOCUMENTS FOR?

18

19 **MR. OLMSTED:** THE INTENT WAS TO IDENTIFY WHO THE HEAVY USERS  
20 ARE. FIND A WAY TO TRAIN THEM DIFFERENTLY. FIND OUT WHAT THE  
21 COMMONALITIES ARE IN THE FORCE. IS THERE A PROBLEM TO BEGIN  
22 WITH? AND JUST BECAUSE YOU USE FORCE DOESN'T MEAN IT'S WRONG.  
23 JAILING, IT'S NECESSARY TO USE FORCE SOMETIMES. SO I NEEDED TO  
24 MAKE SURE THAT IT WAS BEING APPLIED PROPERLY. AND IF YOU LEAVE  
25 SOMEBODY IN AN ENVIRONMENT OVER AN EXTENDED PERIOD OF TIME AND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CONSTANTLY ARE FORCED WITH DEALING WITH THE SAME BAD GROUP OF  
2 GUYS, MAYBE YOU NEED TO START MOVING SOME OF THEM AND I NEED  
3 TO RE-EVALUATE A MOVING PROCESS THAT I WAS NOT ALLOWED TO DO  
4 BECAUSE THE UNDERLYING THEME WAS IF I TRY TO MOVE ANY OF THE  
5 DEPUTIES, THEY'RE GOING TO GO AHEAD AND CALL TANAKA AND TRY  
6 AND REMOVE ME.

7

8 **SPEAKER:** WHEN YOU LOOKED AT EXHIBITS 3 AND 4, WAS THERE  
9 ANYTHING THAT JUMPED OUT AT YOU THAT WAS OF CONCERN?

10

11 **SPEAKER:** ON THIS PARTICULAR REPORT?

12

13 **SPEAKER:** EITHER NO. 3 OR NO. 4.

14

15 **MR. OLMSTED:** I WAS LOOKING AT NO. 4 NOW. THEY ARE ALL ASSIGNED  
16 TO THE SAME FLOOR. AND IF YOU TAKE A LOOK AT THE DOCUMENT, OUT  
17 OF THE 42 DEPUTIES, FOR EXAMPLE, THERE'S ONE HERE AT 19 AND IT  
18 SAYS THE MAJORITY INCIDENTS OCCURRED ON THE 5,000 MODULE. THE  
19 NEXT ONE AT 18 OCCURRED AT THE 2,000 MODULE. ALL THE FORCE IS  
20 BEING USED IN THE EXACT SAME SPACE. I DON'T THINK IT'S HEALTHY  
21 TO KEEP SOMEONE IN THAT KIND OF ENVIRONMENT FOR AN EXTENDED  
22 PERIOD OF TIME.

23

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** NOW, THESE DOCUMENTS ARE DATED TOWARDS THE END OF  
2 2009, DID YOU HAVE ANY CONVERSATIONS WITH CHIEF BURNS ABOUT  
3 STAYING IN MEN'S CENTRAL JAIL AT THIS PERIOD OF TIME?

4

5 **MR. OLMSTED:** ACTUALLY HE CAME TO ME. I DON'T REMEMBER THE  
6 EXACT DATE. I WANT TO SAY THE VERY END OF '9 OR THE FIRST OF  
7 '10. AND I REMEMBER HIM SAWNT ERG.

8

9 **SPEAKER:** I THINK I GOT A HEAD OF MY SAID A LITTLE BIT. BEFORE  
10 WE GET TO THAT, LET'S TURN TO EXHIBIT NO. 5 WHICH IS ALSO AT  
11 THE END OF '09 IN NOVEMBER OF '09. AND THIS IS A DOCUMENT  
12 THAT'S FROM MARK MCCORKLE TO STEVEN JOHNSON AND ROBERT OLMSTED  
13 REGARDING USE OF FORCE AT MEN'S CENTRAL JAIL. DO YOU RECOGNIZE  
14 THIS DOCUMENT?

15

16 **MR. OLMSTED:** YES, I DO.

17

18 **SPEAKER:** WOULD YOU DESCRIBE WHAT THIS DOCUMENT IS FOR THE  
19 COMMISSION?

20

21 **MR. OLMSTED:** AGAIN THIS WAS A REQUEST I WANTED ALL FORCE WERE  
22 IA ROLLOUTS. NOW IA ROLLOUTS WOULD BE THE SIGNIFICANT TYPE OF  
23 FORCE. BUT THEN ONE OTHER ELEMENT IN THERE THAT IT SAYS AN  
24 LONG WITH THE NUMBERS, THERE WERE ALSO 18 RANDOMLY SELECTED  
25 FORCE PACKAGES WHICH CONTAIN POLICY VIOLATIONS. I HAD A PHONE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CALL FROM -- I'M SORRY. I MADE A PHONE CALL TO THE OPERATIONS  
2 LIEUTENANT AT MEN'S CENTRAL JAIL AT THE TIME BECAUSE FORCE WAS  
3 UPY CALLED UP PAT DAVERN. PAT, DO ME A FAVOR. JUST PULL 30  
4 RANDOM FORCE REPORTS. ANYWHERE. JUST PULL 30.

5

6 **SPEAKER:** LET ME STOP YOU RIGHT THERE. THIS CONVERSATION WITH  
7 LIEUTENANT DAVERN OCCURRED BEFORE THE MCCORKLE MEMORANDUM WAS  
8 PREPARED, CORRECT?

9

10 **MR. OLMSTED:** CORRECT.

11

12 **SPEAKER:** FORCE IS UP IN MEN'S CENTRAL. YOU CALLED DAVERN. WHAT  
13 DO YOU ASK HIM TO DO?

14

15 **MR. OLMSTED:** I SAID PULL 40 RANDOM FORCE REPORTS AND START  
16 LOOKING FOR SOME COMMON ALWAYS. SAME THING I USED TO DO WHEN I  
17 WAS A CAPTAIN THERE. WHAT DO YOU SEE? WHAT'S GOING ON? HOW IS  
18 IT OCCURRING? WHAT CAN WE DO TO NIP THIS IN THE BUD. HE PULLED  
19 30 RANDOM FORCE REPORTS. HE CALLED ME BACK ABOUT A WEEK AND A  
20 HALF LATER AND SAID BOSS, YOU AIN'T GOING TO BELIEVE IT. HE  
21 SAID 18 ARE OUT OF POLICY. ARE YOU KIDDING ME? THESE ARE  
22 RANDOM. NOW, AWT OF THESE 18, EVERY ONE OF THE 18 WERE  
23 APPROVED BY A SERGEANT. A CERTAIN NUMBER OF THESE WERE  
24 APPROVED BY A SERGEANT AND A LIEUTENANT. FOUR OF THESE 18 WERE  
25 APPROVED BY A SERGEANT, LIEUTENANT AND CAPTAIN AS APPROPRIATE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 USE OF FORCE. I TOOK A LOOK AT IT AND I SAID THIS IS NOT  
2 RIGHT. I WENT TO MY PEER, STEVE JOHNSON. HE SAID NO, THEY'RE  
3 OUT OF POLICY. I WENT TO MCCORKLE. NO, THEY'RE OUT OF POLICY.  
4 I WENT TO MY CHIEF, I GO THEY'RE ALL OUT OF POLICY. AND HE  
5 SAID WELL, HAVE -- I'M GETTING INTO THE NEXT ONE. STEVE  
6 JOHNSON, OR HAVE GREG JOHNSON TAKE A LOOK AT IT.

7

8 **SPEAKER:** CAN I ASK A QUESTION? YES, IDENTIFY YOURSELF.

9

10 **HON. DICKRAN M. TEVRIZIAN:** MY UNDERSTANDING IS THAT THESE USE  
11 OF FORCE OR WAS IT PPIs ARE NOT KEPT BY DEPUTIES BY NAME,  
12 THEY'RE ONLY KEPT BY THE INMATES A NAME. HOW WOULD YOU GATHER  
13 THE INFORMATION TO FIND OUT IF THERE'S SERIAL DEPUTIES THAT  
14 ARE PROTAGONISTS OR FORCE ACTORS?

15

16 **MR. OLMSTED:** I THINK YOU MIGHT HAVE HAD THAT WRONG. IT'S KEPT  
17 BY DEPUTIES' NAMES. THE CAPTAIN IN CHARGE OF THE UNIT IS ONLY  
18 ALLOWED TO SEE THE PPI OF THOSE INDIVIDUALS THAT WORK UNDER  
19 HIS COMMAND. IF I'M LOOKING FOR DEPUTY SMITH. I PUT IN THE  
20 PPI. I SCROLL DOWN TO THE AREA I WANT. I THEN CHECK HIS NAME.  
21 I PUT IN HIS EMPLOYEE NUMBER AND THEN BOOM ALL OF HIS PPI THEN  
22 COMES UP FOR A FIVE-YEAR PERIOD. EVERYTHING THAT OCCURRED  
23 WITHIN A FIVE-YEAR PERIOD.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** WHAT YOU'RE TALKING ABOUT JUDGE TEVRIZIAN IS THE  
2 SHERIFF'S DEPARTMENT DOES NOT KEEP INMATE COMPLAINTS BY DEPUTY  
3 NAMES. THEY KEEP USE OF FORCE INSTANCES WHERE SOMEBODY FILLS  
4 OUT A USE OF FORCE REPORT, THEY KEEP THAT BY THE DEPUTY'S  
5 NAME. BUT THEY DON'T KEEP A COMPLAINT BY AN INMATE BY THE  
6 DEPUTY'S NAME. THAT'S THE ISSUE I THINK YOU'RE TALKING ABOUT.  
7 YES. WHY IS THAT? AND WOULD THAT BE A HELPFUL PREDICTER OF  
8 FUTURE CONDUCT?

9

10 **MR. OLMSTED:** YOU KNOW, BY TRACKING THE INMATES' COMPLAINTS? I  
11 HAVEN'T SEEN NO REASON WHY WE SHOULDN'T DO IT. IF YOU TRACK  
12 IT, FIND OUT WHO THEY ARE, AS A MATTER OF FACT IF YOU FIND OUT  
13 THEY'RE A CHRONIC COMPLAINER, YOU CAN PROBABLY USE IT TO YOUR  
14 ADVANTAGE. LOOK, HE'S A CHRONIC COMPLAINER, WE WON'T LOOK INTO  
15 IT ANYMORE. IF THEY GO INTO TWO TIMES, THREE TIMES, FOUR  
16 TIMES. INMATES LEARN HOW TO MANIPULATE THE SYSTEM. MAYBE YOU  
17 GOT A GOOD INMATE AND SOMETHING'S TRUE AND YOU SEE THE SAME  
18 THING OVER AND OVER AGAIN. THAT MIGHT BE AN INDICATOR THAT WE  
19 MIGHT NEED TO LOOK INTO SOMETHING LIKE THIS. I THINK IT'S VERY  
20 VIABLE. IT MIGHT BE VERY TIME CONSUMING. BUT THAT'S THE NATURE  
21 OF OUR BUSINESS. WE SHOULD PROBABLY DO SOMETHING LIKE THAT. A  
22 BIT MORE EFFICIENTLY THAN WE'RE DOING NOW. AT LEAST FROM WHEN  
23 I RETIRED. COMMISSIONER BUSANSKY HAS SOMETHING.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. ALEXANDER BUSANSKY:** JUST ON THIS USE OF FORCE AND OUT OF  
2 POLICY JUST FOR CLARIFICATION, CAN YOU EXPLAIN WHAT IT MEANS  
3 TO BE OUT OF POLICY AND WHY IT IS SO SIGNIFICANT WHEN YOU LOOK  
4 AT OUT OF POLICY THAT HAS BEEN SIGNED OFF BY THE SUPERIOR  
5 OFFICERS THAT YOU MENTIONED, WHY THAT RAISES A RED FLAG IN  
6 YOUR MIND?

7

8 **SPEAKER:** SURE. THERE'S ONE IN PARTICULAR THAT I CALL IT THE  
9 HAIR POS TILL. HOSTILE AGGRESSIVE INSUBORDINATE RECALCITRANT  
10 POLICY. ANY TIME AN INMATE IS HOSTILE, AGGRESSIVE,  
11 INSUBORDINATE OR RECALCITRANT, THAT PARTICULAR POINT THE  
12 OFFICER IS SUPPOSED TO STOP. IMMEDIATELY GET AN OFFICER THERE  
13 BEFORE IT GOES SOUTH OR BAD. THERE WOULD BE VIOLATION AFTER  
14 VIOLATION OF THIS POOR TERMINOLOGY, I CALL IT THE HAIR POLICY.  
15 THAT THE DEPUTIES WOULD DO. AND PART OF IT I FOUND OUT LATER  
16 INFORMALLY WAS IT'S LIKE THERE'S A PROBLEM, WE CAN HANDLE IT,  
17 IT'S OURS TO HANDLE. ON TOP OF THAT, THEY WOULDN'T USE RADIO  
18 TRAFFIC. WHERE WE FAILED IN THE JAIL IS THAT WE NEED TO TRAIN  
19 IN THE JAIL EXACTLY HOW WE SHOULD BE TRAINING IN PATROL. IF  
20 YOU GET IN AN ARGUMENT WITH SOMEBODY IN PATROL, YOU HAVE NO  
21 IDEA WHO YOU'RE DEALING WITH. AND IT'S USUALLY ONE-ON-ONE.  
22 THIS GUY CAN KICK YOUR BUTT AND YOU WON'T EVEN KNOW IT. IF YOU  
23 START TO MOUTH OFF AND START TO ASSERT YOUR CONTROL, IT COULD  
24 VERY EASILY GO SOUTH AND GET YOU IN TROUBLE. SO FIRST THING  
25 YOU DO IF YOU LOOK LIKE YOU'RE BEING OVERWHELMED IS YOU GET ON

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THE RADIO AND GET ME SOME HELP. THE JAIL IS DIFFERENT. AS SOON  
2 AS YOU START CHIPPING AT AN INMATE THEN EVERYONE ELSE, ALL THE  
3 OTHER DEPUTIES CONTROL THE INMATE AND THEN THE REST OF THE  
4 DEPUTIES ARE THERE BUT THE BACKUPS ARE THERE. BUT WHERE'S YOUR  
5 SUPERVISOR? THEY'RE NOT THERE SO THEY WOULD NOT USE THEIR  
6 RADIO TRAFFIC. THEY WERE NOT USING THE TOOLS THAT WERE  
7 MANDATED. JUST A VARIETY OF PROCEDURES THAT WERE  
8 INAPPROPRIATE. NOW, NOT ALL OF THEM WERE EXTREMELY SIGNIFICANT  
9 TO A POINT WHERE YOU NEED TO FIRE SOMEBODY, BUT THERE WERE  
10 OBVIOUS TRAINING ISSUES THAT NEEDED TO BE ADDRESSED IN ORDER  
11 TO MINIMIZE THE USE OF FORCE.

12

13 **MR. ALEXANDER BUSANSKY:** HOW WOULD YOU USE THE RADIOS  
14 EFFECTIVELY WITH ALL THE STEEL AND CREAMENT AND ON A WIRELESS  
15 BASIS?

16

17 **MR. OLMSTED:** WE HAVE REPEATERS. THEY'RE IN THE CEILINGS. AND  
18 THERE WERE SOME PLACE WE FOUND OUT LATER ON THAT REPEATERS  
19 WEREN'T WORKING SO WE HAD TO HAVE OTHER REPEATERS PUT IN. SO  
20 YOU GOT YOUR LAPEL MIC. AND THAT WAS ONE OF THE THINGS. THEY  
21 WEREN'T WEARING THE LAPEL MICS. THEY WERE CARRYING THE RAID  
22 YOS IN THE BACK POCKET. YOU CAN'T USE THE RADIO IN THE BACK  
23 POCKET. LOGISTICALLY THEY'RE BEING BROKEN WE DIDN'T HAVE  
24 BATTERIES. WE COULDN'T HAVE RADIOS. WE HAVE TO TRAIN THEM  
25 DIFFERENTLY. YOU'RE GOING WEAR YOUR LAPEL MIC LIKE YOU WOULD

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ON PATROL. YOU WILL WEAR IT ON A BELT. I DON'T CARE WHAT YOU  
2 LOOK LIKE. IF YOU'RE GOING TO BE ONE OF YOUR OLD HEAD DEPUTIES  
3 THERE IS GOING TO LOOK COOL, THAT'S NOT HOW YOU DO IT. YOU  
4 WEAR IT ON YOUR BELT. PUT THE LAPEL MIC UP. THE SECOND IT GOES  
5 SOUTH OR YOU GET IN A FIGHT, LEARN LIKE YOU WOULD EXACTLY LIKE  
6 A PATROL. BECAUSE IF YOU DON'T GET YOUR RADIO, YOUR LIFELINE,  
7 YOUR BACKUP WILL NEVER BE THERE. IF YOU LEARN IT IN THE JAIL  
8 WITH A CONTROLLED ENVIRONMENT YOU WILL HAVE MUCH MORE  
9 SUCCESSFUL CAREER ON PATROL. SO YOU WILL GET ON THE LAPEL  
10 MIKE, IMGIVE ME SOME FIGHT I'M IN A FIGHT. HOPEFULLY YOU GOT  
11 THE PERSON IN THE CONTROL BOOTH SEEING WHAT IS GOING ON AND  
12 GETTING YOU SOME HELP, AS WELL.

13

14 **SPEAKER:** LET'S GO BACK TO THIS REPORT BY MR. PRESIDENT  
15 MCCORKLE. SO YOU SEE IT, A SPIKE IN USE OF FORCE AND YOU ASKED  
16 DAVERN TO PULL THE 30 RANDOM. HE PULLS -- HE CALLS YOU AND  
17 TELLS YOU THAT 18 OF THEM ARE OUT OF POLICY.

18

19 **MR. OLMSTED:** CORRECT.

20

21 **SPEAKER:** AND YOU SHARED THAT WITH CONTI AND WITH JOHNSON?

22

23 **MR. OLMSTED:** I SHARED IT WITH EVERYBODY WHO WOULD LISTEN TO ME  
24 IN MY COMMAND STAFF.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **SPEAKER:** EVERYBODY AGREED WITH YOU?

2

3 **MR. OLMSTED:** YEAH.

4

5 **SPEAKER:** DID YOU HAVE A DISCUSSION WITH MR. TANAKA ABOUT WHAT  
6 YOU FOUND?

7

8 **MR. OLMSTED:** EVENTUALLY I DID.

9

10 **SPEAKER:** WE'LL GET TO THAT, THEN. LET'S TURN TO EXHIBIT NO. 6.

11

12 **HON. LOURDES BAIRD, CHAIR:** I'M GOING TO HAVE TO IDENTIFY YOU  
13 BECAUSE SOMEHOW OR ANOTHER THIS TRANSCRIPTION IS STILL CALLING  
14 YOU SPEAKER. I DON'T THINK IT IS SPEAKER OF THE HOUSE.

15

16 **SPEAKER:** MR. SPEAKER, I'VE BEEN ELEVATED.

17

18 DRO THIS IS RICHARD DROOYAN SPEAKING. THIS IS A MEMORANDUM  
19 FROM GREG JOHNSON TO STEVE JOHNSON BY ROOSEVELT JOHNSON. THIS  
20 IS JOHNSON DATED JANUARY 23, 2010. IT'S AUDIT REVIEW OF USE OF  
21 FORCE PACKAGES FOR MEN'S CENTRAL JAIL. DID YOU EVER SEE THIS?

22

23 **MR. OLMSTED:** YES, I DID.

24

25 **RICHARD E. DROOYAN:**WHAT IS THIS DOCUMENT?

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **MR. OLMSTED:** THIS IS THE DOCUMENT A RESULT, A PARTIAL RESULT  
3 OR AS A RESULT OF THE 18 OUT OF FORCE PACKAGES THAT WE  
4 IDENTIFIED AS NEEDING ISSUES TO BE ADDRESSED.

5

6 **RICHARD E. DROOYAN:** AND WHO IS STEVE JOHNSON AT THE TIME?

7

8 **MR. OLMSTED:** STEVE JOHNSON AT THE TIME WAS MY PEER COMMANDER.  
9 JUST DAYS BEFORE THIS IS WHEN CHIEF BURNS SAUNTERED INTO MY  
10 OFFICE AND I THINK HE GOT TIRED OF HEARING ME AND ASKED ME TO  
11 TRANSFER UP NORTH AND NOT BE THE COMMANDER DOWN SOUTH ANYMORE.  
12 AND I SAID OKAY, I'M A TEAM PLAYER, WHATEVER YOU WANT ME TO  
13 DO, I'LL GO AHEAD AND DO. I THOUGHT THIS WAS HIS WAY OF  
14 PASSING THE BUCK. I SAT ON IT FOR ABOUT TWO OR THREE DAYS. I  
15 TALKED TO MY BEER BECAUSE WE WERE GOING TO DO A BODY SWAP. I  
16 GAVE HIM A BRIEFING WHAT WAS GOING ON, I WENT HOME OVER THE  
17 WEEKEND, I THOUGHT ABOUT IT. AND ONE THING I'VE LEARNED AND  
18 I'VE TAKEN A TON OF LEADERSHIP PROBLEMS, ONCE YOU IDENTIFY A  
19 PROBLEM, IT'S YOURS UNTIL YOU PASS IT ALONG TO SOMEBODY.  
20 NOBODY WANTED THIS HOT POTATO. I CAME BACK MONDAY AND TOLD  
21 CHIEF BURNS I'M NOT LEAVING. I'M STAYING HERE. THIS IS A  
22 PROBLEM THAT NEEDS TO BE SOLVED. NOW IF YOU ORDER ME TO BE  
23 MOVED, I WILL BE MOVED THAT WAY BUT I'M NOT GOING TO LEAVE  
24 UNTHE ILL THIS PROBLEM GETS TAKEN CARE OF. AND HE SAID OKAY.  
25 SO I STAYED AND CONTINUED. IT WAS DURING THIS TRANSITION THAT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THIS 18 OUT OF 30 WAS GIVEN TO GREG JOHNSON WHO THEN WROTE THE  
2 MEMO TO STEVE JOHNSON, BECAUSE STEVE WAS TAKING OVER THIS  
3 ASPECT. I THEN TOOK IT BACK OVER WHEN I CAME BACK. I DIDN'T  
4 LEAVE.

5

6 **RICHARD E. DROOYAN:** YOU WERE ABOUT TO TELL US, DID YOU HAVE  
7 CONVERSATION WITH ASSISTANT SHERIFF TANAKA ABOUT THESE ISSUES?  
8 THE INCREASE IN THE USE OF FORCE AND THE MCCORKLE AND JOHNSON  
9 FINDINGS?

10

11 **MR. OLMSTED:** YES. BUT LET ME GO BACK. AFTER THE CONVERSATION  
12 WITH MR. CAVANAUGH, AFTER I WENT OVER MY BOSS'S HEAD AND I  
13 WENT TO ASSISTANT SHERIFF CAVANAUGH, CAVANAUGH SAID AND I GOT  
14 TO PAT HIM ON THE BACK, HE SAID THERE'S NOTHING I CAN DO BUT I  
15 CAN'T DO ANYTHING NOW BUT LET ME SEE WHAT I CAN DO. AND I SAID  
16 OKAY, FINE. ABOUT A WEEK OR SO LATER I GET A PHONE CALL FROM  
17 MR. TANAKA'S OFFICE. MY ASSUMPTION WAS -- AND I FOUND OUT THAT  
18 MR. CAVANAUGH ENDED UP TALKING TO MR. TANAKA ABOUT THE ISSUES  
19 THAT I BROUGHT TO HIS ATTENTION. KNOWING I WAS GOING TO HAVE A  
20 MEETING WITH MR. TANAKA, I THEN BROUGHT MY 3-INCH STACK OF  
21 INFORMATION THAT I BROUGHT TO MR. CAVANAUGH SO I COULD TALK TO  
22 MR. TANAKA ABOUT SOME OF THE PROBLEMS. I WALK IN TO MR.  
23 TANAKA'S OFFICE AND HE'S POINTING HIS FINGER RAISING HIS VOICE  
24 AT ME AND SAID WHAT THE HELL IS GOING ON THERE AT MEN'S  
25 CENTRAL JAIL ARE YOU THE PROBLEM OR DAN CRUZ THE PROBLEM? I'M

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 GOING TO GET TO THE BOTTOM OF THIS. I'M GOING TO SEND MY  
2 LIEUTENANT TO FIND OUT WHAT THE ISSUES ARE. I SAT THERE. AND I  
3 SAID I GOT A STACK OF INFORMATION. FORCE IS OUT OF CONTROL.  
4 THERE'S ISSUES THAT NEED TO BE ADDRESSED DOWN THERE. I GO AND  
5 THE SAME THING I TOLD MR. CAVANAUGH. I SAID YOU WOULD NOT PUT  
6 UP WITH THE STUFF THAT I'M GETTING RIGHT NOW. FOR ME TO  
7 REQUEST INFORMATION WHICH SHOULD ONLY TAKE A ONE PARAGRAPH TO  
8 REWRITE A NEW POLICY AND GET IT TWO MONTHS LATER IS  
9 UNACCEPTABLE AND YOU WOULD NOT ACCEPT THIS. HE SAYS WELL I'M  
10 GOING TO LOOK INTO IT. I SAID PLEASE DO SO.

11

12 **SPEAKER:** HOW DID HE GO ABOUT LOOKING INTO IT?

13

14 **MR. OLMSTED:** HE AN SIGNED HIS AID WHICH WAS THEN LIEUTENANT  
15 HARRIS TO GO DOWN TO MEN'S CENTRAL JAIL TO LOOK INTO THINGS.

16

17 **RICHARD E. DROOYAN:** DID HE LOOK INTO IT?

18

19 **MR. OLMSTED:** YEAH, I GOT CALLED BACK ABOUT 10 DAYS, TWO WEEKS  
20 LATER. APPARENTLY -- AND ALTHOUGH I DIDN'T SEE MR. HARRIS, MR.  
21 HARRIS WENT DOWN THERE. WHEN I CAME BACK IN, MR. HARRIS,  
22 MYSELF AND TANAKA WERE IN THE ROOM. AND MR. TANAKA'S OFFICE.  
23 AND MR. PRESIDENT HARRIS SAID HE TALKED TO ABOUT 30 PEOPLE  
24 DOWN IN MEN'S CENTRAL JAIL. SOME ON DIFFERENT SHIFTS. WHO HAVE  
25 BEEN THERE. JUST LEFT. HE SAID 100 PERCENT OF THE PROBLEM IS

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ALL DAN CRUZ'S FAILURE TO GO AHEAD AND GET A HANDLE ON UZ THAT  
2 ARE OCCURRING ON MEN'S CENTRAL JAIL. HE THEN APOLOGIESED TO ME  
3 FOR GETTING UPSET AND THEN HE APOLOGIESED TO ME AGAIN FOR  
4 ABOUT A YEAR PREVIOUS TO THIS FOR CHEWING MY BUTT IN PUBLIC ON  
5 ANOTHER ISSUE OF DAN CRUZ WHEN IT WAS DAN CRUZ'S FAULT AND HE  
6 WOULDN'T LISTEN TO ME. SO I GOT TWO APOLOGIES.

7

8 **RICHARD E. DROOYAN:** AFTER HE APOLOGIZED WHAT HAPPENED NEXT?

9

10 **MR. OLMSTED:** HE SAID I'M GOING TO SEND HARRIS DOWN THERE AND  
11 HE'S GOING TO BE THE NEW OPERATIONS LIEUTENANT. SO IT'S GOING  
12 TO BE DUANE HARRIS AS THE OPERATIONS LIEUTENANT WITH DAN CRUZ  
13 AND I WILL STILL THEN OVERSEE MEN'S CENTRAL JAIL. I WANT TO  
14 SAY IT WAS MAYBE TWO, THREE WEEKS AFTER THAT THAT THEY MADE  
15 LIEUTENANT HARRIS THE OPERATIONS LIEUTENANT. HE SAYS WHAT'S  
16 GOING TO HAPPEN DOWN THERE IS YOU'RE GOING TO SANDWICH DAN  
17 CRUZ BETWEEN THE TWO OF YOU. DUANE'S GOING TO RUN THE PLACE.  
18 AND YOU'RE GOING OVERSEE AND WITH DAN CRUZ IN THE MIDDLE. AND  
19 THE TWO OF YOU ARE GOING TO MAKE HIM A VIABLE CANDIDATE FOR  
20 COMMANDER. I WAS A BIT STARTLED. HE THEN LOOKED AT ME AND SAID  
21 WE'RE GOING TO PROMOTE CRUZ TO COMMANDER AND YOU'RE GOING TO  
22 DO WHATEVER YOU CAN TO GET HIM PROMOTED. HE SAYS, IF I MAY, HE  
23 SAYS I AM NOT GOING TO PROMOTE THE OTHER HISPANICS ON THE  
24 DEPARTMENT. I'M NOT GOING TO PROMOTE LEYA AND WHAT ARE AND AND  
25 WEB. AND I REMEMBER THIS BECAUSE I SAID WEB? I DON'T THINK HE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WAS HISPANIC. BUT APPARENTLY HE IS. AND HE SAYS THAT ONLY  
2 LEAVES ONE OTHER VIABLE CANDIDATE. AND I GO BUT I'M BRINGING  
3 YOU ALL THIS INFORMATION. HE SAYS YOU'RE GOING TO MAKE THEM  
4 SUCCESSFUL. I SAID NO PROBLEM. I'LL DO WHAT I CAN TO MAKE HIM  
5 SUCCESSFUL, THEN.

6

7 **SPEAKER:** DID YOU THEN TRY TO DO WHAT YOU COULD TO MAKE HIM  
8 SUCCESS?

9

10 **SPEAKER:** YEAH, DUANE HARRIS AND I WERE WORKING WELL TOGETHER.  
11 I WANT TO SAY IT WAS ONLY TWO, THREE MONTHS THAT WE KIND OF  
12 WORKED TOGETHER, WORKED THINGS OUT. I WOULD GO TO HIM A LOT. I  
13 WAS ABLE. HE WAS A VERY REASONED, A VERY HANDS-ON AND  
14 IDENTIFIED THE ISSUES THAT NEEDED TO BE DONE. DUANE WAS  
15 LIEUTENANT HARE HARRIS WAS DOING A GOOD JOB PULLING IT ALL IN.

16

17 **SPEAKER:** HOW LONG WAS THIS PERIOD OF TIME WHERE YOU WERE  
18 WORKING WITH LIEUTENANT HARRIS TO IMPROVE THE SITUATION DOWN  
19 THERE?

20

21 **MR. OLMSTED:** I WANT TO SAY IT'S TWO, THREE MONTHS MAX. I LEFT  
22 THE DEPARTMENT IN JULY OF '10. I HAD A VERY PERSONAL ISSUE  
23 THAT OCCURRED. A DEATH IN THE FAMILY. AND AFTER HOSPICE AND  
24 TAKING CARE OF STUFF, MONTHS OF DOING SO, JUST BEING OFF, I  
25 SAID -- I HAD 33 YEARS. I HAD ENOUGH. I COULDN'T GO BACK.

1

2 **RICHARD E. DROOYAN:** SO YOU TOOK A LEAVE OF ABSENCE IN JULY OF  
3 2010 TO CARE FOR THE PERSON AND THEN YOU NEVER CAME BACK, IS  
4 THAT CORRECT?

5

6 **MR. OLMSTED:** CORRECT.

7

8 **RICHARD E. DROOYAN:** WHEN DID YOU ACTUALLY RETIRE?

9

10 **MR. OLMSTED:** I WANT TO SAY NOVEMBER 29TH. THE END OF NOVEMBER  
11 OF 2010.

12

13 **RICHARD E. DROOYAN:** THERE'S BEEN SOME TESTIMONY REGARDING A  
14 FIGHT AT THE CHRISTMAS PARTY AT THE QUIET CANYON. DID YOU EVER  
15 HEAR ABOUT THAT?

16

17 **MR. OLMSTED:** YES, I DID.

18

19 **RICHARD E. DROOYAN:** DID THAT OH CUSTOMER IN DECEMBER 2010  
20 SHORTLY AFTER YOU RETIRED?

21

22 **MR. OLMSTED:** AFTER I RETIRED. ABOUT A WEEK, WEEK AND A HALF  
23 RIGHT BEFORE CHRISTMAS.

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** DID YOU HAVE ANY CONVERSATIONS WITH SHERIFF BACA  
2 REGARDING YOUR PERCEPTION OF THE PROBLEMS IN MEN'S CENTRAL  
3 JAIL?

4

5 **MR. OLMSTED:** I HAD TWO SEPARATE CONVERSATIONS WITH SHERIFF  
6 BACA ON THIS.

7

8 **RICHARD E. DROOYAN:** WHEN WAS THE FIRST ONE?

9

10 **MR. OLMSTED:** I REMEMBER I WAS OFF BUT I REMEMBER THE EVENT BUT  
11 NOT THE DAY. THE EVENT WAS THE INAUGURATION OF THE TWIN TOWERS  
12 BARBECUE. WE WERE VERY INSTRUMENTAL IN PUTTING A BARBECUE AREA  
13 TOGETHER FOR THE MEN AND WOMEN, ALL DONE ON OUR OWN TIME WITH  
14 OUR OWN MONEY, NO COULD SAY TO THE THE COUNTY. THIS IS  
15 SOMETHING THEY DESERVED. AND THAT PARTICULAR TIME I CAME, I  
16 MADE MY MIND UP I'M GOING TO RETIRE. I WALKED UP TO THE  
17 SHERIFF BECAUSE HE WAS THERE TO HELP.

18

19 **RICHARD E. DROOYAN:** SO THIS SOUNDS LIKE IT SHOULD HAVE BEEN  
20 SOMETIME BETWEEN JULY OF 2010 AND NOVEMBER OF 2010, CORRECT?

21

22 **MR. OLMSTED:** CORRECT.

23

24 **RICHARD E. DROOYAN:** SO YOU MET THE SHERIFF AT THE BASH CAN YOU  
25 AND YOU WALKED UP TO HIM AND TELL US WHAT HAPPENED. .

1

2 **MR. OLMSTED:** I NEED TO TALK TO YOU ABOUT THIS. OKAY. WE'LL  
3 GETTING TO. OKAY, FINE. NEVER HEARD FROM HIM. I RETIRED. I'M  
4 AT HOME READING SUNDAY PAPER, WHATEVER HAVING A GOOD TIME WHEN  
5 I HEAR ABOUT THE CHRISTMAS PARTY.

6

7 **RICHARD E. DROOYAN:** BUT YOU SAID YOU DID HAVE A SECOND  
8 CONVERSATION WITH HIM REGARDING USE OF FORCE INCIDENTS OR  
9 PROBLEMS IN MEN'S CENTRAL JAIL, CORRECT?

10

11 **MR. OLMSTED:** YEAH, THAT WAS AFTER THE JAIL BEATING. I LEFT THE  
12 DEPARTMENT DOING WHAT I THOUGHT EVERYTHING I COULD. I WENT TO  
13 MY BOSS, MY BOSS'S BOSS, I WENT TO MR. TANAKA, I WENT TO THE  
14 SHERIFF, NOBODY WANTED TO LISTEN. I WAS BUTTING MY HEAD UP  
15 AGAINST THE WALL, I'M TIRED, I'M DONE. I HAD ENOUGH. UNTIL THE  
16 BEATING AT THE CHRISTMAS PARTY WITH MEN'S CENTRAL JAIL. MY  
17 NEIGHBOR COMES OVER AND SAID HEY, I HEAR YOUR DEPUTIES ARE  
18 GETTING IN FIGHTS. NO THEY'RE FIGHTING WITH EACH OTHER. THEN  
19 HE TOLD ME THE INCIDENT. I CALLED, LOOKED INTO IT. THEN I  
20 FOUND OUT THAT DEPUTIES WERE FIGHTING DEPUTIES AT A CHRISTMAS  
21 PARTY, UNFORTUNATELY ALCOHOL WAS INVOLVED. I LOST THREE, FOUR  
22 DAYS. I KNEW WHAT THE ISSUE WERE. THEY WERE FIGHTING OVER A  
23 POLICY. HOW TO DO THE JAIL RIGHT BEING CONTROLLED BY THOSE  
24 THAT DON'T WANT TO DO IT THE RIGHT WAY. AND WITH THE ALCOHOL  
25 THAT CAME INTO THE WHOLE THING, THEY JUST FOUGHT EACH OTHER ON

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THIS BECAUSE THEY WERE TRYING TO GET INMATES VISITS. AND I SAT  
2 THERE. I LOST SLEEP LITERALLY THREE, FOUR DAYS. WELL, EVERY  
3 YEAR I DO A CHARITABLE EVENT WITH THE SHERIFF. AND IT'S ALWAYS  
4 THE LAST SUNDAY BEFORE CHRISTMAS. AND IT JUST HAPPENED TO BE  
5 THAT I'M GOING TO BE ABLE TO SEE THE SHERIFFY GO I NEED TO  
6 TALK TO HIM ONE MORE TIME. SO WE GO TO THIS CHARITABLE EVENT  
7 TSHERRIFF SHOWS UP AT 9:00. WE'VE GOT HUNDREDS OF PEOPLE THERE  
8 READY TO PARTICIPATE IN THIS FOOD GIVING PROGRAM.

9

10 **RICHARD E. DROOYAN:** AFTER THE INCIDENT AT THE COLLIDE CANYON?

11

12 **MR. OLMSTED:** YES. FIVE, SIX, SEVEN DAYS AFTER THE INCIDENT. I  
13 WALKED UP TO HIM. EVERYBODY IS LOOKING AT ME. WE HAVEN'T  
14 STARTED. I'M TAKING UP THE SHERIFF'S VALUABLE TIME RIGHT IN  
15 THE MIDDLE OF THIS EVENT. I SAID SHERIFF I NEED TO TALK TO YOU  
16 ABOUT WHAT'S GOING ON. I CAN TELL YOU HOW IT OCCURRED, HOW TO  
17 MAKE SURE IT NEVER HAPPENS AGAIN. THIS TYPE OF FIGHTING OVER A  
18 POLICY IS INAPPROPRIATE. MEN'S CENTRAL JAIL IS GOING SOUTH.  
19 YOU NEED TO WORK WITH ME ON THIS. AND I SAW HIM STAND UP  
20 STRAIGHT. I SAW A BIG LOOK IN HIS FACE, I SAW HIM KIND OF BACK  
21 UP A LITTLE BIT. I SAID GIVE ME SOME TIME AFTER THIS EVENT  
22 WHERE WE CAN SIT DOWN AND TALK ABOUT THIS. HE SAID OKAY. WELL,  
23 WE WENT ON WITH THE EVENT. I LOOK AROUND. HE'S GONE. HOLY  
24 MACKERAL. SOMETHING NEEDS TO BE DONE.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** DID YOU EVER HAVE CONCERNS ASSISTANT  
2 SHERIFF, UNDERSHERIFF TANAKA INVOLVED IN OVERSEEING MEN'S  
3 CENTRAL JAIL? AND DID YOU EXPRESS THOSE CONCERNS TO THE  
4 SHERIFF BACA?

5

6 **MR. OLMSTED:** I DID THAT AT ANOTHER MEETING WITH THE SHERIFF.  
7 AFTER THIS STARTED TO COME OUT INTO THE TIMES, STARTED TO  
8 BECOME PUBLIC, THE SHERIFF CALLED ME UP, HIS AID CALLED ME UP  
9 AND SAID THE SHERIFF WOULD LIKE TO TALK TO YOU. HE WANTS TO  
10 KNOW WHAT YOUR THOUGHTS WERE ABOUT WHAT HAPPENED AND WHAT WENT  
11 ON? I SAID SURE, BUT LET ME TELL YOU, I NEED A MINIMUM, AN  
12 ABSOLUTE MINIMUM ONE HOUR OF HIS VALUABLE TIME. I'M NOT GOING  
13 TO HAVE ENOUGH TIME TO DO SO UNLESS I GET AN HOUR. HE SAYS  
14 GOOD, NO PROBLEM AT ALL. WE'LL CARVE OUT AN HOUR. WELL THE  
15 SHERIFF IS A VERY POPULAR GUY AND EVERYONE WILL TELL YOU HE  
16 NEVER SHOWS UP ANYWHERE ON TIME. MY ONE HOUR TURNED INTO ABOUT  
17 10 MINUTES. DURING THE 10-MINUTE TIM FRAME, I GAVE MY THOUGHTS  
18 TO THE SHERIFF ABOUT WHAT'S OCCURRING WITH MR. TANAKA. I GAVE  
19 HIM SOME IDEAS ON HOW TO FIX THE JAIL. I DON'T KNOW IF YOU  
20 WANT ME TO.

21

22 **RICHARD E. DROOYAN:** GO AHEAD. TIN TIN ONE OF THE THINGS WITH  
23 MR. TANAKA. I SAID HEY BOSS DO AN INFORMAL SURVEY ON THE  
24 DEPARTMENT. ASK YOUR AIDS. SOMEBODY DO AN INFORMAL SURVEY  
25 WTHAT INFORMAL SURVEY, FIND OUT HOW DO YOU GET PROMOTED ON THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DEPARTMENT INFORMALLY? NOT THE FORMAL CIVIL SERVICE PROCESS.  
2 BUT WHO YOU DO YOU GET PROMOTED INFORMALLY ON THE DEPARTMENT?  
3 AND THEN HERE'S WHAT THEY'RE GOING TO TELL YOU. YOU'RE GOING  
4 TO HAVE TO GIVE CAMPAIGN CONTRIBUTIONSTOR TO MR. TANAKA, YOU  
5 GOT TO SMOKE CIGARS WITH MR. TANAKA. YOU GOT TO GO TO CITY  
6 VIEW RESTAURANT WITH MR. TANAKA. YOU GOT TO BELONG TO THE  
7 CIGAR CLUB WITH MR. TANAKA. IT'S NOT BACK AIT'S TANAKA. YOUR  
8 NAME IS NO WHERE ON THIS. HE TURNED TO LOOK AT ME AND SAID YOU  
9 KNOW, SOMETIMES I NEED TO HEAD CHECK HIM EVERY ONCE IN A  
10 WHILE. YOU NEED TO PUT THIS GUY IN THE PENALTY FORGET THE HIP  
11 CHECK. THAT WAS IT. THAT PART WAS DONE. SO I WENT ON TO  
12 SOMETHING ELSE.

13

14 **RICHARD E. DROOYAN:** DID YOU EVER HAVE A CONVERSATION WITH --

15

16 **MR. OLMSTED:** YEAH, I HAD CONVERSATIONS ABOUT HOW TO FIX THE  
17 JAIL. I GOT SOME GREAT WAYS TO DO IT NOW. LET ME BACKTRACK.  
18 AFTER THAT SHORT 10 MINUTES, HE WAS ON ANOTHER TIME FRAME. HE  
19 SAID FOLLOW ME OVER TO MEN'S CENTRAL JAIL. I'LL TAKE YOU OVER  
20 THERE WITH ME. NO PROBLEM. I SAID WHO ARE WE MEET AT THE MEN'S  
21 CENTRAL JAIL? HE SAID I'M MEETING WITH THE SUPERVISORS AND THE  
22 3,000 PEOPLE AND WE'RE GOING TO TALK ABOUT SOME OF THE STUFF  
23 THAT'S GOING ON AND WHAT WE NEED TO DO. I SAID GREAT. BUT  
24 THAT'S THE WRONG AUDIENCE. YOU DON'T WANT TO TALK TO THE  
25 PEOPLE THAT ARE DOING THE STUFF THAT'S WRONG. YOU WANT TO TALK

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 TO THE PEOPLE THAT HAVE THE BUY-IN AT MEN'S CENTRAL JAIL. AND  
2 I GAVE HIM A LIST OF NAMES OF THE BUY-IN PEOPLE. TALK TO THE  
3 PEOPLE THAT WORK CENTRAL JAIL THAT STAY THERE, THAT WANT TO BE  
4 THERE FOR 20 YEARS, THAT ARE THERE FOR 20, 25, 30 YEARS WHEN A  
5 TWO STRIPER COMES UP TO ME RIGHT BEFORE I RETIRED AND SAID  
6 BOSS, YOU GOT TO HELP US. WE GOT SUPERVISORS COMING TO MEN'S  
7 CENTRAL JAIL THAT DON'T WANT TO BE HERE. HE TAKES HIS HAND AND  
8 HE GOES, THEY PUT THEIR CAREER IN PARK. THEY SIT THERE FOR A  
9 YEAR OR TWO. DO THEIR TIME OR YEAR OR LESS. AND THEN GO ON TO  
10 SOMETHING ELSE. I SAID I TOLD HIM MR. BACA, DO ANOTHER SURVEY.  
11 ASK HOW MANY PEOPLE WANT TO WORKMEN'S CENTRAL JAIL ONCE YOU  
12 GET PROMOTED? HOW MANY PEOPLE THINK THAT GOING TO THE JAIL IS  
13 A CAREER-ENHANCING MOVE? AND I'LL GUARANTEE YOU YOU'LL FIND  
14 THAT 99, 95 PERCENT ARE GOING TO SAY NOPE, I DON'T WANT TO GO  
15 THERE. I DON'T WANT TO GO TO JAIL BECAUSE IT'S A DEAD END  
16 SPOT. NOBODY GETS PROMOTED FROM THE JAIL, GENERALLY. SOMEWHERE  
17 YOU HAVE TO DO YOUR TIME BEFORE YOU CAN METRIC YOU LATE AND GO  
18 ELSE SOMEWHERE ELSE. TAKE A LOOK AT THAT. THAT'S KEY INDICATOR  
19 NO. 1. HOW DO YOU CREATE THAT AS A COVETED ASSIGNMENT? I GAVE  
20 HIM AN IDEA ON HOW TO DO THAT. BUT WE END UP GOING TO MEN'S  
21 CENTRAL JAIL. WE SAT AROUND AND SAID LISTEN, WHILE WE'RE  
22 SITTING AROUND AND LISTENING TO SOME OF THE STUFF GOING ON, I  
23 USURP THE SHERIFF'S AUTHORITY. I STEPPED UNAND I SAID I HAD  
24 THAT SOLVED BEFORE WHEN I WAS HERE. AND HERE'S WHAT YOU NEED  
25 TO DO. AREN'T WE DOING THAT NOW? THEY BROUGHT UP SOMETHING

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ELSE. WE HAD THAT SOLVED. WE WERE DOING THIS. MR. BACA TURNED  
2 AND LOOKED AT ME AND GOES WELL, IT LOOKS LIKE MR. OLMSTED IS  
3 COMING BACK ON 120-DAY REHIRE PROGRAM. WE'RE GOING TO HIRE HIM  
4 BACK. ARE YOU GOING TO COME BACK AND WORK? SURE, I'LL COME  
5 BACK. I'LL GET RETIREMENT. PAY ME ON TOP OF THAT. WHY NOT? I  
6 THOUGHT ABOUT IT WHEN I GOT HOME. AND I'M SITTING IN AS MUCH  
7 AS I LIKE THE FLATTERY OF DOING IT AND COMING BACK TO DO IT,  
8 THE SAME BARRIERS WERE IN PLACE THAT CREATED THE PROBLEM AND  
9 I'M NOT GOING TO GO AHEAD AND PUT MYSELF BACK INTO ANOTHER  
10 ENVIRONMENT WHERE THE SAME BARRIERS ARE IN PLACE. MR. OLMSTED  
11 SO FAR, BECAUSE WE CAN FIX IT ONCE WE FIND OUT WHAT "IT" IS,  
12 WOULD YOU SAY OUR CHIEF PROBLEM IS ACCOUNTABILITY?

13

14 **MR. OLMSTED:** ACCOUNTABILITY AND SUPERVISION, ABSOLUTELY. WE  
15 GOT TO HOLD PEOPLE ACCOUNTABLE. AND DON'T GET ME WRONG. I WANT  
16 TO RAISE MY EMPLOYEES UP LIKE THEY'RE MY OWN KIDS. AND I DON'T  
17 SAY THAT IN A CONDESCENDING MANNER. BUT IF MY SON SCREWS UP, I  
18 WILL KICK HIM IN THE BUTT AND SAY DON'T DO THAT. I'LL GIVE HIM  
19 THE BEST TOOLS, BOOKS, EDUCATION, TUTORS AVAILABLE. WE DON'T  
20 DO THAT TO OUR EMPLOYEES. SO PART OF THAT IS ACCOUNTABILITY.  
21 BUT THE OTHER PART, IN MY PERSONAL OPINION, IS SUPERVISION.

22

23 **REV. CECIL L. MURRAY:** THAT'S IT. NOW SUPPOSE SHERIFF BACA  
24 CONVENES HIS CAPTAINS OF JAILS SAY ON A THREE-DAY RETREAT. HE  
25 GETS A BOB OLMSTED TO HELP US SEE WHAT YOU HAVE BEEN HELPING

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 US SEE. THEN WE HAVE AGREEMENT. THESE ARE THE RULES. THESE ARE  
2 THE GUIDELINES. THEN WE FIND SOME WAY OF TRACKING. YOU SAID  
3 THAT EVERY TWO WEEKS OR SO THEY SEND THEIR REPORTS. WE HAVE TO  
4 FIND A WAY TO MAKE CERTAIN THAT THOSE REPORTS ARE ACCURATE, OR  
5 THOSE WHO ARE MANIPULATING THE REPORTS WILL GET PUNISHED. THEN  
6 ONCE WE GET THAT TRACKING SYSTEM WE HAVE FURTHER TRAINING  
7 TWICE A MONTH ARE O SO THAT THE JAIL CAPTAINS COME BACK AND WE  
8 KEEP GOING UNTIL WE GET IN A RHYTHM.

9

10 **MR. OLMSTED:** YOU JUST GOT TO MAKE SURE YOU GOT THE RIGHT  
11 SUPERVISORS IN PLACE WITH THE RIGHT MINDSET. NOT THERE TO GET  
12 PROMOTED. NOT THERE BECAUSE THEY'RE GOING TO BE SOMEBODY'S  
13 AID. NOT THERE BECAUSE THEY'RE GOING TO SUPPORT SOMEBODY TO  
14 GET PROMOTED. BUT THEY HAVE TO BE THERE FOR THE RIGHT  
15 ALTRUISTIC REASON.

16

17 **HON. LOURDES BAIRD, CHAIR:** THE LAST SEVERAL QUESTIONS WERE  
18 ASKED BY REVEREND MURRAY. I THINK IT MIGHT BE TIME FOR A SHORT  
19 BREAK.

20

21 **RICHARD E. DROOYAN:** WHY DON'T WE FAY A SHORT BREAK AND THEN WE  
22 SHOULD FINISH UP.

23

24 **HON. LOURDES BAIRD, CHAIR:** A LITTLE LATER OR NOW?

25

1 **RICHARD E. DROOYAN:** I THINK YOU SHOULD DO IT NOW.

2

3 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. LET'S DO IT NOW.

4 (RECESS). YOU'RE IN THE BOX AGAIN. ALL RIGHT. MR. DROOYAN, YOU  
5 READY?

6

7 **RICHARD E. DROOYAN:** WE'RE READY. WE'RE BACK IN SESSION.

8

9 **RICHARD E. DROOYAN:** OKAY. I HAVE KNOW FURTHER QUESTIONS FOR  
10 MR. OLMSTED. ALTHOUGH, ACTUALLY, HE DOES, I THINK, HAVE ONE  
11 BRIEF STATEMENT HE WANTED TO MAKE WITH RESPECT TO HIS  
12 TESTIMONY BEFORE THE COMMISSIONERS. BEFORE THE QUESTIONS?

13

14 **RICHARD E. DROOYAN:** YEAH. FINE, MR. OLMSTED YOU MAY MAKE A  
15 STATEMENT.

16

17 **MR. OLMSTED:** I WROTE A COUPLE PARAGRAPHS AND EVERYTHING HAS  
18 BEEN ADDRESSED EXCEPT ONE.

19

20 **HON. LOURDES BAIRD, CHAIR:** I BEG YOUR PARDON?

21

22 **MR. OLMSTED:** A STATEMENT I WAS GOING TO MAKE. EVERYTHING HAS  
23 BEEN ADDRESSED BUT ONE. I WOULD LIKE TO REELED YOU WHAT I  
24 WROTE.

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** THAT WOULD BE FINE.

2

3 **MR. OLMSTED:** I WOULD LIKE TO THANK THE COMMISSION FOR ALLOWING  
4 ME TO HAVE A FEW WORDS. I LOVE THE DEPARTMENT AND ALL IT  
5 PROVIDED ME. I'M A SEC ON GENERATION DEPUTY SHERIFF, MY SON  
6 WANTS TO BE A THIRD GENERATION. MY WHOLE AGENDA IS PROVIDE A  
7 SAFE AND SECURE FOR BOTH THE SHERIFFS AND INMATES, LEAVING CJ  
8 SAFER THAN I FOUND IT AND TO ENSURE THAT MY SON WILL BE  
9 SUCCESSFUL SHOULD HE CHOOSE THIS PATH FOR HIS CAREER. SO MY  
10 ONLY INTENT TO COME OUT AND SAY ALL THIS STUFF IS NOT BECAUSE  
11 I HATE THE DEPARTMENT I LOVE IT. IT'S GIVEN ME EVERYTHING I'VE  
12 GOT. I'M NOT DISGRUNTLED AND THINGS NEED TO CHANGE AND THAT'S  
13 WHAT I WAS TRYING TO DO. THANK YOU VERY MUCH. NOW ARE THERE  
14 OTHER QUESTIONS? MR. ABOUT YOU SANSKI?

15

16 **MR. ALEXANDER BUSANSKY:** THANK YOU VERY MUCH FOR COMING HERE  
17 TODAY. RECENTLY THERE HAVE BEEN REPORTS ABOUT THE JUMP OUTBOYS  
18 AND TATTOOING AND SORT OF THE INCENTIVES AND PRIDE PEOPLE ARE  
19 USING IN THE USE OF FORCE AND THEY'RE SORT OF DISPLAYING OF  
20 THAT TO OTHERS. DID YOU SEE OR HEAR ANYTHING ABOUT THE JUMP  
21 OUTBOYS OR THAT KIND OF PRACTICE, THE CULTURE ABOUT TAKING  
22 PRID IN THE USE OF FORCE?

23

24 **MR. OLMSTED:** IT DOESN'T SURPRISE ME. BUT LET ME PREFACE BY  
25 SAYING THAT 95 PERCENT OF THE MEN AND WOMEN ON THE SHERIFF'S

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DEPARTMENT ARE OUTSTANDING, ETHICAL, JUST GREAT PEOPLE, HARD  
2 WORKERS AND THEY WANT TO DO THEIR JOB. HOWEVER, THERE ARE A  
3 FEW THAT GO ASTRAY. AND I SAY THIS BECAUSE IT STARTED TO OCCUR  
4 WHEN I WAS A CAPTAIN, WHEN I WAS A COMMANDER. I BROUGHT  
5 BROUGHT IT TO ANOTHER CAPTAIN AT HIS STATION. I HAVE PEOPLE  
6 CALLING ME UP FROM DIFFERENT STATIONS SAYING THAT THERE'S  
7 ISSUES THAT ARE GOING ON. THEY'RE AFRAID TO COME OUT SANE  
8 THINGS ABOUT IT. AND IT WOULDN'T SURPRISE ME. AND HERE'S THE  
9 TOUGH PART. I SAY THIS CAUTIOUSLY. OUR MOST VALUABLE RESOURCE  
10 ARE THE MEN AND WOMEN IN OUR DEPARTMENT. THEY GO INTO THE  
11 ACADEMY. THEY RAISE THEIR RIGHT HAND. THEY WANT TO UPHOLD THE  
12 CONSTITUTION AND THEY BELIEVE IN THIS. AND THEN WE ASSIGN THEM  
13 TO THE JAIL, WHICH IS A NECESSARY THING THAT WE NEED TO DO,  
14 WHICH IS OKAY. BUT AS SOON AS THEY START TO GET SUCKED UP INTO  
15 THE NEGATIVE ENVIRONMENT AND THEY GET TO THE WRONG TO OR THEY  
16 GET INTO THE 3,000 BOYS OR THE 2,000 BOYS, NOW WE HAVE  
17 INCULCATED THEM INTO THIS NEGATIVE CULTURE THAT EVERYBODY FROM  
18 THE CHIEF TO THE ASSISTANT SHERIFF HAS TOLD ME PERSONALLY WE  
19 CAN'T CHANGE THE CULTURE. AND MY RESPONSE TO THEM IS: YES, WE  
20 CAN CHANGE THE CULTURE, WE HAVE TO CHANGE THE CULTURE AND WE  
21 OWE IT TO THEM TO CHANGE THE CULTURE. BUT IF THEY'RE  
22 INDOCTRINATED IN THIS NEGATIVE JAIL SETTING EARLY ON, IT DOES  
23 NOT SURPRISE ME THAT IT SPILLS OVER INTO THE PATROL  
24 ENVIRONMENT. I'LL TELL YOU NOW. I MIGHT HAVE IT MIXED UP. THE  
25 PEOPLE ON 2,000 GO TO COMPTON. THE PEOPLE ON 3, 000 GO TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CENTURY. THE LEFTOVERS GO TO LENNOX. AND THOSE ARE THE THREE  
2 STATIONS THAT ARE OVERSEEING UNDER TANAKA'S REGIME AS BEING  
3 THE PLACES WHERE THESE HARD CHARGERS WANT TO GO, WHICH IS NOT  
4 A BAD THING. I WENT TO THOSE TYPE OF STATIONS, TOO. BUT NOT  
5 WITH A MINDSET OF LEARNING NEGATIVELY ON HOW TO HANDLE LAW  
6 ENFORCEMENT.

7

8 **MR. ALEXANDER BUSANSKY:** ONE OF THE THEMES, ONE OF THE IDEAS  
9 YOU'VE TALKED ABOUT IS THE IMPORTANCE OF LEADERSHIP, THE  
10 IMPORTANCE OF SUPERVISION. AND I KNOW THAT BACK IN THE PRESS  
11 REPORT, THE NUMBER OF MONTHS AGO SHERIFF BACA WAS ASKED ABOUT  
12 YOU AND HE COMMENDED YOU AND YOUR SERVICE, BUT HE ALSO SAID  
13 "I'M NOT NEED TODAY MAKE THE CHANGE. MR. OLMSTED COULD HAVE  
14 DONE IT HIMSELF. ". TO PARAPHRASE THE PAPER TQUESTION IS WHEN  
15 YOU LOOK AT THE CURRENT LEADERSHIP IN THE SHERIFF'S  
16 DEPARTMENT, TANAKA'S STILL THERE. AND SOME OF THE OTHERS THAT  
17 YOU'VE MENTIONED HERE IN YOUR TESTIMONY HERE TODAY, IS CHANGE  
18 POSSIBLE WHILE THOSE INDIVIDUALS REMAIN IN THE POSITIONS THEY  
19 HAVE?

20

21 **MR. OLMSTED:** ABSOLUTELY NOT AND LET ME TELL YOU. THE SHERIFF  
22 IS ABSOLUTELY RIGHT. OL' STEAD COULD HAVE DONE IT. I'M DOING  
23 IT. IF HE'S NOT GOING TO TAKE IT ON AND TANAKA IS NOT GOING AT  
24 THAT IT ON AND THE OTHER TOP FOUR ARE NOT GOING TO TAKE IT ON.  
25 I'LL GO OUTSIDE. I'M BEING SECOND-GUESSED FOR IT BUT IT'S THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 RIGHT THING TO DO. LEADERSHIP STOPS AT THE TOP. THE SHERIFF  
2 NEEDS TO TAKE THIS ON. OUTSTANDING EDITORIAL IN THE L.A. TIMMS  
3 IF THIS HAPPENED ON BRAN TO KNOW'S WATCH. HE WOULD HAVE LOPPED  
4 OFF HEADS. I CHALLENGE THE SHERIFF WITH ALL THE EMBARRASSING  
5 STUFF THAT'S GOING ON IN OUR OWN DEPARTMENT THAT WE ALL LOVE.  
6 LET'S START ROLLING HEADS FROM THE TOP. WHEN WILL WE START  
7 HOLDING PEOPLE ACCOUNTABLE AS MURP MURRAY IS SAYING FOR THE  
8 ISSUES THAT ARE OCCURRING? WHY SHOULD WE HAVE THE 3,000 JUMP  
9 OFF POINTS WHY DO WE NEED 2 AND 3,000 GUYS. WHY DO WE NEED A  
10 SERGEANT POINTING A GUN TO ANOTHER SERGEANT? THIS IS  
11 EMBARRASSING TO THE SHERIFF'S DEPARTMENTY CAN GO ON AND ON.  
12 IT'S GOT TO COME FROM THE TOP. IF IT'S NOT GOING TO CHANGE,  
13 THEN MY OPINION, I LOVE THE SHERIFF DEARLY, BUT THE TOP FOUR  
14 NEED TO GO. THANK YOU.

15

16 **SPEAKER:** JUDGE BAIRD, CAN I ASK A FOLLOWUP TO COMMISSIONER  
17 BUSANSKY'S QUESTIONS? MR. OLMSTED, WAS THERE EVER A TIME IN  
18 LOOKING THROUGH THE USE OF FORCE REPORTS THAT YOU SAW THE TERM  
19 "EARN YOUR INK"?

20

21 **MR. OLMSTED:** YEAH. THERE WAS ONE PARTICULAR REPORT AND I WANT  
22 TO SAY I WAS A COMMANDER AT THE TIME WHEN SIGNIFICANT FORCE  
23 WAS GOING UP. I TOLD CAPTAIN CRUZY WANT TO SEE EVERY REPORT,  
24 WHERE SIGNIFICANT USE OF FORCE OCCURRED IN MEN'S CENTRAL JAIL.  
25 I WANT TO READ ITY WANT TO SEE THE OUTCOME. I WANT TO SEE THAT

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WE'RE RIGHT ON THE PATH OF HOW TO HANDLE THIS. THERE WAS ONE  
2 PARTICULAR REPORT AND IT STOOD IN MY MIND. IT SAID THE USE OF  
3 FORCE AND THE INMATE WAS INTERVIEWED. AND THE INMATE MADE A  
4 STATEMENT THAT SAID SOMETHING TO THE EFFECT OF I WAS UP  
5 AGAINST THE WALL. I HAD MY HANDS BEHIND MY BACK. I THEN HEARD  
6 ONE DEPUTY SAY TO THE OTHER DEPUTY ARE YOU READY TO EARN YOUR  
7 INK? AND THEN BOOM, ALL OF A SUDDEN THEY BUSTED HIS ORBITAL.  
8 AND I'M THINKING, WHAT THEEL DO THEY MEAN BY THAT? WHAT IS  
9 EARN YOUR INK MEAN? I JUST SAVED IT. AND THEN I STARTED ASKING  
10 A FEW PEOPLE WHAT IS GOING ON? WHAT IS THIS? OH YOU DON'T  
11 KNOW. THE 2,000 BOYS HAVE A 2, I THINK IT'S A ROMAN NUMERAL 2  
12 TATTOOED ON THE BACK OF THEIR CRITICAL OF. THAT'S HOW YOU EARN  
13 YOUR INK. BY BUSTING SOMEBODY'S HEAD. AND THIS IS WRITTEN IN  
14 THE BLESS REPORT FROM AN INMATE'S HEARING. BASICALLY THE  
15 INMATE REITERATING ARE YOU READY TO EARN YOUR INK? WHY WOULD  
16 AN INMATE SAY THAT? HOW WOULD THE INMATE KNOW? HOW WOULD THEY  
17 MAKE IT UP? I GOT TO BELIEVE THESE TYPE OF STATEMENTS.

18

19 **SPEAKER:** THANK YOU.

20

21 **HON. LOURDES BAIRD, CHAIR:** ANY FURTHER? I'VE SORRY REVEREND  
22 MURRAY, DO YOU HAVE SOMETHING?

23

24 **REV. CECIL L. MURRAY:** NO. QUESTIONS? JUDGE BONNER?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. ROBERT BONNER:** [INAUDIBLE]

2

3 **MR. OLMSTED:** I'M SORRY. IT WAS L.A. TIMES EDITORIAL THAT  
4 TALKED ABOUT THE PROBLEMS GOING ON IN THE SHERIFF'S  
5 DEPARTMENT. AND IF I REMEMBER CORRECTLY IT SAYS CHIEF BRATTEN  
6 FROM LAPD WOULD NOT HAVE ALLOWED THIS TO OCCURRED AND HE WOULD  
7 HAVE LOPPED OFF SOME HEADS A LONG TIME AGO. I THOUGHT IT WAS A  
8 WELL WRITTEN STATEMENT.

9

10 **SPEAKER:** YEAH, THIS ONE WORKS.

11

12 **HON. ROBERT BONNER:** AS THE CAPTAIN OF MEN'S CENTRAL JAIL OR  
13 LATER AS THE COMMANDER THAT OVERSAW THE SOUTH JAIL UNIT, I'M  
14 WONDERING WHETHER YOU INSTITUTED A ROTATION POLICY SIMILAR TO  
15 THAT THAT CAPTAIN CLARK HAD PROPOSED IN ORDER TO BREAK UP  
16 CLIQUES AND PERHAPS PROMOTE OR REDUCE OUT-OF-POLICY USE OF  
17 FORCE INCIDENTS?

18

19 **MR. OLMSTED:** DID I DO A ROTATION PROCESS? NO.

20

21 **HON. ROBERT BONNER:** WHY NOT?

22

23 **MR. OLMSTED:** THE REASON WHY I DIDN'T. THE EDICT WAS ALREADY  
24 OUT. YOU TRY TRANSFERRING US, WE'RE GOING TO GET YOU  
25 TRANSFERRED, TOO. TO HAVE JOHN CLARK UNDERMINED AND HAVE HIS

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 LEGS CUT OUT FROM UNDERNEATH HIM BECAUSE HE TRIED TO DO  
2 SOMETHING THAT I FELT WAS ABSOLUTELY RIGHT AND TO TRANSFER HIM  
3 AS OPPOSED TO ADDRESS THE ISSUES WAS INAPPROPRIATE, KNOWING  
4 THAT THAT TOOL'S NOT IN MY BELT ANYMORE, I NOW HAD TO GO ABOUT  
5 IT A DIFFERENT WAY.

6

7 **HON. ROBERT BONNER:** WITH THAT TYPE OF ROTATION POLICY IN YOUR  
8 OPINION HELP TO REDUCE CLIQUES AND POTENTIALLY IMPROPER OR  
9 INAPPROPRIATE USE OF FORCE IN THE JAIL SYSTEM?

10

11 **MR. OLMSTED:** YEAH, ABSOLUTELY. SORRY TO CUT YOU OFF.  
12 ABSOLUTELY. IT'S CRITICAL. BUT NOT ONLY FROM THE STANDPOINT OF  
13 REDUCING. IT'S CRITICAL TO THE HEALTH OF THE DEPUTY. BECAUSE  
14 IF THE DEPUTY IS WORKING WITH THE SAME TYPE OF CLIENTELE, IT'S  
15 NICE TO HAVE A FRESH BREATH AND DO SOMETHING DIFFERENT. SO  
16 IT'S BOTH BENEFICIAL TO THE DEPUTY AS WELL AS TO THE  
17 ORGANIZATION.

18

19 **HON. ROBERT BONNER:** WHILE YOU WERE CAPTAIN OF MEN'S CENTRAL OR  
20 LATER AS THE COMMANDER OF THE SOUTH UNITS, DID YOU ADVOCATE  
21 EXTENDING THE TOUR OF DUTY OF SERGEANTS AND OTHER SUPERVISORS  
22 THAT WERE ASSIGNED TO CUSTODY?

23

24 **MR. OLMSTED:** I'M SORRY AN EXTENDED TOUR OF DUTY?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **HON. ROBERT BONNER:** LET ME REPHRASE THE QUESTION. BY THE WAY,  
2 SOMETIMES IT'S HARD TO HEAR THE WORDS HERE. I'VE NOTICED  
3 SOMETIMES.

4

5 **MR. OLMSTED:** IT IS.

6

7 **HON. ROBERT BONNER:** MY QUESTION REALLY IS: DURING THE PERIOD  
8 OF TIME WHEN YOU WERE IN THE SHERIFF'S DEPARTMENT AND COULD  
9 HAVE DONE SOMETHING, LET ME JUST SAY BY WAY OF BACKGROUND, I  
10 UNDERSTOOD YOUR TESTIMONY TO BE THAT ONE OF THE POTENTIAL  
11 PROBLEMS THAT WAS CONFRONTED IN MEN'S CENTRAL IS THAT YOU, THE  
12 SUPERVISORS, YOU SAID THE SERGEANTS, BASICALLY, LOOK, IF YOU  
13 LOSE THE SERGEANTS, YOU'VE LOST THE WAR IN LAW ENFORCEMENT AS  
14 FAR AS I'M CONCERNED.

15

16 **MR. OLMSTED:** CORRECT.

17

18 **HON. ROBERT BONNER:** SO I'M FOCUSED IN ON THE SERGEANTS. THAT  
19 THEY COME IN. THEY GET THEIR SERGEANTS STRIPES. THEY PASS  
20 THEIR TEST. THEY GET THEIR SERGEANT STRIPES. THEY COME IN.  
21 THEY SERVE FOR MAYBE A YEAR IN A SUPERVISORY POSITION. AND  
22 BASICALLY THEY WANT TO GET BACK OUT TO PATROL AND SUPERVISION  
23 ON PATROL. MY QUESTION IS: DID YOU, MR. OLMSTED, EVER  
24 RECOMMEND THAT THE LENGTH OF TIME THAT SUPERVISORS SERVED IN  
25 THE JAILS, MEN'S CENTRAL AND THE OTHER PARTS OF THE JAIL

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SYSTEM, BE LENGTHENED SO THAT THEY WOULD SPEND MORE TIME IN  
2 THAT ROLE?

3

4 **MR. OLMSTED:** NO. BUT I --

5

6 **HON. ROBERT BONNER:** I'M GOING TO ASK YOU WHY NOT. YOU CAN JUST  
7 ASSUME I'LL ASK YOU A WHY NOT QUESTION.

8

9 **MR. OLMSTED:** LET ME ADDRESS THAT TWO DIFFERENT WAYS. ONE IS:  
10 KNOWING THE SERGEANTS DIDN'T WANT TO BE THERE AND BECAUSE  
11 THEIR CAREER'S PUT ON HOLD BECAUSE THEY HAVE TO GO OUT TO  
12 PATROL BEFORE THEY CAN GO TO ANY OTHER COVETED ASSIGNMENT, I  
13 DIDN'T WANT TO HOLD UP THEIR CHANCES OF DOING WHAT THEY WANTED  
14 IN LIFE. HOWEVER, WHAT I DID DO IS I CHALLENGED THE SERGEANTS  
15 THAT WERE ON THE FLOOR THAT I WOULD TRY AND FIND THE  
16 STRONGEST, BIGGEST SERGEANT I HAD AND SAID YOU ARE ON THE  
17 3,000 FLOOR. THERE WAS ONE SERGEANT, DON'T WANT TO MENTION HIS  
18 NAME, HE DID AN OUTSTANDING JOB ON THE 3,000 FLOOR FOR ME. HE  
19 CAME UP TO ME AND SAID HEY, BOSS, I'M GOING OUT TO PATROL. I'M  
20 FINALLY LEAVING. I'M GOING THE HATE TO LOSE YOU. LET ME TELL  
21 YOU FOR ME TO WORK THIS FLOOR, IT TOOK ME THREE, FOUR, FIVE  
22 MONTHS JUST TO LEARN THE PEOPLE, WHAT THEY DO, HOW THEY DO IT,  
23 HOW IT WORKS, HOW YOU CAN READ BETWEEN THE LINES. AND SO I  
24 LOST HIM FOR THE FIRST THREE OR FOUR MONTHS ON THE ONSET BUT I  
25 HAD AN OUTSTANDING SERGEANT FOR THE TAIL END. BUT HERE, TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ANSWER YOUR QUESTION, I THINK, IS WHAT I RECOMMENDED TO THE  
2 SHERIFF. I SAID, I WAS IN THERE TALKING TO THE SHERIFF AFTER I  
3 RETIRED WHEN HE CALLED ME BACK. I SAID HEY, BOSS, YOU SEE THE  
4 SERGEANT SITTING OUTSIDE YOUR OFFICE ARE IT THERE? EVERYBODY  
5 KNOWS THIS GUY IS GOING TO BE A LIEUTENANT. WHY? BECAUSE IT'S  
6 A COVETED ASSIGNMENT. HE'S WORKING FOR YOU. SO ANY TIME THEY  
7 CALL UP AND SAY SERGEANT SMITH, BEE WANT YOU TO BE THE A FOR  
8 THE SERGEANT, HE'S GOT A GIFT A YEAR DOWN THE ROAD HE WILL BE  
9 A LIEUTENANT. WHAT YOU NEED TO DO WITH YOUR SERGEANTS IS YOU  
10 NEED TO MAKE IT COVETED POSITION WITHIN THE JAIL. AND HERE'S  
11 HOW YOU DO IT, BOSS. YOU TAKE YOUR BAND 2 SERGEANTS. THOSE  
12 THAT YOU GOT YOUR BANDING PROCESS? YOU GOT A PROMOTIONAL  
13 PROCESS.

14

15 **HON. ROBERT BONNER:** I DON'T THINK WE HAD ANYBODY REALLY TALK  
16 TO US ABOUT IT.

17

18 **MR. OLMSTED:** THE PROMOTIONAL PROCESS. IF YOU KNOW WHO YOUR  
19 NEXT 20 LIEUTENANTS ARE GOING TO BE, YOU PULL THEM OUT A YEAR  
20 AHEAD OF TIME AND YOU SAY, LISTEN, BOB, OR ME, I'M NOT TALKING  
21 TO YOU THAT WAY, SIR, BOB, DO YOU WANT TO BE LIEUTENANT? WELL,  
22 THEN HER'S WHAT I WANT YOU TO DO. I SEE HOW GOOD YOU ARE. I  
23 WANT YOU TO WORKMEN'S CENTRAL JAIL FOR A YEAR. AT THE END MUCH  
24 YEAR, I'LL PROMOTE YOU TO LIEUTENANT BUT I WANT TO SEE WHAT  
25 YOU'RE GOING TO DO, HOW YOU'RE GOING TO WORK IT. I'M GOING TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SEE YOU NINE MONTHS FROM NOW. I WANT INDICES YOU'RE GOING TO  
2 WORK ON. HOW YOU'LL FIX IT AND HOW TO TURN THIS PLACE AROUND.  
3 NOW, EVERYBODY KNOWS THAT IF YOU WANT TO BE A LIEUTENANT NOW,  
4 BEING ASKED TO GO TO MEN'S CENTRAL JAIL TO DO A STINT THERE  
5 FOR A YEAR IS GOING TO MEAN THE SAME THING LIKE THAT SERGEANT  
6 SITTING OUTSIDE THE SHERIFF'S OFFICE. THEY'RE GOING TO GET  
7 PROMOTED. AS LONG AS THEY CAN PROVE THAT THEY DID A GOOD JOB  
8 WHILE THEY'RE ON THE FLOORS. EVERYBODY SITS IN THE PROMOTIONAL  
9 BANDS JUST DYING. WHEN AM I GOING TO GET PROMOTED? WHEN AM I  
10 GOING TO GET PROMOTED? NOW WHEN THEY GET PROMOTED AND GO TO  
11 THE JAIL. THEY GET PIECED OFF. THEY'RE BETTER THAN THAT. MY  
12 CAREER IS ON HOLD. I GOT TO SPEND A YEAR HERE AS A SERGEANT AS  
13 A LIEUTENANT. THE DEPUTY WHO SAYS HE PUTS A CAREER IN PARK.  
14 THEY JUST LOCK THEMSELVES UP IN THE OFFICE AND DON'T DO  
15 ANYTHING. SO I WOULD MAKE IT A COVETED POSITION WHICH WOULD  
16 NOT BE HARD TO DO. THE SERGEANTS WOULD THEN WANT TO GO THERE  
17 BECAUSE THEY KNOW THEY'RE GOING TO GET PROMOTED. AND THEN YOU  
18 CAN MAKE SOME POSITIVE CHANGE BY KNOWING THAT IF YOU'RE ASKED  
19 TO DO THIS PARTICULAR JOB, THEN YOU'RE GOING TO GET REWARDED  
20 FOR IT.

21

22 **HON. ROBERT BONNER:** BUT YOU'RE STILL SAYING THAT EVEN MAKING  
23 IT A COVETED POSITION TO BE A SERGEANT IN THE CUSTODY  
24 SITUATION, THAT YOU WOULDN'T ASK FOR MORE THAN A YEAR IN  
25 PLACE. I MEAN THAT'S WHAT I DON'T UNDERSTAND. I THINK YOU

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WOULD BE THINKING ABOUT INCENTIVIZING THROUGH ASSIGNMENTS AND  
2 OTHERWISE THAT YOU WOULD GET SERGEANTS THAT WOULD STAY THERE,  
3 LET'S SAY, THREE OR FOUR YEARS AS PART OF THEIR CAREER TRACK  
4 TO PROMOTION. AND MAYBE -- HOW WOULD YOU REACT TO THAT?

5

6 **MR. OLMSTED:** THAT WOULD BE THE SECOND PART, YOU'RE ABSOLUTELY  
7 RIGHT. NOW THAT YOU'RE LIETENANT. YOU'VE DONE THE JOB. I WANT  
8 YOU TO STAY HERE. YOU'LL KNOW THE IN'S AND OUT'S. YOU'LL BE  
9 ABLE TO DEVELOP THE NEXT PERSON COMING IN. A TWO, THREE-YEAR  
10 PROCESS IS NOT A BAD IDEA. HOWEVER, THEY NEED TO CHANGE THE  
11 MINDSET. BECAUSE RIGHT NOW CUSTODY'S JUST A DUMPING GROUND.  
12 IT'S NOT A PLACE TO GET PROMOTED FROM. AND YOU JUST NEED TO  
13 REVAMP HOW THINGS ARE BEING DONE.

14

15 **HON. ROBERT BONNER:** AND THAT'S THE QUESTION I WAS TRYING TO  
16 PUT TO YOU. AND THAT IS IF YOU THINK OF THIS NOT AS THE  
17 SERGEANTS THAT YOU KNOW BUT AS STRUCTURAL REFORM TO THE  
18 SHERIFF'S DEPARTMENT, I GUESS IT'S FAIR TO SAY THAT YOU DIDN'T  
19 PROPOSE STRUCTURAL REFORMS THAT WOULD HAVE RESULTED OR  
20 POTENTIALLY RESULTED IN GETTING SUPERVISORS, EXPERIENCED  
21 SUPERVISORS IN PLACE FOR LONGER PERIODS OF TIME WITHIN THE  
22 L.A. COUNTY JAIL SYSTEM. I MEAN YOU DIDN'T DO THAT. I THINK I  
23 UNDERSTAND WHY YOU DIDN'T.

24

25 **MR. OLMSTED:** RIGHT.

1

2 **HON. ROBERT BONNER:** SHOULD, JUST GIVEN YOUR CONSIDERABLE  
3 EXPERIENCE HANDS ON WITH THE JAIL SYSTEM, SHOULD WE, AS A  
4 COMMISSION, BE THINKING ABOUT ESSENTIALLY A SEPARATE CAREER  
5 TRACK FOR CUSTODY AS OPPOSED TO PATROL/DETECTIVE SO FORTH? HOW  
6 DO YOU REACT TO THAT? SHOULD WE -- IS PART OF THE SOLUTIONS WE  
7 SHOULD BE THINKING ABOUT ESSENTIALLY A SEPARATE CAREER TRACK  
8 SUCH AS MS. KRINSKY DESCRIBED IN THE COOK COUNTY JAIL SYSTEM?

9

10 **MR. OLMSTED:** NO. I AGREE ENTIRELY.

11

12 **HON. ROBERT BONNER:** I DIDN'T SAY ONE WAY OR THE OTHER YOURSELF  
13 SO YOU'RE NOT AGREEING WITH ME.

14

15 **MR. OLMSTED:** I'M SORRY. I BELIEVE THERE SHOULD BE A TWO-TRACK  
16 SYSTEM. THERE IS PLUSES AND MINUSES TO BOTH SIDES. THE  
17 DEPUTIES DON'T WANT TO BE THERE, THEY GO TO PATROL WHERE THEY  
18 WANT. THOSE THAT WANT TO BE THERE CAN STAY THERE. THERE'S SOME  
19 PEOPLE, SOME DEPUTIES THAT WORK THE JAIL, THEY PURPOSELY FAIL  
20 THE PATROL TRAINING SO THAT THEY CAN GO BACK TO THE JAIL  
21 BECAUSE THEY DON'T WANT TO BE OUT ON PATROL. WE NEED TO MAKE  
22 THE ENVIRONMENT THAT'S CONDUCIVE TO NOT ONLY WHAT'S BEST FOR  
23 THE DEPARTMENT BUT WHAT'S BEST FOR THE EMPLOYEE. BECAUSE THE  
24 EMPLOYEE IS NOT GOING TO BE HAPPY UNTIL THEY CAN WORK  
25 SOMEWHERE WHERE THEY WANT TO BE. SO IF WE CAN HELP THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 EMPLOYEE REACH THEIR GOALS IN LIFE, WHATEVER THOSE MAY BE,  
2 THEN ALLOW THEM AND ALLOW US TO DO THAT SO THAT IF IT'S A TWO-  
3 TRACK SYSTEM, THEN WE DO IT. THEY CAN STAY IN THE JAIL. THAT'S  
4 FINE. AND IT SHOULD BE OKAY TO DO SO AND NOT HOLD IT AGAINST  
5 THE PEOPLE FOR DOING THAT. AND THOSE WHO DON'T WANT TO WORK IT  
6 CAN DO SO AS WELL. IF WE TAKE CARE OF OUR MOST VALUABLE  
7 RESOURCE, THEY'LL TAKE CARE OF US. I CONCUR.

8

9 **HON. ROBERT BONNER:** LET ME DIRECT YOUR ATTENTION TO DECEMBER  
10 OF 2006 OR THERE ABOUT. I THINK THAT'S THE RIGHT TIME PERIOD.  
11 YOU HAD A CONVERSATION WITH THEN ASSISTANT SHERIFF TANAKA IN  
12 WHICH HE INDICATES YOU'RE GOING TO BE TRANSFERRED TO MEN'S  
13 CENTRAL AS THE CAPTAIN. HE INDICATED I BELIEVE THAT THERE ARE  
14 SOME MORALE ISSUES. BUT I THINK HE ALSO INDICATED TO YOU BUT I  
15 WANT TO ASK THIS JUST SO I UNDERSTAND IT CORRECTLY THAT THERE  
16 WERE USE OF -- THERE WERE ALSO USE OF FORCE ISSUES WITH  
17 RESPECT TO MEN'S CENTRAL JAIL. DID HE IN FACT ACKNOWLEDGE THAT  
18 THEY WERE? WHEN I USE USE OF FORCE ISSUES HERE, I'M TALKING  
19 ABOUT IMPROPER, INAPPROPRIATE USES OF FORCE THAT ARE OUT OF  
20 POLICY. DID HE IN FACT ACKNOWLEDGE THAT THERE WERE USE OF  
21 FORCE ISSUES OF THAT TYPE IN THAT CONVERSATION WITH YOU IN  
22 WHICH HE TOLD YOU YOU WERE GOING TO BE ASSIGNED TO MEN'S  
23 CENTRAL?

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** WHEN HE SAID THERE'S MORALE ISSUES AND FORCE  
2 ISSUES, FORCE IS OKAY. IT'S NOT A BAD THING. BUT WHEN YOU TALK  
3 TO ANOTHER PEER AND SAY WE HAVE FORCE ISSUES, IT'S  
4 AUTOMATICALLY INFERRED TO BE NEGATIVE IN NATURE. SO DID HE SAY  
5 "INAPPROPRIATE"? NO. DID HE SAY EXCESSIVE? NO. BUT WHEN YOU  
6 START TALKING ABOUT MORALE AND FORCE ISSUES, IT'S ALREADY IN  
7 MY MINDSET AND LAW ENFORCEMENT IN GENERAL, NEGATIVE.

8

9 **HON. ROBERT BONNER:** RIGHT. SO YOUR UNDERSTANDING WOULD BE WHEN  
10 HE WAS REFERRING TO FORCE ISSUES, HE WAS REFERRING TO  
11 INAPPROPRIATE ARE O OUT OF POLICY USE OF FORCE, CORRECT?

12

13 **MR. OLMSTED:** CORRECT.

14

15 **HON. ROBERT BONNER:** WHAT IF ANYTHING DID HE TELL YOU TO DO  
16 ABOUT THAT YOU?

17

18 **MR. OLMSTED:** NOTHING. I'VE NEVER TALKED TO MR. TANAKA BEFORE  
19 THAT PHONE CALL. HE SAID WE WANT TO TRANSFER YOU, ARE YOU OKAY  
20 WITH IT? WHAT'S GOING ON? WHAT ARE THE ISSUES? OKAY, I'LL DO  
21 IT. THAT WAS IT.

22

23 **HON. ROBERT BONNER:** AT ANY OTHER CONVERSATION THAT YOU HAD  
24 WITH MR. TANAKA, DID HE EVER SUGGEST OR DIRECTOR INSTRUCT YOU

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 TO DO ANYTHING ABOUT FORCE ISSUES AT THE L.A. COUNTY JAIL,  
2 MEN'S CENTRAL OR ANY OTHER PART OF L.A. COUNTY JAIL SYSTEM?

3

4 **MR. OLMSTED:** DID HE EVER INSTRUCT ME? NO. DID I BRING IT TO  
5 HIS ATTENTION AS WELL AS MR. CAVANAUGH AND MR. BURNS? YES.  
6 WE'VE GOT ISSUES THAT ARE OVER THERE. WE GOT FORCE ISSUES.  
7 WE'VE GOT -- I SAID THIS IS A CAPTAIN THAT CAN BE USED  
8 SOMEWHERE ELSE. PUT A SQUARE HOLE IN A SQUARE PEG. LET'S GET  
9 SOMEBODY ELSE OVER THERE. WE GOT TO CHANGE THE ENVIRONMENT. WE  
10 GOT TO CHANGE THE CULTURE TO. ME CULTURE WAS ALWAYS THE BIG  
11 WORD. AND I ALWAYS THREW THAT OUT THERE TO HIM.

12

13 **HON. ROBERT BONNER:** WHICH YOU THREW OUT?

14

15 **MR. OLMSTED:** CULTURE.

16

17 **HON. ROBERT BONNER:** LET ME LIMIT THIS TO CONVERSATIONS AT  
18 WHICH PAUL TANAKA WAS A PARTICIPANT, NOT CAVANAUGH AND OTHERS.

19

20 **MR. OLMSTED:** OKAY.

21

22 **HON. ROBERT BONNER:** DID MR. TANAKA EVER INSTRUCT YOU OR DIRECT  
23 YOU OR ENCOURAGE YOU TO DEAL WITH FORCE ISSUES AT MEN'S  
24 CENTRAL JAIL OR ANY OTHER PART OF THE L.A. COUNTY JAIL SYSTEM?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MR. OLMSTED:** NO.

2

3 **HON. ROBERT BONNER:** YOU HAVE INDICATED OR SUGGESTED THAT THERE  
4 MAY BE AGREE OF CRONYISM THAT COMES INTO PLAY IN TERMS OF HOW  
5 PEOPLE ARE PROMOTED WITHIN THE L.A. SHERIFF'S DEPARTMENT. I  
6 DON'T WANT TO MISCHARACTERIZE YOUR TESTIMONY. SO DISABUSE ME  
7 IF I GOT THIS WRONG. BUT CERTAINLY YOUR DESCRIPTION OF MR.  
8 CRUZ SUGGESTS THAT HE MIGHT HAVE BEEN SOMEHOW SOMEBODY THAT  
9 WAS GOING TO BE PROMOTED NOT NECESSARILY ON MERIT BUT BECAUSE  
10 HE HAD AT LEAST WAS IN GOOD FAVOR WITH NOW UNDERSHERIFF PAUL  
11 TANAKA. AM I MISCHARACTERIZING YOUR TESTIMONY? IS THAT WHAT  
12 YOU'RE SAYING?

13

14 **MR. OLMSTED:** NO. YOU HIT THE NAIL ON THE HEAD. IF YOU DON'T  
15 MIND. LET ME JUST PASS ONE LITTLE ITEM THAT WAS MENTIONED TO  
16 ME BY A CONFIDANT OF BOTH OF OURS. AND THIS CONFIDANT  
17 BASICALLY SAID, I DON'T WORK FOR FING OLMSTED AND I DON'T WORK  
18 FOR BURNS. I WORK DIRECTLY FOR TANAKA. SCREW THEM. AND THIS IS  
19 WHAT CRUZ SAID TO THIS CONFIDANT. AND THIS HAS BEEN SAID  
20 SEVERAL TIMES IN SEVERAL ARENAS ON DIFFERENT PEOPLE. BUT THIS  
21 IS ONE THAT I TOOK BECAUSE IT MEANT ME PERSONALLY.

22

23 **HON. ROBERT BONNER:** CAN YOU HELP ME A LITTLE BIT WITH WHAT  
24 LEVELS RANK WITHIN THE L.A. COUNTY SHERIFF'S DEPARTMENT WE'RE  
25 TALKING ABOUT IN TERMS OF THE IMPORTANCE, LET'S SAY, OF I

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CAN'T THINK OF A BETTER WORD THAN CRONYISM HERE OR WORSE WORD  
2 DEPENDING UPON HOW YOU LOOK AT IT. BUT I MEAN, HOW FAR DOWN  
3 DID IT GO? DID IT JUST GO DOWN TO WHO BECAME COMMANDERS, WHO  
4 BECAME CAP TINS, WHO BECAME LIEU TENANTSES? WHAT'S YOUR SENSE  
5 OF THAT?

6

7 **MR. OLMSTED:** IT WENT ALL THE WAY DOWN TO RANK OF DEPUTY  
8 BECAUSE WE'RE NOT JUST TALKING ABOUT PROMOTION. WE'RE TALKING  
9 ABOUT COVETED ASSIGNMENTS, AS WELL. IF YOU DONATE TO HIS  
10 CAMPAIGN CONTRIBUTION FOR MAYOR OR CITY COUNCIL AND SOLICIT  
11 MONIES TO ME IS INAPPROPRIATE. IF YOU HAVE A CIGAR, BELONG TO  
12 THE CIGAR CLUB WITH A NUMBERED SERIALIZED CIGAR COIN THAT'S  
13 GIVEN TO YOU AS BEING ONE OF THE BOYS, THAT'S INAPPROPRIATE.  
14 IT BODES OF TAMINIE HALL IN THE OLD DAYS WITH BOSS TWEED. IT'S  
15 TOTALLY INAPPROPRIATE TO EVEN ALLOW OR SUGGEST SOME OF THE  
16 STUFF TO OCCUR. CIVIL SERVICE IS THERE FOR A REASON AND NEEDS  
17 TO BE ABIDED BY CIVIL SERVICE.

18

19 **HON. ROBERT BONNER:** BUT IT'S A PRETTY SERIOUS ALLEGATION. AND  
20 I WANT TO MAKE SURE I UNDERSTAND WHETHER YOU'RE MAKING IT OR  
21 NOT BECAUSE I'M GOING TO ASK YOU WHAT EVIDENCE YOU HAVE TO  
22 SUPPORT IT. BUT YOU SEEM TO BE SUGGESTING THAT PEOPLE WITHIN  
23 THE -- EMPLOYEES OF THE L.A. COUNTY SHERIFF'S DEPARTMENT WHO  
24 CONTRIBUTE OR HELP RAISE MONEY FOR MR. TANAKA'S POLITICAL  
25 SITUATION, AND I SAY THAT BECAUSE I UNDERSTAND I'M NOT SURE I

1 KNOW THIS FOR A FACT, BUT I BELIEVE HE MIGHT BE MAYOR OF  
2 GARDENA, I ASSUME THAT'S AN ELECTED POSITION, BUT YOU SEEM TO  
3 BE SUGGESTING THAT AFTER SOME EVIDENCE THAT THAT'S OCCURRED.  
4 IN OTHER WORDS, THAT THERE ARE SHERIFF DEPUTIES WHO HAVE  
5 GOTTEN PROMOTION BECAUSE THEY CUSTOMER IDEA FAVOR OF MR.  
6 TANAKA AND HIS -- THE POLITICAL ASPECT OF HIS CAREER THAT HAS  
7 NOTHING TO DO PER SE WITH THE SHERIFF'S DEPARTMENT. ARE YOU  
8 MAKING THAT ASSERTION HERE?

9

10 **MR. OLMSTED:** YES, I AM.

11

12 **HON. ROBERT BONNER:** AND WHAT EVIDENCE COULD YOU POINT US TO  
13 THAT WOULD BACK THAT UP?

14

15 **MR. OLMSTED:** IF YOU TAKE A LOOK AT THE CAMPAIGN CONTRIBUTIONS,  
16 THE PUBLIC RECORDS ACT AND SEE THE PEOPLE THAT DONATE, HOW  
17 THEY DONATE, WHERE IT GOES, AND THEN TAKE A LOOK AT THOSE THAT  
18 GET PROMOTED, YOU'LL SEE THAT THERE'S A PROMOTIONAL PROCESS  
19 THAT'S DONE INFORMALLY WHERE THEY GET REWARDED FOR DOING THAT  
20 ASPECT. THE CIGAR CLUB THEY ESTABLISH IN OUR COMPUTER SYSTEM  
21 AN EXECUTIVE STAFF GROUP. WELL, EXECUTIVE IN OUR DEPARTMENT IS  
22 CAPTAIN AND ABOVE. BUT IF YOU TAKE A LOOK AT THE PEOPLE IN THE  
23 EXECUTIVE STAFF GROUPING, IT'S DEPUTIES, SERGEANTS,  
24 LIEUTENANTS, CAPTAIN, COMMANDER, MR. TANAKA THROUGHOUT THE  
25 DEPARTMENT. AND ALL THESE ARE INDIVIDUALS THAT HAVE BLIND

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 LOYALTY TO MR. TANAKA, THAT CARRY AROUND THE SECRET COIN. AND  
2 I'VE GOT THOSE DOCUMENTS ON THIS PARTICULAR OUTLOOK THAT SHOWS  
3 WHO ARE THESE PEOPLE? AND WHAT MAKES THEM EXECUTIVES THAT THEY  
4 GET INVITED INTO SOMETHING LIKE THIS? ALLEGEDLY THERE'S BEEN  
5 AN ANALYSIS OF THOSE THAT HAVE BEEN PROMOTED ONCE, TWICE OR  
6 THREE TIMES ON THE CONTRIBUTION LIST. AND THOSE THAT DON'T GET  
7 PROMOTED WHO DO NOT CONTRIBUTE TO THE CONTRIBUTION LIST AND  
8 DID DISPARITY BETWEEN THE TWO, ALLEGEDLY. AND I DON'T HAVE  
9 THOSE DOCUMENTS. A GOOD SOURCE DOES. SHOWS THAT THERE'S  
10 SOMETHING WRONG WITH THE SYSTEM. BUT BUY THE VERY NATURE, MY  
11 PERSONAL OPINION, THE VERY NATURE OF SEEING PEOPLE GET  
12 PROMOTED WHEN YOU'RE A SUPERVISOR OF THOSE INDIVIDUALS DOES  
13 NOT PAINT A PRETTY PICTURE, ALTHOUGH IT MIGHT BE CONSIDERED  
14 INCONCLUSIVE, BUT WHY OPEN THE DOOR TO THAT ARENA AND ALLOW  
15 IT?

16

17 **HON. ROBERT BONNER:** SURELY YOU'RE NOT ASKING ME THAT QUESTION.

18

19 **MR. OLMSTED:** NO. RHETORICAL QUESTION.

20

21 **HON. ROBERT BONNER:** I WAS STARTING TO THINK ABOUT WHAT THE  
22 ANSWER MIGHT BE. ANYWAY, YOU'VE INDICATED YOU'VE HAD A COUPLE  
23 OF CONVERSATIONS WITH SHERIFF BACA AND ACTUALLY AT LEAST ONE  
24 OF THESE OCCURRED AFTER YOU RETIRED, AND ONE OF THEM I THINK  
25 DURING THIS PERIOD OF TIME WHERE YOU WERE ON A LEAVE OF

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 ABSENCE. BUT BASED UPON ANY PERSONAL -- AND ALSO YOU OBVIOUSLY  
2 HAVE A LEVEL OF CONCERN FOR, AMONG OTHER THINGS, FORCE  
3 INCIDENTS, OUT OF POLICY USE OF FORCE INCIDENTS AT MEN'S  
4 CENTRAL JAIL AND THE COUNTY JAIL SYSTEM. IS IT FAIR TO SAY  
5 THAT AT LEAST BASED UPON YOUR CONVERSATIONS WITH THE SHERIFF  
6 HIMSELF THERE IS -- HOW DO I WANT TO PUT THIS? DID YOU EVER  
7 HAVE AN OPPORTUNITY TO TELL HIM IN SOME DETAIL WHY YOU THOUGHT  
8 THERE WAS A USE OF FORCE OR A FORCE PROBLEM WITH RESPECT TO  
9 MEN'S CENTRAL JAIL?

10

11 **MR. OLMSTED:** IN DETAIL, NO.

12

13 **HON. ROBERT BONNER:** YOU HAD A 10-MINUTE CONVERSATION WITH HIM  
14 AFTER YOU RETIRED THAT WAS SUPPOSED TO TAKE AN HOUR, RIGHT?

15

16 **MR. OLMSTED:** CORRECT. IN THAT CONVERSATION, I HAD  
17 CONVERSATIONS ABOUT THE INAPPROPRIATE CRONYISM, AS I CALL IT,  
18 BECAUSE ALL THE ALLEGIANCE WITH TANAKA. I HAD A CONVERSATION  
19 WITH HIM ABOUT THE SUPERVISORY ISSUES AND HOW MEN'S CENTRAL  
20 JAIL IS A DEAD END SPOT. I SAID GO DO AN INFORMAL SURVEY ON  
21 THE DEPARTMENT AND ASK ALL THE SUPERVISORS AND POTENTIAL  
22 SUPERVISORS: IS GOING TO A CUSS TODAY CUSTODY ENVIRONMENT A  
23 COVETED ENVIRONMENT? I SAID BOSS, WHAT YOU'RE GOING TO FIND  
24 OUT, MY OPINION, ANYWHERE FROM 80 TO 100 PERCENT AND BY ASKING  
25 DIFFERENT PEOPLE THEY'LL TELL YOU THAT'S NOT A PLACE TO GO.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 AND WE STARTED TALKING ABOUT FORCE A BIT BECAUSE THAT'S WHERE  
2 WE WERE GOING TO GO. AND WE TALKED TO THE INMATES, I'M SORRY  
3 TDEPUTIES AND THE SUPERVISION OF THE JAIL, BUT WE NEVER GOT  
4 INTO THE TRUE PROTOCOLS OR ISSUES RELATED TO FORCE. I TRIED IT  
5 WHEN I ANNOUNCED MY RETIREMENTY TRIED IT ON THE DAY OF THE  
6 MEN'S CENTRAL JAIL CHRISTMAS STUFF. AND I GOT INTO OTHER AREAS  
7 WITH THE SHORT 10-MINUTE PRESENTATION. HOWEVER, I WOULD LOVE  
8 TO SIT DOWN WITH THE SHERIFF. I LIKE THE SHERIFF. I THINK THE  
9 SHERIFF'S A GREAT GUY. HE'S VISIONARY. KNOWS HIS STUFF. TAKES  
10 US DOWN A PATH WHERE WE HAVEN'T BEEN. THAT'S THE KIND OF GUY  
11 WE NEED FROM THAT STANDPOINT. BUT I'D LIKE TO TELL HIM HOW TO  
12 FIX IT. I HAVE NO PROBLEMS SITTING DOWN WITH HIM NOW.

13

14 **HON. ROBERT BONNER:** SO YOU'RE NOT SAYING THAT SHERIFF BACA  
15 ISN'T INTERESTED IF HE UNDERSTOOD THE ISSUE IN TRYING TO FIX  
16 IT?

17

18 **MR. OLMSTED:** CORRECT. HOWEVER, CORRECT ME IF I'M WRONG, FOR  
19 THE JAIL BEATING WHERE THE DEPUTIES FOUGHT THE DEPUTIES AT THE  
20 CHRISTMAS PARTY AND THE SHERIFF TO MAKE A STATEMENT THAT SAYS  
21 "THEY NEED TO MAN UP AND TAKE CARE OF BIZ" IS WRONG. AT WHAT  
22 POINT DO YOU FINALLY TURN YOUR EYES TO THE PARTICULAR  
23 PROBLEMS? IF SOMEONE COMES TO YOU AHEAD OF TIME, IF SOMEONE  
24 YOUR EXECUTIVE SAYS THERE'S SOME ISSUES HERE, YOU OWE IT TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting  
held on May 14, 2012**

1 TALK TO HIM, NOT ONCE, NOT TWICE, MAYBE THREE TIMES. SO IS HE  
2 INTERESTED? NOW. WAS HE INTERESTED? NO.

3

4 **HON. ROBERT BONNER:** I HAVE NOTHING FURTHER.

5

6 **SPEAKER:** I'VE JUST GOT A FEW QUESTIONS. TODAY I HEARD SERGEANT  
7 POLLARO AND YOURSELF SAID 95 PERCENT OF THE SHERIFF'S DEPUTIES  
8 ARE GOOD PEOPLE.

9

10 **MR. OLMSTED:** ABSOLUTELY.

11

12 **SPEAKER:** IT'S ABOUT 5 PERCENT BUT THAT'S ALARMING BECAUSE THAT  
13 MEANS THAT OUT OF EVERY 1,000 DEPUTIES, 50 OF THEM, ACCORDING  
14 TO THE SPEAKERS TODAY, ARE SUSPECT. AND I DON'T KNOW HOW MANY  
15 DEPUTY SHERIFFS THERE ARE IN L.A. COUNTY. HOW MANY WOULD YOU  
16 SAY?

17

18 **MR. OLMSTED:** I BELIEVE WE'RE UP TO ABOUT 16,000 TOTAL, BUT I  
19 THINK IT ALSO INCLUDES ABOUT 7, 8,000 OF NONSWANS. MAYBE ABOUT  
20 8,000 MAYBE A LITTLE BIT MORE.

21

22 **SPEAKER:** IF YOU'RE SAYING 8,000, YOU MULTIPLY 50 TIMES 8, AND  
23 THAT'S 400 THAT COULD BE SUSPECT. THAT'S A LARGE NUMBER.

24

25 **MR. OLMSTED:** ABSOLUTELY.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **SPEAKER:** SO I WOULD BE CONCERNED ABOUT THESE NUMBERS THAT ARE  
3 OUT THERE.

4

5 **MR. OLMSTED:** CAN I EXPAND ON THAT JUST A SECOND?

6

7 **SPEAKER:** PLEASE.

8

9 **MR. OLMSTED:** IT'S JUST KNOW THE THE DEPUTIES THAT ARE DOING  
10 THE WRONG THING. IF YOU GO BACK TO THE 30 RANDOM REPORTS THAT  
11 I PULLED AND 18 OF THEM WERE OUT OF POLICY. ALL 18 WERE  
12 APPROVED BUY A SERGEANT. WHY DID HE APPROVE THAT? AND YOU HAVE  
13 TO ASK: DOES HE KNOW THE RULES? IS HE TRYING TO COVET, I'M  
14 SORRY, IS HE TRYING TO CODDLE THE DEPUTIES? DOES HE KNOW WHAT  
15 HE'S DOING? NOW OUT OF THOSE 18, A FEW OF THEM WERE APPROVED  
16 BY LIEUTENANT AND 4 OF THOSE 18 WERE APPROVED BUY THE CAPTAIN.  
17 SO YOU HAVE TO SIT THERE AND ASK: WHY DID THEY DO THIS? WHAT'S  
18 THE INTENT BEHIND ALL THIS? MY INTENT IS TO MAKE SURE NOBODY  
19 GETS KILLED, HURT, SUED, IA'D OR CITIZEN'S COMPLAINT. AND IF  
20 MY GUYS ARE DOING SONG WRONG, I HAVE TO SLAT THEM. AND MY  
21 SON'S DOING SOMETHING WRONG, THAT'S WHAT I'M GOING TO DO. BUT  
22 I'M GOING TO LOVE HIM FOR IT AND TAKE CARE OF HIM. IS IT  
23 CRIMINALLY WRONG 5 PERCENT? NO. BUT ARE THERE A CONTRIBUTING  
24 FACTORS THAT ALLOW SOME OF THE STUFF TO GROW AND PERMEATE?  
25 ABSOLUTELY.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **SPEAKER:** BUT AS A RISK MANAGER, I'D BE VERY CONCERNED ABOUT  
3 THE NUMBER 5 PERCENT AS A PERCENTAGE OF THE TOTAL. SWORN PEACE  
4 OFFICERS, SOME ARE NOT SWORN. THEY WORK INSIDE THE JAILS. AND  
5 IF THEY'RE RESPONSIBLE FOR THEIR ACTS, THAT COULD EVENTUALLY  
6 COST THE COUNTY A LOT OF MONEY IF THEY'RE ACTING OUTSIDE OF  
7 POLICY AND PROCEDURE. SO THAT'S WHAT I'M CONCERNED ABOUT. THE  
8 OTHER THING IS THIS: YOU KNOW, I RECEIVE THESE ANONYMOUS  
9 COMMUNICATIONS WHICH I'VE TURNED OVER TO THE STAFF TO LOOK AT.  
10 AND THE TERM TANAKA-SIZED COMES UP. I REALLY DON'T KNOW WHAT  
11 THE TERM IS.

12

13 **MR. OLMSTED:** WHAT'S THE TERM?

14

15 **SPEAKER:** I DON'T KNOW WHAT THE TERM IS A GOOD OR BAD TERM.  
16 TANAKA-SIZED. HAVE YOU HEARD THE TERM BEFORE?

17

18 **MR. OLMSTED:** NO. I COULD IMAGINE I KNOW WHAT IT IS.

19

20 **SPEAKER:** IT'S SOMETHING PEOPLE THROUGH AT ME OR SOMETHING  
21 INHERENT WITHIN THE CULTURE OF THE DEPARTMENT.

22

23 **MR. OLMSTED:** THAT MIGHT BE THE JARGON THAT THEY'RE USING TODAY  
24 NOW THAT I'M RETIRED BUT I TELL YOU RIGHT NOW IT'S NOT  
25 FAVORABLE. TO GO AHEAD AND USE IT IN THAT PARTICULAR

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 DEPARTMENT BY AN EXECUTIVE OF THE DEPARTMENT TELLS ME THAT  
2 YOU'RE IN THE CAR WITH WE CALL IT IN THE CAR WITH MR. TANAKA.  
3 YOU'RE ON HIS GOOD SIDE. AND DON'T PISS HIM OFF BECAUSE HE'LL  
4 ALIENATE YOU AND ROLL YOU UP AND SEND YOU SOMEWHERE, JUST ASK  
5 JOHN CLARK.

6

7 **SPEAKER:** NOW, I ALSO HEARD TODAY SERGEANT PALLARO AND SERGEANT  
8 GONZALES TALK ABOUT A CHAIN OF COMMAND ISSUE. AND THAT IS THAT  
9 THE OLD-TIMERS THAT WERE ON THE FLOOR WOULD NOT LISTEN TO  
10 THEIR SERGEANTS AND TO THEIR LIEUTENANTS. WHEN YOU WERE AT  
11 MEN'S CENTRAL JAIL, DID THAT PROBLEM FACE YOU AT ALL?

12

13 **MR. OLMSTED:** YES, IT DID. BUT WHAT I DID WAS, AGAIN, FIND THAT  
14 STRONG SERGEANT THAT I KNOW THAT THEY'RE GOING TO LISTEN TO.  
15 GET A SERGEANT THAT'S CREDIBLE. SOMEONE WHO'S GOT TIME IN THE  
16 CAR, SOMEONE WHO HAS GARNERED THE RESPECT, SOMEONE WHO COULD  
17 BRING SOMETHING TO THE ARENA AND NOW LET THEM BE IN CHARGE OF  
18 THE FLOOR AND WHO'S INVOLVED. AND THAT'S HOW YOU KIND OF MAKE  
19 CHANGE, EXCUSE ME, BY HAVING THAT SERGEANT THERE. I DON'T KNOW  
20 IF THAT ANSWERS YOUR QUESTION?

21

22 **SPEAKER:** WELL, NOT REALLY. I WAS MORE CONCERNED ABOUT THE  
23 SELF-ASSIGNMENTS BY THE DEPUTIES IN NOT LISTENING TO THE  
24 SHERIFF AND THE LIEUTENANTS THAT WAS MADE PUBLIC HERE TODAY BY

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SERGEANT PALLARO AND SERGEANT GONZALES. THEY THOUGHT THAT WAS  
2 A SIGNIFICANT PROBLEM THAT CONTRIBUTED TO THE CULTURE.

3

4 **MR. OLMSTED:** CORRECT. I WASN'T HERE TO HEAR THAT. BUT I DO  
5 KNOW IT WAS TRUE. JEFF PETERSON WAS ONE OF THE FOUR I WAS TOLD  
6 TO ROLL UP. JEFF PETERSON WAS IN CHARGE OF THE TRAINING. JEFF  
7 PETERSON IS ONE THAT HELD THEM TO TASK. JEFF PETERSON IS THE  
8 ONE THAT SAID YOU WILL NOT MAKE ANY CHANGES ON THE FLOOR. ANY  
9 OF THE SERGEANTS OUT THERE WITHOUT COMING TO ME FIRST. THE  
10 DEPUTIES HAD A WAY TO MANIPULATE THE SYSTEM AND COERCE ORCA  
11 JOEL THE SERGEANTS THAT ARE ON THE FLOOR THAT THEY'RE A GOOD  
12 GUY. AND THAT'S HOW THEY MAINTAINED THAT CLICK ON THE FLOORS.

13

14 **SPEAKER:** THE OTHER THING THAT WAS SAID BY YOU TODAY IS THAT  
15 YOU SAID SHERIFF BACA WAS A VISIONARY, A BRIGHT PERSON. I KNOW  
16 HE HAS A PHD DEGREE OR A DOCTOR IN EDUCATION. AND THAT HE WAS  
17 A GOOD GUY. HOW MANY TIMES DID YOU SEE THE SHERIFF AT THE  
18 FACILITY WHEN YOU WERE EITHER THE COMMANDER OR THE CAPTAIN?

19

20 **MR. OLMSTED:** I PROBABLY SAW HIM TWICE AS A CAPTAIN. AND I  
21 DON'T REMEMBER SEEING HIM THERE AS A COMMANDER. NOW, ANY TIME  
22 THE SHERIFF WILL COME DOWN, THAT WOULD BE A CALL. HEY, THE  
23 SHERIFF IS COMING DOWN. OKAY, WE'LL GO DOWN AND GREET HIM. SO  
24 I DO KNOW HE WAS THERE AT LEAST TWICE. I THINK ONE WAS WHEN A

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 JUDGE CAME THROUGH A SECOND TIME JUST A SPOT INSPECTION. AND  
2 THEN I DON'T REMEMBER WHAT THE OTHER TIME WAS.

3

4 **SPEAKER:** DO YOU THINK THAT IF HE HAD REGULAR MEETINGS,  
5 SCHEDULED MEETINGS, EITHER A MONTHLY, QUARTERLY, SEMI ANNUALLY  
6 WITH THE COMMAND STAFF AT THE MEN'S CENTRAL JAIL THAT THAT  
7 WOULD HELP SOLVE SOME OF THE ISSUES THAT ARE BEING RAISED AND  
8 TALKED ABOUT HERE IN THE COMMISSION?

9

10 **MR. OLMSTED:** YES AND NO. AND I SAY THAT BECAUSE THEY'RE ONLY  
11 GOING TO TELL THE SHERIFF WHAT HE WANTS TO HEAR. THE SHERIFF  
12 DOES NOT LIKE BAD NEWS. AND THESE SUPERVISORS OF THE  
13 SUPERVISORS WILL NOT ALLOW -- AND I'VE SEEN THIS PERSONALLY --  
14 WILL NOT ALLOW BAD NEWS TO BE PASSED ON BECAUSE NOBODY WANTS  
15 TO LOOK BAD IN FRONT OF THE SHERIFF. SO THEY WILL TELL HIM THE  
16 GOOD THINGS BUT NOT THE BAD THINGS. NOW, IF I WAS THE SHERIFF,  
17 AND YOU GO HAVE THAT MEETING, THAT'S FINE. THERE'S NOTHING  
18 WRONG WITH IT. I WOULD ALSO HAVE MEETINGS WITH THOSE THAT  
19 OWNED, THAT HAVE THE OWNERSHIP OF MEN'S CENTRAL JAIL. I GOT A  
20 LIST OF PEOPLE THAT HAVE BEEN THERE 15, 20, 25 YEARS THAT  
21 DON'T WANT TO LEAVE. THEY'RE GOING TO TELL YOU THE TRUTH. THE  
22 SERGEANTS AND THE DEPUTIES ARE TRANSITORY. THEY'RE THERE FOR A  
23 SHORT PERIOD OF TIME. BOOM THEY'RE GONE. ANYTHING THEY DO  
24 CHANGES THE ENVIRONMENT OF THOSE THAT WANT TO KEEP MEN'S  
25 CENTRAL JAIL AS THEIR HOME. I'M HAUNTED BY THIS TWO STRIPER

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 THAT CAME UP TO ME AND SAID BOSS, YOU GOT TO HELP US. HE'S  
2 BEEN THERE FOR 25, 30 YEARS. HE SAYS PEOPLE COME IN, THEY PUT  
3 THEIR CAREER IN PARK AND THEY DON'T DO A THING. THOSE ARE THE  
4 ONES YOU DON'T WANT TO TALK TO BECAUSE THEY DON'T WANT TO BE  
5 THERE. TALK TO THE ONES THAT HAVE THE OWNERSHIP, AS WELL. AND  
6 THEN WADE BETWEEN THE TWO. WEIGH WHAT THE SUPERVISORS ARE  
7 TELLING YOU AND THEN WHAT DO THE PEOPLE WHO TRULY WANT TO BE  
8 THERE AND THEN GO TO THE CLERGY OR ANY OTHER STAKEHOLDER.

9

10 **SPEAKER:** REVEREND MURRAY MADE AN IMPORTANT OBSERVATION AND  
11 SAID THE ACCOUNTABILITY IS A MAJOR ISSUE. WOULDN'T IT BE A  
12 GOOD IDEA BECAUSE THE SHERIFF IS ULTIMATELY ACCOUNTABLE FOR  
13 THE SHERIFF'S DEPARTMENT TO GET DIRECT INPUT FROM THE PEOPLE  
14 AT THE FACILITY SO THAT THE SHERIFF CAN TAKE THE REINS IN  
15 TRYING TO SOLVE THE ISSUES THAT THE COMMISSION IS LOCKING AT?

16

17 **MR. OLMSTED:** ABSOLUTELY. HOWEVER, THERE'S A CAVEAT. THAT  
18 CAVEAT, I'VE SEEN IT AS A SERGEANT AND OUR EXECUTIVE PLANNING  
19 SESSIONS AND I'VE SEEN IT SITTING IN AS THE CHIEF, ACTING  
20 CHIEF IN THE EXECUTIVE PLANNING SESSIONS, THE WAY OUR  
21 ENVIRONMENT IS SET UP, THAT WHEN THE EXECUTIVES GET TOGETHER  
22 EVERY WEDNESDAY, THE CHIEFS AND ABOVE TO TALK ABOUT WHAT GOES  
23 ON, THEY HAVE A PREMEETING BEFORE THE SHERIFF GETS THERE. AND  
24 IT'S RUN BUY THE UNDERSHERIFF, MR. TANAKA OR AT THE TIME WHEN  
25 I WAS A SERGEANT TAKING THE NOTES UP THERE FOR MR. HARPER, HE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WOULD SIT THERE. AND THEY WOULD GO AROUND THE ROOM. WHAT'S  
2 GOING ON IN YOUR DIVISION? GOOD, GOOD, TELL THE SHERIFF THAT.  
3 HOW ABOUT YOU? DO NOT TELL THE SHERIFF THIS. TELL THE SHERIFF  
4 THIS. DON'T SAY ANYTHING TO THE SHERIFF. DON'T MENTION THAT TO  
5 THE SHERIFF. NO CEO IN THE WORLD WHO'S GOING TO BE THEIR  
6 WEIGHT IN GOLD IS GOING TO GO AHEAD AND NOT ACCEPT BAD  
7 INFORMATION. ANY OF YOUR FORTUNE 500S GOT TO BE ABLE TO WEIGH  
8 THE GOOD AND THE BAD. SO FOR HIM TO SIT AND LISTEN TO  
9 SUPERVISORS OF THE JAILS TELL THEM STUFF, THEY'RE ONLY GOING  
10 TO TELL THEM, UNLESS THE SYSTEM CHANGES, AND I'VE SEEN IT OVER  
11 25 YEARS NOW OUT OF MY 33, THAT THEY NEED TO BE HONEST ABOUT  
12 THE APPROACH. ANY TIME THE SHERIFF, WHEN HE FIRST BECAME  
13 SHERIFF, SHERIFF WOULD GO AROUND AND DO ASSESSMENTS AT EVERY  
14 STATION, EVERY JAIL, EVERY DETECTIVE DIVISION, IN THE  
15 ASSESSMENTS, THOSE THAT WERE BEING ASSESSED WOULD WRITE  
16 QUESTIONS TO THE SHERIFF. THOSE QUESTIONS THEN GO TO HIS  
17 EMISSARY, OR HIS IN BETWEEN. THE IN BETWEEN THEN TAKES IT AND  
18 SAYS NOPE, NOPE, YES. NOPE, NOPE, YES. WELL ASK THESE, YOU'RE  
19 NOT GOING TO ASK THIS. THE SHERIFF IS NOT GOING TO GET THE  
20 INFORMATION HE NEEDS. WHEN I WAS -- I'M SORRY. I'M ON A ROLL.  
21 BUT WHEN I WAS A LIEUTENANT, WHEN I WAS A LIETENANT, I WAS  
22 RUNNING OUR LEADERSHIP DIVISION. HE CAME TO ME BECAUSE HE WAS  
23 TRYING TO REINSTITUTE THE LEADERSHIP DIVISION BECAUSE OF  
24 CURTAILMENTS. HE SAID BOB, HERE'S WHAT I WANT YOU TO DO. I  
25 WANT YOU TO GET THE LEADERSHIP, DEPUTY LEADERSHIP INSTITUTE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 GOING AGAIN, BUT I DON'T TRUST ANYBODY ABOVE THE RANK OF  
2 CAPTAIN BECAUSE THEY DON'T TELL ME WHAT I WANT TO HEAR. I'M  
3 GOING HOLY MACKERAL, THIS IS THE SHERIFF TELLING ME THIS. TO  
4 ME THIS IS CAREER SUICIDE AS A LIEUTENANT. ANYTHING THAT GOES  
5 ON, YOU COME TO ME DIRECTLY. I WENT TO HIM DIRECTLY, AND GUESS  
6 WHO CHEWED MY ASS, MR. TANAKA. HE CALLED ME UP AND SAID WHAT  
7 ARE YOU DOING TELLING THE SHERIFF THIS? THIS IS WHAT THEY WANT  
8 ME TO DO. THEY DO NOT TELL THE SHERIFF WHAT THEY NEED TO KNOW.  
9 AND I THINK BY CREATING A SYSTEM THAT HE WAS IN ORIGINALLY AS  
10 A CHIEF WITH MR. HARPER, IT CREATES A PLAUSIBLE DENIABILITY  
11 AND IT CREATES AN ENVIRONMENT WHERE IT GIVES HIM AN OUT TO NOT  
12 KNOW WHAT'S GOING ON.

13

14 **SPEAKER:** BUT EARLIER TODAY WHEN YOU FIRST STARTED TESTIFYING,  
15 ONE OF THE THINGS THAT YOU SAID THAT SET YOU APART FROM YOUR  
16 PREDECESSORS AS A CAPTAIN OR A COMMANDER IS THAT YOU WALK THE  
17 FLOOR AT MEN'S COUNTY JAIL TO FIND OUT FOR YOURSELF WHAT WAS  
18 GOING ON. I'M SUGGESTING THE SAME THING FOR THE SHERIFF. THAT  
19 THE SHERIFF GO TO THE COUNTY JAIL, MEET WITH THE COMMAND  
20 STAFF, FIND OUT FOR HIMSELF AND HAVE THE INFORMATION NOT  
21 FILTERED TO HIM BUT PEOPLE THAT ARE THERE FELL HIM STRAIGHT.  
22 STRAIGHT ON WHAT'S GOING ON.

23

24 **MR. OLMSTED:** AND I WOULD TAKE IT ONE STEP FURTHER. SHERIFF,  
25 WHILE YOU'RE AT THE JAIL, WALK THE MODULES. TALK TO THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 INMATES. WHEN YOU WALK BY, YOU SEE A CLERGY MEMBER, TALK TO  
2 THEM. YOU SEE SOMEONE FROM THE SCHOOL SYSTEM, TALK TO THEM.  
3 YOU SEE IS BARBER, TALK TO THEM. THAT'S WHERE YOU'RE GOING GET  
4 EVERYTHING. YOU'RE GOING TO GET FILTERED INFORMATION JUST FROM  
5 THE ONE. BUT BY HAVING MORE INFORMATION, YOU'RE GOING TO BE  
6 ABLE TO MAKE A BETTER DECISION, IN MY OPINION.

7

8 **HON. LOURDES BAIRD, CHAIR:** ANY FURTHER QUESTIONS? ANY  
9 QUESTIONS? WELL THANK YOU VERY MUCH, MR. OLMSTED.

10

11 **SPEAKER:** BRAVO. [APPLAUSE.]

12

13 **REV. CECIL L. MURRAY:** WELL DONE. WELL DONE.

14

15 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT, I BELIEVE WE'VE  
16 CONCLUDED NO. 6, MR. ELIASBURG, I BELIEVE YOU ASKED TO BE  
17 HEARD. OKAY. THREE MINUTES?

18

19 **SPEAKER:** GOOD AFTERNOON. I KNOW IT'S BEEN A LONG AFTERNOON,  
20 BUT I DID WANT TO ADD JUST A COUPLE OF SMALL OBSERVATIONS FROM  
21 TODAY THAT I THOUGHT WERE WORTH NOTING. ONE WAS I THINK JUDGE  
22 BONNER, YOU TALKED ABOUT STATISTICS, AND I VERY MUCH AGREE  
23 THAT STATISTICS ARE IMPORTANT AND OF COURSE YOU HAVE TO LOOK  
24 AT THE APPLES AND ORANGES ISSUE BUT ONE THING THAT IS REALLY  
25 NOTABLE ABOUT THE LOS ANGELES COUNTY JAILS IS I THINK THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 SHERIFF'S USE OF FORCE STATISTICS ARE INHERENTLY UNTRUSTWORTHY  
2 BECAUSE OF THE CONCEPT WHERE SOMEBODY LIKE JOHNNY JOHNSON IS  
3 ABLE TO BE TAKEN AROUND THE CORNER, BEATEN BY THREE DEPUTIES,  
4 THEY DID NOT REPORT IT BECAUSE HE WAS NOT INTERVIEWED AND HE  
5 WAS NOT AFRAID THAT HE NEVER REPORTED THE USE OF FORCE. SO BY  
6 THE VERY NATURE WHEN THE SHERIFF SAYS HERE ARE OUR FORCE  
7 STATISTICS, YOU HAVE TO TAKE INTO ACCOUNT THAT THERE'S A LOT  
8 OF INMATES, HE'S NOT THE ONLY ONE, WHAT HAPPENED TO MR. EILER,  
9 HE WAS THREATENED, DON'T REPORT THIS, YOU'LL BE BETTER OFF IF  
10 YOU DON'T, WE HAVE INMATE AFTER INMATE WHO COMES TO US AND  
11 TELLS US THAT THEY ARE TOLD THAT THEY ARE INTERVIEWED WITH,  
12 NOW THE SHERIFF'S DEPARTMENT HAS CHANGED THIS POLICY, BUT FOR  
13 YEARS THE SHERIFF'S DEPARTMENT WOULD ALLOW THE DEPUTIES WHO  
14 WAS ALLEGED WHO HAVE ASSAULTED THE INMATE TO BE IN THE ROOM  
15 WHILE THE INMATE WAS INTERVIEWED FOR THE FORCE INVESTIGATION.  
16 NOT SURPRISING INMATES SAY THINGS LIKE ON CAMERA I DESERVED IT  
17 OR I FELL DOWN OR I SLEPT AND WENT DOWN THE STAIRS. SO I THINK  
18 IT'S VERY IMPORTANT TO BE INHERENTLY UNTRUSTWORTHY OF THE  
19 SHERIFF'S DEPARTMENT FORCE STATISTICS. THE SECOND THING I'D  
20 SAY IS THE NUMBER OF TIMES, FOR EXAMPLE, LIEUTENANT GONZALES  
21 TALKED ABOUT BLOWS TO THE HEAD AND THE SAME FOR COMMANDER  
22 OLMSTED, THAT IS A MAJOR RED FLAG. IT IS ONLY IN THE MOST  
23 HIGHLY UNUSUAL CIRCUMSTANCES THAT EVEN WITH A RECALCITRANT  
24 INMATE THAT YOU DO ANYTHING OTHER THAN GRAB LIMBS, TRY TO  
25 RESTRAIN AND PUT CUFFS ON. BUT OVER AND OVER AGAIN WE HEAR

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 FROM NOT ONLY INMATES WHO COME TO US AND SHOW US AND DOCUMENT  
2 THEIR INJURIES BOTH THROUGH MEDICAL REPORTS BUT ALSO  
3 PHOTOGRAPHS WE HAVE OF MAJOR HEAD WOUNDS, BROKEN JAWS, BROKEN  
4 ORBITAL BONES, YOU HEARD IT OVER AND OVER AGAIN FROM COMMANDER  
5 OLMSTED, BROKEN ORBITAL BONES. THAT SHOULD NEVER HAPPEN EXCEPT  
6 WHEN BASICALLY A DEPUTY'S LIFE IS IN DANGER AND THERE'S  
7 NOTHING ELSE TO DO. BUT OVER AND OVER AGAIN THE KIND OF  
8 INJURIES WE SEE FROM INMATES IN THE JAILS ARE HEAD WOUNDS, 35  
9 STITCHES IN THE HEAD, BROKEN JAWS, BROKEN ORBITAL BONES,  
10 SHATTERED BONES IN THE FACE. THAT SHOULD ALMOST NEVER HAPPEN.  
11 IT IS A MAJOR RED FLAG THAT FORCE IS IN A BIG WAY OUT OF  
12 CONTROL IN THE JAILS. AND THE THIRD THING I WOULD SAY IS I  
13 AGREE VERY MUCH WITH COMMANDER OLMSTED ABOUT IS THE PRESENCE  
14 OF SHERIFF BACA AND TALKING TO THE INMATES. BUT ONE OF THE  
15 THINGS WE'VE SEEN OVER AND OVER AGAIN WHEN THE ACLU HAS PUT  
16 OUT ITS REPORTS OVER THE YEARS DOCUMENTING FORCE, FORCE, FORCE  
17 AND EXCESSIVE FORCE, THE RESPONSE OF THE SHERIFF'S DEPARTMENT  
18 OVER AND OVER AGAIN IS: INMATES LIE. THE ACLU EXAGGERATES. NOW  
19 OF COURSE SOME INMATES LIE. THERE IS NO DOUBT ABOUT THAT. AND  
20 WE'RE NOT NAIVE TO THAT FACT. BUT WHEN THEIR BASIC RESPONSE TO  
21 30, 40, 50 AND 70 REPORTS FROM INMATES ABOUT USE OF FORCE IS  
22 "WELL INMATES LIE" AND THEN THEY DON'T EVEN ADDRESS THE FACT  
23 THAT THESE INMATE REPORTS ARE CORROBORATED BY CHAPLAINS AND  
24 OTHER CIVILIAN EYEWITNESSES, YOU HAVE A CULTURE PROBLEM. THE  
25 SHERIFF'S DEPARTMENT WANTS TO COVER UP AND DOESN'T WANT YOU TO

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 BELIEVE WHAT THE INMATES TELL THEM. THANK YOU VERY MUCH MR.  
2 ELIASBURG. ARE THERE ANY OTHER OTHER MATTERS WITH REGARD TO  
3 GROUP 7? ANY ITEMS ON THE AGENDA TO BE PRESENTED?

4

5 **SPEAKER:** NO, WE JUST NEED TO GO BACK TO NO. 5, WHICH IS THE  
6 SCHEDULING.

7

8 **HON. LOURDES BAIRD, CHAIR:** I BEG YOUR PARDON. THANK YOU. LET'S  
9 GO BACK TO NO. 5.

10

11 **RICHARD E. DROOYAN:** LET ME -- IDEALLY, WE WOULD HAVE, WORKING  
12 OUR WAY BACKWARD, A MEETING IN MID TO LATE SEPTEMBER TO  
13 FINALIZE THE REPORT. A MEETING THAT MIGHT SPILL OVER INTO A  
14 SECOND DAY IN EARLY SEPTEMBER TO GET REPORTS FROM THE TEAMS. A  
15 MEETING IN AUGUST TO HEAR FROM EXPERTS. A MEETING IN JULY TO  
16 HEAR FROM THE SHERIFF AND OTHERS WHO WE'VE INVITED TO SPEAK.  
17 AND PERHAPS ALSO A REPORT FROM THE COMMANDER MANAGEMENT  
18 TASKFORCE. WE THINK THAT WE MAY HAVE ADDITIONAL WITNESSES WE'D  
19 LIKE TO PRESENT TO THE COMMISSION SIMILAR TO THE KINDS OF  
20 WITNESSES WE'VE HEARD TODAY. AND THAT WOULD BE MAYBE AT THE  
21 BEGINNING OF JULY OR LATE JUNE DEPENDING UPON THE AVAILABILITY  
22 OF EVERYBODY'S SCHEDULE. SO THOSE ARE THE MEETINGS THAT WE  
23 WOULD PROPOSE TO HAVE THE COMMISSION SCHEDULE. THERE'S ONE  
24 THAT'S SET FOR JUNE 1ST. BUT I'D RECOMMEND THAT WE CANCEL THAT  
25 ONE BECAUSE I'M NOT SURE BEAL HAVE THE -- WE WILL HAVE THE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 WITNESSES READY BY JUNE 1ST. THE NEXT MEETING IS THE FIRST  
2 FRIDAY IN JULY, WHICH IS THE FROM AFTER THE -- JULY 4TH IS A  
3 WEDNESDAY. SO I THINK IT'S JULY 6TH.

4

5 **SPEAKER:** THAT'S OUR NEXT MEETING?

6

7 **SPEAKER:** JUNE 1ST IS OUR NEXT MEETING.

8

9 **SPEAKER:** JUNE 29TH, DIDN'T YOU SEND OUT AN EMAIL?

10

11 **SPEAKER:** THE PROBLEM WITH JUNE 29TH IS THAT CHIEF MCDONNELL  
12 CAN'T MAKE IT AND WE DON'T KNOW FOR SURE WHETHER ANY WITNESSES  
13 WE WOULD WANT TO HAVE TESTIFY WOULD BE AVAILABLE ON THAT DATE.  
14 WE THINK THAT DATE WOULD OTHERWISE WORK, BUT I HESITATE FOR US  
15 TO SCHEDULE SOMETHING WITH CHIEF MCDONNELL NOT BEING ABLE TO  
16 MAKE IT.

17

18 **SPEAKER:** I CAN'T MAKE IT, EITHER. OKAY. SO YOU'RE RECOMMENDING  
19 NO MEETINGS IN JUNE?

20

21 **RICHARD E. DROOYAN:** I THINK THAT'S RIGHT. I MEAN THE OTHER  
22 OPTION IS TO POSSIBLY SET ONE AS EARLY AS JUNE 15TH, ASSUMING  
23 THAT WE WOULD THEN HAVE ADDITIONAL WITNESSES THAT WE WOULD BE  
24 READY TO BE PRESENT. THAT WOULD BE A FRIDAY IN JUNE. AND THEN  
25 HAVE, AS I SAID, A MEETING IN JULY IN WHICH THE SHERIFF WOULD

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 TESTIFY AND THEN AUGUST FOR EXPERTS AND SEPTEMBER TO FINISH.  
2 AT THIS POINT, WE DON'T SPECIFICALLY HAVE ANY WITNESSES LINED  
3 UP FOR JUNE. WE'VE IDENTIFIED SOME PEOPLE WHO WE'RE GOING TO  
4 GO INTERVIEW WHO I'D LIKE TO PRESENT TO THE COMMISSION. BUT I  
5 HAVEN'T FIRMED THAT UP YET. WELL THERE'S NO POINT, THEN, AT  
6 THIS TIME TO BE ABLE TO SET SOMETHING UP IN JUNE. I'M ASSUMING  
7 IF YOU HAVE WITNESSES FOR JUNE, THEN SOMEONE WILL GO AROUND  
8 AND SEE IF THERE IS A DATE THAT'S AVAILABLE.

9

10 **RICHARD E. DROOYAN:** I THINK THERE'S A MEETING WE CAN SET A  
11 MEETING SPECIALLY IF WE HAVE WITNESSES LINED UP. SO WE WOULD,  
12 WITHIN THE NEXT FEW WEEKS, SEE IF WE CAN LINE UP ADDITIONAL  
13 WITNESSES FOR MID-JUNE. AND IF NOT, WE WOULD THEN JUST GO INTO  
14 THE JULY TIME PERIOD.

15

16 **SPEAKER:** SO JULY 6TH WE'RE STILL HOLDING AS A DATE?

17

18 **SPEAKER:** YES. I BELIEVE THE JULY 6TH WORKS STILL FOR  
19 EVERYBODY. I UNDERSTAND COMMISSIONER BONNER IS NOT ABLE TO TO  
20 MAKE THAT DAT. BUT I THINK OTHERWISE THAT DATE IS A DATE  
21 EVERYBODY HAS SET ASIDE. THE DIFFICULTY WILL BE WHETHER  
22 WITNESSES ON THAT HOLIDAY WEEKEND COULD MAKE IT. IT MIGHT BE  
23 HELPFUL TO AT LEAST KNOW WHETHER THAT JUNE 15TH DATE WOULD  
24 WORK FOR EVERYONE? AND CERTAINLY WE CAN CHECK WITH CHIEF  
25 MCDONNELL. I THINK THE COUNTY FOLKS HAVE INDICATED TO US WE

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 CAN SPECIALLY SET A MEETING AS LONG AS OBVIOUSLY WE COMPLY  
2 WITH THE NOTICE REQUIREMENTS, WHICH CLEARLY WE WOULD HAVE  
3 AMPLE TIME TO DO. BUT IF ANY OF YOU KNOW THAT YOU HAVE A  
4 PROBLEM WITH JUNE 15TH, LET ME KNOW AND THEN AS WE MOVE TOWARD  
5 GETTING A SENSE OF WITNESS AVAILABILITY, WE CAN TRY TO HONE IN  
6 ON THAT.

7

8 **SPEAKER:** THE ADVANTAGE OF DOING SOMETHING IN JUNE, ASSUMING WE  
9 CAN GET WITNESSES LINED UP AND IT WORKS FOR EVERYBODY'S  
10 SCHEDULE, IS THEN WE CAN JUST HAVE ONE MEETING IN JULY,  
11 PERHAPS IN THE MIDDLE OF JULY, AROUND THE CONVENIENCE OF THE  
12 SHERIFF BUT ALSO THE CONVENIENCE OF EVERYBODY, ALL THE  
13 COMMISSIONERS. AND THEN AN AUGUST MEETING FOR THE EXPERTS. WE  
14 CAN THEN MEET THE SCHEDULE. AND WE CAN GET THIS REPORT  
15 FINISHED BY SEPTEMBER.

16

17 **HON. LOURDES BAIRD, CHAIR:** I WANT TO BE SURE THAT I HAVE THIS  
18 CORRECT. AS OF RIGHT NOW, WE ARE GOING TO KEEP -- NOTHING IN  
19 JUNE. THERE'S NOTHING SET IN JUNE?

20

21 **RICHARD E. DROOYAN:** NOTHING SET RIGHT NOW.

22

23 **HON. LOURDES BAIRD, CHAIR:** IF SOMETHING COMES UP THAT IS  
24 POSSIBLE YOU WILL ARRANGE IT AND HOPEFULLY THAT WILL WORK. BUT  
25 IF NOT --

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **RICHARD E. DROOYAN:** WHAT WE'LL DO IS CHECK EVERYBODY'S  
3 SCHEDULE FOR JUNE 15TH TO SEE IF THAT IS FEASIBLE. TO SEE IF  
4 THAT FRIDAY OR MONDAY AROUND THAT TIME PERIOD.

5

6 **HON. LOURDES BAIRD, CHAIR:** ARE YOU ASKING US TO MARK JUNE  
7 15TH? TENTATIVELY. OR JUNE 18TH WHICH IS MONDAY.

8

9 **SPEAKER:** I HATE TO SAY IT BUT JUNE 15TH I WILL BE BACK EAST.

10

11 **RICHARD E. DROOYAN:** WHAT ABOUT THE 18TH?

12

13 **SPEAKER:** I THINK THE 18TH IS OKAY. THERE WE GO.

14

15 **RICHARD E. DROOYAN:** I UNDERSTAND.

16

17 **HON. LOURDES BAIRD, CHAIR:** SO AT THIS POINT WILL WE SET ANY  
18 JUNE DATE?

19

20 **RICHARD E. DROOYAN:** NO. LET ME SEE IF WE HAVE WITNESSES LINED  
21 UP. LET ME SEE HOW MANY COMMISSIONERS CAN MAKE IT.

22

23 **SPEAKER:** I DON'T KNOW ABOUT OTHER SCHEDULES BUT I CAN ALSO DO  
24 TUESDAY, WEDNESDAY, THURSDAY TEND TO BE DAYS WE AVOID BECAUSE  
25 PARTICULARLY WITH THE COMPLEXITIES OF SUMMER.

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1

2 **SPEAKER:** TUESDAY IS A PROBLEM BECAUSE THE BOARD OF SUPERVISORS  
3 MEETS ON TUESDAYS. AND WEDNESDAY AND THURSDAY I'M OUT ON THOSE  
4 DAYS. CAN I MAKE A SUGGESTION THAT YOU JUST IF YOU NEED A JUNE  
5 DATE, JUST SET IT AND IF WE HAVE A QUORUM, WE HAVE A QUORUM,  
6 IF WE DON'T HAVE A QUORUM, WE DON'T HAVE A QUORUM. THAT'S  
7 FINE. ALL RIGHT. AND THEN JULY 6TH WE'LL KEEP OPEN. THAT'S  
8 WHERE WE ARE RIGHT NOW.

9

10 **RICHARD E. DROOYAN:** FOR RIGHT NOW. BUT JULY I HAVE EXTENDED AN  
11 INVITATION TO THE SHERIFF AND TO THE UNDERSHERIFF TO APPEAR  
12 BEFORE THE COMMISSION SOMETIME IN JULY. SO THE JULY DATE WOULD  
13 LIKELY REVOLVE AROUND THEIR AVAILABILITY. BUT LET'S KEEP JULY  
14 6TH FOR NOW.

15

16 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. SO WE WILL KEEP IT THE  
17 WAY IT IS.

18

19 **RICHARD E. DROOYAN:** IF THEY'RE AVAILABLE ON JULY 6TH, WE CAN  
20 HAVE THEM ON JULY 6TH.

21

22 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. SO WE HAVE CANCELED JUNE  
23 1ST. THE ONLY THING THAT WE HAVE ON CALENDAR, THEN, NOW, IS  
24 JULY 6TH. DON'T WE ALSO HAVE ANOTHER DATE IN AUGUST?

25

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **MIRIAM A. KRINSKY:** YES, YOU HAVE ON CALENDAR YOUR FIRST FRIDAY  
2 OF JULY, AUGUST AND SEPTEMBER. SO THOSE ARE ALL CURRENTLY SET.  
3 THOSE ARE ALL REGULARLY SET MEETING DATES.

4  
5 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT, FINE.

6  
7 **RICHARD E. DROOYAN:** RIGHT NOW THE PLAN IS THE FIRST FRIDAY IN  
8 JULY WILL BE EXPERTS. THE FIRST FRIDAY IN SEPTEMBER WILL BE  
9 THE TEAM REPORTS. AND WE HOPE TO GET A DRAFT OF THE REPORT TO  
10 THE COMMISSIONERS SOMETIME IN THE MIDDLE OF AUGUST. IT WOULD  
11 BE SENT TO EACH OF YOU INDIVIDUALLY FOR YOUR COMMENTS. AND WE  
12 MAY SEND THEM TO YOU AS WE'RE GETTING CHAPTERS SO WE CAN GET  
13 YOUR COMMENTS. YOU'LL NEED TO REPLY JUST TO MYSELF AND TO MS.  
14 KRINSKY AND NOT TO EACH OTHER SO WE DON'T HAVE A BROWN ACT  
15 PROBLEM. BUT WE ARE ABLE TO TAKE COMMENTS FROM EACH OF YOU  
16 WITH RESPECT TO THE DRAFTS THAT WE'RE PREPARING TO GET YOUR  
17 INPUT SO THAT WHEN THE TEAMS MAKE THEIR REPORTS IN EARLY  
18 SEPTEMBER, WE'LL ALREADY HAVE INPUT FROM THE COMMISSIONERS.

19  
20 **SPEAKER:** THIS IS ALL CONFIDENTIAL THESE COMMENTS TO YOU THAT  
21 WE MAKE? IN OTHER WORDS, THEY ARE NOT SHARED WITH THE PUBLIC  
22 UNTIL SUCH TIME AS THE COMMITTEE UNANIMOUSLY COMES OUT WITH  
23 ITS REPORT?

24

**Unedited Draft Partial Transcript of Witness Testimony from CCJV meeting held on May 14, 2012**

1 **RICHARD E. DROOYAN:** THAT IS THE PLAN. EVERYTHING WE DO IS  
2 POTENTIALLY SUBJECT TO PUBLIC RECORD ACT REQUESTS. SO AFTER  
3 WE'RE DONE AND AFTER WE'VE RELEASED THE REPORT, IT'S POSSIBLE  
4 THAT SOMEBODY WOULD MAKE A PUBLIC ACT REQUEST FOR  
5 COMMUNICATIONS OVER THE DRAFTING OF THE REPORT. AND IT MAY BE  
6 THAT THOSE ARE SUBJECT TO DISCLOSURE, I DON'T KNOW. BUT I  
7 DON'T THINK ANYTHING WILL BE DISCLOSED BEFORE WE HAVE THE  
8 FINAL REPORT.

9

10 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. IS THERE ANYTHING ELSE  
11 THAT WE NEED?

12

13 **SPEAKER:** I DON'T THINK SO.

14

15 **HON. LOURDES BAIRD, CHAIR:** IS MR. PREVEN HERE FOR PUBLIC  
16 COMMENT? APPARENTLY HE HAS ALREADY LEFT. SO THE MEETING IS  
17 ADJOURNED? OR MOTION TO ADJOURN?

18

19 **SPEAKER:** SO MOVED.

20

21 **SPEAKER:** SECOND.

22

23 **HON. LOURDES BAIRD, CHAIR:** ALL IN FAVOR. [CHORUS OF AYES]  
24 OPPOSED? MOTION GRANTED. AND WE ARE ADJOURNED. THANK YOU VERY  
25 MUCH.