

LA COUNTY CITIZENS' COMMISSION ON JAIL VIOLENCE



# MEETING TRANSCRIPT

**Unedited Draft Partial Transcript of Witness Testimony  
from CCJV meeting held on  
July 6, 2012 – DRAFT**

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1 **HON. LOURDES BAIRD, CHAIR:** I THINK WE ARE ALL HERE. I'D LIKE  
2 TO CALL THE MEETING TO ORDER. AND THE FIRST ITEM ON OUR AGENDA  
3 IS THE APPROVAL OF THE MAY 14TH MEETING MINUTES. IS THERE A  
4 MOTION?

5

6 **SPEAKER:** SO MOVED.

7

8 **SPEAKER:** SECOND.

9

10 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT. AND ALL IN FAVOR?  
11 [CHORUS OF AYES] AGAINST? VERY WELL. THAT'S PASSED. REPORTS?  
12 MS. KRINSKY AND MR. DROOYAN, YOU BOTH HAVE REPORTS? WHY DON'T  
13 YOU GO AHEAD.

14

15 **MIRIAM A. KRINSKY:** GOOD MORNING, COMMISSIONERS, AND HAPPY  
16 POST-FOURTH OF JULY. DURING THE MONTH OF JUNE, SINCE OUR LAST  
17 MEETING, WE'VE BEEN CONTINUING -- AND MR. DROOYAN WILL BE  
18 GOING INTO THE DETAILS -- FULL FORCE IN THE INVESTIGATORY  
19 WORK. JUST IN TERMS OF SOME NUMERICAL SUMMARIES, WE HAVE NOW  
20 INTERVIEWED, BY MY COUNT, OVER 130 DIFFERENT INDIVIDUALS. OVER  
21 80 OF THEM, I THINK IT'S 82 OR 83, ARE FACTUAL WITNESSES,  
22 INDIVIDUALS WHO HAVE WORKED WITH THE SHERIFF'S DEPARTMENT OR  
23 CURRENTLY ARE WORKING WITH THE DEPARTMENT OR OTHERWISE HAVE  
24 PERCIPIENT KNOWLEDGE OF ISSUES THE COMMISSION IS EXAMINING.  
25 AROUND 3/4 OF THEM, OVER 60 INDIVIDUALS, ARE CURRENT OR FORMER

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1 SHERIFF'S DEPARTMENT PERSONNEL, AROUND 40 CURRENT, A LITTLE  
2 OVER 20 FORMER SHERIFF'S DEPARTMENT PERSONNEL. WE'VE ALSO HAD  
3 THE OPPORTUNITY TO TALK, MOSTLY BY PHONE BECAUSE THEY'RE  
4 SCATTERED AROUND THE COUNTRY, TO OVER 50 CORRECTIONS, USE-OF-  
5 FORCE, OVERSIGHT OR OTHERWISE EXPERTS IN REGARD TO THE ISSUES  
6 THAT WE'VE BEEN EXAMINING. NEARLY HALF OF THEM ARE CURRENT OR  
7 FORMER JAIL HEADS. WE'VE TALKED TO NUMEROUS CALIFORNIA  
8 SHERIFF'S DEPARTMENT HEADS OR CORRECTIONS HEADS. WE'VE TALKED  
9 TO THE HEAD OR FORMER HEAD OF THE SHERIFF'S DEPARTMENT IN  
10 KERN, ALAMEDA, SAN DIEGO, MARIN, SACRAMENTO, SANTA CLARA AND  
11 SAN BERNADINO COUNTIES, AMONG OTHERS. WE'VE ALSO TALKED TO THE  
12 HEADS OF JAIL SYSTEMS IN OVER HALF A DOZEN LARGE METROPOLITAN  
13 JAIL SYSTEMS. WE'RE HOPING TO SCHEDULE LATER THIS MONTH A  
14 VISIT TO THE SAN DIEGO JAILS. THEY HAVE SOME INTERESTING  
15 COMPARISONS. AND WE'RE STILL WORKING WITH THEM TO FIRM UP A  
16 DATE. IF ANY OF YOU, THREE OR FEWER OF YOU, HAVE AN INTEREST  
17 IN ATTENDING, LET ME KNOW AND CERTAINLY WE'D WELCOME ANY OF  
18 YOUR PARTICIPATION IF YOU HAVE THE INTEREST OR THE TIME TO DO  
19 SO.

20

21 WE CONTINUE WITH REQUESTS FOR DOCUMENTS FROM THE DEPARTMENT. I  
22 THINK WE'VE NOW REQUESTED IN TOTAL BY MY COUNT OVER 100  
23 DIFFERENT CATEGORIES OF ITEMS. THEY MAKE UP MANY THOUSANDS OF  
24 PAGES OF DOCUMENTS. OVER THE LAST TWO WEEKS, WE'VE RECEIVED  
25 COPIES OF OR BEEN GIVEN ACCESS TO A LARGE NUMBER OF IAB,

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Meeting Held on July 6, 2012**

1 INTERNAL AFFAIRS BUREAU, OR USE OF FORCE FILES. WE'VE HAD THE  
2 CHANCE TO DO SOME ANALYSIS OF THOSE. I THINK THAT ANALYSIS IS  
3 GOING TO BE CONTINUING OVER THE COMING WEEKS. WE'VE ALSO HAD  
4 THE OPPORTUNITY TO TRANSITION TO INTERVIEWS OF INDIVIDUALS AT  
5 HIGHER LEVELS OF LEADERSHIP WITHIN THE SHERIFF'S DEPARTMENT,  
6 COMMANDERS, CHIEFS, ASSISTANT SHERIFF, UNDERSHERIFF AND  
7 SHERIFF. AND MR. DROOYAN WILL BE DISCUSSING THAT MORE TODAY,  
8 AND YOU WILL BE HEARING FROM FIVE OF THE COMMANDERS OF THE  
9 DEPARTMENT THIS AFTERNOON. WE'VE HAD THE CHANCE TO, WITH THE  
10 SUMMER MONTHS, BRING ON BOARD SOME SUMMER INTERNS. AND WITH  
11 VARIOUS PROJECT ANALYSES AND ALSO ATTEMPTS TO REVIEW  
12 DEPOSITION TRANSCRIPTS, HAVING THOSE EXTRA BODIES HAS BEEN  
13 TRULY TERRIFIC. I DON'T KNOW -- I THINK WE MAY HAVE SOME OF  
14 THEM HERE WITH US. AND WE'D LIKE TO WELCOME MAX COHEN, ERICA  
15 QUINTANA, BRIE JEFFERSON, WHOSE TIME IN PART HAS BEEN ON LOAN  
16 TO US DUE TO THE GOOD GRACES OF MR. BUSANSKY. AND I KNOW THAT  
17 THERE ARE A WHOLE SCORE OF SUMMER ASSOCIATES AT THE LAW FIRMS  
18 WE'VE BEEN WORKING WITH WHO HAVE BEEN HELPING WITH THE VARIOUS  
19 TASKS.

20

21 MOVING SECONDLY TO SOME FOLLOWUPS FROM OUR LAST MEETING,  
22 COMMISSIONER BONNER, YOU ASKED TWO QUESTIONS THAT WE HAVE BEEN  
23 ENDEAVORING TO FOLLOW-UP ON. I THINK YOU AND OTHERS ON THE  
24 COMMISSION, AS WELL, HAVE EXPRESSED AN INTEREST IN ORG CHARTS  
25 AND TO KNOW MORE ABOUT THE ORGANIZATIONAL STRUCTURE OF THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DEPARTMENT. AND THERE ARE SOME EXHIBITS IN THE NOTEBOOK AND  
2 MR. DROOYAN WILL BE WALKING THROUGH THOSE IN A FEW MOMENTS.  
3 YOU ALSO, COMMISSIONER BONNER, ASKED ABOUT PERSONNEL AND USE  
4 OF FORCE FIGURES, COMPARATIVE FIGURES VIS-A-VIS LOS ANGELES,  
5 NEW YORK AND CHICAGO. THERE IS AN ANALYSIS IN THE COMMANDER  
6 MANAGEMENT TASKFORCE REPORT, THE BOOKLET. IT'S APPENDIX O, AS  
7 IN OSCAR. IT HAS ANALYSIS THAT THEY'VE DONE. WE ACTUALLY  
8 REQUESTED SOURCE DOCUMENTS FROM NEW YORK AND CHICAGO AND LOS  
9 ANGELES TO BE ABLE TO DO OUR OWN ANALYSIS. WE'RE LOOKING TO  
10 TRY TO PERHAPS DO A LITTLE BIT MORE NUANCED ASSESSMENT. AND  
11 WE'VE ONLY NOW STARTED TO RECEIVE SOME OF THAT INFORMATION.  
12 IT'S NOT ALL BEEN RECEIVED. SO OUR HOPE IS TO BE ABLE TO HAVE  
13 SOME ANALYSIS FOR YOU ONCE WE GET ALL OF THOSE UNDERLYING  
14 DOCUMENTS FROM THOSE THREE DEPARTMENTS.

15

16 WE'VE ALSO BEEN CONTINUING, AS YOU ALL KNOW, TO ENSURE THAT OUR  
17 WORK IS ACCESSIBLE, IS TRANSPARENT, AND HAS THE INPUT OF  
18 MEMBERS OF OUR COMMUNITY. THROUGH OUR WEBSITE, WE HAVE HAD NOW  
19 OVER 15,500 VISITS. AND I BELIEVE THAT THOSE NUMBERS WILL BE  
20 PROVIDED TO YOU, PERHAPS HAVE ALREADY BEEN PUT IN FRONT OF  
21 YOU. ON AVERAGE OUR WEBSITE IS RECEIVING OVER 700 VISITS A  
22 WEEK. WE SAW A SURGE DURING THE WEEK OF OUR COMMUNITY FORUM  
23 EVENT THAT I'LL TALK ABOUT IN A MINUTE. THERE WERE NEARLY 1500  
24 VISITS DURING THAT WEEK OF MAY 22ND. AND IT WAS THE SECOND  
25 HIGHEST WEEK OF ACTIVITY ON OUR WEBSITE JUST SHY OF THE WEEK

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 WHEN WE LAUNCHED. AND I'D LIKE TO YET AGAIN THANK SUSAN  
2 HERMAN, WHO'S SEATED OVER THERE AND WHO IN SO MANY MATTERS,  
3 INCLUDING PROBLEM SOLVING AND TROUBLE-SHOOTING VIS-A-VIS OUR  
4 WEBSITE, HAS JUST BEEN PHENOMENAL. AND WE REALLY CAN'T THANK  
5 HER ENOUGH. AS THE COMMISSION KNOWS, WE DID HOLD A COMMUNITY  
6 FORUM EVENT IN LATE MAY. WE HAD A WHOLE CREW OF STAFF AND  
7 VOLUNTEERS WHO WERE WONDERFULLY HELPFUL IN THAT REGARD, AND I  
8 BELIEVE THAT THE CHAIR IS GOING TO BE THANKING THEM  
9 PERSONALLY. OUR OBJECTIVE, AS YOU ALL RECALL, IS TO GET OUT IN  
10 OUR COMMUNITY, IN CLOSER ACCESS TO OUR COMMUNITY, AWAY FROM  
11 WORKDAY HOURS SO THAT PEOPLE IN THE EVENING HAD AN OPPORTUNITY  
12 TO SHARE THEIR PERSPECTIVES WITH US. WE HAD NEARLY 70  
13 INDIVIDUALS IN ATTENDANCE. OVER THE COURSE OF AROUND TWO HOURS  
14 WE HEARD FROM OVER TWO DOZEN INDIVIDUALS. AND I'D LIKE TO  
15 INVITE THE MEMBERS OF OUR SUBCOMMITTEE, REVEREND MURRAY,  
16 COMMISSIONER BUSANSKY AND OUR CHAIR JUDGE BAIRD, PERHAPS TO  
17 OFFER THEIR PERSPECTIVES ON THAT EVENING AND SHARE THAT WITH  
18 THE FULL COMMISSION.

19

20 **HON. LOURDES BAIRD, CHAIR:** AT THIS TIME?

21

22 **MIRIAM A. KRINSKY:** YES.

23

24 **HON. LOURDES BAIRD, CHAIR:** FIRST OF ALL BEFORE I GO TO MY TWO  
25 FELLOW COMMISSIONERS WHO WERE WITH ME THAT EVENING, I THINK IT



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1 WAS RATHER SUCCESSFUL, WE HAD A GOOD TURNOUT, IT WAS HANDLED  
2 EXTREMELY WELL. SO I'D LIKE TO PARTICULARLY MENTION AND THANK  
3 OUR VOLUNTEERS WHO REALLY ARE RUNNING THIS WHOLE OPERATION AND  
4 SO MANY VOLUNTEERS THAT HAVE GIVEN UP THEIR TIME. AND I'D LIKE  
5 TO RECOGNIZE ALICIA CASTRO, NANCY LEU, ROISIN WARD, MAX COHEN.  
6 I UNDERSTAND THAT THESE ARE ALL VOLUNTEERS FROM THE UCLA  
7 SCHOOL OF --

8

9 **MIRIAM A. KRINSKY:** NO, ACTUALLY. SOME OF THEM ARE STAFF. AND  
10 IN ADDITION TO THOSE INDIVIDUALS, THERE ARE VOLUNTEERS FROM  
11 UCLA. WE DON'T ONLY WORK WITH BRUINS.

12

13 **HON. LOURDES BAIRD, CHAIR:** VERY WELL. I WASN'T TRYING TO BE  
14 BIASED IN THIS. AND LUPE DURAN. IT WAS VERY HELPFUL AND VERY  
15 WELL-ORGANIZED AND I BELIEVE BECAUSE OF THAT ORGANIZATION AND  
16 PUBLICITY, IT WAS SUCCESSFUL. I WOULD LIKE TO DEFER TO MY TWO  
17 COLLEAGUES, THAT IS ALEX BUSANSKY AND REVEREND CECIL MURRAY,  
18 TO MAKE SOME COMMENTS IF YOU WISH.

19

20 **REV. CECIL L. MURRAY:** I THINK THAT WE SHOULD FIRST OF ALL  
21 THANK OUR EXECUTIVE STAFF FOR YOUR PROFESSIONALISM AND FOR  
22 THOSE YOUNG PERSONS WHO WERE THERE WORKING WITH THE AUDIENCE.  
23 THE PRECISION REALLY GAVE US RESPECTABILITY. I RECOGNIZED  
24 QUITE A FEW IN THE AUDIENCE WHO WERE IN ATTENDANCE AT SUCH  
25 MEETINGS AND WHO COULD BE RATHER HARSH CRITICS. I WENT TO THEM

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Meeting Held on July 6, 2012**

1 AFTERWARDS, WE TALKED UNDER THE ROOF AND WE TALKED ON THE  
2 PARKING LOT. THEY WERE THOROUGHLY IMPRESSED THAT WE ARE FOR  
3 REAL, THAT WE REALLY, BECAUSE I HAD ASKED THE QUESTION: HOW DO  
4 THEY KNOW THAT WE'RE NOT FLUFF? THEY SAID NO, WE'RE FOR REAL.  
5 AND THEY'RE LOOKING FORWARD TO THE OUTCOME OF IT THIS FALL  
6 BECAUSE THEY REALLY FEEL WE'RE GOING TO DO SOME GOOD.

7

8 **HON. LOURDES BAIRD, CHAIR:** THANK YOU, MR. BUSANKSY. I'M SORRY.  
9 I MISNAMED YOU, FORGIVE ME.

10

11 **HON. ALEXANDER BUSANSKY:** WITH THE NAME BUSANSKY THAT HAS BEEN  
12 HAPPENING MY WHOLE LIFE. THAT'S FINE. I CONCUR WITH THE  
13 REVEREND ON THIS. AND, JUDGE, I THOUGHT IT WAS A REALLY  
14 TERRIFIC EVENT. I THOUGHT THE STAFF DID A WONDERFUL JOB IN  
15 PUTTING IT TOGETHER, BUT MOST IMPORTANTLY I WAS REALLY QUITE  
16 MOVED BY THE PEOPLE WHO CAME AND THE VOICE THEY GAVE TO THEIR  
17 EXPERIENCES, BOTH PERSONALLY AND TO FAMILY MEMBERS OF THEIRS,  
18 IN AND AROUND THE JAIL AND WHAT IT MEANT FOR THEM. SOME OF THE  
19 STORIES WE HEARD WERE REALLY SORT OF INSPIRING POSITIVE  
20 STORIES AND SOME WERE VERY SORT OF TRAGIC, HEARTBREAKING,  
21 HEART WRENCHING STORIES. BUT TO BE ABLE TO GIVE VOICE TO THOSE  
22 PEOPLE AT A TIME AND PLACE THAT WAS CONVENIENT TO THEM I  
23 THOUGHT WAS VERY IMPORTANT AND IT SORT OF SERVED FOR ME, AT  
24 LEAST, AS A REMINDER OF THE IMPORTANT WORK THAT WE HAVE AHEAD

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1 OF US AS WE SORT OF WORK THROUGH TRYING TO UNDERSTAND AND TO  
2 ADDRESS THE CHALLENGES WITH THE L.A. COUNTY JAIL.

3

4 **HON. LOURDES BAIRD, CHAIR:** THANK YOU. MS. KRINSKY?

5

6 **MIRIAM A. KRINSKY:** THAT'S IT FOR MY REPORT. I KNOW AFTER MR.  
7 DROOYAN'S REPORT, WE'LL BE TALKING ABOUT FUTURE COMMISSION  
8 MEETING DATES, BUT WE'LL COME BACK TO THAT.

9

10 **HON. LOURDES BAIRD, CHAIR:** MR. DROOYAN?

11

12 **RICHARD E. DROOYAN:** GOOD MORNING. LET ME START BY GIVING YOU  
13 ALL A STATUS REPORT ON THE INVESTIGATION. WE'VE COMPLETED MOST  
14 OF THE INTERVIEWS THAT I THINK WE'RE GOING TO HAVE FOR THIS  
15 COMMISSION. THERE MAY BE A FEW FOLLOW-UP INTERVIEWS GOING  
16 FORWARD AS WE IDENTIFY PARTICULAR AREAS OR QUESTIONS THAT WE  
17 HAVE IN THE COURSE OF DRAFTING OUR REPORT. WE'VE MADE SOME  
18 MORE RECENT DOCUMENT REQUESTS TO THE LASD, SHERIFF'S  
19 DEPARTMENT, AND THEY'RE STILL RESPONDING. THE PRODUCTION  
20 REALLY HAS BEEN SPEEDING UP. AND I DO WANT TO SAY WE'VE BEEN  
21 GETTING GOOD COOPERATION FROM THE SHERIFF'S DEPARTMENT AND  
22 FROM THE COUNTY COUNSEL. THINGS ARE MOVING MUCH SMOOTHER NOW  
23 WHERE WE'RE GETTING THE DOCUMENTS WE REQUESTED MORE  
24 EXPEDITIOUSLY. YOU KNOW, WE HAVE HAD SOME PROBLEMS IN TERMS OF  
25 GETTING PEOPLE TO TALK TO US. WE DON'T HAVE SUBPOENA POWER AND

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1 WE CAN'T EVEN COMPEL PEOPLE TO TALK TO US, BUT MOST LASD  
2 PERSONNEL WHO ARE CURRENTLY THERE HAVE BEEN WILLING TO TALK TO  
3 US. AND THE SHERIFF HIMSELF HAS REACHED OUT TO THOSE WHO HAVE  
4 NOT BEEN WILLING TO TALK TO US AND EXPRESSLY INDICATED THAT  
5 THEY HAVE HIS PERMISSION TO DO SO. AND HE'S ENCOURAGED THEM TO  
6 TALK TO US. THE LASD PERSONNEL ARE RELUCTANT TO TESTIFY  
7 PUBLICLY ALTHOUGH WE HAVE TWO WHO ARE WILLING TO DO SO TODAY.  
8 THE FORMER SHERIFF'S DEPARTMENT PERSONNEL HAVE BEEN LESS  
9 WILLING TO TALK TO US. AND ALTHOUGH A FAIR NUMBER HAVE BEEN  
10 WILLING TO DO SO, AND AS YOU KNOW SOME HAVE TESTIFIED  
11 PUBLICLY, A FAIR NUMBER HAVE BEEN UNWILLING TO GET INVOLVED OR  
12 THEY HAVE RELATIVES WHO ARE STILL IN THE DEPARTMENT, THEY HAVE  
13 CONCERNS ABOUT TALKING TO US. BUT NEVERTHELESS, I THINK GIVEN  
14 THE NUMBER OF PEOPLE THAT WE'VE TALKED TO, I THINK WE DO HAVE  
15 A VERY GOOD OVERVIEW OF WHAT THE PROBLEMS HAVE BEEN AND WHAT  
16 SOME OF THE SOLUTIONS ARE GOING FORWARD.

17

18 LET ME GIVE YOU SORT OF WHERE WE'RE GOING FORWARD, WHAT THE  
19 SCHEDULE IS. WE ARE ON TRACK TO COMPLETE THIS BY THE END OF  
20 SEPTEMBER. THAT IS MY GOAL TO MAKE SURE WE GET THERE. WE HAVE,  
21 AS YOU KNOW, FIVE TEAMS. THEY HAVE PREPARED INITIAL OUTLINES.  
22 NEXT WEEK, MS. KRINSKY AND I WILL BE MEETING WITH THEM TO  
23 FLESH OUT THOSE OUTLINES AND THOSE ARE GOING TO BE THE BASIS  
24 ON WHICH THEIR CHAPTERS ARE GOING TO BE DRAFTED. I'M HOPING BY  
25 THE END OF THE MONTH WE'LL HAVE INITIAL DRAFTS FROM EACH OF

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1 THE TEAMS. BUT I ANTICIPATE THAT THERE ARE GOING TO BE  
2 ADDITIONS TO THOSE DRAFTS AS WE COMPLETE ADDITIONAL  
3 INVESTIGATIVE WORK. WE HAVE THE TESTIMONY OF THE SHERIFF AND  
4 UNDERSHERIFF AT THE END OF THIS MONTH AND OTHERS AT THE END OF  
5 NEXT MONTH. MY PLAN IS TO HAVE DRAFTS THAT ARE SUFFICIENTLY  
6 FINISHED THAT COMMISSIONERS -- THAT WE CAN SHARE THOSE WITH  
7 THE COMMISSIONERS. WE ARE GOING TO NEED TO CONSULT WITH THE  
8 COUNTY COUNSEL'S OFFICES TO SEE HOW WE CAN DO THAT TO AVOID  
9 ANY BROWN ACT ISSUES, BUT EITHER WE'LL BE SHARING THOSE  
10 CHAPTERS INDIVIDUALLY WITH THE COMMISSIONERS AND GETTING  
11 FEEDBACK FROM THE COMMISSIONERS INDIVIDUALLY OR SUBCOMMITTEES.  
12 WE'RE GOING TO HAVE TO FIGURE SOME WAY STARTING IN MID-AUGUST  
13 TO GET FEEDBACK FROM THE COMMISSIONERS. THEN WITH THAT  
14 FEEDBACK, THE TEAMS WILL PREPARE FURTHER DRAFTS OF THE REPORT.  
15 IN EARLY SEPTEMBER THEY WILL MAKE THEIR REPORTS TO THE  
16 COMMISSIONERS IN PUBLIC. THEY'LL GET THE FINAL FEEDBACK FROM  
17 THE COMMISSIONERS AND FINAL RECOMMENDATIONS FROM THE  
18 COMMISSIONERS AND HOPEFULLY TURN THAT INTO A FINAL REPORT  
19 WHICH WILL REFLECT THE FINDINGS OF THE INVESTIGATIVE WORK AND  
20 THE VIEWS AND RECOMMENDATIONS OF THE COMMISSIONERS. AS I SAID,  
21 THE GOAL IS TO HAVE THAT REPORT ISSUED BY THE END OF THE  
22 SEPTEMBER.

23

24 I WANT TO TALK A LITTLE BIT ABOUT TODAY'S HEARING. THIS  
25 MORNING, WE'RE GOING TO HAVE TWO CURRENT DEPARTMENT WITNESSES

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1 WHO ARE WILLING TO TESTIFY FOR DIFFERENT REASONS. THIS  
2 MORNING'S SESSION IS GOING TO BE LARGELY LOOKING BACK, A  
3 HISTORICAL LOOK AT THE PROBLEMS AT MEN'S CENTRAL JAIL WITH THE  
4 USE OF FORCE PACKAGES AND SOME COMMENTS THAT WERE MADE BY THE  
5 UNDERSHERIFF WHEN HE WAS STILL AN ASSISTANT SHERIFF. THE  
6 COMMENTS BY THE UNDERSHERIFF THAT WE'RE GOING TO BE BRINGING  
7 OUT ARE NOT RELATED TO CUSTODY BUT THEY ARE CONSISTENT WITH  
8 WHAT WE'VE HEARD FROM A NUMBER OF WITNESSES, BOTH CUSTODY  
9 WITNESSES AND NONCUSTODY WITNESSES WHO DO NOT WANT TO TESTIFY  
10 PUBLICLY. AND WE BELIEVE THAT IT IS REALLY NECESSARY TO  
11 DISCUSS THE ROLE OF THE UNDERSHERIFF BECAUSE OF HIS KEY ROLE  
12 IN THE DEPARTMENT AND THE QUESTION, ONE OF THE KEY QUESTIONS  
13 IS WHAT IS HIS ROLE GOING TO BE MOVING FORWARD WITH RESPECT TO  
14 THE OVERSIGHT OF CUSTODY? THIS AFTERNOON WE'RE GOING TO HAVE  
15 TWO PRESENTATIONS, ONE BY THE COMMANDERS' MANAGEMENT  
16 TASKFORCE, ALL FIVE COMMANDERS WILL MAKE A PRESENTATION, AND  
17 ONE BY THE PROFESSIONAL POLICE OFFICERS ASSOCIATION, WHICH IS  
18 THE UNION THAT REPRESENTS THE CUSTODY ASSISTANTS AND  
19 SUPERVISORS, SERGEANTS AND LIEUTENANTS. IT'S KIND OF AN ODD  
20 CONFIGURATION. ALADS REPRESENTS THE DEPUTIES. ORIGINALLY AS I  
21 UNDERSTAND IT EVERYBODY WAS REPRESENTED BY THE PPOA, AND AT  
22 SOME TIME THE DEPUTIES FORMED THEIR OWN SEPARATE UNION AND  
23 THEY BECAME ALADS. BUT THE PPOA HAS SOME IDEAS ABOUT  
24 CONFIGURATION GOING FORWARD. THE COMMANDERS MANAGEMENT  
25 TASKFORCE, WHICH WAS FORMED LAST FALL, IS GOING TO DESCRIBE

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Meeting Held on July 6, 2012**

1 THE REFORMS THAT HAVE BEEN IMPLEMENTED IN THE DEPARTMENT SINCE  
2 LAST FALL.

3

4 AS I SAY, WE BELIEVE THAT THERE HAS BEEN SUBSTANTIAL PROGRESS  
5 BY THE DEPARTMENT IN ADDRESSING A NUMBER OF THE ISSUES AND  
6 PROBLEMS. AND THE LAST REPORT I SAW, WHICH IS THE REPORTED USE  
7 OF FORCE FOR THE FIRST THIRD OF THIS YEAR IF YOU ANNUALIZE IT,  
8 IT WOULD BE DOWN 35 TO 40 PERCENT FROM LAST YEAR. AND I HEARD  
9 THAT THE LAST TWO MONTHS WERE EVEN BETTER THAN THAT. SO THE  
10 TRENDS ARE POSITIVE. THERE HAVE BEEN A LOT OF POSITIVE CHANGES  
11 BEING MADE. AND THE COMMANDERS' MANAGEMENT TASKFORCE IS GOING  
12 TO DESCRIBE THOSE REFORMS THAT HAVE BEEN IMPLEMENTED AND THE  
13 FUTURE PLANS. AND FOCUSING, TO SOME EXTENT, ON PERHAPS A DUAL  
14 TRACK, SEPARATE KIND OF A CUSTODY DIVISION THAT HAS BEEN  
15 DISCUSSED. AND THEN THE PPOA IS GOING TO PRESENT THEIR OWN  
16 PLAN, WHICH RECOMMENDS AN INCREASE IN THE NUMBER OF PERCENTAGE  
17 OF CUSTODY ASSISTANTS. AND THE REASON FOR THESE PRESENTATIONS  
18 THIS AFTERNOON IS TO BE FORWARD-LOOKING AND TO START  
19 STIMULATING IDEAS AND THOUGHTS AND DISCUSSIONS WITH THIS  
20 COMMISSION ABOUT WHAT THE FUTURE SHOULD LOOK LIKE.

21

22 AND THAT BRINGS ME TO THE ORGANIZATION CHARTS, WHICH I WANT TO  
23 TALK TO YOU ABOUT. SO IF YOU WOULD FLIP TO TAB 1 OF YOUR  
24 BINDER, AND FLIP TO THE SECOND PAGE FOR A MOMENT, THESE ARE  
25 THE NEXT FIVE OR SIX PAGES ARE THE SORT OF SIMPLIFIED

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ORGANIZATION CHART OF THE DEPARTMENT FOR EACH YEAR FROM 2006  
2 TO 2011. AND THEY SHOW THE CHANGES EACH YEAR. BUT IF YOU TURN  
3 TO THE LAST ONE OF THESE -- AND THEY'RE THE ONES WITH THE  
4 PICTURES. AND THERE'S A 2011 AT THE BOTTOM. DO YOU HAVE THAT,  
5 EVERYBODY? SO THAT WAS THE CONFIGURATION OF THE DEPARTMENT  
6 LAST YEAR, BEFORE THE FALL OF 2011 WHEN THE SHERIFF  
7 IMPLEMENTED A LOT OF CHANGES ORGANIZATIONALLY TO TRY TO  
8 ADDRESS THE PROBLEMS. SO A COUPLE THINGS I JUST WANTED TO  
9 NOTE. THERE ARE TWO ASSISTANT SHERIFFS AT THE TIME: MR.  
10 CAVANAUGH WHO IS RESPONSIBLE FOR PATROL, FIELD OPERATIONS,  
11 HOMELAND SECURITY; AND THEN MR. RHAMBO, THE OTHER ASSISTANT  
12 SHERIFF, AND BOTH OF THOSE TWO ASSISTANT SHERIFFS REPORT TO  
13 THE UNDERSHERIFF WHO THEN REPORTS TO THE SHERIFF. HAVING  
14 PROBLEMS WITH THE MIC? OH, THANK YOU, THANK YOU. AND JUST FOR  
15 A MOMENT, IF YOU'LL FOCUS ON THE ROLE OF THE ASSISTANT  
16 SHERIFF, MR. RHAMBO, THAT'S THE CUSTODY SIDE OF THE HOUSE, AND  
17 YOU'LL LOOK AS OF 2011, HE HAD FIVE DIFFERENT CHIEFS WHO WERE  
18 REPORTING TO HIM, TWO WHO WERE DIRECTLY INVOLVED IN CUSTODY,  
19 CORRECTIONAL SERVICES AND CUSTODY OPERATIONS; AND THREE THAT  
20 WERE NOT DIRECTLY CUSTODY, COURT SERVICES, TECHNICAL SERVICES  
21 AND LEADERSHIP AND TRAINING. AND THAT'S GOING TO BE A  
22 SIGNIFICANT ISSUE THAT I THINK FROM AN ORGANIZATIONAL  
23 STANDPOINT THAT WE'RE GOING TO WANT TO TALK ABOUT GOING  
24 FORWARD. SO IF YOU'LL NOW FLIP BACK TO THE FIRST PAGE, THIS IS  
25 AN ORGANIZATION CHART THAT I CREATED THAT REFLECTS MY



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 UNDERSTANDING OF THE ORGANIZATION OF THE LOS ANGELES SHERIFF'S  
2 DEPARTMENT AS WE SIT HERE TODAY. THAT REFLECTS A NUMBER OF  
3 CHANGES THAT THE SHERIFF MADE STARTING LAST FALL. SO THE FIRST  
4 THING I WANT TO NOTE IS OVER TO THE LEFT, YOU'LL SEE THE  
5 COMMANDERS' MANAGEMENT TASKFORCE, FIVE COMMANDERS. PERSONALLY  
6 SELECTED BY THE SHERIFF, REPORTING DIRECTLY TO THE SHERIFF TO  
7 IDENTIFY PROBLEMS, IMPLEMENT CHANGES TO CUT THROUGH IT AND  
8 MAKE REFORMS. THEY MEET WITH THE SHERIFF EVERY WEEK. THE  
9 SHERIFF IS PERSONALLY ENGAGED IN MAKING SURE THAT THEIR  
10 REFORMS GET IMPLEMENTED. THE UNDERSHERIFF DOES NOT MEET WITH  
11 THAT GROUP. THE ASSISTANT SHERIFF FOR CUSTODY, MR. RHAMBO,  
12 SOMETIMES MEETS, AND THE CHIEF OF CUSTODY, MR. YIM, USUALLY  
13 MEETS WITH THAT GROUP. AND THE NEXT THING TO NOTE IS WHEN YOU  
14 GO DOWN ON THE CUSTODY SIDE, YOU'LL SEE THAT ONE OF THE THINGS  
15 THAT THE SHERIFF'S DEPARTMENT DID IS THEY MERGED THE CUSTODY  
16 OPERATIONS DIVISION AND THE CORRECTIONAL SERVICES DIVISION  
17 INTO ONE. AND THAT'S UNDER CHIEF YIM. AND THEN ALL OF THE  
18 COMMANDERS REPORT TO CHIEF YIM. AND THE CAPTAINS IN THE  
19 VARIOUS DIFFERENT FACILITIES REPORT TO THE COMMANDERS.

20

21 THE OTHER THING I WOULD NOTE ABOUT THIS CHART IS THAT IF YOU  
22 LOOK UP TO THE UPPER RIGHT, YOU'LL SEE THAT THE CAPTAIN OF THE  
23 INTERNAL CRIMINAL INVESTIGATIONS BUREAU, WHICH IS THE BUREAU  
24 THAT'S CHARGED WITH DOING CRIMINAL INVESTIGATIONS OF  
25 MISCONDUCT BY DEPUTIES, REPORTS DIRECTLY TO THE SHERIFF. AND

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THAT HAS BEEN SINCE ABOUT 4 TO 5 MONTHS AGO. I WILL SAY THAT  
2 WE'VE TALKED TO A LOT OF PEOPLE AND THERE IS SOME CONFUSION  
3 ABOUT THAT REPORTING REQUIREMENT, BUT I TALKED TO PEOPLE  
4 DIRECTLY INVOLVED AND THE CAPTAIN DOES REPORT DIRECTLY TO THE  
5 SHERIFF. THE UNDERSHERIFF WILL HAVE SOME INPUT WITH RESPECT TO  
6 INVESTIGATIONS BY WHAT IS KNOWN AS ICIB, BUT IT IS A DIRECT  
7 REPORTING REQUIREMENT TO THE SHERIFF. THE OTHER THING IS THAT  
8 THE LEADERSHIP AND TRAINING DIVISION UNDER CHIEF ABNER IS  
9 ACTUALLY IN TWO DIFFERENT PLACES. THAT PORTION OF THE  
10 LEADERSHIP AND TRAINING DIVISION THAT INCLUDES THE INTERNAL  
11 AFFAIRS BUREAU ACTUALLY REPORTS DIRECTLY TO THE SHERIFF, AS  
12 WELL. THE REST OF THE LEADERSHIP AND TRAINING BUREAU --  
13 DIVISION, EXCUSE ME -- REPORTS TO ASSISTANT SHERIFF RHAMBO. SO  
14 WHEN YOU LOOK AT THIS, I MEAN -- AND ONE OTHER THING THAT THE  
15 SHERIFF HAS DONE RECENTLY, AND YOU'LL HEAR ABOUT IT, IS THAT  
16 HE HAS CHANGED WHAT I GUESS IS THE CASE REVIEW BUREAU AND  
17 WHICH IS -- BOARD, EXCUSE ME, THANK YOU. AND REALLY IS THE  
18 OVERSEER OF DISCIPLINE. AND HE'S CHANGED THAT AND HAS HAD MORE  
19 OF A DIRECT RESPONSIBILITY FOR DISCIPLINE. YES, COMMISSIONER?

20

21 **HON. ROBERT BONNER:** COULD I JUST ASK A QUESTION ON ICIB.

22

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

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** AND THEN THERE'S AN INTERNAL AFFAIRS  
2 BUREAU. WHAT IS THE DIFFERENCE BETWEEN THOSE TWO INVESTIGATIVE  
3 FUNCTIONS? ARE THEY BOTH INTERNAL AFFAIRS INVESTIGATIONS? OR  
4 ARE THEY -- WHY ARE THERE TWO OF THEM?

5

6 **RICHARD E. DROOYAN:** ONE DOES CRIMINAL INVESTIGATIONS AND ONE  
7 DOES ADMINISTRATIVE INVESTIGATIONS. SO, FOR EXAMPLE, IN THE  
8 CRIMINAL INVESTIGATION, YOU DON'T COMPEL TESTIMONY. IF  
9 SOMETHING LOOKS LIKE IT'S POTENTIALLY CRIMINAL, IT GOES TO THE  
10 ICIB FIRST. THEY DO THEIR INVESTIGATION. IF THEY DETERMINE  
11 THAT THERE'S NO CRIME OR IF IT'S SENT TO THE D.A. AND IT'S  
12 DECLINED, THEN IAB WILL DO AN ADMINISTRATIVE INVESTIGATION, IN  
13 WHICH THEY CAN THEN ORDER THE DEPUTY TO COOPERATE. AND SOME  
14 INVESTIGATIONS ARE IMMEDIATELY IAB ROLLOUTS, WHERE THERE'S A  
15 BELIEF FROM THE OUTSET THAT THERE'S NO CRIMINAL CONDUCT. SO  
16 THAT'S THE REASON FOR THE TWO.

17

18 **HON. ROBERT BONNER:** YEAH. SO THERE'S SOME THRESHOLD  
19 PRELIMINARY DECISION MADE AS TO WHETHER THIS IS A POTENTIALLY  
20 CRIMINAL MATTER THAT COULD RESULT IN PROSECUTION, IN WHICH  
21 CASE ICIB HANDLES IT UNTIL SUCH POINT AS IT'S EITHER CARRIED  
22 ON THAT WAY OR IT COULD THEN BE REFERRED TO IAB IF IT'S  
23 DETERMINED THAT THERE IS GOING TO BE NO CRIMINAL PROSECUTION?

24

25 **RICHARD E. DROOYAN:** CORRECT.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **HON. ROBERT BONNER:** AND THE DECISION AS TO WHETHER OR NOT  
3 ULTIMATELY THERE'S A PROSECUTION IS A DECISION BY THE DISTRICT  
4 ATTORNEY'S OFFICE, IS IT NOT?

5

6 **RICHARD E. DROOYAN:** CORRECT.

7

8 **HON. DICKRAN M. TEVRIZIAN:** LOOKING AT THE ORGANIZATIONAL CHART  
9 FOR 2012, DOWN AT THE BOTTOM, IT HAS COMMANDER PIETRATONI?

10

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

12

13 **HON. DICKRAN M. TEVRIZIAN:** WHO OVERSEES TWIN TOWERS AND CDRF--

14

15 **RICHARD E. DROOYAN:** CENTURY REGIONAL CORRECTIONAL FACILITY.

16

17 **HON. DICKRAN M. TEVRIZIAN:** THANK YOU. AT THE COMMANDER'S  
18 MANAGEMENT TASKFORCE, YOU ALSO HAVE PIETRATONI REPORTING  
19 BASICALLY THROUGH THIS COMMANDERS' MANAGEMENT TASKFORCE TO THE  
20 SHERIFF, WHICH PROVIDES THE SHERIFF NOW WITH MORE DIRECT  
21 OVERSIGHT OVER MEN'S CENTRAL JAIL, TWIN TOWERS AND CRDF. BUT  
22 GOING OVER TO THE OTHER FACILITIES, NCCF, NORTH, MIRA LOMA,  
23 EAST AND SOUTH, YOU HAVE COMMANDER JOHNSON, WHO REPORTS TO  
24 YIM, THAT REPORTS TO RHAMBO, THAT REPORTS TO TANAKA THAT THEN  
25 REPORTS TO THE SHERIFF. THERE'S NO DIRECT OVERSIGHT BECAUSE IF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 YOU LOOK AT THE COMMANDER'S MANAGEMENT TASKFORCE, JOHNSON IS  
2 NOT PART OF THAT GROUP. DID YOU ASK WHY THAT WAS?

3

4 **RICHARD E. DROOYAN:** YES. LET ME EXPLAIN THAT. COMMANDER  
5 JOHNSON WAS RECENTLY, I BELIEVE, WHERE COMMANDER PIETRATONI  
6 WAS IN THIS ORG CHART. COMMANDER PIETRATONI AS I UNDERSTAND IS  
7 A LATE ADDITION TO THE COMMANDERS' MANAGEMENT TASKFORCE. HE'S  
8 BEEN PART OF THAT TASKFORCE. AND THAT TASKFORCE, STARTING IN  
9 AUGUST, IS GOING TO SHIFT AWAY FROM CUSTODY AND IS GOING TO  
10 START LOOKING AT OTHER OPERATIONS IN THE SHERIFF'S DEPARTMENT.  
11 AND COMMANDER PIETRATONI IS GOING TO BE ABOVE THE MEN'S  
12 CENTRAL, AND CRDF, SO HE WILL BE LEFT IN PLACE TO OVERSEE  
13 THAT. SO THIS IS REALLY -- AND THE OTHER ANSWER TO YOUR  
14 QUESTION IS THIS TASKFORCE HAS THE ABILITY TO CUT THROUGH  
15 EVERYTHING. THEY CAN GO RIGHT TO COMMANDER JOHNSON.

16

17 **HON. DICKRAN M. TEVRIZIAN:** I THINK THAT'S A GOOD SUGGESTION.  
18 MY POINT IS THAT WITH THE OTHER FACILITIES OTHER THAN MEN'S  
19 CENTRAL JAIL, TWIN TOWERS AND CRDF, THERE IS NO DIRECT  
20 REPORTING TO THE SHERIFF LIKE THERE IS WITH COMMANDER  
21 PIETRATONI BECAUSE HE IS ON THAT COMMANDERS' MANAGEMENT  
22 TASKFORCE. COMMANDER JOHNSON IS NOT. AND I WAS WONDERING WHY  
23 THAT IS.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **RICHARD E. DROOYAN:** WELL, IN PART BECAUSE THE COMMANDERS'  
2 MANAGEMENT TASKFORCE IS GOING TO BE SHIFTING AWAY. AND, IN  
3 PART, BECAUSE IT HAS THE ABILITY TO CUT THROUGH AND GET RIGHT  
4 DOWN TO ANY ISSUES THAT MAY BE ARISING AT ANY OF THE NORTH  
5 FACILITIES. BUT THE POINT YOU'RE MAKING IS REALLY, I THINK,  
6 ONE OF THE CRITICAL ISSUES FOR THIS COMMISSION AS WE LOOK  
7 GOING FORWARD. THAT COMMANDERS' MANAGEMENT TASKFORCE IS NOT  
8 GOING TO BE -- IT'S GOING TO GO AWAY IN SO FAR AS CUSTODY.  
9 IT'S GOING TO BE LOOKING AT PATROL ISSUES. IT'S GOING TO BE  
10 LOOKING AT OTHER ISSUES. IT HAS BEEN AN EFFECTIVE WAY FOR THE  
11 SHERIFF TO GET HIS ARMS AROUND ISSUES AND TO IMPLEMENT  
12 CHANGES. BUT IT'S GOING TO GO AWAY. THE QUESTION IS: WHAT IS  
13 THE ORGANIZATION GOING TO LOOK LIKE GOING FORWARD SO THAT THE  
14 SHERIFF CAN MAKE SURE THAT HE GETS THE INFORMATION HE NEEDS?  
15 THAT HE CAN DIRECTLY IMPLEMENT HIS REFORMS, AND THAT THERE IS  
16 THAT REPORTING THAT YOU'RE NOTING. AND WHEN I LOOK AT THIS  
17 CHART, IF YOU JUST TAKE THE COMMANDERS' MANAGEMENT TASKFORCE  
18 OUT OF THE OPERATION FOR A MOMENT, AS YOU POINTED OUT, THERE  
19 IS FIVE LEVELS. THERE'S A CAPTAIN TO COMMANDER TO CHIEF TO AN  
20 ASSISTANT SHERIFF TO UNDERSHERIFF, BEFORE YOU GET TO THE  
21 SHERIFF. AND ONE OF THE PROBLEMS THAT WE FOUND HISTORICALLY IS  
22 THINGS GOT LOST IN THAT CHAIN OF COMMAND. FROM ONE LEVEL TO  
23 THE NEXT, PEOPLE DIDN'T KNOW WHAT WAS GOING ON. SO THAT'S A  
24 RISK. NOW, THEY REDUCED THE BUREAUCRACY, AND I USE THAT TERM  
25 IN QUOTES, OBVIOUSLY, BECAUSE TWO OF THE DIVISIONS HAVE BEEN

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 COMBINED UNDER CHIEF YIM, BUT IT STILL IS A LOT OF LAYERS. THE  
2 SECOND THING THAT I NOTE IS THAT THE ASSISTANT SHERIFF HAS  
3 FOUR DIFFERENT CHIEFS WHO STILL REPORT TO HIM. FIVE IN THE  
4 PAST, BUT THERE ARE STILL FOUR DIFFERENT CHIEFS. AND SO THIS  
5 IS NOT AN ASSISTANT SHERIFF WHO CAN CONCENTRATE JUST ON  
6 CUSTODY. AND ONE OF THE SUGGESTIONS THAT WE'VE HEARD AND I  
7 THINK ONE OF THE THINGS THAT ARE GOING TO BE PRESENTED TO THE  
8 COMMISSION IS TO HAVE A THIRD ASSISTANT SHERIFF WHO FOCUSES  
9 JUST ON CUSTODY. AND THEN HAVE SOME OF THE ADDITIONAL  
10 DIVISIONS REPORT TO A THIRD ASSISTANT SHERIFF OR SECOND  
11 ASSISTANT SHERIFF IN EFFECT. IF YOU LOOK AT THIS CHART YOU, IN  
12 EFFECT, WOULD HAVE ASSISTANT SHERIFF DIRECTLY OVER CHIEF YIM,  
13 DIRECTLY OVER THE COMMANDERS AND THE CAPTAINS. TO HAVE ONE  
14 PERSON AT A HIGH LEVEL WHO'S GOT GREATER ACCESS TO THE SHERIFF  
15 TO OVERSEE THE CUSTODY SIDE OF THIS. THERE'S NO QUESTION IN MY  
16 MIND THAT WHEN THE SHERIFF IS ENGAGED AND HE DIRECTS THINGS TO  
17 GET DONE, THEY CAN GET DONE. AS I SAID, THE NUMBERS HAVE GONE  
18 DOWN SIGNIFICANTLY. BUT ONE OF THE MOST IMPORTANT THINGS FOR  
19 THIS COMMISSION TO START THINKING ABOUT GOING FORWARD IS ONCE  
20 THAT COMMANDER'S MANAGEMENT TASKFORCE GOES AWAY OR MOVES ON TO  
21 OTHER THINGS, HOW IS THE SHERIFF GOING TO CUT THROUGH THINGS  
22 AND GET THOSE THINGS -- GET INFORMATION HE NEEDS? AND WHEN HE  
23 TESTIFIES, HE'S GOING TO ACKNOWLEDGE ONE OF THE THINGS THAT HE  
24 WAS SAYING IS HE DIDN'T KNOW A LOT OF THIS STUFF LAST FALL.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 AND GET A REAL CUSTODY DIVISION THAT'S FOCUSED SOLELY ON  
2 CUSTODY. YES, JUDGE **TEVRIZIAN**

3

4 **HONORABLE JUDGE TEVRIZIAN:** LOOKING AT 2012, I WANT TO LEAVE  
5 INDIVIDUALS OUT OF IT, IT APPEARS THAT THIS ORGANIZATIONAL  
6 CHART IS A FILTERING SYSTEM. I'M NOT SO SURE THAT THAT'S WHAT  
7 THE SHERIFF REALLY WANTS TO HAVE HAPPEN IN THIS PARTICULAR  
8 CASE BECAUSE HE'LL ONLY GET INFORMATION THAT THE WHOEVER IS  
9 THE UNDERSHERIFF WILL FEED TO HIM. AND I THINK THAT THE  
10 SHERIFF REALLY NEEDS TO HAVE OTHER INFORMATION GIVEN TO HIM SO  
11 THAT IT WON'T BE FILTERED BY THE TIME IT GETS TO HIM.

12

13 **RICHARD E. DROOYAN:** THAT IS, FRANKLY, WHERE I COME OUT ON  
14 THIS. I THINK THE ASSISTANT SHERIFFS, ALL THREE OF THEM NEED  
15 TO REPORT DIRECTLY TO THE SHERIFF. AND I THINK YOU NEED -- IN  
16 MY VIEW, YOU NEED TO HAVE AN ASSISTANT SHERIFF SOLELY FOCUSED  
17 ON CUSTODY WHO'S WORKING IN PARTNERSHIP WITH CHIEF YIM AND WHO  
18 MEETS WEEKLY WITH THE SHERIFF AS THAT COMMANDERS' MANAGEMENT  
19 TASKFORCE DOES NOW. AND BRINGS ISSUES AND BRINGS PROBLEMS AND  
20 GETS THE OKAY FROM THE SHERIFF TO IMPLEMENT CHANGES AND  
21 REFORMS. SO THAT IS HOW I COME OUT, HAVING STUDIED THIS.  
22 OBVIOUSLY THIS IS THE KIND OF THING THAT I THINK FURTHER  
23 DISCUSSION FROM THE COMMISSIONERS, BUT THAT'S HOW I THINK IT  
24 SHOULD COME OUT. JUDGE BONNER?

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** YES, ROB BONNER. AND I DON'T KNOW THAT WE  
2 WANT TO GET INTO A DEBATE ON THIS, BUT JUST HAVING SERVED IN -  
3 - AS HEADS OF SEVERAL AGENCIES, THERE IS A MODEL THAT SAYS  
4 THAT THE TOP PERSON IS THE CEO AND OBVIOUSLY IS RESPONSIBLE  
5 FOR EVERYTHING IN THE ORGANIZATION. BUT THAT TOP PERSON  
6 SOMETIMES WANTS TO HAVE A FIRST DEPUTY OR WHAT MIGHT BE CALLED  
7 A COO AND SO FORTH. SO THAT'S A VERY COMMON MODEL NOT ONLY IN  
8 BUSINESS ENTERPRISE BUT IT'S A COMMON MODEL IN LAW  
9 ENFORCEMENT. SO WHAT DOES THAT MEAN FOR DIRECT REPORTING AND  
10 ALL THAT? ON THE OTHER HAND, I'M VERY MINDFUL OF YOUR COMMENT  
11 THAT -- AND I'M ENCOURAGED BY IT -- THAT WHEN SHERIFF BACA AND  
12 WHEN PEOPLE DO REPORT TO HIM, THINGS HAVE GOTTEN DONE AND  
13 WILL, WHICH WE'LL DISCUSS DURING THE COURSE OF THIS DAY WITH  
14 RESPECT TO THE ISSUE OF USE OF FORCE IN THE COUNTY JAIL  
15 SYSTEM.

16

17 **RICHARD E. DROOYAN:** I THINK THERE ARE FUNDAMENTALLY TWO  
18 MODELS. THERE IS THE CEO/COO MODEL THAT I'M FAMILIAR WITH,  
19 HAVING SERVED UNDER CERTAIN UNITED STATES' ATTORNEYS AS CHIEF  
20 ASSISTANT, AND THERE'S ANOTHER MODEL WHICH IS, I'LL CALL A  
21 PRESIDENTIAL MODEL, WHERE YOUR VICE PRESIDENT IS OFF TO YOUR  
22 SIDE AND YOUR CABINET OFFICERS ARE REPORTING DIRECTLY TO THE  
23 SHERIFF OR THE PRESIDENT. ULTIMATELY BOTH MODELS CAN WORK. YOU  
24 GOT TO HAVE THE RIGHT PEOPLE. AND YOU GOT TO HAVE THE RIGHT  
25 SYSTEMS IN PLACE TO MAKE THEM. AND I DO THINK THAT YOU CAN'T

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 IGNORE THE PERSONALITY ISSUE AND SOME OF THE ISSUES THAT HAVE  
2 BEEN RAISED AND ARE GOING TO BE RAISED IN THE FUTURE WHEN  
3 YOU'RE TRYING TO FIGURE OUT WHAT YOUR MODEL'S GOING TO LOOK  
4 LIKE. YOU GOT TO HAVE THE RIGHT PEOPLE IN THE RIGHT PLACES AND  
5 THEN EITHER MODEL CAN WORK. BUT THE MODEL THEY HAVE RIGHT NOW,  
6 WHICH IS REFLECTED IN THE 2011 CHART WE LOOKED AT, THAT DIDN'T  
7 WORK. IT JUST DIDN'T WORK. THAT'S WHY THE SHERIFF HAD TO FORM  
8 THE COMMANDERS' MANAGEMENT TASKFORCE. THAT'S WHY THE SHERIFF  
9 HAD MORE DIRECT REPORTS FROM ICIB. AND I WOULD BE RELUCTANT  
10 GOING BACK TO THE EXACT SAME MODEL THAT DIDN'T WORK LAST TIME.  
11 WE'RE GOING TO BE LOOKING AT USE OF FORCE. WE'RE GOING TO LOOK  
12 AT CULTURE. WE WILL LOOK AT THE DISCIPLINARY SYSTEM.  
13 MANAGEMENT AND OVERSIGHT RECOMMENDATIONS WITH RESPECT TO  
14 STRUCTURE I THINK ARE CRITICAL ISSUES FOR THIS COMMISSION  
15 GOING FORWARD.

16

17 **HON. LOURDES BAIRD, CHAIR:** BEFORE WE CHANGE OVER TO THE NEXT  
18 SECTION, I WOULD JUST LIKE TO REMIND, AS I HAVE BEEN REMINDED,  
19 FELLOW COMMISSIONERS, NOT ONLY TO IDENTIFY THEMSELVES BEFORE  
20 THEY SPEAK, BUT TO BE SURE TO SPEAK INTO THE MICROPHONE. AND  
21 IT ALSO GOES FOR THE EXECUTIVE DIRECTOR AS WELL AS OUR GENERAL  
22 COUNSEL. THANK YOU.

23

24 **RICHARD E. DROOYAN:** SO NOTED, THANK YOU. SO LET ME JUST  
25 CONCLUDE BY SAYING SOME OF THE TESTIMONY YOU'RE GOING TO HEAR

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THIS MORNING IS GOING TO RELATE TO SOME OF THESE ISSUES  
2 REGARDING ORGANIZATION. AND TO BE IN WHAT POSITION.

3

4 **HON. LOURDES BAIRD, CHAIR:** FORGIVE ME. ARE WE FINISHED HERE?

5

6 **RICHARD E. DROOYAN:** YES, I AM.

7

8 **HON. LOURDES BAIRD, CHAIR:** OKAY. JOSEPH MAZLICH, AM I  
9 PRONOUNCING THAT PROPERLY? MR. MAZLICH, WILL YOU COME FORWARD?

10

11 **HON. DICKRAN M. TEVRIZIAN:** BEFORE HE COMES FORWARD, I HAVE A  
12 QUESTION I WOULD LIKE TO ASK MS. KRINSKY AND MR. DROOYAN.

13

14 **HON. LOURDES BAIRD, CHAIR:** I'D LIKE TO REMIND YOU OF OUR  
15 RULES, THREE MINUTES. SO AS SOON AS THE COMMISSIONER TEVRIZIAN  
16 HAS CONCLUDED WE'LL START WITH YOU.

17

18 **HON. DICKRAN M. TEVRIZIAN:** I KNOW THAT MY COLLEAGUE, JUDGE  
19 BONNER, WILL TELL ME TO STAY FOCUSED. AND I DO WANT TO STAY  
20 FOCUSED. BUT I WANT TO KNOW WHETHER OR NOT THE COMMISSION HAS  
21 RECEIVED ANY INFORMATION REGARDING ANY ALLEGED VIOLENT  
22 INCIDENTS AT THE JAIL NOT INVOLVING INMATES BUT FAMILIES  
23 AND/OR FRIENDS OF INMATES VISITING THE JAIL. THE REASON I WANT  
24 TO BRING THIS UP IS TO INQUIRE ABOUT THE INTERACTION OF THE  
25 JAIL STAFF AND THE DEPUTIES WITH THESE CLASS OF INDIVIDUALS.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **RICHARD E. DROOYAN:** THE ONLY ONE I'M AWARE OF IS THE ONE BY  
3 MR. CARILLO WHO TESTIFIED HERE PUBLICLY. I HAVE NOT HEARD OF  
4 ANY OTHER INCIDENTS REGARDING PEOPLE WHO ARE NOT INMATES. MR.  
5 MAZLICH.

6

7 **SPEAKER:** HI, I'M NOT QUITE SURE IF THIS IS THE APPROPRIATE  
8 PLACE FOR A GENERAL COMMENT, BUT CERTAINLY I'LL TAKE THE TIME.

9

10 **HON. LOURDES BAIRD, CHAIR:** YOU DID CIRCLE THIS PARTICULAR  
11 AGENDA ITEM, THAT'S WHY I CALLED YOU.

12

13 **SPEAKER:** OKAY. I'D LIKE TO BRING UP A COUPLE OF PERSPECTIVE  
14 POINTS THAT I HOPE AREN'T LOST IN THE MIDST OF THE MANY  
15 DETAILS THAT YOU'RE GOING THROUGH, THINGS THAT I'VE BEEN  
16 PLEASED TO HEAR ABOUT, FOR EXAMPLE, EXPLORING CUSTODIAL  
17 ASSISTANTS AND SOME OF THE REORGANIZATIONS THAT WERE JUST  
18 DISCUSSED BECAUSE THE REORGANIZATIONS NOT ONLY A PRACTICAL  
19 MEANING BUT IT'S ALSO A MESSAGE TO THE WHOLE SYSTEM ABOUT WHAT  
20 IS BEING PRIORITIZED. MY NAME'S JOE MAZLICH, I'M A RESIDENT OF  
21 THE COUNTY, A NATIVE, BY THE WAY, AND I'M A THERAPIST WITH A  
22 SPECIALTY IN TRAUMA AND IN STRESS AND ALSO TEACHING MEDIATORS  
23 AND CONFLICT RESOLUTION. AND IT'S SOME OF THOSE THINGS I'D  
24 LIKE TO ADD A PERSPECTIVE ABOUT. UNDOUBTEDLY THE MEMBERS OF  
25 THE COMMISSION ARE AWARE BUT JUST AS A REMINDER, VIOLENT

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 INCIDENTS COME ABOUT WHEN THE STRESSES ON THE PEOPLE INVOLVED,  
2 ALL OF THEM, EXCEED THE ABILITIES OF THOSE PEOPLE IN THE  
3 SITUATION TO EXERT THE SELF-CONTROL, EMOTIONAL SELF-  
4 REGULATION. AND OF COURSE THERE ARE MANY, MANY FACTORS THAT  
5 FEED INTO THIS. THERE ARE PHYSICAL CONDITION, WHETHER THEY ARE  
6 TIRED, WHETHER THEY'RE WORRIED ABOUT SENTENCE OR IMPRISONMENT  
7 THAT'S COMING UP. ALSO IN THE ARTICLE THAT I WROTE IN 1967,  
8 AND I GAVE SOME OF YOU AT THE FORUM, I'LL GIVE A SET TO  
9 EVERYBODY HERE, I INTERVIEWED A DEPUTY SHERIFF WHO WAS VERY  
10 RESENTFUL ABOUT HIS TWO-YEAR SENTENCE THAT HE HAD, KEEPING HIM  
11 AWAY FROM THE STREETS AND PATROL WORK, THE PUBLIC SAFETY WORK  
12 THAT HE HAD INTENDED TO SIGN UP WITH. SO WE GOT A LOT OF  
13 PEOPLE WHO IN THE FIRST PLACE DON'T REALLY WANT TO BE THERE.  
14 MANY OF THE INMATES, OF COURSE, AND THE DEPUTIES, BUT ALSO  
15 HAVE A FEELING THAT THEY NEEDN'T BE THERE BUT FOR A LACK OF  
16 CREATIVITY. IF JUST INSTITUTIONAL MOMENT UMENT -- MOMENTUM --  
17 REALLY PUBLIC SAFETY WOULD BE BETTER SERVED BY, LET'S SAY,  
18 DIFFERENT WAYS OF DEALING WITH DRUG SITUATIONS. FOR CERTAIN,  
19 THAT'S KNOWN. AND MANY OTHER CHANGES. THAT THIS COMMISSION, OF  
20 COURSE, HASN'T BEEN ASKED TO REPORT ON, BUT I HOPE YOU WILL  
21 GIVE MENTION TO IT. WELL THOSE ARE THE THINGS THAT PILEUP AND  
22 ACCUMULATE FOR PEOPLE AND ADD TO THE LEVEL OF STRESS AND MAKE  
23 IT MUCH MORE DIFFICULT TO PREVENT THE VIOLENT INCIDENTS FROM  
24 BREAKING OUT. SO THOSE ARE THE THINGS THAT I WANTED TO  
25 SUGGEST. DEAL WITH THE QUESTION EVEN BY RECOMMENDATION TO

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 OTHER BOD TOYS LOOK INTO -- BODIES TO LOOK INTO THE WAYS THAT  
2 PEOPLE CAN BE DIVERTED FROM THE SYSTEM, THE MENTAL HEALTH  
3 PEOPLE, OF COURSE, AND MANY PEOPLE, THE DRUGS, AND MANY OTHER  
4 MATTERS THAT THE AUSTIN REPORT AND THE VERA INSTITUTE REPORT  
5 AND OTHERS HAVE BEEN TELLING THE SUPERVISORS FOR QUITE A WHILE  
6 AND ALSO TO SEE WHAT CAN BE DONE TO RELIEVE THE DEPUTIES WHO  
7 MANY OF THEM ARE THERE AND DON'T WANT TO BE THERE, MANY OTHER  
8 SYSTEMS OF LAW ENFORCEMENT HAVE SPECIALISTS IN CUSS TODAYIES  
9 AND DIFFERENT -- CUSTODIES. AND DIFFERENT DEPARTMENTS. THE  
10 U.S. MARSHALS AREN'T RUNNING THE PRISONS, THERE'S A BUREAU OF  
11 PRISONS FOR IT. AND THE SAME THING FOR OUR STATE. SO THOSE ARE  
12 TWO FACTORS THAT ARE BACKGROUND ONES THAT I HOPE YOU FOLKS  
13 WILL KEEP IN MIND AS YOU WORK THROUGH MANY OF THESE DETAILS,  
14 SOME OF THEM QUITE ENCOURAGING THAT I'VE JUST HEARD. THANK  
15 YOU. THANK YOU. MR. MAZLICH.

16

17 **SPEAKER:** AND WHERE MAY I GIVE THIS ARTICLE FOR THOSE WHO HAVE  
18 NOT RECEIVED THIS? 1967 ARTICLE WHICH MUCH OF THIS IS RIGHT IN  
19 THERE. GIVE IT TO THE BAILIFF AND MAKE SURE IT IS DISTRIBUTED.  
20 MANY OF US DID RECEIVE IT. HOWEVER MANY YOU THINK WE NEED.

21

22 **SPEAKER:** I'LL DO THAT. THANK YOU.

23

24 **HON. LOURDES BAIRD, CHAIR:** OUR NEXT ITEM 4 IS THE DISCUSSION  
25 OF FUTURE COMMISSION MEETINGS. MS. KRINSKY?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** THANK YOU, JUDGE BAIRD. AS THE COMMISSION  
3 KNOWS, IN LIEU OF A JUNE MEETING, WE GAVE YOU THE OPPORTUNITY  
4 TO MEET TWICE IN JULY. SO IN ADDITION TO TODAY'S DATE, THERE  
5 WILL BE A COMMISSION MEETING ON JULY 27TH. THAT'S THE MEETING  
6 WHERE THE UNDERSHERIFF AND THE SHERIFF WILL BOTH BE  
7 TESTIFYING. AND BECAUSE THAT'S A SPECIALLY SET DATE, AS SOON  
8 AS I'M DONE RECOUNTING THE OTHER DATES, IT IS MY UNDERSTANDING  
9 THAT THERE DOES NEED TO BE A FORMAL MOTION TO PUT THAT MEETING  
10 ON CALENDAR. THE OTHER MEETING DATES BEYOND THAT, THERE'S A  
11 COMMISSION MEETING ON AUGUST 3RD. AND THAT'S THE MEETING WHERE  
12 WE'LL HAVE THE OPPORTUNITY TO HEAR FROM SOME OF THOSE  
13 INDIVIDUALS OUTSIDE OF LOS ANGELES TO OFFER THEIR THOUGHTS AND  
14 PERSPECTIVES AND EXPERTISE. AND THEN ON SEPTEMBER 7TH OUR  
15 REGULARLY SCHEDULED COMMISSION MEETING DATE IS WHEN OUR DEPUTY  
16 GENERAL COUNSEL WILL BE REPORTING ON THEIR FINDINGS AS WELL AS  
17 RECOMMENDATIONS. IT IS OUR THOUGHT THAT THERE MAY NEED TO BE A  
18 SPILLOVER DATE, THAT WE MAY NOT HAVE ENOUGH TIME TO DO ALL  
19 THOSE REPORTS, SO WE'VE STARTED TO QUERY YOU ON A SECOND  
20 SPILLOVER DATE. I DON'T THINK WE'VE YET FOUND A DATE THAT  
21 WORKS FOR EVERYONE. SO WE'RE GOING TO CONTINUE TO TRY TO WORK  
22 AROUND THAT. AND BY OUR NEXT MEETING ON JULY 27TH. I HOPE TO  
23 FIND A DATE THAT CAN WORK FOR AS MANY OF YOU AS POSSIBLE, JUST  
24 AS A FALL-BACK DATE IF WE NEED A SECOND DATE BEYOND THE ONE WE  
25 HAVE SCHEDULED IN SEPTEMBER. SO THOSE ARE THE UPCOMING

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 COMMISSION MEETING DATES. AND WITH THAT, JUDGE BAIRD, I THINK  
2 PROBABLY IT WOULD BE APPROPRIATE FOR THE JULY 27TH SPECIALLY  
3 SET MEETING DATE TO BE FORMALLY MOVED.

4

5 **SPEAKER:** BEFORE YOU MAKE THE MOVE, THERE IS A MEMBER OF THE  
6 PUBLIC WHO WOULD LIKE TO SPEAK ON THAT ITEM.

7

8 **HON. LOURDES BAIRD, CHAIR:** OH, VERY WELL. MR. PREVEN?

9

10 **ERIC PREVEN:** GOOD MORNING, COMMISSIONERS, MY NAME IS ERIC  
11 PREVEN AND I AM THE COUNTY RESIDENT FROM DISTRICT THREE, AND I  
12 WAS WAITING TO HEAR THE DISCUSSION ON THE TIME SO I'M GLAD  
13 THAT IT WAS DELAYED BRIEFLY. THE CONVERSATION THIS MORNING  
14 ABOUT THE ORGANIZATIONAL CHART WAS OF GREAT INTEREST. I MEAN,  
15 THESE PROBLEMS AS MR. MAZLICH POINTED OUT HAVE BEEN GOING ON  
16 FOR A VERY LONG TIME. AND THE FACT THAT THE FILTERING PROCESS  
17 SEEMS TO BE ONE OF THE KEY ISSUES FOR SHERIFF BACA REALLY GETS  
18 TO A KIND OF THEMATIC ISSUE TODAY, WHICH I THINK IS REALLY  
19 LEADERSHIP. AND YOU ARE ALL CHARGED WITH A SERIOUS TASK, WHICH  
20 IS TO SOMEHOW MAKE SENSE OF THIS VERY CONFOUNDING AND VEXING  
21 PROBLEM WHICH HAS MANY ASPECTS. YOU KNOW, I THINK IT WAS  
22 MARGARET WINTERS WHO SAT IN THIS CHAIR A FEW WEEKS AGO OR  
23 MONTHS AGO WHO SAID IT REALLY IS ABOUT LEADERSHIP. AND SHERIFF  
24 BACA IS NOT HERE TODAY AND NEITHER IS THE UNDERSHERIFF. I GOT  
25 A LITTLE EXCITED BECAUSE I THOUGHT THEY WERE COMING DOWN TODAY



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 TO TESTIFY AND WE WERE GOING TO HEAR SOME IMPORTANT  
2 REVELATIONS BUT THAT DIDN'T HAPPEN. I SUPPOSE THAT'S HAPPENING  
3 AT THE END OF THE MONTH IF MR. DROOYAN'S JULY DATE IS  
4 ACCURATE.

5

6 **HON. LOURDES BAIRD, CHAIR:** MR. PREVEN, COULD I STOP YOU FOR A  
7 MOMENT? I DO NOTICE THAT YOU ARE ON FOR THE SEVENTH AGENDA,  
8 WHICH IS THE GENERAL AGENDA?

9

10 **ERIC PREVEN:** I'M ON ITEM 4, WHICH IS THE TIMING OF THE  
11 COMMISSION MEETING.

12

13 **HON. LOURDES BAIRD, CHAIR:** WELL I WOULD LIKE TO HAVE YOU  
14 SPECIFICALLY TALK ABOUT THAT BECAUSE THAT'S WHAT WE ARE GOING  
15 TO BE TALKING ABOUT THE TIMING OF THE MEETING.

16

17 **ERIC PREVEN:** I'M SORRY?

18

19 **HON. LOURDES BAIRD, CHAIR:** PLEASE GO AHEAD.

20

21 **ERIC PREVEN:** SO THE POINT I WAS MAKING ABOUT LEADERSHIP, I  
22 GUESS, IS IN THE TIME FRAME WE'RE AT MONTH EIGHT OR POSSIBLY  
23 SOMETHING LIKE THAT TOWARD COMPLETION, WHICH WILL BE SIX  
24 MONTHS LATE OF THIS COMMISSION'S WORK, WHICH WILL BE IN THE  
25 FALL BECAUSE IT STARTED IN THE FALL, ALTHOUGH IT WILL BE FAIR

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 IT TOOK A MONTH TO GET THINGS GOING, WHEN I WAS TALKING ABOUT  
2 LEADERSHIP, I WAS TALKING ABOUT WHAT MARGARET WINTERS HAD  
3 SAID, WHICH WAS THE ONLY WAY WE'RE GOING TO MAKE SENSE OF  
4 THESE PROBLEMS IS WHEN THE SHERIFF SAYS "IT CAN'T CONTINUE. WE  
5 MUST STOP THIS PROCESS. ". AND REGARDING THE ORGANIZATIONAL  
6 CHART THAT MR. DROOYAN DID DISCUSS IN ITEM 4, INDIVIDUAL  
7 DEPUTIES WHO HAVE PROBLEMS SHOULD NOT BE FILTERED. THEIR  
8 COMMENTS SHOULD NOT BE, FOR EXAMPLE, WE HEARD IN TESTIMONY  
9 EARLIER IS ONE OF THE PROBLEMS WAS TESTIMONY -- NOT TESTIMONY  
10 BUT COMMENTS BY DEPUTIES WAS BEING MADE TO THE UNDERSHERIFF  
11 AND THEN THINGS WERE BEING KIND OF SILENCED AT THAT LEVEL AND  
12 NEVER MADE IT TO THE SHERIFF. YOU KNOW, SHERIFF BACA SHOULD  
13 INSIST THAT ANY OF HIS DEPUTIES HAVE -- AND I THINK HE HAS  
14 MADE THIS COMMENT -- AN OPEN DOOR SO THAT THEY -- IF THEY ARE  
15 EXPERIENCING THE KIND OF PROBLEMS -- AND IT TAKES GREAT  
16 BRAVERY TO STEP FORWARD. WE ALL KNOW THAT IN A DEMOCRATIC  
17 ORGANIZATION, THERE IS A CHAIN OF COMMAND AND IF YOU PISS YOUR  
18 BOSS OFF, YOU HAVE A GREAT CHANCE OF BEING REPRIMANDED,  
19 ESPECIALLY HERE IN L.A. COUNTY. IN A NUTSHELL, I AM CALLING  
20 FOR THE SHERIFF TO STEP FORWARD ON THESE ISSUES THAT ARE LONG-  
21 STANDING. AND IT'S WHEN HE MAKES THE DETERMINATION AND THE  
22 DECISION TO SHUT DOWN THE POSSIBILITY FOR TRANSKIND OF  
23 SKIRTING THE RULES AND LAWS OF THE RULES AND LAWS OF HOW WE  
24 MANAGE OUR FACILITIES, ONLY THEN WILL WE HAVE MEANINGFUL  
25 CHANGE AND I'M HOPEFUL THAT THIS BOARD CAN FIND A WAY TO

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 BECOME RELEVANT GIVEN THE TIME FRAME BECAUSE IT DOES APPEAR TO  
2 BE SPINNING AROUND AND AROUND. AND I CERTAINLY HOPE THAT YOU  
3 HAVE A BUSY AUGUST GOING OVER THIS STUFF, THANKS.

4

5 **HON. LOURDES BAIRD, CHAIR:** THANK YOU VERY MUCH, MR. PREVEN.  
6 LET'S MOVE ON TO THE NEXT ITEM? OH, I'M SORRY. THAT'S RIGHT.  
7 WE HAVE A MOTION FOR JULY 27, AUGUST 3RD AND NOVEMBER 7TH --

8

9 **SPEAKER:** NO, SEPTEMBER 7TH. THANK YOU, JUDGE TEVRIZIAN. FOR  
10 THE MEETING DATES. IS THERE A MOTION?

11

12 **SPEAKER:** I'LL GIVE YOU A MOTION. SO MOVED. YES, PLEASE.  
13 SECOND?

14

15 **HON. LOURDES BAIRD, CHAIR:** ALL IN FAVOR? [CHORUS OF AYES]  
16 OPPOSED? MOTION CARRIED. ALL RIGHT. THE NEXT THING WE HAVE IS  
17 THE TESTIMONY FROM THE WITNESSES. ITEM 5.

18

19 **MIRIAM A. KRINSKY:** THANK YOU, JUDGE BAIRD. WE'D LIKE TO CALL  
20 FORWARD FOR OUR FIRST WITNESS CAPTAIN MIKE BORNMAN? WELCOME,  
21 CAPTAIN.

22

23 **CAP. BORNMAN:** MICHAEL BORNMAN. BORNMAN.

24

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** GOOD MORNING. YOU'RE CURRENTLY A CAPTAIN AT  
2 THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT?

3

4 **CAP. BORNMAN:** YES.

5

6 **MIRIAM A. KRINSKY:** WHAT IS YOUR CURRENT ASSIGNMENT?

7

8 **CAP. BORNMAN:** I'M THE CAPTAIN OF THE EDUCATION-BASED  
9 INCARCERATION BUREAU.

10

11 **MIRIAM A. KRINSKY:** IF YOU COULD TELL US WHAT THE EDUCATION-  
12 BASED INCARCERATION BUREAU IS.

13

14 **CAP. BORNMAN:** IT'S RELATED TO ALL INMATE PROGRAMS IN CUSTODY  
15 AND OUT OF CUSTODY.

16

17 **MIRIAM A. KRINSKY:** WHEN WERE YOU PROMOTED TO CAPTAIN?

18

19 **CAP. BORNMAN:** MAY OF THIS YEAR.

20

21 **MIRIAM A. KRINSKY:** WHEN DID YOU FIRST JOIN THE DEPARTMENT?

22

23 **CAP. BORNMAN:** JANUARY OF 1980.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** SO DOING THE MATH, YOUR CAREER WITH THE  
2 DEPARTMENT HAS SPANNED WELL OVER TWO DECADES. I WON'T ASK YOU  
3 HOW OLD YOU WERE WHEN YOU JOINED?

4

5 **CAP. BORNMAN:** 12.

6

7 **MIRIAM A. KRINSKY:** AND WHAT WAS YOUR FIRST ASSIGNMENT WHEN YOU  
8 JOINED THE DEPARTMENT?

9

10 **CAP. BORNMAN:** WELL I BECAME A CADET OR A BRAND NEW DEPUTY IN  
11 JANUARY OF 80 AFTER I GRADUATED FROM THE ACADEMY, I WENT TO  
12 MEN'S CENTRAL JAIL AS A DEPUTY.

13

14 **MIRIAM A. KRINSKY:** YOU WERE THERE FOR AROUND HOW LONG?

15

16 **CAP. BORNMAN:** ABOUT 16 MONTHS.

17

18 **MIRIAM A. KRINSKY:** I KNOW YOU HAD MULTIPLE ASSIGNMENTS OVER  
19 TIME. OVER YOUR THREE DECADES PLUS WITH THE DEPARTMENT, AT  
20 SOME POINT IN TIME DID YOU SPEND A SERIES OF YEARS AT INTERNAL  
21 AFFAIRS?

22

23 **CAP. BORNMAN:** YES, I DID ABOUT 5-1/2 YEARS AS A SERGEANT  
24 THERE.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** WHAT WERE YOUR DUTIES WITH INTERNAL  
2 AFFAIRS IN GENERAL?

3

4 **CAP. BORNMAN:** I DID DEPUTY INVOLVED SHOOTING, DEPUTY INVOLVED  
5 FORCE, ALLEGATIONS OF MISCONDUCT. WE DID A COUPLE HUNDRED  
6 CASES.

7

8 **MIRIAM A. KRINSKY:** HAVE YOU ALSO, OVER YOUR YEARS, HAD OTHER  
9 ASSIGNMENTS? HAD EXPERTISE WITH INVESTIGATORY WORK OR  
10 ASSESSING THE CONDUCT OR PERFORMANCE OF OTHER PERSONNEL?

11

12 **CAP. BORNMAN:** I BELIEVE SO, YES.

13

14 **MIRIAM A. KRINSKY:** CAN YOU TELL US ABOUT THOSE SORTS OF  
15 ASSIGNMENTS?

16

17 **CAP. BORNMAN:** I WAS A STATION DETECTIVE AT FIRESTONE FOR 3-  
18 1/2 YEARS, I INVESTIGATED EVERYTHING FROM PETTY THEFT TO  
19 ATTEMPTED MURDER. I WAS ON A FEDERAL TASKFORCE THAT WAS  
20 OFFICIALLY CALLED ARC-O-NARCO. I WENT TO INTERNAL AFFAIRS,  
21 WORKED FOR ASSISTANT SHERIFF DOING PROJECTS ON A DEPARTMENT-  
22 WIDE LEVEL. AT THAT TIME I HELPED CREATE THE PERSONNEL  
23 PERFORMANCE INDEX, WHICH IS AN EARLY WARNING SYSTEM FOR  
24 POTENTIALLY PROBLEMATIC BEHAVIOR WITH EMPLOYEES.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND THAT'S ALSO KNOWN AS PPI?

2

3 **CAP. BORNMAN:** PPI, YES.

4

5 **MIRIAM A. KRINSKY:** DID YOU ALSO SERVE FOR A PERIOD OF TIME AS  
6 A TRAINING LIEUTENANT?

7

8 **CAP. BORNMAN:** TRAINING LIETENANT, OPERATIONS LIEUTENANT.

9

10 **MIRIAM A. KRINSKY:** AT SOME POINT IN TIME DID YOU RETURN BACK  
11 TO MEN'S CENTRAL JAIL?

12

13 **CAP. BORNMAN:** YES, ABOUT NOVEMBER OF 2009.

14

15 **MIRIAM A. KRINSKY:** WHAT WAS YOUR ASSIGNMENT AT THAT TIME?

16

17 **CAP. BORNMAN:** I WENT INTO A PART OF THE FACILITY THAT WAS JUST  
18 BEING CREATED. BASICALLY IT WAS A SPECIAL PROJECTS JOB.

19

20 **MIRIAM A. KRINSKY** WERE YOU THERE FROM LATE 2009 TO YOUR  
21 CURRENT PROMOTION? UP TO YOUR CURRENT PROMOTION?

22

23 **CAP. BORNMAN:** YES.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** IN APRIL OF 2010, DURING THE PERIOD OF TIME  
2 WHEN YOU FIRST CAME BACK TO MEN'S CENTRAL JAIL, WHO WAS THE  
3 CAPTAIN OF THE JAIL?

4

5 **CAP. BORNMAN:** DAN CRUZ.

6

7 **MIRIAM A. KRINSKY:** AND THE COMMANDER?

8

9 **CAP. BORNMAN:** BOB OLMSTED?

10

11 **MIRIAM A. KRINSKY:** AND THE CUSTODY DIVISION CHIEF?

12

13 **CAP. BORNMAN:** DENNIS BURNS.

14

15 **MIRIAM A. KRINSKY:** AT SOME TIME AFTER YOUR RETURN TO MEN'S  
16 CENTRAL JAIL, WERE YOU GIVEN A LIST OF WHAT WERE CALLED  
17 ADMINISTRATIVE INVESTIGATIONS TO HANDLE?

18

19 **CAP. BORNMAN:** YES.

20

21 **MIRIAM A. KRINSKY:** COULD YOU TELL US WHAT AN ADMINISTRATIVE  
22 INVESTIGATION IS?

23



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAP. BORNMAN:** : WELL, IT'S AN ALLEGATION OF MISCONDUCT THAT IS  
2 INVESTIGATED AT THE UNIT LEVEL. THOSE ARE THE ONES -- I GOT A  
3 LIST OF ABOUT THREE PAGES LONG.

4

5 **MIRIAM A. KRINSKY:** YOU SAID YOU GOT A LIST OF ABOUT THREE  
6 PAGES LONG. WHO GAVE YOU THAT LIST?

7

8 **CAP. BORNMAN:** I'M NOT SURE. I MIGHT HAVE PRINTED IT MYSELF  
9 SINCE I KNOW PPI.

10

11 **MIRIAM A. KRINSKY:** WHAT TIME REQUIREMENT OR TURN AROUND  
12 REQUIREMENT IS THERE FOR HANDLING ADMINISTRATIVE  
13 INVESTIGATIONS?

14

15 **CAP. BORNMAN:** ADMINISTRATIVELY YOU HAVE ONE YEAR TIME.

16

17 **MIRIAM A. KRINSKY:** ARE THERE REASONS BEYOND SIMPLY THAT ONE  
18 YEAR REQUIREMENT WHY IT'S IMPORTANT FOR THESE TO BE HANDLED IN  
19 A TIMELY BASIS?

20

21 **CAP. BORNMAN:** OTHER THAN THE PEACE OFFICER BILL OF RIGHTS, YOU  
22 HAVE THE DUTY TO HAVE AN EMPLOYEE KNOW IF THEY'RE DOING  
23 SOMETHING WRONG. YOU HAVE TO HAVE TIMELY NOTIFICATION, TIMELY  
24 FEEDBACK FOR PEOPLE.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** SO HOW MANY CASES WERE THERE ON THE THREE  
2 COMPUTER PAGES THAT WERE PRINTED UP?

3

4 **CAP. BORNMAN:** PROBABLY IN EXCESS OF 40. SOME OF THEM WERE WHAT  
5 WE CALL CRIMINAL MONITORS. THOSE ARE ONES THAT ARE SITTING  
6 WAITING TO DROP OUT OF THE CRIMINAL REALM AND THEN SOME OF  
7 THEM WERE DIVISION-LEVEL ADMINISTRATIVE CASES THAT ARE HANDLED  
8 BY IAB. AND THEN THE REST ARE UNIT-LEVEL INVESTIGATIONS THAT  
9 WOULD HAVE BEEN HANDLED BY ME.

10

11 **MIRIAM A. KRINSKY:** AND I THINK YOU HEARD A QUESTION EARLIER  
12 ABOUT THE DIFFERENCE BETWEEN IAB AND ICIB, COULD YOU BRIEFLY  
13 DESCRIBE THE DIFFERENCE BETWEEN THOSE TWO DIVISIONS?

14

15 **CAP. BORNMAN:** SURE. ICIB HANDLES ANYTHING THAT IS IN THE  
16 CRIMINAL REALM THAT AN EMPLOYEE MIGHT BE ACCUSED OF. LIKE EVEN  
17 A DRUNK DRIVING CASE. THAT AUTOMATICALLY GOES TO ICIB. AND  
18 THEN ONCE THAT CASE ADJUDICATES, IT'LL EITHER GO TO THE  
19 DIVISION LEVEL FOR INVESTIGATION OR BACK TO THE UNIT LEVEL.

20

21 **MIRIAM A. KRINSKY:** THOSE THREE COMPUTER PAGES OF THE CASES  
22 AROUND IN EXCESS OF 40, HOW OLD WERE THEY?

23

24 **CAP. BORNMAN:** WELL SOME OF THE CRIMINAL MONITORS COULD BE A  
25 COUPLE OF YEARS OLD. THERE WERE A NUMBER OF UNIT LEVEL ONES

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THAT WERE GETTING A LITTLE STALE. THERE WERE SIX, SEVEN,  
2 EIGHT, NINE MONTHS ALONG.

3

4 **MIRIAM A. KRINSKY:** AND DID YOU HAVE ANY DISCUSSION WITH  
5 CAPTAIN CRUZ IN REGARD TO THOSE THREE COMPUTER PAGES OF CASES?

6

7 **CAP. BORNMAN:** I TOLD HIM IT SEEMED LIKE A LOT OF CASES. I'D  
8 JUST DO THE BEST I COULD GETTING THEM DONE.

9

10 **MIRIAM A. KRINSKY:** HAVE YOU WORKED ON ADMINISTRATIVE  
11 INVESTIGATIONS LIKE THIS IN THE PAST?

12

13 **CAP. BORNMAN:** HUNDREDS.

14

15 **MIRIAM A. KRINSKY:** AND HOW UNUSUAL WOULD IT BE TO HAVE THIS  
16 MANY ADMINISTRATIVE INVESTIGATIONS THAT HAD BACKLOGGED?

17

18 **CAP. BORNMAN:** NOT EVEN BACK LOGGED. THAT WAS UNUSUAL TO ME TO  
19 SEE THAT MANY OPEN CASES AT A UNIT OF ASSIGNMENT.

20

21 **MIRIAM A. KRINSKY:** THAT MANY AT ONE UNIT OPEN?

22

23 **CAP. BORNMAN:** YEAH.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** WHAT ABOUT A TIME FRAME -- HOW LONG THEY  
2 HAD BEEN OPENED?

3

4 **CAP. BORNMAN:** TIME FRAME, IT STARTS GETTING A LITTLE SCARY  
5 WHEN YOU GET TO ABOUT NINE MONTHS ON BECAUSE YOU HAVE TO MAKE  
6 SURE THEY GET TURNED IN. AND JUST WHEN YOU TURN THEM IN  
7 DOESN'T MEAN TIME STOPS. IT HAS TO GET THROUGH THE CHAIN OF  
8 COMMAND. YOU HAVE TO REALLY PUSH THOSE THINGS THROUGH.

9

10 **MIRIAM A. KRINSKY:** TO BE ABLE TO GET THOSE DONE IN THE ONE  
11 YEAR?

12

13 **CAP. BORNMAN:** YES.

14

15 **MIRIAM A. KRINSKY:** AS YOU STARTED REVIEWING THE CASES, DID YOU  
16 OBSERVE ANY PATTERNS IN TERMS OF THE TYPE OF CONDUCT THAT WAS  
17 INVOLVED?

18

19 **CAP. BORNMAN:** TO ME I SAW A PATTERN OF BEHAVIOR, YEAH.

20

21 **MIRIAM A. KRINSKY:** COULD YOU DESCRIBE TO US THE PATTERNS THAT  
22 YOU SAW?

23

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAP. BORNMAN:** A LOT OF IT WAS OFF DUTY, ALCOHOL-INVOLVED, MORE  
2 THAN ONE OF OUR PEOPLE GOING OUT SOMEWHERE GETTING INTO  
3 DISTURBANCES, FIGHTS WITH PEOPLE.

4

5 **MIRIAM A. KRINSKY:** AND WHAT TIME FRAME ARE WE TALKING ABOUT IN  
6 TERMS OF THAT TYPE OF CONDUCT AND THOSE PATTERNS THAT YOU  
7 OBSERVED?

8

9 **CAP. BORNMAN:** THAT WOULD HAVE BEEN THE FULL ONE YEAR GAMUT.

10

11 **MIRIAM A. KRINSKY:** MEANING WHAT YEAR?

12

13 **CAP. BORNMAN:** I'M SORRY. I GOT THERE IN NOVEMBER OF 2009. SO  
14 IT WOULD HAVE BEEN LATE 2008 GOING INTO 2009.

15

16 **MIRIAM A. KRINSKY:** DID THE PERSONNEL THAT YOU OBSERVED  
17 ENGAGING IN THAT KIND OF CONDUCT COME FROM ANY PARTICULAR PART  
18 OF THE JAIL?

19

20 **CAP. BORNMAN:** IT LOOKED LIKE MOST OF THEM WERE FROM THE 2 AND  
21 3,000 FLOORS.

22

23 **MIRIAM A. KRINSKY:** DID YOU DISCUSS THESE CONCERNS IN TERMS OF  
24 THE SORT OF CONDUCT YOU WERE OBSERVING AND THE QUANTITIES YOU  
25 WERE OBSERVING WITH CAPTAIN CRUZ?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAP. BORNMAN:** I'M SURE I DID.

3

4 **MIRIAM A. KRINSKY:** DO YOU RECALL ANY CONVERSATIONS WITH HIM?

5

6 **CAP. BORNMAN:** I KNOW I EXPRESSED TO HIM MY CONCERN ABOUT THE  
7 ALCOHOL, OFF DUTY DRINKING AND DRIVING AND FIGHTING.

8

9 **MIRIAM A. KRINSKY:** AND WHAT WAS HIS RESPONSE?

10

11 **CAP. BORNMAN:** KIND OF LIKE YEAH, I KNOW, JUST DO THE BEST YOU  
12 CAN WITH THE CASES.

13

14 **MIRIAM A. KRINSKY:** BASED UPON YOUR REVIEW WITH THOSE CASES,  
15 DID YOU HAVE CONCERNS WITH REGARD TO HOW THE HANDLING OF THEM  
16 HAD OCCURRED? HOW THIS BACKLOG HAD COME ABOUT?

17

18 **CAP. BORNMAN:** GENERALLY SPEAKING, I THINK THAT THERE WERE  
19 SIMPLY TOO MANY CASES FOR ONE PERSON TO HAVE BEEN DOING. THEY  
20 WERE IN VARIOUS STAGES OF BEING DONE. SOME HADN'T BEEN  
21 TOUCHED. SOME HAD BEEN WORKED ON A LITTLE BIT. SOME HADBEEN  
22 TURNED INTO THE CAPTAIN. SOME HAD WORKED THEIR WAY UP THROUGH  
23 DIVISION. THE ONES I SAW, THEY WERE NOT IMPRESSIVE  
24 INVESTIGATIONS.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AT SOME POINT IN TIME WHILE YOU WERE  
2 WORKING ON THESE ADMINISTRATIVE INVESTIGATIONS, DID YOU ALSO  
3 FIND SOME EMPLOYEE PERFORMANCE REVIEWS, REQUESTS FOR EMPLOYEE  
4 PERFORMANCE REVIEWS?

5

6 **CAP. BORNMAN:** YES.

7

8 **MIRIAM A. KRINSKY:** AND WHAT IS A REQUEST FOR AN EMPLOYEE  
9 PERFORMANCE REVIEW?

10

11 **CAP. BORNMAN:** PERFORMANCE REVIEW REQUEST IS MADE, IT'S KIND OF  
12 A MATTER OF MECHANISM OF THE COMPUTER SYSTEM. IF THE EMPLOYEE  
13 USES A CERTAIN NUMBER OF USES OF FORCE, FIRES THEIR WEAPON,  
14 GETS SO MANY COMPLAINTS, IF THEY REACH A THRESHOLD, THAT  
15 CREATES THIS MEMO REQUEST THAT GOES TO THE CAPTAIN REQUESTING  
16 THAT THEY REVIEW THE EMPLOYEE'S BEHAVIOR. DOESN'T MEAN THEY'VE  
17 DONE ANYTHING WRONG. IT'S JUST AN EARLY WARNING SYSTEM.

18

19 **MIRIAM A. KRINSKY:** AND HOW DID YOU FIND THESE REQUESTS FOR  
20 EMPLOYEE PERFORMANCE REVIEWS?

21

22 **CAP. BORNMAN:** I OPENED THE WRONG DRAWER ONE DAY AND I FOUND  
23 THEM IN A FOLDER.

24

25 **MIRIAM A. KRINSKY:** HOW MANY WERE THERE?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAP. BORNMAN:** THERE WERE 32.

3

4 **MIRIAM A. KRINSKY:** AROUND WHAT PERIOD OF TIME DID YOU FIND  
5 THEM?

6

7 **CAP. BORNMAN:** WHEN DID I FIND THEM?

8

9 **MIRIAM A. KRINSKY:** RIGHT.

10

11 **CAP. BORNMAN:** PROBABLY MARCH OR APRIL OF 2010.

12

13 **MIRIAM A. KRINSKY:** TO WHOM HAD THESE REQUESTS BEEN DIRECTED?

14

15 **CAP. BORNMAN:** THEY WERE ABOUT A YEAR AND A HALF OLD. THEY  
16 WOULD HAVE ALL BEEN ADDRESSED TO CAPTAIN CRUZ.

17

18 **CAP. BORNMAN:** AND YOU SAID THAT THEY WERE ABOUT A YEAR AND A  
19 HALF OLD. SO DID IT APPEAR THAT THESE WERE UNATTENDED TO  
20 DURING THE YEAR, YEAR AND A HALF PERIOD OF TIME.

21

22 **CAP. BORNMAN:** IT WAS CLEAR THEY HAD BEEN UNATTENDED TO.

23

24 **MIRIAM A. KRINSKY:** WHAT TIME PERIOD IS ASKED FOR IN TERMS OF  
25 THE HANDLING OF REQUESTS FOR PERFORMANCE REVIEWS?



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAP. BORNMAN:** WELL WHEN THE MEMO COMES IN, THEY ASK -- I  
3 BELIEVE THEY WANT THE REQUEST FOR REVIEW COMPLETED IN ABOUT A  
4 WEEK'S TIME. THAT'S A LITTLE DICEY. NOT ENOUGH TIME, FRANKLY,  
5 I THINK ANYTHING WITHIN 30 DAYS BEING GOOD.

6

7 **MIRIAM A. KRINSKY:** SO A REQUEST IS MADE TO THE CAPTAIN TO TURN  
8 THEM AROUND IN A WEEK. AND YOU'RE INDICATING IT CAN OFTEN TAKE  
9 AS LONG AS 30 DAYS.

10

11 **CAP. BORNMAN:** YEAH, THEY'RE VERY CUMBERSOME AND LABORIOUS TO  
12 DO.

13

14 **MIRIAM A. KRINSKY:** WHAT'S THE VALUE OF PROMPT ATTENTION TO  
15 THEM?

16

17 **CAP. BORNMAN:** IT'S KIND OF THE SAME THING. IF SOMEONE'S DOING  
18 SOMETHING WRONG, WE NEED TO LET THEM KNOW OR IF WE'RE PUTTING  
19 THEM IN HARM'S WAY, WE NEED TO CHANGE POLICY. IF WHAT THEY'RE  
20 DOING IS OKAY, WE NEED TO VALIDATE THAT, TOO. WE NEED TO GIVE  
21 THE EMPLOYEE FEEDBACK ABOUT THEIR PERFORMANCE.

22

23 **MIRIAM A. KRINSKY:** SO YOU FOUND ABOUT 32 OF THEM IN A DRAWER.  
24 DID ANY MORE OF THEM COME TO YOUR ATTENTION THEREAFTER?

25

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Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** AT THE TIME I COMPLETED THOSE, ANOTHER 10 CAME  
2 IN OVER THE FOLLOWING YEAR.

3

4 **MIRIAM A. KRINSKY:** AS YOU STARTED TO LOOK THROUGH THEM, WHAT  
5 DID YOU SEE IN TERMS OF THE TYPES OF CONDUCT OR THE NUMBER OF  
6 ACTS THAT HAD TRIGGERED THE REQUESTS FOR REVIEW?

7

8 **CAPT. BORNMAN:** THEY WERE ALL USES OF FORCE. SOME OF THEM HAD A  
9 LOT OF USES OF FORCE.

10

11 **MIRIAM A. KRINSKY:** BY A LOT WHAT DO YOU MEAN?

12

13 **CAPT. BORNMAN:** DOUBLE DIGITS, IN THE 20S.

14

15 **MIRIAM A. KRINSKY:** DID ANY OF THEM INVOLVE INTERNAL AFFAIRS  
16 BUREAU ROLLOUTS?

17

18 **CAPT. BORNMAN:** YES.

19

20 **MIRIAM A. KRINSKY:** AND WHAT DOES THAT MEAN?

21

22 **CAPT. BORNMAN:** YOU KNOW THAT BY LOOKING AT THE PAPERWORK.

23 THERE WILL BE AN ASTERISK NEXT TO THE NUMBER. THAT MEANS IT

24 WAS AN IAB ROLLOUT, WHICH TELLS YOU THAT THERE WAS FORCE USED

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THAT CREATED SIGNIFICANT INJURY, SO THAT REQUIRES IAB TO ROLL  
2 OUT IMMEDIATELY.

3

4 **MIRIAM A. KRINSKY:** HOW MANY OF THOSE REVIEWS, HOW MANY OF THE  
5 USES OF FORCE THAT YOU SAW IN TERMS OF PROPORTION INVOLVED  
6 SIGNIFICANT USE OF FORCE? IS THAT THE MAJORITY OR MINORITY?

7

8 **CAPT. BORNMAN:** THERE'S A DIFFERENCE BETWEEN SIGNIFICANT USE OF  
9 FORCE AND SIGNIFICANT FORCE THAT RESULTS IN IAB ROLLOUT.

10

11 **MIRIAM A. KRINSKY:** OKAY. DESCRIBE THAT.

12

13 **CAPT. BORNMAN:** IAB ROLLOUT IS THE MINORITY. AND THEN  
14 SIGNIFICANT AND THEN LESS SIGNIFICANT, PROBABLY ABOUT 40  
15 PERCENT WERE SIGNIFICANT, THE REST WERE LESS SIGNIFICANT.

16

17 **HON. DICKRAN M. TEVRIZIAN:** LET ME ASK A QUESTION JUST FOR  
18 CLARIFICATION. JUDGE TEVRIZIAN. THIS WAS AN IMPORTANT REQUEST,  
19 THIS IS WHY I WANT TO ASK IT. ARE THESE REQUESTS FOR  
20 PERFORMANCE REVIEW COMPUTER-GENERATED OR ARE THEY MAN-MADE  
21 REQUESTS?

22

23 **CAPT. BORNMAN:** THE NOTIFICATION, THE THRESHOLD IS COMPUTER-  
24 GENERATED. THEN THAT GOES TO THE PERFORMANCE REVIEW COMMITTEE

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Meeting Held on July 6, 2012**

1 THAT'S HEADED BY A COMMANDER. AND THEN THAT MEMO IS MAN-MADE  
2 AND SENT TO THE UNIT. THAT'S ALL.

3

4 **MIRIAM A. KRINSKY:** AND WHAT IS IT THAT THE UNIT DOES? I THINK  
5 YOU DID IT IN BRIEF BUT MAYBE SPELL OUT THE PROCESS AT THE  
6 UNIT LEVEL.

7

8 **CAPT. BORNMAN:** YEAH, WHEN YOU GET THEM IN, YOU PULL UP THE  
9 PERSON'S PPI. AND THEN YOU GO -- THE RULE OF THUMB IS THREE  
10 YEARS. SO YOU LOOK AT IF IT'S USES OF FORCE, YOU GO BACK THREE  
11 YEARS AND THEN WHAT YOU HAVE TO DO IS YOU'RE SUPPOSED TO PULL  
12 UP EVERY ONE OF THOSE USES OF FORCES FORCE, AND YOU'RE  
13 SUPPOSED TO DISSECT IT AND SEE WHAT ROLE THE EMPLOYEE PLAYED  
14 IN THE USE OF FORCE, WHAT KIND OF FORCE WAS USED, WHAT THEY  
15 DID, YOU KNOW, LIKE I SAID, IT'S VERY LABORIOUS. IT TAKES A  
16 LONG TIME TO DO EACH ONE OF THOSE.

17

18 **MIRIAM A. KRINSKY:** IS THERE THEN A RECOMMENDATION OR  
19 CONCLUSION THAT'S REACHED AFTER YOU DO THAT SORT OF ANALYSIS?

20

21 **CAPT. BORNMAN:** YES, GENERALLY THE UNIT COMMANDER WILL PUT THE  
22 EMPLOYEE'S PERFORMANCE DID NOT APPEAR TO BE PROBLEMATIC. OR  
23 THE EMPLOYEE'S PERFORMANCE WOULD SUGGEST THAT WE NEED ANOTHER  
24 REVIEW, WITH WHICH THE COMMANDERS' GROUP DOES. OR THE UNIT

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 COMMANDER CAN SAY: WE'LL PUT THE PERSON ON A UNIT LEVEL  
2 PERFORMANCE REVIEW, WHICH IS MUCH LESS FORMAL.

3

4 **MIRIAM A. KRINSKY:** AND IS ONE OF THE OPTIONS TO RECOMMEND  
5 PERFORMANCE MENTORING?

6

7 **CAPT. BORNMAN:** YES.

8

9 **MIRIAM A. KRINSKY:** WHAT IS PERFORMANCE MENTORING?

10

11 **CAPT. BORNMAN:** IT'S A FORMAL PROCESS WHERE THE EMPLOYEE IS  
12 CALLED IN, TOLD ABOUT THE CONCERNS, THEY GET A MENTORING  
13 SERGEANT AND A MENTORING LIEUTENANT AND THE SERGEANT IS  
14 REQUIRED TO MAKE ROUTINE CONTACT WITH THE EMPLOYEE. IT'S JUST  
15 BASICALLY GIVE HIM A PEP TALK, LET THEM KNOW HOW THEY'RE DOING  
16 EACH WEEK AND TO TRACK THEIR PERFORMANCE.

17

18 **MIRIAM A. KRINSKY:** SO IS THAT USED IN SITUATIONS WHERE THERE  
19 ARE CONCERNS AND THE VIEW IS THAT SOME SORT OF ADDITIONAL EYES  
20 AND EARS AND MENTORING WOULD BE BENEFICIAL?

21

22 **CAPT. BORNMAN:** YES.

23

24 **MIRIAM A. KRINSKY:** IN AN EFFORT TO TRY TO RECTIFY ANY PROBLEMS  
25 THAT ARE SEEN WITH THE EMPLOYEE'S PERFORMANCE?

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Meeting Held on July 6, 2012**

1

2 **CAPT. BORNMAN:** YES.

3

4 **MIRIAM A. KRINSKY:** IS THE FINAL CALL RELATED TO PERFORMANCE  
5 MENTORING ONE THAT THE CAPTAIN MAKES?

6

7 **CAPT. BORNMAN:** YES.

8

9 **MIRIAM A. KRINSKY:** YOU STARTED LOOKING THROUGH THESE FILES,  
10 DID YOU HAVE AN OPPORTUNITY DURING THAT REVIEW TO TALK TO  
11 CAPTAIN CRUZ ABOUT THE PROCESS YOU WERE ENGAGING IN?

12

13 **CAPT. BORNMAN:** YES.

14

15 **MIRIAM A. KRINSKY:** DID YOU HAVE CONCERNS BASED UPON WHAT YOU  
16 WERE SEEING WHEN YOU WERE LOOKING THROUGH THESE FILES?

17

18 **CAPT. BORNMAN:** WELL IN GENERAL I WAS HAVING CONCERN ABOUT THE  
19 NUMBER OF USES OF FORCE I WAS SEEING.

20

21 **MIRIAM A. KRINSKY:** AND WHAT WERE YOUR CONCERNS SPECIFICALLY IN  
22 TERMS OF THE NUMBER?

23

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Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** THE NUMBERS WERE TOO HIGH. IT APPEARED TO -- I  
2 HAD NEVER SEEN THAT MUCH FORCE USED ANYWHERE ELSE THAT I'VE  
3 WORKED.

4

5 **MIRIAM A. KRINSKY:** SO IN YOUR THREE DECADES PLUS, THIS STOOD  
6 OUT, HAVING NEVER SEEN SOMETHING LIKE THIS BEFORE?

7

8 **CAPT. BORNMAN:** YES.

9

10 **MIRIAM A. KRINSKY:** DID YOU SAY THAT TO CAPTAIN CRUZ?

11

12 **CAPT. BORNMAN:** YES.

13

14 **MIRIAM A. KRINSKY:** AND WHAT WAS HIS RESPONSE TO YOU?

15

16 **CAPT. BORNMAN:** I DON'T RECALL A RESPONSE.

17

18 **MIRIAM A. KRINSKY:** DID HE GIVE YOU ANY GUIDANCE AS TO THE  
19 LEVEL OF SCRUTINY YOU SHOULD GIVE IN REGARDS TO THIS PROCESS?

20

21 **CAPT. BORNMAN:** NOT REALLY. WHEN I FOUND THEM AND BROUGHT THEM  
22 TO HIS ATTENTION. THESE ARE OLD. HE SAID DON'T LET THEM TAKE  
23 UP TOO MUCH OF YOUR TIME. OKAY, I'LL DO WHAT I CAN TO GET THEM  
24 THROUGH.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** DID YOU HAVE DISCUSSIONS WITH HIM WHETHER  
2 YOU SHOULD RECOMMEND PERFORMANCE MENTORING?

3

4 **CAPT. BORNMAN:** YES.

5

6 **MIRIAM A. KRINSKY:** WHAT DID HE SAY TO YOU IN THAT REGARD?

7

8 **CAPT. BORNMAN:** HE SAID THAT MR. TANAKA DIDN'T LIKE TO SEE  
9 PEOPLE ON PERFORMANCE MENTORING.

10

11 **MIRIAM A. KRINSKY:** AND AT THAT TIME WHAT POSITION WAS MR.  
12 TANAKA?

13

14 **CAPT. BORNMAN:** HE WAS THE ASSISTANT SHERIFF ON THE PATROL SIDE  
15 OF THE SHOP.

16

17 **MIRIAM A. KRINSKY:** SO HE WASN'T ACTUALLY THE ASSISTANT SHERIFF  
18 OVER CUSTODY AT THAT PERIOD OF TIME?

19

20 **CAPT. BORNMAN:** RIGHT.

21

22 **MIRIAM A. KRINSKY:** YOU MENTIONED CONCERNS IN TERMS OF THE  
23 NUMBER OF THESE THAT YOU SAW. DID YOU ALSO HAVE CONCERNS IN  
24 REGARD TO HOW WELL THE PROCESS HAD WORKED?

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** YEAH. IT APPEARED THE PROCESS WASN'T WORKING.

2

3 **MIRIAM A. KRINSKY:** AND WHAT WAS YOUR IMPRESSION AS TO WHAT HAD  
4 LED TO THAT BREAKDOWN IN THE PROCESS?

5

6 **CAPT. BORNMAN:** WELL ULTIMATELY I CAME TO A FEW CONCLUSIONS,  
7 ONE OF THEM WAS THE SYSTEM WAS CHRONICALLY OVERBURDENED.  
8 THERE'S STAFFING FOR OPERATIONS AT MEN'S CENTRAL JAIL. IT IS  
9 THE SAME AS THE STAFFING AT CRESCENTA VALLEY STATION. AND  
10 CENTRAL JAIL HAS 750 PEOPLE EMPLOYED, CRESCENTA VALLEY STATION  
11 HAS ABOUT 125. WITH THAT MANY PEOPLE AND THAT MUCH PAPERWORK  
12 GOING THROUGH, I DON'T SEE HOW THE OPERATIONS STAFF COULD  
13 EFFECTIVELY DO THEIR JOB AND KEEP ON TOP OF IT.

14

15 **MIRIAM A. KRINSKY:** SO YOU'VE INDICATED AN OVERBURDENED SYSTEM  
16 BASED UPON INADEQUATE NUMBERS OF STAFF. WAS IT YOUR IMPRESSION  
17 THAT THE UNUSUALLY HIGH NUMBER OF THESE ALSO HAD CAUSED THE  
18 SYSTEM TO OVERBURDEN?

19

20 **CAPT. BORNMAN:** YEAH, THAT'S PART AND PARCEL.

21

22 **MIRIAM A. KRINSKY:** YOU HAVE A NOTEBOOK IN FRONT OF YOU. AND,  
23 COMMISSIONERS, YOU'VE ALSO GOT NOTEBOOKS. SO, COMMISSIONERS,  
24 IF YOU TURN TO TAB 8 AT THE NOTEBOOK THAT YOU HAVE BEFORE YOU,  
25 WHAT WE'VE PUT TOGETHER AT TAB 8 IS A SUMMARY OF THESE 42

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Meeting Held on July 6, 2012**

1 PERFORMANCE MENTORING REPORTS THAT CAPTAIN BORNMAN HAS JUST  
2 REFERENCED. THE ANALYSIS WAS DONE BASED UPON SOME UNDERLYING  
3 DOCUMENTS. WE RECEIVED THOSE ONLY A SHORT PERIOD OF TIME AGO,  
4 SO WE HAVEN'T HAD AN OPPORTUNITY TO DO A FULL ANALYSIS, BUT WE  
5 DID ATTEMPT TO DO SOME SUMMARIZING AT THAT TAB FOR YOU. AS  
6 CAPTAIN BORNMAN INDICATED, AS THAT CHART REFLECTS, EACH OF  
7 THESE MEMORANDA REFLECT SUMMARY OF USE OF FORCE OVER A THREE-  
8 YEAR PERIOD OF TIME. IT LISTS 41 BECAUSE THERE WAS ONE THAT  
9 WAS A SHORTER UNIQUE MEMORANDA, IT LISTS 41 SEPARATE  
10 INDIVIDUALS WHO WENT THROUGH THE PROCESS, ALL BUT TWO OF THEM  
11 HAD 10 OR MORE REPORTED USES OF FORCES. A DOZEN OF THE  
12 DEPUTIES HAD 15 OR MORE USES OF FORCE. SOME MEMORANDA  
13 INDICATED WHETHER THERE WAS SIGNIFICANT OR NOT USE OF FORCE.  
14 SOME OF THEM INDICATED WHETHER THERE WERE OR WEREN'T IAB  
15 ROLLOUTS. WE DIDN'T LIST OR CAPTURE ALL THE IAB ROLLOUTS. I  
16 CAN TELL YOU, HAVING LOOKED AT ALL OF THOSE, THAT THERE WERE A  
17 NUMBER THAT HAD IAB ROLLOUTS. AND AS YOU CAN SEE, STARTING IN  
18 AROUND AUGUST OF 2010, THERE'S A REFLEXION OF NOT SIMPLY THE  
19 NUMBER OF USES OF FORCE BUT ALSO HOW MANY WERE SIGNIFICANT.  
20 WHEN WE STARTED TO SEE THAT INFORMATION, THE VAST MAJORITY  
21 INVOLVED SIGNIFICANT USE OF FORCE. THEY DIDN'T GENERALLY  
22 REFLECT WHERE THE DEPUTIES WERE ASSIGNED, BUT IN THOSE  
23 INSTANCES WHERE IT DID REFLECT ASSIGNMENTS, HALF INVOLVED  
24 DEPUTIES WHO WERE ASSIGNED TO OR HAD BEEN INVOLVED IN  
25 INCIDENTS IN USE OF FORCE ON THE 3,000 FLOOR. THE TIME PERIOD

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 FROM WHEN THE DATE OF REQUEST FOR REVIEW WAS MADE, THAT  
2 MEMORANDUM, THAT REQUEST FOR REVIEW THAT CAPTAIN BORNMAN  
3 REFERENCED, TO THE TIME OF COMPLETION, THE MEMO THAT COMPLETED  
4 THE REVIEW, HAS BEEN CALCULATED, AS WELL. AS YOU'LL SEE ON  
5 AVERAGE, THEY WERE PENDING FOR AROUND 195 DAYS. NEARLY HALF OF  
6 THEM WERE PENDING FOR OVER 200 DAYS. 7 OF THEM WERE PENDING  
7 FOR OVER A YEAR.

8

9 **HON. ROBERT BONNER:** THIS IS COMMISSIONER BONNER. JUST A  
10 QUESTION, LOOKING AT THIS. ARE WE TO INTERPRET THIS TO BE THAT  
11 THAT WITH RESPECT TO EACH ONE OF THESE, THE FIRST ONE BEING  
12 INVOLVED 13 REPORTED USES OF FORCES THE DATE OF THE MEMO IS  
13 1/13/2010, BUT EACH ONE OF THESE INVOLVED A SEPARATE DEPUTY?  
14 IN WHICH CASE BECAUSE THERE ARE ABOUT 45 LISTED OR 48 OR SO.

15

16 **MIRIAM A. KRINSKY:** NO. THEY DIDN'T EACH INVOLVE -- EACH ENTRY  
17 IS A SEPARATE DEPUTY. EACH USE OF FORCE IS A USE OF FORCE AS  
18 IT RELATED TO THAT DEPUTY. THERE MAY HAVE BEEN OTHER DEPUTIES  
19 INVOLVED IN THAT USE OF FORCE, BUT IT'S AN ANALYSIS OF FOR  
20 THAT DEPUTY WHEN AN ALARM BELL WENT OFF TO TRY TO ASSESS THE  
21 CONDUCT, IT'S AN ANALYSIS OF HOW MANY USES OF FORCE THAT  
22 DEPUTY WAS INVOLVED IN.

23

24 **HON. ROBERT BONNER:** BUT IT'S BY DEPUTY, THEN?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** CORRECT.

2

3 **HON. ROBERT BONNER:** I DIDN'T UNDERSTAND THAT. IS THERE A TRIP  
4 WIRE IN TERMS OF NUMBERS OF USES OF FORCE THAT RESULT IN AN  
5 EMPLOYEE PERFORMANCE REVIEW REQUEST? IN OTHER WORDS, ALL OF  
6 THESE ARE 10 OR MORE. SO I MEAN THAT'S A LOT OF USES OF FORCE  
7 BY AN INDIVIDUAL DEPUTY BEFORE THERE'S EVEN A PERFORMANCE  
8 REVIEW. AND I JUST WANT TO MAKE SURE THAT'S CLARIFIED.

9

10 **MIRIAM A. KRINSKY:** YES, COMMISSIONER BONNER, LET ME ASK  
11 CAPTAIN BORNMAN. SO IS A REQUEST FOR EMPLOYEE PERFORMANCE  
12 REVIEW TRIGGERED BY A NUMBER OF DIFFERENT FACTORS?

13

14 **CAPT. BORNMAN:** YES.

15

16 **MIRIAM A. KRINSKY:** AND COULD YOU DESCRIBE FOR US THE KINDS OF  
17 FACTORS THAT WOULD TRIGGER THAT REQUEST?

18

19 **CAPT. BORNMAN:** WELL, THE MAIN FACTOR IN ANY OF THAT IS IT'S A  
20 COMPUTER-GENERATED THRESHOLD. SO IF SOMEONE GETS FIVE USES OF  
21 FORCE WITHIN A YEAR'S TIME, THAT MIGHT TRIP IT. YOU KNOW, TWO  
22 USES OF A FIREARM IN THAT SAME AMOUNT OF TIME MIGHT TRIP IT AS  
23 WELL. A COUPLE DIFFERENT ADMINISTRATIVE INVESTIGATIONS THAT  
24 ARE FOUNDED CAN TRIP IT. THERE'S A BUNCH OF DIFFERENT FACTORS.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** AND BONNER AGAIN. BUT WHO IS ACTUALLY  
2 MAKING THE REQUEST? IT'S NOT THE COMPUTER? IT'S NOT JUST A  
3 NUMBER.

4

5 **CAPT. BORNMAN** YES.

6

7 **HON. ROBERT BONNER:** WHO ACTUALLY MAKES THE REQUEST?

8

9 **CAPT. BORNMAN:** THE PERFORMANCE REVIEW COMMITTEE.

10

11 **SPEAKER:** -- MISS KRINSKY, EXCUSE ME, I DIDN'T GET THIS.

12

13 **MIRIAM A. KRINSKY:** I'M SORRY.

14

15 **SPEAKER:** JIM MCDONALD, IF I COULD ASK A FOLLOWUP BEFORE WE GET  
16 OFF THE SYSTEMS, DID YOU SEE THIS WHERE YOU FOUND THE NUMBER  
17 OF CASES ON THE COMPUTER SHEET IN THE DRAWER, DID YOU SEE THAT  
18 AS A TOTAL ADMINISTRATIVE BREAKDOWN DUE TO THE CAPABILITIES  
19 AND THE VOLUME OF MATERIAL? OR A DELIBERATE AVOIDANCE TO DEAL  
20 WITH THE ISSUES? WHICH KIND OF RESULTS IN A TACIT APPROVAL OF  
21 WHAT'S GOING ON BECAUSE THEY DIDN'T DEAL WITH IT? BON

22

23 **CAPT. BORNMAN:** OUCH, I DIDN'T KNOW IF I WENT THERE. WHEN I SAW  
24 IT, I THOUGHT IT WAS PROBABLY A LACK OF ABILITY TO DO IT.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **SPEAKER:** AND THEN A FOLLOWUP TO THAT WOULD BE, I GUESS, AS FAR  
2 AS SYSTEMS, AND I DON'T HAVE A FEEL FOR THAT IN THE SHERIFF'S  
3 DEPARTMENT, YOU GOT SOMETHING SUCH AS AN IA ROLLOUT THAT  
4 REFERS TO THE PATROL SIDE OR THE ADMINISTRATIVE SIDE. IS THERE  
5 ANY DISPO TO CLOSE THAT OUT SO THAT THERE'S AN ASSURANCE THAT  
6 IT'S CLOSED OUT BEFORE THE STATUTE RUNS?

7

8 **CAPT. BORNMAN:** YES. THE ASTERISK JUST TELLS YOU AS A MANAGER  
9 WHEN YOU LOOK AT IT THAT THAT USE OF FORCE RESULTED IN AN IAB  
10 ROLLOUT. THEN IN THEORY YOU GO BACK TO THAT IAB NUMBER,  
11 INVESTIGATION NUMBER. YOU CAN PULL IT OUT AND REVIEW THE FORCE  
12 PACKAGE, WHICH IS SUPPOSED TO BE DONE IN THAT ONE YEAR PERIOD  
13 OF TIME.

14

15 **SPEAKER:** AS A FOLLOWUP TO THAT, WHEN YOU HAVE THE THREE PAGES,  
16 WAS THERE ANYBODY KNOCKING ON THE DOOR SAYING WHERE ARE THESE  
17 CASES? THEY'RE DUE IN A MONTH? THEY'RE OVERDUE.

18

19 **CAPT. BORNMAN** NO. NOBODY WAS KNOCKING.

20

21 **SPEAKER:** I HAVE A QUESTION. MR. TEVRIZIAN. THIS IS DICK  
22 TEVRIZIAN. IF YOU HAD 48 IDENTIFIED IN THIS REPORT THAT IS 10  
23 OR MORE, JUST DOING THAT MATH, THAT WOULD ACCOUNT FOR 480 PLUS  
24 USE OF FORCE INCIDENTS INVOLVING THESE 48 INDIVIDUALS. AM I  
25 CORRECT?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. BORNMAN:** WELL, SOME OF THE DEPUTIES COULD HAVE BEEN  
3 INVOLVED IN THE SAME USE OF FORCE. SO IF YOU GOT FOUR OR FIVE  
4 INVOLVED IN ONE, THEY'RE NOT SEPARATE FORCE INCIDENTS. IT'S  
5 SEPARATE USE OF FORCE BY DEPUTY.

6

7 **HON. DICKRAN M. TEVRIZIAN:** SO ONE DEPUTY -- MULTIPLE DEPUTIES  
8 COULD BE LISTED WITH THE INFORMATION THAT YOU'VE SUBMITTED  
9 HERE?

10

11 **CAPT. BORNMAN:** LIKE IF THERE'S A USE OF FORCE IN A CERTAIN  
12 PLACE AND THREE DEPUTIES ARE INVOLVED, ALL THREE OF THEM GET A  
13 DING ON THEIR PPI, YES.

14

15 **HON. DICKRAN M. TEVRIZIAN:** BUT IN ORDER TO GET 10 OR MORE  
16 GENERATED BY THE COMPUTER TO LOOK AT, IT WOULD REQUIRE  
17 MULTIPLE USES OF FORCE.

18

19 **CAPT. BORNMAN:** YES, IT WOULD INVOLVE 10 OR MORE USES OF FORCE.

20

21 **HONORABLE JUDGE BAIRD:** COMMISSIONER BUSANSKY WOULD LIKE TO ASK  
22 A QUESTION. THANK YOU. AL --

23

24 **MR. ALEXANDER BUSANSKY:** THANK YOU. ALEX BUSANSKY. THANK YOU.  
25 AT THE TIME, WHO WAS THE UNDERSHERIFF?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. BORNMAN:** HELP ME OUT, MR. WALDIE.

3

4 **SPEAKER:** AND THEN MR. TANAKA TOOK OVER FROM HIM?

5

6 **CAPT. BORNMAN:** YES.

7

8 **SPEAKER:** AND THAT WAS BEFORE --

9

10 **CAPT. BORNMAN:** NO, ALL OF THESE WERE BEING DONE WHEN MR.

11 TANAKA WAS THE ASSISTANT SHERIFF.

12

13 **SPEAKER:** WHO DID YOU REPORT TO AT THAT TIME?

14

15 **CAPT. BORNMAN:** REPORTED TO CAPTAIN CRUZ.

16

17 **SPEAKER:** AND HE REPORTED TO?

18

19 **CAPT. BORNMAN:** BOB OLMSTED.

20

21 **MIRIAM A. KRINSKY:** AS A FOLLOWUP TO THAT, DID YOU HAVE ANY

22 CONVERSATIONS -- HAVING NOW WORKED ON THIS LARGE NUMBER OF

23 ADMINISTRATIVE INVESTIGATIONS WITH TROUBLING THINGS THAT CAME

24 TO YOUR ATTENTION AND THESE LARGE NUMBER OF REQUESTS FOR

25 EMPLOYEE PERFORMANCE REVIEWS THAT YOU FOUND IN THE DRAWER --



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DID YOU TALK TO CAPTAIN CRUZ ABOUT WHETHER COMMANDER OLMSTED,  
2 HIS SUPERVISOR, SHOULD BE BROUGHT INTO THE PICTURE?

3

4 **CAPT. BORNMAN:** YEAH, I'VE HAD A NUMBER OF CONVERSATIONS  
5 RELATIVE TO BRINGING INFORMATION FORWARD OUTSIDE OF THE UNIT.

6

7 **MIRIAM A. KRINSKY:** MEANING TO COMMANDER OLMSTED?

8

9 **CAPT. BORNMAN:** YES.

10

11 **MIRIAM A. KRINSKY:** AND WHAT DID CAPTAIN CRUZ SAY IN REGARD TO  
12 THAT?

13

14 **CAPT. BORNMAN:** SPECIFICALLY? YOU GUYS WANT ME TO CUSS IN  
15 PUBLIC?

16

17 **MIRIAM A. KRINSKY:** YES.

18

19 **CAPT. BORNMAN:** HE SAID "FUCK, BOB OLMSTED. I DON'T WORK FOR  
20 HIM."

21

22 **MIRIAM A. KRINSKY:** DID HE INDICATE WHOM HE BELIEVED HE WORKED  
23 FOR?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** HE SAID THAT -- I PRESSED HIM ON IT. IF YOU  
2 DON'T WANT TO GO TO BOB, LET'S JUST GO TO DENNIS BURNS. AND HE  
3 SAID NO. HE GOES "LEE BACA IS MY SHERIFF. BUT I WORK FOR PAUL  
4 TANAKA."

5

6 **MIRIAM A. KRINSKY:** AND AGAIN AT THE POINT IN TIME WHEN HE SAID  
7 THAT, WAS PAUL TANAKA THE ASSISTANT SHERIFF OVERSEEING  
8 CUSTODY?

9

10 **CAPT. BORNMAN:** NO.

11

12 **MIRIAM A. KRINSKY:** HE WAS THE ASSISTANT SHERIFF OVERSEEING  
13 PATROL, CORRECT?

14

15 **CAPT. BORNMAN:** YES.

16

17 **MIRIAM A. KRINSKY:** LET ME MOVE ON TO ANOTHER AREA. CAN YOU  
18 TELL US WHAT A WATCH COMMANDER SERVICE REPORT IS?

19

20 **CAPT. BORNMAN:** WATCH COMMANDER SERVICE COMMENT REPORT IS A  
21 SERIALIZED FORM THAT CAME ABOUT AS A RESULT, I THINK IT WAS  
22 THE KOLTS COMMISSION, ONE OF THOSE FOLKS. AND WHAT IT DID WAS  
23 IT ALLOWED A SERIALIZED WAY TO TRACK EITHER CITIZENS'  
24 COMPLAINTS OR COMMENDATIONS FOR OUR PERSONNEL.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND WHAT INFORMATION WOULD IT REFLECT AS TO  
2 PEOPLE WORKING IN CUSTODY? IF THERE WERE COMPLAINTS? WHERE  
3 WERE THOSE COMPLAINTS COME FROM?  
4

5 **CAPT. BORNMAN:** GENERALLY THEY COME FROM -- WELL WHERE A  
6 CITIZEN'S GOING TO HAVE CONTACT, WHICH COULD BE LIKE A FAMILY  
7 MEMBER OR AN ATTORNEY DEALING WITH OUR PERSONNEL, YOU KNOW, AT  
8 THE VISITING AREA OR THE ATTORNEY ROOM, SOME OF THE CONTACTS  
9 HAPPENED IN THE PERIMETER OUTSIDE THE JAIL FACILITY.  
10

11 **MIRIAM A. KRINSKY:** HOW WERE THOSE REPORTS GENERALLY SUPPOSED  
12 TO BE HANDLED OR PROCESSED?  
13

14 **CAPT. BORNMAN:** THOSE ARE REQUIRED TO BE -- WHEN YOU GET THEM,  
15 YOU ENTER THEM INTO PPIs SO THEY HAVE A NUMBER. AND YOU SEND A  
16 RESPONSE LETTER TO THE PARTY THAT'S REPORTED THIS TO YOU. THEN  
17 YOU INVESTIGATE IT. THEN YOU DO A COMPLETION MEMO. YOU SEND A  
18 LETTER CLOSING THE CASE OUT TO THE PERSON WHO REPORTED IT TO  
19 YOU. THERE'S A COVER MEMO PUT ON THAT AND THAT'S SHIPPED UP  
20 THE CHAIN OF COMMAND AND IT ULTIMATELY GOES TO THE DISCOVERY  
21 UNIT, WHICH IS THE WAREHOUSE.  
22

23 **MIRIAM A. KRINSKY:** IS IT IMPORTANT FOR THOSE TO BE PROCESSED  
24 IN A TIMELY FASHION?  
25

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Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** YES, I THINK THERE'S A 30-DAY TURN AROUND ON  
2 THEM.

3

4 **MIRIAM A. KRINSKY:** WHY IS THAT IMPORTANT?

5

6 **CAPT. BORNMAN:** THE SAME THING AS ANYTHING ELSE, YOU HAVE TO BE  
7 ABLE TO REPORT BACK TO YOUR PEOPLE IN A TIMELY MANNER IF  
8 THEY'RE DOING SOMETHING WRONG OR SOMETHING NEEDS TO BE FIXED.

9

10 **MIRIAM A. KRINSKY:** AT SOME POINT IN TIME DID YOU COME ACROSS A  
11 DELINQUENT SET OF THOSE?

12

13 **CAPT. BORNMAN:** YES.

14

15 **MIRIAM A. KRINSKY:** HOW DID THAT COME TO YOUR ATTENTION?

16

17 **CAPT. BORNMAN:** I OPENED ANOTHER WRONG DRAWER AND I FOUND A  
18 COUPLE OF THEM THAT I THINK MUCH OF THEM DIDN'T EVEN HAVE THE  
19 ENTRY NUMBER ON IT. LIKE IT HADN'T BEEN ENTERED INTO PPI. SO I  
20 TOOK THE ONE OR TWO TO THE OPERATIONS DEPUTY AND I ASKED HIM  
21 WHERE THEY WERE TRACKED AT. HE SAID HE DIDN'T KNOW. I ASKED  
22 HIM WHAT THEY DID WITH THEM. HE SAID HE DIDN'T KNOW. I ASKED  
23 HIM IF HE HAD ANY MORE. AND HE HAD SOME IN HIS IN TRAY, IN HIS  
24 OUT TRAY, IN A DESK DRAWER AND IN A FILE CABINET BEHIND HIS  
25 BACK.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** AND WHO WAS THAT OPERATIONS DEPUTY WHO HAD  
3 SOME OF THEM IN HIS OFFICE, AS WELL?

4

5 **CAPT. BORNMAN:** THE NAME OF THE DEPUTY?

6

7 **MIRIAM A. KRINSKY:** YES.

8

9 **CAPT. BORNMAN:** ERIC TUN FORCE.

10

11 **MIRIAM A. KRINSKY:** WHAT DID YOU DO WITH THOSE OLD COMMANDER  
12 SERVICE REPORTS?

13

14 **CAPT. BORNMAN:** I TOOK ALL OF THEM. AND I LAID THEM OUT AND I  
15 COUNTED THEM. THERE WERE 50 OF THEM. AND THEY WENT BACK TO --  
16 THERE WERE A COUPLE IN 2005. COUPLE IN 2006. MORE IN 2007,  
17 MORE IN 2008. AND THEN THE OTHERS WERE 2009 AND '10.

18

19 **MIRIAM A. KRINSKY:** AND I BELIEVE YOU REFERENCED PPI EARLIER.  
20 HAD THEY ALL BEEN ENTERED INTO PPI?

21

22 **CAPT. BORNMAN:** NO. SOME OF THEM -- THEY WERE JUST IN VARIOUS  
23 STATES OF DISARRAY. SOME HADN'T BEEN ENTERED. SOME HAD BEEN  
24 PARTIALLY WORKED. SOME HADN'T BEEN WORKED AT ALL.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND ARE THERE PROBLEMS WITH FAILURE TO  
2 ENTER THIS KIND OF INFORMATION INTO PPI?

3

4 **CAPT. BORNMAN:** OH YEAH.

5

6 **MIRIAM A. KRINSKY:** DID YOU AGAIN HAVE THE OPPORTUNITY TO TALK  
7 TO CAPTAIN CRUZ ABOUT THIS NEW FINDING?

8

9 **CAPT. BORNMAN:** YES.

10

11 **MIRIAM A. KRINSKY:** AND WHAT DID HE TELL YOU TO DO?

12

13 **CAPT. BORNMAN:** I TOLD HIM THAT IT WAS MY INTENT TO DO THEM. HE  
14 SAID OKAY. DON'T LET THEM TAKE UP TOO MUCH OF YOUR TIME.

15

16 **MIRIAM A. KRINSKY:** WHAT DID YOU DO IN REGARD TO THEM?

17

18 **CAPT. BORNMAN:** I COMPLETED ALL OF THEM. I ENTERED ALL OF THEM  
19 IN THE SYSTEM. I CREATED A TRACKING SYSTEM. I SHOWED THE  
20 DEPUTY HOW TO WORK THE TRACKING SYSTEM. AND I DID THE  
21 PAPERWORK THAT SHIPPED THEM OFF SO THEY WOULD GO WHERE THEY'RE  
22 SUPPOSED TO BE.

23

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** DID YOU ENDEAVOR TO CONTACT THE PEOPLE AS  
2 TO THOSE THAT INVOLVED COMPLAINTS WHO HAD MADE THE COMPLAINTS  
3 ABOUT THE INDIVIDUAL DEPUTIES?

4

5 **CAPT. BORNMAN:** YEAH, IN VARIOUS STAGES. I DIDN'T SEE ANY SENSE  
6 IN SENDING AN ACKNOWLEDGMENT LETTER TO SOMEBODY IN 2010 THAT  
7 HAD COMPLAINED IN 2005. SO I COMPLETED THOSE. AND I SENT  
8 CLOSURE MEMOS, A LETTER SAYING WE'VE LOOKED INTO IT, THANK  
9 YOU. BUT, YEAH, I MADE SURE THAT AS MUCH AS I COULD AND WHERE  
10 FEASIBLE, EVERYBODY THAT HAD EITHER COMPLAINED OR COMMENDED  
11 OUR PEOPLE WERE, YOU KNOW, WE LET THEM KNOW THAT WE HAD  
12 TOUCHED THE PAPERWORK.

13

14 **MIRIAM A. KRINSKY:** AND CAPTAIN BORNMAN, YOU MENTIONED CLOSURE  
15 MEMOS. I WANT TO GO BACK FOR A SECOND TO THE REQUEST FOR  
16 EMPLOYEE PERFORMANCE REVIEWS, THE TAB 8 IN THE NOTEBOOK. FOR  
17 THOSE 40 PLUS REQUEST FOR EMPLOYEE PERFORMANCE REVIEWS, IN HOW  
18 MANY OF THE CASES WAS THERE A RECOMMENDATION FOR PERFORMANCE  
19 MENTORING?

20

21 **CAPT. BORNMAN:** I THINK THERE WAS ONE FOR DEPARTMENT-WIDE  
22 PERFORMANCE MENTORING AND A COUPLE I RECOMMENDED TO THE  
23 CAPTAIN THAT HE AT LEAST PUT THEM ON UNIT-LEVEL PERFORMANCE  
24 REVIEW.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** DO YOU KNOW WHETHER THAT WAS DONE?

2

3 **CAPT. BORNMAN:** I DON'T KNOW.

4

5 **MIRIAM A. KRINSKY:** IN EACH OF THOSE CASES, EXCEPT THE ONE THAT  
6 YOU REFERENCED, THE ONES IN TAB 8, WAS THE CONCLUSION IN THE  
7 MEMORANDUM THAT CAPTAIN CRUZ REACHED THAT THERE WAS NOTHING  
8 PROBLEMATIC IN REGARD TO EMPLOYMENT OF FORCE?

9

10 **CAPT. BORNMAN:** YES.

11

12 **MIRIAM A. KRINSKY:** COMMISSIONERS IF YOU TURN TO TAB 2, I KNOW  
13 WE'VE TALKED NOW ABOUT A FEW SERIES OF KINDS OF THINGS,  
14 ADMINISTRATIVE INVESTIGATIONS, REQUESTS FOR EMPLOYEE  
15 PERFORMANCE REVIEWS AND THESE WATCH COMMANDER SERVICE REPORTS.  
16 TAB 2 HAS A SUMMARY OF THESE DIFFERENT ITEMS JUST FOR  
17 ASSISTANCE IN TERMS OF FOLLOWING THE TESTIMONY. THERE'S ONE  
18 MORE AREA THAT WE'LL BE GOING INTO, BUT WE THOUGHT IT MIGHT BE  
19 USEFUL SINCE WE TALKED ABOUT A FEW DIFFERENT CATEGORIES TO  
20 GIVE YOU A LITTLE BIT OF A CHEAT SHEET. YOU MENTIONED EARLIER,  
21 CAPTAIN CRUZ'S COMMENTS IN REGARD TO WHO -- TO WHOM HE VIEWED  
22 HIMSELF ACCOUNTABLE AND HIS REMARKS IN REGARD TO COMMANDER  
23 OLMSTED. WERE THERE ANY OTHER INSTANCES THAT YOU WERE AWARE OF  
24 WHERE CAPTAIN CRUZ TRIED TO LIMIT ACCESS OF COMMANDER OLMSTED  
25 IN ANY WAY TO THE PHYSICAL FACILITY OF THE JAIL?



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. BORNMAN:** YEAH. MY SERGEANT TOLD ME THAT RIGHT BEFORE I  
3 GOT THERE, THE CAPTAIN HAD A SIDE DOOR TO THE FACILITY ALARMED  
4 SO THE COMMANDER COULDN'T GET IN WITHOUT HAVING TO CHECK IN  
5 AND GO THROUGH THE FRONT OF THE FACILITY.

6

7 **MIRIAM A. KRINSKY:** AT SOME POINT DID YOU BECOME AWARE, AS  
8 WELL, OF SOME PROBLEMS IN REGARDS TO THE PROCESSING OF THE USE  
9 OF FORCE REPORTS?

10

11 **CAPT. BORNMAN:** YES.

12

13 **MIRIAM A. KRINSKY:** AND WHAT HAPPENED TO BRING THAT TO YOUR  
14 ATTENTION?

15

16 **CAPT. BORNMAN:** THE CAPTAIN BROUGHT ME SOME COMPUTER-GENERATED  
17 PPI PRINTOUT SHEETS. THERE WERE 3 TO 5 OF THEM THAT I RECALL.  
18 AND HE SAID THEY WERE USES OF FORCE THAT HADN'T BEEN REPORTED,  
19 JUST HAVING BEEN RECEIVED BY THE DISCOVERY UNIT, WHICH IS THE  
20 WAREHOUSE. HE SAID HE DIDN'T UNDERSTAND IT AND ASKED ME IF I  
21 WOULD LOOK AT IT.

22

23 **MIRIAM A. KRINSKY:** HOW MANY HOW MANY CASES WERE ON THOSE  
24 COMPUTER PRINTOUT SHEETS?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** ABOUT 100.

2

3 **MIRIAM A. KRINSKY:** AND WHEN HE SAID THEY HADN'T BEEN REPORTED  
4 TO THE DISCOVERY UNIT, WHAT WOULD THAT REFLECT IN TERMS OF THE  
5 ENTRY OF CURRENT INFORMATION INTO PPI?

6

7 **CAPT. BORNMAN:** THAT WOULD MEAN THAT CURRENT INFORMATION WAS  
8 NOT PUT INTO PPI.

9

10 **MIRIAM A. KRINSKY:** MEANING IF SOMEONE WERE TRYING TO  
11 DETERMINE, BASED UPON PPI, WHAT THE EMPLOYEE'S HISTORY WAS,  
12 THEY WOULDN'T HAVE THE ABILITY TO DO SO?

13

14 **CAPT. BORNMAN:** THEY WOULDN'T HAVE A FULL ACCOUNTING OF WHAT  
15 THE INDIVIDUAL HAD BEEN DOING.

16

17 **MIRIAM A. KRINSKY:** WHAT DID CAPTAIN CRUZ TELL YOU TO DO WITH  
18 THESE 100 CASES?

19

20 **CAPT. BORNMAN:** WELL, WHEN I TOLD HIM IT LOOKED LIKE THEY  
21 HADN'T BEEN WORKED, IT WAS MY INTENTION TO WORK THEM, HE SAID  
22 OKAY, DON'T LET IT TAKE UP TOO MUCH OF YOUR TIME.

23

24 **SPEAKER:** CAN I ASK A CLARIFYING QUESTION? COMMISSIONER  
25 TEVRIZIAN. WHEN YOU TALK ABOUT THAT, ARE YOU TALKING ABOUT

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Meeting Held on July 6, 2012**

1 CASES THAT HAD BEEN BROUGHT AGAINST THE COUNTY IN WHICH CIVIL  
2 DISCOVERY INFORMATION WAS SUPPOSED TO BE PLACED?

3

4 **CAPT. BORNMAN:** THAT'S ONE OF THEIR FUNCTIONS, YES. THEY'RE  
5 ALSO THE WAREHOUSE FOR ALL THE COMPLETED CASES. AND WHEN THEY  
6 GET THEM, THEY CHECK THEM OFF AS BEING COMPLETED. AND THOSE  
7 CASES HAD NOT MADE IT THAT ROUTE.

8

9 **HON. DICKRAN M. TEVRIZIAN:** SO IF SOMEBODY WAS TO SUBPOENA THE  
10 PERSONNEL FILE OF A DEPUTY, THE INFORMATION WOULD NOT BE  
11 CONTAINED IN THAT PERSONNEL FILE?

12

13 **CAPT. BORNMAN:** IF THEY SUBPOENAED THOSE USES OF FORCE, THEY  
14 WOULDN'T BE THERE.

15

16 **MIRIAM A. KRINSKY:** AND JUST TO PERHAPS CLARIFY, IN TERMS OF  
17 THE DISCOVERY UNIT, THAT UNIT IS NOT LIMITED SIMPLY TO WHERE  
18 LITIGATION IS PENDING, CORRECT?

19

20 **CAPT. BORNMAN:** RIGHT.

21

22 **MIRIAM A. KRINSKY:** THERE IS AS YOU INDICATED A WAREHOUSE FOR  
23 ALL OF THIS INFORMATION IN REGARD TO EMPLOYEE SORT OF IN  
24 ESSENCE MISCONDUCT OR PROBLEMS? YOU NEED TO RESPOND VERBALLY.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** YES.

2

3 **MIRIAM A. KRINSKY:** SO AFTER YOU WERE GIVEN THIS COLLECTION OF  
4 100 CASES, WHAT DID YOU TRY TO DO IN REGARD TO THOSE CASES?

5

6 **CAPT. BORNMAN:** THE FIRST THING I TRIED TO DO WAS FIND THE  
7 SUPERVISORS WHO HAD BEEN RESPONSIBLE FOR THEM. BUT THE CASES,  
8 I MEAN, WE'RE TALKING 2010, THE CASES, SOME OF THEM WENT BACK  
9 TO 2005 AND '6, '7, '8, '9. I DON'T THINK I EVEN LOOKED AT THE  
10 ONES IN 2010 BECAUSE THOSE WERE RELATIVELY RECENT. I TRIED TO  
11 TRACK DOWN THE SUPERVISORS, SOME HAD RETIRED, SOME DIDN'T  
12 RETURN THE PHONE CALLS, SOME OF THEM DID AND I GOT THEM TO  
13 COMPLETE THEIR PACKAGES AND ROUTE THEM THROUGH THE DISCOVERY  
14 WHERE THEY BELONGED. THE OTHERS, I JUST WENT THROUGH AND  
15 STARTED TRYING TO FIND ANY INFORMATION I COULD FROM ANY OF THE  
16 CASES SO I COULD TRY TO CREATE A FILE TO GET IT TURNED INTO  
17 DISCOVERY.

18

19 **MIRIAM A. KRINSKY:** AND WHEN YOU SAY CREATE A FILE, WERE THE  
20 ORIGINAL CASE FILES AVAILABLE TO YOU?

21

22 **CAPT. BORNMAN:** THERE WAS NOTHING. I HAD AN FO NUMBER, WHICH IS  
23 A FORCE NUMBER AND THAT WAS IT. I KNEW THE DATE THAT SOMETHING  
24 HAD HAPPENED BUT THAT WAS ALL I HAD.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** SO IF WITNESSES HAD BEEN INTERVIEWED, WOULD  
2 YOU HAVE HAD ANYTHING TO SHOW YOU WITNESSES?

3

4 **CAPT. BORNMAN:** IN SOME CASES I FOUND SOME PARTIAL PAPERWORK,  
5 YOU KNOW ON THE AUTOMATIC SYSTEM. BUT THAT WAS IT.

6

7 **MIRIAM A. KRINSKY:** WERE THERE VIDEOTAPES MISSING?

8

9 **CAPT. BORNMAN:** I CAN ONLY ASSUME THERE WERE. I MEAN THERE  
10 WOULD HAVE BEEN VIDEOS AND AUDIOTAPES, PHOTOGRAPHS, ANYTHING  
11 THAT YOU PUT IN THE USE OF FORCE PACKAGE. SINCE THERE WAS NO  
12 PACKAGE, THERE WAS NO INFORMATION.

13

14 **MIRIAM A. KRINSKY:** MEDICAL RECORDS ALSO MIGHT HAVE BEEN  
15 AVAILABLE ORIGINALLY BUT WERE MISSING WHEN YOU TRIED TO WORK  
16 THEM?

17

18 **CAPT. BORNMAN:** YES.

19

20 **MIRIAM A. KRINSKY:** AND HOW MANY OF THESE CASES DID YOU  
21 PERSONALLY GET INVOLVED WITH TRYING TO PUT TOGETHER?

22

23 **CAPT. BORNMAN:** I PERSONALLY GOT INVOLVED WITH ALL OF THEM. BUT  
24 I WAS ONLY ABLE TO -- WHAT I DECIDED TO DO WAS THERE WERE SOME  
25 THAT WERE SO OLD, THE ONE-YEAR TIME FRAME HAD ELAPSED, I TOLD

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 CHIEF BURNS THAT IT WAS MY INTENTION, IF HE APPROVED OF IT, TO  
2 JUST GO AHEAD AND DO SOME CLOSURE MEMOS ON THE REALLY OLD  
3 ONES. AND HE SAID AS LONG AS THERE WAS NO LIKE PENDING  
4 LITIGATION, NO COMPLAINTS HAD COME FORWARD, JUST GO AHEAD AND  
5 TAKE THAT LIMITED NUMBER AND CLOSE THEM OUT.

6

7 **MIRIAM A. KRINSKY:** SO WHY DID YOU TALK TO CHIEF BURNS ABOUT  
8 WHAT YOU WERE DOING?

9

10 **CAPT. BORNMAN:** I, KNOWING THE SITUATION BETWEEN THE CAPTAIN  
11 AND THE COMMANDER, I DID NOT WANT TO ADD FUEL TO THE FIRE BY  
12 NOTIFYING BOB OLMSTED. I'VE KNOWN THE CHIEF A LONG TIME. I  
13 JUST WENT TO HIM JUST TO TELL HIM WHAT I WANTED TO DO.

14

15 **MIRIAM A. KRINSKY:** AND SO YOU HAD NO CONVERSATIONS WITH  
16 COMMANDER OLMSTED ABOUT THIS?

17

18 **CAPT. BORNMAN:** NOT CONTEMPORANEOUS TO THAT, NO.

19

20 **MIRIAM A. KRINSKY:** WAS THAT TO CAPTAIN CRUZ?

21

22 **CAPT. BORNMAN:** YOU HAVE TO SEPARATE THAT OUT. CAPTAIN CRUZ  
23 MADE IT REALLY CLEAR HE DIDN'T WANT ME TAKING INFORMATION TO  
24 BOB OLMSTED.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** WHO WAS HIS SUPERVISOR?

2

3 **CAPT. BORNMAN:** RIGHT. RELATIVE TO MY DECISION I DON'T THINK I  
4 SAID CAPTAIN I'M GOING TO THE CHIEF. I THINK I JUST DID THAT.

5

6 **MIRIAM A. KRINSKY:** SO IN ESSENCE YOU WERE GETTING GUIDANCE  
7 FROM COMMANDER OLMSTED'S SUPERVISOR RATHER THAN CAPTAIN CRUZ'S  
8 SUPERVISOR?

9

10 **CAPT. BORNMAN:** YES.

11

12 **MIRIAM A. KRINSKY:** DID YOU THEN PREPARE SOME COVER MEMORANDA,  
13 SOME TRANSMITTAL MEMORANDA IN REGARD TO THESE FILES THAT YOU  
14 SOUGHT TO RECREATE AND CLOSE DOWN?

15

16 **CAPT. BORNMAN:** YES.

17

18 **MIRIAM A. KRINSKY:** AND IN THAT, DID YOU PUT IN A CONCLUSION OR  
19 PUT IN LANGUAGE WITH A CONCLUSION WITH REGARD TO WHETHER THERE  
20 WAS A PROBLEM WITH THE PERFORMANCE OF THE PARTICULAR PERSON  
21 INVOLVED?

22

23 **CAPT. BORNMAN:** YES.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND WHEN YOU REACHED THAT CONCLUSION, WAS  
2 IT BASED UPON YOUR ABILITY TO ACTUALLY ASSESS WHAT HAPPENED OR  
3 SIMPLY YOUR ATTEMPT TO RECREATE, AS BEST YOU COULD?

4

5 **CAPT. BORNMAN:** IT WAS MY ATTEMPT TO RECREATE AS BEST I COULD.

6

7 **MIRIAM A. KRINSKY:** LET ME ASK YOU TO LOOK AT IN THE NOTEBOOK  
8 TO YOUR RIGHT, CAPTAIN AT TAB 4, WE'VE COPIED, FOR THE  
9 COMMISSIONERS, A COUPLE OF SAMPLE MEMORANDA, IF YOU COULD TAKE  
10 A MOMENT AND LOOK AT THOSE THEY'RE MEMORANDA THAT ARE DATED AT  
11 VARIOUS POINTS IN TIME IN 2010. DO THESE LOOK FAMILIAR TO YOU?

12

13 **CAPT. BORNMAN:** YES.

14

15 **MIRIAM A. KRINSKY:** AND THESE ARE MEMORANDA THAT ARE FROM  
16 CAPTAIN CRUZ, THE CAPTAIN OF THE JAIL AT THE TIME, TO JUDY  
17 GERHARDT AT THE DISCOVERY UNIT. WITH THE EXCLUSION OF THE LAST  
18 ONE, WHICH IS TO DENNIS BURNS'S CHIEF OF CUSTODY?

19

20 **CAPT. BORNMAN:** YES.

21

22 **MIRIAM A. KRINSKY:** COULD YOU TELL US WHY THE LAST ONE IS A  
23 LITTLE BIT DIFFERENT?

24

25 **CAPT. BORNMAN:** NO.



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** OKAY. AND ARE THOSE MEMORANDA THAT YOU  
3 DRAFTED FOR CAPTAIN CRUZ'S SIGNATURE?

4

5 **CAPT. BORNMAN:** YES.

6

7 **MIRIAM A. KRINSKY:** THEY REFERENCE, AT LEAST ONE OF THEM, TAPES  
8 AS HAVING BEEN LOST. WERE THESE ALL CASES -- OR DO THESE  
9 APPEAR TO BE CASES THAT WERE RECREATED, THE FIRST THREE  
10 REFERRED TO "RECREATED DUE TO AUDIT"?

11

12 **CAPT. BORNMAN:** SAY THAT AGAIN.

13

14 **MIRIAM A. KRINSKY:** THE FIRST THREE REFER TO CASES THAT WERE  
15 RECREATED DUE TO AUDIT.

16

17 **CAPT. BORNMAN:** YES.

18

19 **MIRIAM A. KRINSKY:** IS THAT WHAT YOU DESCRIBED EARLIER -- THE  
20 CASE FILES THAT YOU ENDEAVORED TO PUT TOGETHER, ALBEIT WITH  
21 MISSING INFORMATION?

22

23 **CAPT. BORNMAN:** YES.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** IN EACH OF THOSE, THEY SAY THAT "I HAVE  
2 DETERMINED THAT THERE ARE NO ISSUES RELATED ANY PERSONNEL  
3 INVOLVED IN THE USE OF FORCE." DID YOU DRAFT THAT LANGUAGE?

4

5 **CAPT. BORNMAN:** YES.

6

7 **MIRIAM A. KRINSKY:** AND WAS THAT, AS YOU INDICATED EARLIER,  
8 BASED ON YOUR INABILITY TO RECONSTRUCT THE CASE AS OPPOSED TO  
9 AN ACTUAL DETERMINATION THAT WHAT HAPPENED IN THE CASE WAS  
10 APPROPRIATE?

11

12 **CAPT. BORNMAN:** YEAH, THE ONLY DETERMINATION I COULD MAKE IS  
13 WHETHER OR NOT THERE WAS ANY PENDING LITIGATION OR COMPLAINT  
14 AGAINST PEOPLE FOR THAT PARTICULAR USE OF FORCE.

15

16 **MIRIAM A. KRINSKY:** SO YOU COULD SEE HAD SOMEBODY ACTUALLY  
17 FILED A LAWSUIT? BUT SHORT OF THAT, YOU DIDN'T REALLY HAVE THE  
18 ABILITY TO ASSESS THE CONDUCT OR MISCONDUCT?

19

20 **CAPT. BORNMAN:** I HAD NOTHING TO GO ON.

21

22 **MIRIAM A. KRINSKY:** OKAY. AT SOME POINT IN TIME, WERE THERE  
23 MORE OF THESE USES OF FORCE PACKAGES, UNFINISHED PACKAGES THAT  
24 CAME TO YOUR ATTENTION?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** YES. [SILENCE.]

2

3 **MIRIAM A. KRINSKY:** DID THE OPERATIONS LIEUTENANT OF THE JAIL  
4 HAVE SOME?

5

6 **CAPT. BORNMAN:** YEAH. THERE WAS A PERIOD OF TIME WHEN I WAS  
7 WORKING DAYS, I WENT INTO THE OPERATION LIEUTENANT'S OFFICE.  
8 AND I THINK IT WAS CONTEMPORANEOUS TO THE TIME THAT A NUMBER  
9 OF SERGEANTS WERE TRANSFERRING FROM CENTRAL JAIL TO GO OUT TO  
10 PATROL ASSIGNMENTS. AND HIS OFFICE WAS FILLED WITH BOXES OF  
11 INDIVIDUAL FORCE FOLDERS. I MEAN, THERE HAD TO HAVE BEEN 15  
12 BOXES OF PROBABLY THERE WOULD BE 8 TO 10 USES OF FORCE IN EACH  
13 ONE. IT WAS A LOT OF PACKAGES.

14

15 **MIRIAM A. KRINSKY:** AND WERE THOSE COMPLETED PACKAGES?

16

17 **CAPT. BORNMAN:** NO. THEY WERE ONES THAT WERE BEING TURNED IN BY  
18 THE SERGEANTS WHO WERE TRANSFERRING OUT TO PATROL, SO THEY  
19 WERE TRYING TO GET THEIR WORK IN REAL QUICK SO THEY COULD  
20 LEAVE.

21

22 **MIRIAM A. KRINSKY:** AND WERE THOSE ALL IN VARIOUS STAGES OF  
23 INCOMPLETION?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** WELL, I WOULD ASSUME BY LOOKING AT THEM THAT  
2 THEY WERE ALL AT THE STAGE WHERE THEY THOUGHT THEY WERE  
3 ACCEPTABLE TO TURN IN TO THE OPERATIONS LIEUTENANT FOR REVIEW.  
4

5 **MIRIAM A. KRINSKY:** AND THEY WERE AWAITING REVIEW BY PAT  
6 DAVERON?  
7

8 **CAPT. BORNMAN:** YES.  
9

10 **MIRIAM A. KRINSKY:** NOW IN YOUR DECADES AT THE SHERIFF'S  
11 DEPARTMENT, HOW DID THIS COLLECTION OF UNFINISHED USE OF FORCE  
12 REPORTS COMPARE TO WHAT YOU'D SEEN IN THE PAST?  
13

14 **CAPT. BORNMAN:** I'VE NEVER SEEN THAT BEFORE IN THE PAST.  
15

16 **MIRIAM A. KRINSKY:** AND DID YOU HAVE ANY SENSE AS TO WHAT HAD  
17 LED TO THAT VOLUME?  
18

19 **CAPT. BORNMAN:** WELL, I MEAN, I WASN'T LOOKING AT IT JUST IN  
20 THE FISH BOWL OF THE FORCE, I WAS LOOKING AT IT WITH ALL THE  
21 OTHER PAPERWORK THAT WAS LACKING. I MEAN, IT LOOKED LIKE --  
22 LIKE I SAID, THE SYSTEM WAS CHRONICALLY OVERLOADED. THERE WAS  
23 AN ISSUE WITH TRAINING PERSONNEL HOW TO DO IT. THERE WAS NO  
24 GOOD TRACKING MECHANISM IN PLACE. THERE WAS NO FOLLOWUP BEING  
25 DONE BY UNIT-LEVEL MANAGEMENT. THERE APPEARED TO BE A LACK OF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DESIRE TO HOLD PEOPLE ACCOUNTABLE. THERE WAS A STONE WALLING  
2 OF INFORMATION FROM THE UNIT TO THE OUTSIDE SUPERVISION.  
3 THAT'S ABOUT IT.

4

5 **CAPT. BORNMAN:** AND WHEN YOU STARTED TO LOOK THROUGH THOSE, DID  
6 YOU HAVE ANY CONCERNS IN REGARD TO THE NATURE OR CAUSE OF THE  
7 USE OF FORCE THAT WAS USED IN THOSE CASES?

8

9 **CAPT. BORNMAN:** WE'RE TALKING ABOUT THE OLD USE OF FORCE?

10

11 **MIRIAM A. KRINSKY:** YES.

12

13 **CAPT. BORNMAN:** I DIDN'T GET A LOT OF INFORMATION OUT OF THE --  
14 MANY USE OF FORCE BECAUSE THERE WAS NOTHING REALLY TO READ.

15

16 **MIRIAM A. KRINSKY:** DID YOU HAVE AN OPPORTUNITY TO LOOK THROUGH  
17 THE BOXES THAT WERE IN PAT DEVERON'S OFFICE?

18

19 **CAPT. BORNMAN:** NO, THAT BROUGHT UP THAT -- THE OTHER EXAMPLE  
20 WHEN I WAS GOING THROUGH SOME OF THE USES OF FORCE, I NOTICED  
21 THAT THE CONCLUSIONS WEREN'T ALWAYS ACCURATE, THEY WEREN'T  
22 ALWAYS HITTING ON THE IMPORTANT ISSUES. AND THAT, TO ME, WAS  
23 THEY WEREN'T REQUESTING A TRAINING REVIEW OF THE USES OF  
24 FORCE. THAT WAS THE THING THAT CONCERNED ME THE MOST, WAS  
25 THERE WASN'T -- POLICY REQUIRES THAT A USE OF FORCE ALSO BE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 REVIEWED BY THE UNIT TRAINING PEOPLE TO DETERMINE WHETHER OR  
2 NOT THERE'S SOME TYPE OF TRAINING ISSUE INVOLVED AND WHETHER  
3 OR NOT IT WAS DONE ACCORDING TO THE STANDARDS.

4

5 **MIRIAM A. KRINSKY:** AND DID YOU HAVE A CONVERSATION WITH  
6 CAPTAIN CRUZ ABOUT THE POLICIES THAT REQUIRED TURNING IT OVER  
7 TO THE UNIT TRAINING PEOPLE?

8

9 **CAPT. BORNMAN:** YES.

10

11 **MIRIAM A. KRINSKY:** AND CAN YOU TELL US ABOUT THAT  
12 CONVERSATION?

13

14 **CAPT. BORNMAN:** I PRINTED OUT A PAGE OF THE MANUAL AND I TOOK  
15 IT IN TO HIM AND I SAID, HEY, YOU'RE MISSING A STEP HERE. YOU  
16 NEED TO BACK UP AND HAVE THESE GO THROUGH TRAINING SO THEY CAN  
17 SIGN OFF ON THEM. AND HE SAID "ONLY PAT AND I LOOK AT THE  
18 FORCE," WHICH WAS THE OPERATIONS LIEUTENANT. AND I SAID WELL,  
19 IF YOU'RE AFRAID OF PEOPLE MISUNDERSTANDING OR NOT DOING IT  
20 RIGHT, SHOOT THEM TO ME AND I'LL DO THEM BECAUSE I'VE BEEN A  
21 TRAINING LIEUTENANT, AND I'LL VALIDATE THEM OR LET YOU KNOW AS  
22 WE GO THROUGH. AND HE REPEATED, HE SAID "ONLY PAT AND I LOOK  
23 AT THE FORCE." AND I SAID WELL, OKAY. UNDERSTANDING THAT'S  
24 CONTRARY TO POLICY, THAT'S THE DIRECTION YOU WANT TO GO? HE  
25 SAID YES. I SAID OKAY.

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1

2 **MIRIAM A. KRINSKY:** COMMISSIONERS, I'VE PUT AT TAB 3 A SUMMARY  
3 THAT WE'VE PREPARED BASED UPON HAVING RECEIVED SOME OF THESE  
4 FILES THAT CAPTAIN BORNMAN HAS TALKED ABOUT. AS YOU CAN SEE,  
5 THERE WERE SOME FILES, AROUND 45 CASES, WHERE WE WERE ABLE TO  
6 RECEIVE THE FULL USE OF FORCE REPORT AND SUMMARIZED THE  
7 INFORMATION FOR YOU. IN EACH OF THOSE, TAPES WERE MISSING, THE  
8 ORIGINAL CASE FILES WERE LOST OR MISSING, THE DOCUMENT  
9 REFLECTS THE TYPE OF FORCE THAT WAS INVOLVED, THE LOCATION OF  
10 THE INCIDENT. IN ANOTHER PART OF THAT MEMORANDUM, WE HAVE YET  
11 TO RECEIVE THE FULL INFORMATION, SO WE WERE SIMPLY ABLE TO  
12 CALCULATE A PERIOD OF TIME THAT REFLECTS HOW LONG THOSE CASES  
13 WERE PENDING. IN ALL OF THOSE CASES, WE DID ENDEAVOR TO DO A  
14 CALCULATION OF HOW LONG THE CASE HAD BEEN PENDING. SO, IN  
15 OTHER WORDS, THE TIME FROM THE DATE OF THE INCIDENT TO THE  
16 TIME OF THE MEMO THAT CLOSED THE CASE, AND YOU'LL SEE THAT ON  
17 AVERAGE THEY WERE PENDING AROUND THREE, JUST UNDER 3-1/2  
18 YEARS. I THINK WHAT I'D LIKE TO DO IS BEFORE I GET TO A  
19 SLIGHTLY DIFFERENT AREA, PERHAPS SEE IF THE COMMISSIONERS HAVE  
20 ANY QUESTIONS IN REGARD TO THE WORK THAT CAPTAIN BORNMAN DID  
21 ON THESE USE OF FORCE REPORTS THAT HE SOUGHT TO RECREATE AND  
22 CLOSE. YES. COMMISSIONER MURRAY.

23

24 **REV. CECIL L. MURRAY:** MIRIAM, YOU HAVE DONE A SUPERB JOB OF  
25 EXPLORATION. AS WE LOOK AT BUREAUCRACY, JAIL ABUSE, WE HAVE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DESCRIPTION AND THE Q&A HAVE LIFTED US IMMENSELY. COULD WE  
2 PLEASE ASK IF WE MIGHT EITHER LATER OR TODAY INCLUDE WITH  
3 DESCRIPTION "PRESCRIPTION"? BECAUSE CAPTAIN BORNMAN IS  
4 SKILLED, EXPERIENCED AND COULD HELP US IN THE FIX-IT MODE.

5

6 **MIRIAM A. KRINSKY:** I THINK THAT'S A TERRIFIC QUESTION,  
7 REVEREND MURRAY. AND, ACTUALLY, IF YOU DON'T MIND, I THOUGHT  
8 YOU WERE GOING TO ASK FOR A BREAK? BUT IF YOU DON'T MIND, LET  
9 ME MAYBE DIRECT THAT TO CAPTAIN BORNMAN. SO YOU'VE HAD, AS  
10 REVEREND MURRAY INDICATED IT, A TREMENDOUS AMOUNT OF  
11 EXPERIENCE. YOU HAD THE OPPORTUNITY TO LOOK THROUGH THESE  
12 CATEGORIES THAT HAD BEEN DELAYED THAT YOU HAPPENED ACROSS IN  
13 THE VARIOUS DRAWERS, BASED UPON WHAT YOU SAW, WHAT  
14 RECOMMENDATIONS DO YOU HAVE IN REGARD TO ADDRESSING THE  
15 PROBLEMS, EITHER AS THEY RELATED TO USE OF FORCE, TYPE OF  
16 FORCE, OR THE MISHANDLING OF THE PROCESSING INVESTIGATION AND  
17 REMEDIAL ATTENTION TO THE EMPLOYEES? .

18

19 **CAPT. BORNMAN:** WELL, OKAY, I HAVE A LITTLE 3 BY 5 CARD HERE  
20 THAT I WROTE DOWN A COUPLE THINGS. BUT NOW, REMEMBER, A LOT OF  
21 THESE THINGS, NOTHING I'VE TOLD YOU I HAVEN'T TOLD THE  
22 SHERIFF. AND THE SHERIFF IS WORKING HARD TO GET ALL THIS DONE.  
23 SO IF I MENTION SOMETHING THAT I THINK IS A RECOMMENDATION  
24 DOESN'T MEAN IT HASN'T BEEN DONE. BUT I WROTE SOME DOWN  
25 BECAUSE I FIGURED YOU GUYS WOULD ASK. THE FIRST ONE WAS THE



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 SYSTEM'S CHRONICALLY OVERBURDENED. THAT IS GOING TO REQUIRE  
2 MORE PEOPLE. ONE OF THE THINGS THAT'S GOING ON AT CJ IS A  
3 REDUCTION IN FORCE. IF YOU HAVE FEWER PEOPLE, YOU HAVE FEWER  
4 THINGS ENTERING THE SYSTEM. BUT IT'S SUCH A LARGE FACILITY  
5 THAT I THINK WE NEED TO LOOK AT RESTAFFING, DOING A DIFFERENT  
6 STAFFING MODEL FOR CENTRAL JAIL. LACK OF TRAINING. THAT WAS  
7 APPARENT TO ME WITH THE ADMIN CASES AND WITH THE WATCH  
8 COMMANDER SERVICE REPORTS THAT THE PERSON WHO WAS RESPONSIBLE  
9 FOR FILING THEM DIDN'T HAVE A FILING SYSTEM. I KNOW THAT'S  
10 BEEN ADDRESSED. THERE WAS NO CREDIBLE TRACKING SYSTEM IN PLACE  
11 AT THE TIME. THAT'S BEEN CORRECTED BY THE INTRODUCTION OF THE  
12 E-LOTS TRACKING SYSTEM. SO THAT'S SOMETHING THAT I WOULD  
13 RECOMMEND THAT'S ALREADY DONE. LACK OF FOLLOWUP BY THE UNIT  
14 COMMANDER. THE NEW UNIT COMMANDER THERE IS A WHIRLWIND OF  
15 ACTIVITY. AND I KNOW THAT HE IS PROPERLY FOLLOWING UP ON  
16 EVERYTHING. LACK OF DESIRE TO HOLD PEOPLE ACCOUNTABLE, I THINK  
17 THAT'S BEEN FIXED. I THINK THE STEPS THE SHERIFF'S TAKEN AND  
18 THE MANAGEMENT HAVE TAKEN HAVE HELPED EASE THAT PROBLEM. THE  
19 COMPARTMENTALIZATION OF INFORMATION, THAT WAS SOMETHING WE  
20 DIDN'T -- WELL, WE ADDRESSED THAT WITH THE USES OF FORCE THAT  
21 WEREN'T BEING ALLOWED TO GO TO THE TRAINING UNIT TO BE  
22 REVIEWED. I KNOW THAT'S BEEN TAKEN CARE OF. STONE WALLING OF  
23 INFORMATION TO UPPER MANAGEMENT, THAT I THINK WAS AN  
24 INDIVIDUAL ISSUE, NOT A BUREAUCRATIC, NOT A DEPARTMENT ISSUE.  
25 I THINK THAT'S BEEN HANDLED. FAILURE TO FOLLOW ESTABLISHED

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 POLICY, I KNOW THAT'S BEEN HANDLED. LACK OF TIMELY FEEDBACK TO  
2 PERSONNEL, I KNOW THAT'S BEEN HANDLED. AND THE ATTITUDE OF THE  
3 UNIT-LEVEL MANAGEMENT I THINK WAS AN ISSUE, BUT THAT'S BEEN  
4 FIXED, AS WELL. SO ANYTHING I CAN TELL YOU ARE THINGS THAT THE  
5 SHERIFF'S ALREADY AWARE OF AND IS MOVING DOWN THE ROAD TO  
6 CORRECT OR HAS ALREADY CORRECTED.

7

8 **MIRIAM A. KRINSKY:** YES, JUSTICE MORENO?

9

10 **HON. CARLOS R. MORENO:** THANK YOU FOR YOUR TESTIMONY, CAPTAIN.  
11 I BELIEVE YOU REFERENCED BRIEFLY A STATUTE OF LIMITATIONS. I'M  
12 WONDERING OF A RESULT OF WHAT I WOULD VIEW AS UNCONSCIONABLE  
13 DELAY, 1500 DAYS OR SO. DID THE DEPARTMENT LOSE ANY CLAIMS  
14 WITH RESPECT TO ACTIONS IT MIGHT TAKE AGAINST DEPUTIES ON  
15 ACCOUNT OF CERTAIN STATUTE OF LIMITATIONS, SAY VIA-A-VIS THE  
16 PEACE OFFICER'S BILL OF RIGHTS OR OTHER STATUTES OF  
17 LIMITATIONS CLAIMS UNDER THE PENAL CODE, ANYTHING THAT YOU  
18 MIGHT BE AWARE OF AS A RESULT OF THE DELAY?

19

20 **CAPT. BORNMAN:** WELL IN THEORY WITH THE FORCE, AFTER THAT ONE  
21 YEAR, ONE YEAR AND ONE DAY, YOU LOSE IT. THAT WOULD JUST BE MY  
22 OPINION, I DON'T KNOW. BECAUSE I HAVEN'T BEEN ABLE TO SEE  
23 THEM. I THINK A COUPLE OF THE ADMINISTRATIVE CASES WENT OVER A  
24 YEAR'S TIME, SO I KNOW WE LOST THOSE. SO THAT HAS HAPPENED.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. CARLOS R. MORENO:** AND APART FROM THAT, OF COURSE, WOULD  
2 BE AS WE'VE SEEN LOSS OF EXHIBITS, DOCUMENTS, MEMORIES FADING,  
3 DEPUTIES AND OTHER WITNESSES RETIRING AND NO LONGER BEING ABLE  
4 TO BE AVAILABLE TO RECOLLECT THE SPECIFICS OF AN INCIDENT?

5

6 **CAPT. BORNMAN:** YES.

7

8 **SPEAKER:** I HAVE A QUESTION. JUST A MOMENT. COMMISSIONER  
9 BUSANSKY WOULD LIKE TO SPEAK.

10

11 **MR. ALEXANDER BUSANSKY:** THANK YOU. AS YOU HEARD, WE'VE SPENT A  
12 FAIR AMOUNT OF TIME TALKING ABOUT THE ORGANIZATIONAL CHART FOR  
13 THE SHERIFF'S DEPARTMENT OVER THE YEARS, AND TALKING ABOUT THE  
14 IMPORTANCE OF THAT STRUCTURE, ABOUT THE TYPE OF SORT OF  
15 MANAGEMENT SYSTEM THAT SETS UP AND THE SORT OF ACCOUNTABILITY  
16 SYSTEMS THAT AN ORGANIZATIONAL CHART CAN LEND. IN LISTENING TO  
17 YOU SPEAK THIS MORNING, THERE WERE AT LEAST TWO INCIDENTS THAT  
18 I HEARD WHERE YOU TALKED ABOUT THAT REGARDLESS OF WHAT THE  
19 PERSONNEL POLICY OR THE ORGANIZATIONAL CHART REQUIRED, THAT  
20 SENIOR LEADERSHIP IN THE SHERIFF'S DEPARTMENT FELT IT WAS  
21 IMPORTANT TO CIRCUMVENT THAT TO GET THE REAL AUTHORITY. MOST  
22 NOTABLY THE ONE THAT STOOD UP WAS WHEN MS. KRINSKY ASKED YOU  
23 ABOUT WHO TO REPORT TO? "NO, I REPORT TO PAUL TANAKA." IN  
24 ESSENCE, EVEN THOUGH HE WASN'T AT THAT TIME UNDERSHERIFF OR  
25 EVEN OVER THE CUSTODY DIVISION OF THE SHERIFF'S DEPARTMENT. IN

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THE RECOMMENDATIONS THAT YOU'VE SPOKEN ABOUT, YOU DIDN'T  
2 MENTION ACTUALLY RELEAVING ANY PERSONNEL OR CHANGING THE  
3 ACTUAL PERSONNEL THEMSELVES. AND I'M JUST WONDERING: WHY  
4 SENIOR LEADERSHIP WOULD FEEL THAT THEY SHOULD GO TO PAUL  
5 TANAKA TO BEGIN WITH IF HE'S NOT OVER CUSTODY DIVISION, LET  
6 ALONE UNDERSHERIFF? AND IN ALL THE ORGANIZATIONAL SHIFTING  
7 THAT WE'VE SEEN IN THE LAST YEAR ON THESE ORGANIZATIONAL  
8 DIAGRAMS, PAULTANAKA STILL REMAINS AS THE UNDERSHERIFF WITH NO  
9 CHANGE. THERE'S A FEW QUESTIONS IN THERE. LET ME ASK YOU THIS.  
10 LET ME BREAK IT DOWN.

11

12 **HON. LOURDES BAIRD, CHAIR:** ONE AT A TIME.

13

14 **MR. ALEXANDER BUSANSKY:** WHY DID SENIOR LEADERSHIP FEEL IT WAS  
15 TO GO TO PAUL TANAKA TO DO OR NOT DO OTHER THINGS?

16

17 **CAPT. BORNMAN:** YOU KNOW THE CAPTAIN NEVER DISCUSSED WITH ME  
18 WHY HE FELT THAT HE COULD OR SHOULD GO TO MR. TANAKA.

19

20 **MR. ALEXANDER BUSANSKY:** AND IN YOUR RECOMMENDATIONS, DO YOU  
21 BELIEVE THAT PAUL TANAKA SHOULD REMAIN AS UNDERSHERIFF? THAT  
22 HE'S ABLE TO CARRY OUT HIS JOB IF THE SYSTEMS WILL HOLD HIM  
23 ACCOUNTABLE? THAT THE OVERSIGHT WILL BE THERE?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** I WILL INTERPOSE AN OBJECTION TO THAT  
2 QUESTION. THIS IS A CURRENT SERVING CAPTAIN IN THE SHERIFF'S  
3 DEPARTMENT.

4  
5 **MR. ALEXANDER BUSANSKY:** I WITHDRAW THE QUESTION. IT'S A  
6 RHETORICAL QUESTION.

7  
8 **HON. ROBERT BONNER:** I THINK THAT'S SOMETHING ULTIMATELY THIS  
9 COMMISSION WILL HAVE TO DRAW OPINIONS ON. I THINK IT PUTS THE  
10 CAPTAIN IN AN UNFAIR POSITION.

11  
12 **HON. DICKRAN M. TEVRIZIAN:** I HAVE A QUESTION.

13  
14 **HON. LOURDES BAIRD, CHAIR:** I'M SORRY. JUDGE TEVRIZIAN. YES.

15  
16 **HON. DICKRAN M. TEVRIZIAN:** WHEN YOU SAID YOU HAD A DISCUSSION  
17 WITH YOUR RECOMMENDATION WITH THE SHERIFF AND CERTAIN OF THESE  
18 THINGS WERE IMPLEMENTED, DID YOU REACH OUT TO THE SHERIFF OR  
19 DID THE SHERIFF REACH OUT TO YOU?

20  
21 **CAPT. BORNMAN:** THE SHERIFF REACHED OUT TO ME.

22  
23 **HON. DICKRAN M. TEVRIZIAN:** AND WAS THAT AS A RESULT OF THE  
24 BOARD OF SUPERVISORS ESTABLISHING THIS COMMISSION TO DO THIS  
25 INVESTIGATION?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. BORNMAN:** I DON'T RECALL. I MEAN, I HAD BEEN SUMMONED ONE  
3 DAY TO GO DOWN AND DISCUSS THE RETALIATION CASES OUT OF  
4 CENTRAL JAIL BECAUSE I DIDN'T HAVE ENOUGH TO DO, THEY GAVE ME  
5 THOSE, TOO. I WENT DOWN THERE AND HE ASKED ABOUT THOSE  
6 BRIEFLY. AND THEN HE STARTED ASKING ABOUT WHAT I HAD SEEN AND  
7 ABOUT THE USES OF FORCE, AND THAT LED TO ME TELLING HIM ABOUT  
8 THE CASES I HAD FOUND THAT HADN'T BEEN DONE AND ALL THAT  
9 DRAMA.

10

11 **HON. DICKRAN M. TEVRIZIAN:** WAS THIS -- COULD YOU GIVE US AN  
12 APPROXIMATE DATE THAT THIS TOOK PLACE?

13

14 **CAPT. BORNMAN:** MIDDLE OF OCTOBER, PROBABLY THE 13TH OF  
15 OCTOBER, I THINK.

16

17 **MIRIAM A. KRINSKY:** THAT WAS IN 2011, LAST YEAR?

18

19 **CAPT. BORNMAN:** LAST YEAR.

20

21 **HON. DICKRAN M. TEVRIZIAN:** AND HOW PROMPTLY DID THE SHERIFF  
22 IMPLEMENT THE RECOMMENDATIONS THAT YOU MADE TO HIM?

23

24 **CAPT. BORNMAN:** THAT DAY HE TOLD ME HE WANTED TO SEE ALL THE  
25 FORCE CASES. I KNOW THAT DAY HE STARTED DIRECTING THE BIG --

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THAT GO IN THAT DIRECTION. I DON'T KNOW THE TIME FRAME WHEN  
2 YOU GUYS CAME INTO THE PICTURE.

3

4 **HON. DICKRAN M. TEVRIZIAN:** HOW WOULD YOU DESCRIBE THAT  
5 MEETING?

6

7 **CAPT. BORNMAN:** IT WAS PROBABLY ONE OF THE MOST OPEN, HONEST  
8 GIVE AND TAKES I'VE HAD WITH ANYBODY.

9

10 **HON. DICKRAN M. TEVRIZIAN:** DID YOU FEEL RELIEVED AFTER YOU HAD  
11 THE MEETING WITH THE SHERIFF AND THEN THE RECOMMENDATIONS WERE  
12 IMPLEMENTED?

13

14 **CAPT. BORNMAN:** DID I FEEL RELIEVED?

15

16 **HON. DICKRAN M. TEVRIZIAN:** YES.

17

18 **CAPT. BORNMAN:** NO. HE WAS ASKING QUESTIONS AND I WAS  
19 ANSWERING. IT DIDN'T BRING ME ANY COMFORT.

20

21 **MIRIAM A. KRINSKY:** I'LL NO LONGER NEED TO ASK YOU ABOUT YOUR  
22 MEETING WITH THE SHERIFF. I'D LIKE TO NOW TURN TO A COUPLE OF  
23 SPECIFIC CASES YOU HAD THE OPPORTUNITY TO BE INVOLVED IN. AT  
24 SOME POINT IN TIME, WERE YOU INVOLVED IN VIEWING THE VIDEO

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 REGARDING USE OF FORCE THAT OCCURRED OUTSIDE THE 2,000 FLOOR  
2 MINI CLINIC?

3

4 **CAPT. BORNMAN:** YES.

5

6 **MIRIAM A. KRINSKY:** MED CLINIC OR MINI CLINIC?

7

8 **CAPT. BORNMAN:** MINI CLINIC.

9

10 **MIRIAM A. KRINSKY:** AND WHAT'S THE MINI CLINIC?

11

12 **CAPT. BORNMAN:** IT'S A MINI CLINIC. IT'S A SATELLITE CLINIC  
13 THAT'S PUT UP ON THE SECOND FLOOR. THE MAIN CLINIC IS  
14 DOWNSTAIRS.

15

16 **MIRIAM A. KRINSKY:** HOW DID YOU HAPPEN TO GET INVOLVED IN  
17 VIEWING THAT VIDEO?

18

19 **CAPT. BORNMAN:** I THINK IT WAS JUST OUT OF HAPPENSTANCE. THE  
20 CAPTAIN CAME IN WITH A COUPLE OF PEOPLE AND HE WANTED TO WATCH  
21 A VIDEO. AND I HAD A BIG MONITOR IN MY OFFICE THAT HAD THE  
22 CAPABILITY OF SHOWING IT.

23

24 **MIRIAM A. KRINSKY:** AROUND WHEN DID THIS HAPPEN?

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** I WANT TO SAY LIKE WAS IT OCTOBER, MAYBE, OF  
2 2010? SOMETHING LIKE THAT.

3

4 **MIRIAM A. KRINSKY:** AND WAS IT WITH REGARD TO A VIDEO OF A USE  
5 OF FORCE THAT HAD JUST TAKEN PLACE?

6

7 **CAPT. BORNMAN:** YES.

8

9 **MIRIAM A. KRINSKY:** YOU SAID THE CAPTAIN. CAPTAIN CRUZ?

10

11 **CAPT. BORNMAN:** YES.

12

13 **MIRIAM A. KRINSKY:** WHO ELSE CAME IN WITH HIM TO VIEW THE  
14 VIDEO?

15

16 **CAPT. BORNMAN:** I WAS IN THERE WITH ANOTHER LIEUTENANT, RON  
17 GILBERT. AND CAPTAIN CAME IN WITH GREG THOMPSON, WHO WAS THE  
18 OSJ LIEUTENANT.

19

20 **MIRIAM A. KRINSKY:** OSJ BEING?

21

22 **CAPT. BORNMAN:** OPERATION SAFE JAIL. AND THEY ALSO HAD A  
23 SERGEANT, I CAN'T REMEMBER HIS NAME, BUT HE WAS FROM THE  
24 CUSTODY FORCE TRAINING UNIT.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** CAN YOU DESCRIBE FOR US WHAT YOU SAW ON THE  
2 VIDEO?

3

4 **CAPT. BORNMAN:** OKAY. THEY PUT THE VIDEO IN AND IT WAS FOOTAGE  
5 THAT WAS BEING FILMED FROM A CAMERA THAT WE HAD JUST HAD  
6 INSTALLED. THERE WAS A CLASSROOM WE HAD BUILT IN THERE CALLED  
7 SHARED TOLERANCE. AND THERE'S A HALLWAY THAT THE INMATES WOULD  
8 TAKE IN THAT HALLWAY TO GO DOWN TO THIS ROOM THAT WE CREATED.  
9 THERE WAS A CAMERA THERE TO BASICALLY PROVIDE SECURITY OVER  
10 THAT. HARDLY ANYONE IN THE FACILITY KNEW THE CAMERA WAS THERE  
11 BECAUSE IT WAS BRAND NEW. TO THE RIGHT OF THE SHOT THERE'S A  
12 MESH SCREEN WHICH SEPARATES THE MINI CLINIC AREA FROM THAT  
13 HALLWAY. AFTER A FEW SECONDS, I SAW A LARGE DEPUTY THAT I  
14 RECOGNIZED BRING AN INMATE OVER THAT WAS HANDCUFFED BEHIND HIS  
15 BACK AND HE PUT HIM FACE UP AGAINST THE SCREEN. THE DEPUTY  
16 APPEARED TO TALK TO THIS GUY FOR A WHILE AND THEN HE  
17 DISAPPEARED FROM THE SCREEN. SHORTLY AFTER THAT, ANOTHER  
18 DEPUTY, SMALLER ONE THAT I RECOGNIZED CAME UP AND APPEARED TO  
19 TALK TO HIM FOR A LITTLE BIT. AND THEN THE DEPUTY TOOK ONE OF  
20 THE HANDCUFFS OFF THE INMATE AND IT WAS INSTANTANEOUS INMATE  
21 TURN AROUND AND STARTED SWINGING AND PUNCHING AT THE DEPUTY.  
22 ALMOST IMMEDIATELY, ABOUT THREE OR FOUR DEPUTIES, INCLUDING  
23 THIS BIGGER ONE I HAD SEEN, CAME INTO THE FRAME AND GOT THE  
24 GUY ONTO THE GROUND. AND THEN HE WAS FACE DOWN, FEET POINTING  
25 DOWN TOWARD THE CAMERA ANGLE, AND THEY PUNCHED AND KICKED HIM

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 FOR A WHILE. THEN HE ENDS UP BEING DRAGGED OR MOVED UP INTO A  
2 DOORWAY OF THE MINI CLINIC, I MEAN, I COULD SEE HIM -- THEY  
3 WERE PUNCHING HIM, KICKING HIM. THE BIG DEPUTY WAS KIND OF  
4 CASUALLY HOLDING HIS ARM ON THE DOOR FRAME AS HE DID KNEE  
5 DROPS ONTO THIS GUY'S UPPER TORSO, HEAD/NECK AREA. AND ALL  
6 THAT WHILE I MEAN THE GUY'S FACE DOWN. YOU CAN SEE HIS FEET  
7 FACING DOWN. HIS TORSO IS DOWN FLAT. THEN HE GETS PULLED INTO  
8 THIS, THE MINI CLINIC. YOU CAN'T SEE MUCH THERE. BUT  
9 ULTIMATELY THEY APPLIED A TASER TO HIM AND THEN REHANDCUFFED  
10 HIM.

11

12 **MIRIAM A. KRINSKY:** DID CAPTAIN CRUZ SAY ANYTHING AFTER THAT  
13 VIDEOTAPE THAT YOU JUST DESCRIBED HAD FINISHED?

14

15 **CAPT. BORNMAN:** YES.

16

17 **MIRIAM A. KRINSKY:** WHAT DID HE SAY?

18

19 **CAPT. BORNMAN:** HE SAID "I SEE NOTHING WRONG WITH THAT USE OF  
20 FORCE."

21

22 **MIRIAM A. KRINSKY:** AND DID ANYONE REACT TO THAT COMMENT?

23

24 **CAPT. BORNMAN:** I THINK EVERYBODY DID. I WAS STANDING KIND OF  
25 SHOULDER TO SHOULDER WITH HIM ON HIS LEFT SIDE. I TURNED TO

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 HIM, I LOOKED AT HIM AND SAID "IF THAT'S THE WAY YOU FEEL,  
2 DON'T ASK ME TO LOOK AT IT."

3

4 **MIRIAM A. KRINSKY:** AND DID THE TRAINING DEPUTY SAY ANYTHING?

5

6 **CAPT. BORNMAN:** THE TRAINING SERGEANT?

7

8 **MIRIAM A. KRINSKY:** TRAINING SERGEANT.

9

10 **CAPT. BORNMAN:** THE TRAINING SERGEANT SAID "WE DON'T TRAIN  
11 PEOPLE TO UNHANDCUFF POTENTIALLY ARMED SUSPECTS."

12

13 **MIRIAM A. KRINSKY:** DID YOU LATER GET INVOLVED WITH  
14 INVESTIGATING THAT INCIDENT?

15

16 **CAPT. BORNMAN:** WELL, NO. LET ME JUST TELL YOU THE CHAIN OF  
17 EVENTS THAT TOOK PLACE.

18

19 **MIRIAM A. KRINSKY:** OKAY.

20

21 **CAPT. BORNMAN:** THE GUY ENDED UP HAVING SOME CRACKED RIBS AND  
22 SOME OTHER PRETTY SEVERE INJURIES. SO IT ENDED UP GOING TO THE  
23 EFRC, WHICH IS EXECUTIVE FORCE REVIEW COMMITTEE. THEY  
24 RECOMMENDED THAT AN ADMINISTRATIVE INVESTIGATION BE DONE. THAT  
25 WENT TO INTERNAL AFFAIRS. SO INTERNAL AFFAIRS DID THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 INVESTIGATION. AND THEN WHEN IT'S DONE, THEY SEND THE PACKAGE  
2 BACK TO THE UNIT FOR DISPOSITION. CAPTAIN AT THE TIME WAS  
3 RALPH ORNELAS. HE GAVE IT TO ME TO LOOK AT AND DISSECT IT FOR  
4 HIM AND KIND OF PUT THE DISPOSITION SHEET TOGETHER.

5

6 **MIRIAM A. KRINSKY:** AND WHAT WAS THE DISPOSITION THAT YOU  
7 RECOMMENDED?

8

9 **CAPT. BORNMAN:** THE CAPTAIN RECOMMENDED DISCHARGE FOR ONE OF  
10 THE DEPUTIES, 30 DAYS OFF FOR TWO OF THE OTHER DEPUTIES AND  
11 ONE THAT CAME IN NEAR THE END WAS RECOMMENDED FOR SEVEN DAYS  
12 OFF.

13

14 **MIRIAM A. KRINSKY:** DO YOU KNOW IF ANY OF THOSE DEPUTIES HAD  
15 BEEN INVOLVED IN THE REQUESTS FOR PERFORMANCE REVIEWS THAT YOU  
16 WORKED ON?

17

18 **CAPT. BORNMAN:** AT LEAST THREE OF THE FOUR.

19

20 **MIRIAM A. KRINSKY:** AND THOSE WOULD HAVE BEEN PERFORMANCE  
21 REVIEWS THAT INDICATED THAT THERE WAS NO NEED FOR -- NO  
22 PROBLEMS WITH THE PERFORMANCE THAT WOULD HAVE MERITED  
23 MENTORING, PROFESSIONAL MENTORING?

24

25 **CAPT. BORNMAN:** YES.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** DID YOU ALSO HAVE THE OPPORTUNITY TO BE  
3 INVOLVED IN AN INVESTIGATION INVOLVING DEPUTIES WHO WERE IN A  
4 FIGHT AT -- CUSTODY DEPUTIES WHO WERE IN A FIGHT AT THE B.J.'S  
5 BREWERY?

6

7 **CAPT. BORNMAN:** YES.

8

9 **MIRIAM A. KRINSKY:** AND WHEN IS IT THAT YOU WERE INVOLVED IN  
10 THAT INVESTIGATION?

11

12 **CAPT. BORNMAN:** I THINK THAT WAS ONE OF THEM I PICKED UP WHEN I  
13 FIRST GOT THERE, SO IT WOULD HAVE BEEN NOVEMBER/DECEMBER OF  
14 2009 THAT I FIRST SAW IT.

15

16 **MIRIAM A. KRINSKY:** WHEN WAS THE UNDERLYING EVENT, THE  
17 UNDERLYING FIGHT?

18

19 **CAPT. BORNMAN:** I THINK THAT HAPPENED IN MAY OF 2009.

20

21 **MIRIAM A. KRINSKY:** AND BASED ON YOUR INVESTIGATION, WHAT DID  
22 YOU LEARN HAD HAPPENED AT B.J.'S BREWERY?

23

24 **CAPT. BORNMAN:** WELL AT FIRST THEY HAD ABOUT THREE OR FOUR  
25 PEOPLE NAMED AS POTENTIAL SUBJECTS. AND WHAT HAD HAPPENED WAS

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 AN UNIDENTIFIED NUMBER OF CENTRAL JAIL PERSONNEL, MOSTLY FROM  
2 THE 2,000 FLOOR, WENT TO B.J.'S BREWERY IN WEST COVINA,  
3 OSTENSIBLY I GUESS TO WATCH A LAKER GAME THAT WAS GOING ON.  
4 THEY ENDED UP GETTING INTO A FIGHT WITH SOME PATRONS THERE.  
5 AND THE POLICE GOT CALLED. AND A BUNCH OF OUR PEOPLE  
6 DISAPPEARED BEFORE THE POLICE CONTACTED THEM. AND THAT EVENT  
7 ENDED UP CLOSING DOWN THE RESTAURANT THAT NIGHT.

8

9 **MIRIAM A. KRINSKY:** WHEN YOU SAY THEY GOT INTO A FIGHT, WERE  
10 ANY PATRONS IN THE BAR HIT BY ANY DEPUTIES?

11

12 **CAPT. BORNMAN:** YEAH. AS IT TURNED OUT, ONE OF OUR DEPUTIES HAD  
13 GONE AND TRIED TO HIT ON A FEMALE THAT WAS THERE WITH HER  
14 CONSTRUCTION WORKER BOYFRIEND. CONSTRUCTION WORKER BOYFRIEND  
15 TOLD HIM TO GO AWAY AND AT THAT POINT, THE DEPUTY SHOWED HIS  
16 BADGE AND SAID HEY, IT'S ALL GOOD. AND THE GUY TOLD HIM IF HE  
17 DIDN'T LEAVE, HE'D TAKE THE BADGE AND SHOVE IT UP HIS ASS, AND  
18 THE DEPUTY WENT AND GOT A COUPLE OF HIS DEPUTY FRIENDS. THEY  
19 WENT BACK OVER AND IT ENDED UP BEING AT DONNY BROOK, THEY WERE  
20 THROWING TABLES AND CHAIRS THERE WAS A FEMALE PATRON THAT WAS  
21 PUNCHED IN THE FACE. IT WAS MOVED AROUND INSIDE B.J.'S UNTIL  
22 THE POLICE GOT THERE.

23

24 **MIRIAM A. KRINSKY:** THE FEMALE THAT WAS PUNCHED IN THE FACE,  
25 WAS SHE PUNCHED BY ONE OF THE CUSTODY DEPUTIES?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. BORNMAN:** YES.

3

4 **MIRIAM A. KRINSKY:** WERE ANY GUNS DISPLAYED?

5

6 **CAPT. BORNMAN:** THERE WAS AN ALLEGATION THAT ONE OF THE  
7 DEPUTIES, KIND OF IN AN ATTEMPT TO QUELL WHAT HE THOUGHT WAS  
8 HAPPENING, KIND OF LIFTED HIS SHIRT AND SHOWED A GUN. WE  
9 WEREN'T ABLE TO PROVE THAT.

10

11 **MIRIAM A. KRINSKY:** YOU MENTION THAT SOME DEPUTIES HAD LEFT THE  
12 SCENE WHEN LAW ENFORCEMENT SHOWED UP?

13

14 **CAPT. BORNMAN:** YES.

15

16 **MIRIAM A. KRINSKY:** DID YOU TRY TO IDENTIFY WHO THE DEPUTIES  
17 WERE WHO HAD BEEN INVOLVED IN THIS INCIDENT?

18

19 **CAPT. BORNMAN:** YEAH.

20

21 **MIRIAM A. KRINSKY:** AND DID YOU HAVE SOME DIFFICULTY  
22 ASCERTAINING THOSE DEPUTIES WHO WERE INVOLVED?

23



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Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** YES. INITIALLY, LIKE I SAID, THERE WERE ONLY  
2 LIKE FOUR PEOPLE IDENTIFIED. IT WAS MY OPINION THAT THEY WERE  
3 LESS THAN FORTHCOMING ABOUT WHAT HAD HAPPENED. GO AHEAD.

4

5 **MIRIAM A. KRINSKY:** DID YOU DISCUSS WITH CAPTAIN CRUZ THE  
6 CHALLENGES YOU WERE FACING IN IDENTIFYING WHO HAD BEEN  
7 INVOLVED?

8

9 **CAPT. BORNMAN:** YEAH.

10

11 **MIRIAM A. KRINSKY:** AND WHAT DID HE SAY TO YOU ABOUT THAT?

12

13 **CAPT. BORNMAN:** "DON'T LOOK TOO HARD."

14

15 **MIRIAM A. KRINSKY:** DID HE SAY WHY YOU SHOULDN'T LOOK TOO HARD?

16

17 **CAPT. BORNMAN:** HE DIDN'T GO INTO IT. I TOLD HIM THAT I WAS  
18 HAVING DIFFICULTY IDENTIFYING EVERYBODY. AND HE WAS LIKE  
19 "DON'T LOOK TOO HARD."

20

21 **CAPT. BORNMAN:** I SAID YOU KNOW THE CLOCK'S TICKING ON THIS  
22 THING, THE ONE YEAR. IT'S GOING TO END UP DROPPING DEAD. HE  
23 WAS LIKE OH WELL.

24

25 **MIRIAM A. KRINSKY:** DID HE SAY IF IT DROPS DEAD, IT DROPS DEAD?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. BORNMAN:** "DROPS DEAD, IT DROPS DEAD."

3

4 **MIRIAM A. KRINSKY:** DID YOU ALSO DISCUSS WITH THE OPERATIONS  
5 LIEUTENANT PAT DAVERON YOUR BELIEF THAT THEY WERE NOT BEING  
6 TRUTHFUL?

7

8 **CAPT. BORNMAN:** YES.

9

10 **MIRIAM A. KRINSKY:** WHAT DID HE SAY TO THAT?

11

12 **CAPT. BORNMAN:** I WAS ACTUALLY GOING TO HIM TO TRY TO GET SOME  
13 SUPPORT BECAUSE IT WAS KIND OF TOUGH DOING IT UNDER THAT  
14 CIRCUMSTANCE. AND I TOLD HIM THAT I WAS CONCERNED THAT  
15 DEPUTIES WERE UNNECESSARILY PUTTING THEMSELVES INTO JEOPARDY  
16 BECAUSE AS IT TURNED OUT IT WASN'T JUST GOING TO SEE A  
17 BASKETBALL GAME. THERE WERE TWO GUYS THAT WERE AT C.J. THAT  
18 WERE TRANSFERRING OUT TO GO BACK TO A PATROL ASSIGNMENT AND  
19 THEY WERE TAKING THEM OUT TO CELEBRATE THE FACT THAT THEY WERE  
20 LEAVING. WELL NEITHER ONE OF THOSE TWO GUYS HAD BEEN MENTIONED  
21 IN ANY OF THE REPORTS. AND NONE OF THE DEPUTIES UP TO THAT  
22 POINT HAD ACKNOWLEDGED THAT THAT'S WHY THEY WERE REALLY THERE.  
23 SO I TOLD THE OPERATIONS LIEUTENANT, I SAID I'M CONCERNED FOR  
24 THESE GUYS. AND THEY NEED TO KIND OF TURN AROUND AND JUST COME  
25 FORWARD. I MEAN THEY AREN'T FACING JEOPARDY UNLESS THEY LIE.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 AND HE SAT BACK IN HIS SEAT AND HE SAID "WHAT ARE YOU GOING TO  
2 TELL PAUL TANAKA WHEN HE ASKS YOU WHY YOU'RE DISCIPLINING  
3 DEPUTIES? "AND I LITERALLY TOOK A STEP BACK FROM HIM AND I'M  
4 LIKE, "WHY WOULD HE ASK ME THAT? I'M JUST INVESTIGATING THE  
5 CASE. I'M NOT THE ONE WHO'S GOING TO IMPOSE ANY KIND OF  
6 DISCIPLINE." HE PUT HIS HANDS UP AND HE GOES, "I'M JUST ASKING  
7 YOU BECAUSE I KNOW HE WILL ASK YOU THE QUESTION." AND I WAS  
8 LIKE THANKS FOR YOUR SUPPORT. AND I TURNED AROUND AND WALKED  
9 OUT.

10

11 **SPEAKER:** COULD I ASK A CLARIFYING QUESTION? THIS IS DICK  
12 TEVRIZIAN. WAS THERE ANY VIDEO TAKEN WITHIN THE PREMISES?

13

14 **CAPT. BORNMAN:** YES.

15

16 **HON. DICKRAN M. TEVRIZIAN:** IN WHICH THE FIGHT TOOK PLACE?

17

18 **CAPT. BORNMAN:** YES.

19

20 **HON. DICKRAN M. TEVRIZIAN:** WHAT HAPPENED WITH THAT VIDEO? I.

21

22 **CAPT. BORNMAN:** I WENT TO WEST COVINA PD AND GOT A COPY OF THE  
23 VIDEO. IT'S IN THE FARTHEST CORNER OF THE ROOM THAT IS VIDEO  
24 SHOOT, BUT BASED UPON WHAT WITNESSES WERE SAYING AND THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 CHAIN OF EVENTS, I WAS ABLE TO FAIRLY WELL PIECE OUT WHAT HAD  
2 OCCURRED AND WHO HAD BEEN INVOLVED.

3

4 **HON. DICKRAN M. TEVRIZIAN:** IS THAT VIDEO STILL IN EXISTENCE?

5

6 **CAPT. BORNMAN:** YES, I'M ASSUMING IT'S STILL WITH THE CASE.  
7 THAT CASE FILE WAS COMPLETED AND TURNED IN.

8

9 **HON. LOURDES BAIRD, CHAIR:** HOW MUCH LONGER DO YOU HAVE, MS.  
10 KRINSKY.

11

12 **MIRIAM A. KRINSKY:** I BELIEVE WE HAVE A SHORT BIT MORE WITH  
13 THIS WITNESS. BUT IF YOU WANTED TO TAKE A BREAK? MAYBE WE  
14 SHOULD COMPLETE THE WITNESS?

15

16 **HON. LOURDES BAIRD, CHAIR:** I'D LIKE TO COMPLETE THE WITNESS,  
17 BUT I'D LIKE TO KNOW APPROXIMATELY HOW LONG YOU'RE GOING TO  
18 BE?

19

20 **MIRIAM A. KRINSKY:** I THINK I HAVE MAYBE 5 TO 10 MINUTES  
21 LONGER.

22

23 **HON. LOURDES BAIRD, CHAIR:** EVERYBODY HANG ON. WE'LL TAKE IT  
24 RIGHT AFTER THAT BREAK.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** THANK YOU. WE HAVE REQUESTED THE VIDEO.  
2 IT'S NOT YET BEEN MADE AVAILABLE. HOW WAS THE CASE RESOLVED IN  
3 THE END?

4

5 **CAPT. BORNMAN:** EVERYBODY THAT I COULD FIND, IDENTIFIED WERE  
6 INTERVIEWED. WE FOUND OUT THE TWO PEOPLE THAT THEY HAD GONE TO  
7 CELEBRATE FOR, THE TWO PEOPLE WERE MAINLY RESPONSIBLE FOR THE  
8 WHOLE THING. THE DEPUTY THAT HAD FLASHED HIS BADGE AND STARTED  
9 THE FIGHT, HIS INVESTIGATION WAS FOUNDED. AND THE DEPUTY THAT  
10 HAD ALLEGEDLY PULLED HIS GUN BUT WE COULDN'T PROVE THAT, BUT  
11 HE HAD LEFT THE SCENE KNOWING THAT THE POLICE WERE THERE AND  
12 NEVER REPORTED IT, HE WAS ALSO FOUNDED, AS WELL.

13

14 **MIRIAM A. KRINSKY:** AND DO YOU KNOW IF THERE WERE FINDINGS OF  
15 DEPUTIES HAVING BEEN DETERMINED OF BEING QUOTE/UNQUOTE LESS  
16 THAN TRUTHFUL?

17

18 **CAPT. BORNMAN:** THERE WAS NO FOUNDED INVESTIGATION FOR ANYONE  
19 OTHER THAN THOSE TWO GUYS THAT I JUST TOLD YOU ABOUT. I HAD  
20 GONE JUST -- I HAD JUST STARTED DOWN THE ROAD OF THE  
21 INTERVIEWS, AND AFTER CONFERRING WITH OIR, I REINTERVIEWED THE  
22 GUYS AND RUSHED THEIR RECOLLECTIONS AND GAVE THEM AN  
23 OPPORTUNITY TO STRAIGHTEN OUT THEIR STATEMENTS. AND ALL OF  
24 THEM BUT ONE DID. THAT'S ONE OF THE GUYS THAT WAS FOUNDED.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND DO YOU HAVE ANY RECOLLECTION AS TO WHAT  
2 THE DISCIPLINE WAS ORDERED AS TO THAT INDIVIDUAL?

3

4 **CAPT. BORNMAN:** IT WAS 15 DAYS OFF.

5

6 **MIRIAM A. KRINSKY:** AS YOU WENT THROUGH THESE VARIETY OF CASES  
7 DURING YOUR TIME IN MEN'S CENTRAL JAIL, DID YOU BECOME AWARE  
8 OF INSTANCES THAT DISCIPLINE HAD BEEN ORDERED OR RECOMMENDED  
9 AND WAS HELD IN ABEYANCE BY CAPTAIN CRUZ?

10

11 **CAPT. BORNMAN:** YES.

12

13 **MIRIAM A. KRINSKY:** WHAT DOES THAT MEAN?

14

15 **CAPT. BORNMAN:** IT MEANS IF I GIVE SOMEBODY 10 DAYS OFF AND I  
16 HOLD IT IN ABEYANCE, IT LOOKS LIKE THEY DID 10 DAYS OFF BUT  
17 THEY DON'T. AND THEY GENERALLY SIGN A SETTLEMENT AGREEMENT  
18 PROMISING NOT TO GET IN ANY OTHER TROUBLE FOR LIKE A YEAR'S  
19 PERIOD OF TIME.

20

21 **MIRIAM A. KRINSKY:** AND IS THAT SOMETHING THAT THE CAPTAIN OF  
22 THE FACILITY HAS THE DISCRETION TO DO?

23

24 **CAPT. BORNMAN:** THEY CAN DO IT DURING THE INITIAL GRIEVANCE  
25 PROCESS.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** WOULD THAT REDUCTION IN DISCIPLINE SHOW UP  
3 IN PPI?

4

5 **CAPT. BORNMAN:** NO.

6

7 **MIRIAM A. KRINSKY:** SO PPI WOULD SHOW WHAT WAS ORDERED BUT NOT  
8 ULTIMATELY WHAT THE INDIVIDUAL ENDED UP, IN ESSENCE, SERVING?

9

10 **CAPT. BORNMAN:** YES. THAT WAS THE CASE THEN, I THINK THERE HAVE  
11 BEEN SOME UPGRADES TO PPI SINCE THEN. BUT DURING THAT TIME  
12 FRAME, IF SOMEBODY GOT 10 DAYS OFTEN AND IT WAS HELD IN  
13 ABEYANCE, IT WOULD JUST SHOW 10 DAYS OFF.

14

15 **MIRIAM A. KRINSKY:** AND WAS THAT SOMETHING YOU SAW IN MORE THAN  
16 ONE CASE?

17

18 **CAPT. BORNMAN:** YES.

19

20 **MIRIAM A. KRINSKY:** IN HOW MANY CASES WOULD YOU SAY YOU SAW IT?

21

22 **CAPT. BORNMAN:** I DON'T KNOW. I WAS GOING THROUGH ANOTHER STACK  
23 OF STUFF THAT SHOULDN'T BE THERE, AND I WAS GOING THROUGH AND  
24 SHREDDING A BUNCH OF OLD CASES THAT THEY HAD KEPT THERE. AND I

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 HAD NOTICED THAT THERE WAS A PATTERN OF CASES THAT WERE JUST -  
2 - THAT WOULD GET TIME OFF AND BE HELD IN ABEYANCE.

3

4 **MIRIAM A. KRINSKY:** WE'VE HEARD TESTIMONY IN PAST MEETINGS  
5 ABOUT A CHRISTMAS PARTY THAT OCCURRED AT QUIET CANNON IN 2010  
6 WHERE A FIGHT BROKE OUT. WERE YOU AT THAT CHRISTMAS PARTY?

7

8 **CAPT. BORNMAN:** NO, I WAS NOT.

9

10 **MIRIAM A. KRINSKY:** WERE YOU AT THE CHRISTMAS PARTY THE YEAR  
11 BEFORE IN 2009?

12

13 **CAPT. BORNMAN:** YES.

14

15 **MIRIAM A. KRINSKY:** AND WERE THERE ANY SPEECHES AT THAT  
16 CHRISTMAS PARTY?

17

18 **CAPT. BORNMAN:** YES.

19

20 **MIRIAM A. KRINSKY:** DID DAN CRUZ GIVE A SPEECH TO THE CUSTODY  
21 PERSONNEL WHO WERE THERE CELEBRATING?

22

23 **CAPT. BORNMAN:** YES, HE DID.

24



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** DID HE SAY ANYTHING DURING HIS SPEECH THAT  
2 YOU FOUND TROUBLING?

3

4 **CAPT. BORNMAN:** YES.

5

6 **MIRIAM A. KRINSKY:** COULD YOU DESCRIBE THAT FOR US?

7

8 **CAPT. BORNMAN:** HE CAME UP AND THANKED THE GUYS FOR A GOOD YEAR  
9 AND TAKING CARE OF BUSINESS. AND THEN HE SAID "BUT WHAT I  
10 ALWAYS TELL YOU GUYS, WHAT DO I ALWAYS TELL YOU?" AND THEN IN  
11 UNISON, ALL THE GUYS SAID "NOT IN THE FACE" AND THEY ALL  
12 STARTED LAUGHING. "THAT'S RIGHT. NOT IN THE FACE." AND MY WIFE  
13 TURNED TO ME AND SHE SAID WHAT THE HELL DOES THAT MEAN? I SAID  
14 WELL, HE'S TELLING THEM NOT TO HIT PEOPLE IN THE FACE BECAUSE  
15 IT LEAVES MARKS. AND I KNOW THAT MY SERGEANT LOOKED AT ME WITH  
16 A LOOK THAT HE WAS TROUBLED. HE WAS JUST LIKE WHAT THE -- SO,  
17 ANYWAYS, BASED ON THAT AND SOME OTHER THINGS, I JUST DECIDED  
18 NOT TO GO TO THE NEXT CHRISTMAS PARTY.

19

20 **MIRIAM A. KRINSKY:** WERE YOU SURPRISED THAT A FIGHT HAD BROKEN  
21 OUT BY SHERIFF'S PERSONNEL AT THAT PARTY?

22

23 **CAPT. BORNMAN:** BASED UPON WHAT I HAD SEEN OVER THAT PRIOR TIME  
24 THAT I WAS THERE, ALL THE REPORTS AND EVERYTHING, I COULD HAVE  
25 PREDICTED WHAT HAPPENED THERE.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** I HAVE NOTHING FURTHER.

3

4 **HON. LOURDES BAIRD, CHAIR:** WHY DON'T WE TAKE A SHORT? OH, ANY  
5 QUESTIONS? LET'S TAKE A SHORT BREAK.

6

7 **SPEAKER:** I JUST HAVE A COUPLE QUESTIONS. BUT I DON'T WANT TO  
8 INTERFERE WITH THE BREAK HERE.

9

10 **HON. LOURDES BAIRD, CHAIR:** IF YOU'LL TAKE RESPONSIBILITY, I'LL  
11 LET YOU DO THAT, JUDGE BONNER.

12

13 **HON. ROBERT BONNER:** I COULD SEE EYES DARTING AT ME. BUT THIS  
14 IS COMMISSIONER BONNER. JUST A COUPLE OF THINGS THAT MIGHT  
15 HELP CLARIFY YOUR EARLIER TESTIMONY. YOU REFERRED TO A NUMBER  
16 OF INVESTIGATIVE INVESTIGATION -- ADMINISTRATIVE  
17 INVESTIGATIONS THAT HAD NOT BEEN WORKED DURING THE ONE-YEAR  
18 TIME PERIOD BY A DATE IN WHICH THEY'RE SUPPOSED TO BE  
19 FINISHED. DURING THAT, DURING YOUR TESTIMONY, YOU REFERRED TO  
20 BOTH THE ADMINISTRATIVE CASES BEING WORKED AT THE IAB AND THE  
21 UNIT LEVEL -- OR THE UNIT LEVEL. AND I'M JUST TRYING TO GET A  
22 HANDLE ON WHAT'S THE DETERMINING FACTOR AS TO WHETHER A USE OF  
23 FORCE INCIDENT WOULD BE WORKED BY IAB OR WHETHER IT WOULD BE  
24 WORKED ADMINISTRATIVELY AT THE UNIT LEVEL.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. BORNMAN:** ARE YOU ASKING ABOUT USE OF FORCE SPECIFICALLY?  
2 OR ADMINISTRATIVE INVESTIGATIONS? BECAUSE THEY'RE BOTH KIND OF  
3 DIFFERENT.

4  
5 **HON. ROBERT BONNER:** WELL, ACTUALLY I DIDN'T KNOW THERE WAS A  
6 DIFFERENCE. SO LET'S TALK ABOUT USE OF FORCE FIRST. LET'S  
7 LIMIT TO A USE OF FORCE SITUATION.

8  
9 **CAPT. BORNMAN:** A USE OF FORCE GENERALLY IF THERE DOESN'T  
10 APPEAR TO BE ANYTHING OUTLANDISH OR IF THERE IS NO SIGNIFICANT  
11 FORCE THAT RESULTS IN SIGNIFICANT INJURY, THOSE ARE ALL  
12 HANDLED AT THE UNIT LEVEL BY THE SHIFT SERGEANT AND THE SHIFT  
13 LIEUTENANT. IF IT'S AN IAB ROLLOUT, IAB HAS THE OPTION OF  
14 TAKING IT AND THEY'LL HANDLE THE INVESTIGATION.

15  
16 **HON. ROBERT BONNER:** IS THAT THEIR OPTION? AND DOES IT DEPEND  
17 UPON THE LEVEL? THE FORCE USED? WHETHER THERE ARE BROKEN  
18 BONES? WHETHER THERE'S A HEAD STRIKE? I'M TRYING TO UNDERSTAND  
19 HOW THAT DETERMINATION IS MADE PRESUMABLY BY IAB?

20  
21 **CAPT. BORNMAN:** THERE'S SPECIFIC THRESHOLDS THAT ARE REACHED.  
22 IF THERE'S SIGNIFICANT INJURY OR RESULTING IN HOSPITALIZATION,  
23 IAB ROLLS OUT. GENERALLY IF THEY ROLL OUT, THEY WOULD TAKE THE  
24 CASE. I CAN'T THINK OF A REASON WHY THEY WOULDN'T AT THAT  
25 POINT.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **HON. ROBERT BONNER:** OF THESE UNIT LEVEL ADMINISTRATIVE  
3 INVESTIGATIONS THAT YOU LOOKED AT, CAN YOU GIVE ME A SENSE OF  
4 THE PERCENTAGE OF THEM THAT INVOLVED USE OF FORCE AS OPPOSED  
5 TO OTHER KINDS OF MISCONDUCT, POTENTIAL MISCONDUCT ISSUES?

6

7 **CAPT. BORNMAN:** I CAN'T THINK OF ANY THAT INVOLVED ON DUTY USE  
8 OF FORCE. MOST EVERYTHING THAT I SAW WAS OFF DUTY BEHAVIOR.

9

10 **HON. ROBERT BONNER:** BAR FIGHTS?

11

12 **CAPT. BORNMAN:** DRUNK DRIVING. WOULD HAVE BEEN THINGS THAT TOOK  
13 --

14

15 **HON. ROBERT BONNER:** THINGS THAT TOOK PLACE OUTSIDE OF THE JAIL  
16 SETTING?

17

18 **CAPT. BORNMAN:** YES.

19

20 **HON. ROBERT BONNER:** WHEN CAPTAIN CRUZ MADE HIS REMARK TO YOU  
21 ABOUT THAT HE WORKED FOR PAUL TANAKA, HIS IMMEDIATE SUPERVISOR  
22 AT THE TIME WAS BOB OLMSTED, CAPTAIN BOB OLMSTED IS THAT  
23 CORRECT?

24

25 **CAPT. BORNMAN:** COMMANDER BOB OLMSTED.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **HON. ROBERT BONNER:** COMMANDER BOB OLMSTED, THANK YOU. IN FACT  
3 THE PERSON ABOVE COMMANDER BOB OLMSTED WAS THAT CHIEF BURNS AT  
4 THE TIME?

5

6 **CAPT. BORNMAN:** YES.

7

8 **HON. ROBERT BONNER:** I'M TRYING TO GET A SENSE HERE WHEN YOU'RE  
9 SAYING HE DIDN'T WORK FOR OLMSTED AS THE IMMEDIATE DIRECT  
10 SUPERVISOR BUT HE WORKED FOR PAUL TANAKA. CAN YOU HELP ME?

11

12 **CAPT. BORNMAN:** I THINK YOU'D HAVE TO GET INTO DAN'S HEAD FOR  
13 THAT ONE.

14

15 **HON. ROBERT BONNER:** WELL LET ME ASK IT MORE BROADLY. WITHIN  
16 THE LOS ANGELES SHERIFF'S DEPARTMENT, YOU'VE BEEN THERE FOR  
17 MANY YEARS, ARE THERE SENIOR OFFICERS WITHIN THE LASD THAT ARE  
18 VIEWED AS HAVING SOME KIND OF FOLLOWING.

19

20 **CAPT. BORNMAN:** I WOULD HOPE THAT ALL OF THEM HAVE SOME KIND OF  
21 FOLLOWING.

22

23 **HON. ROBERT BONNER:** LET ME PUT IT THIS WAY. ARE THERE  
24 EMPLOYEES WHO SEE THEIR CAREERS AND PROMOTIONS AS DEPENDING

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 UPON SOME SENIOR OFFICER OR PERSON WITHIN THE LOS ANGELES  
2 SHERIFF'S DEPARTMENT OTHER THAN THE SHERIFF HIMSELF?

3

4 **CAPT. BORNMAN:** YOU KNOW, I HAVE KNOWN OVER THE YEARS THAT  
5 PEOPLE HAVE THEIR MENTORS OR PEOPLE THAT THEY HOPE THEY CAN,  
6 YOU KNOW, WORK THEIR WAY UP TO THE DEPARTMENT WITH THAT  
7 MENTOR, YES.

8

9 **HON. ROBERT BONNER:** SOMETIMES I GUESS I MEAN THIS VERY  
10 COLLOQUIALLY HERE, BUT HAVE YOU HEARD OF RATHER THAN MENTOR,  
11 HAVING A RABBI WITHIN AN ORGANIZATION?

12

13 **CAPT. BORNMAN:** SURE.

14

15 **HON. ROBERT BONNER:** AND TO ADVANCE WITHIN THE L.A. SHERIFF'S  
16 DEPARTMENT, AT LEAST TO LEVELS OF CAPTAIN OR ABOVE, IS IT  
17 THOUGHT THAT ONE BENEFITS BY HAVING A HIGHER-LEVEL MENTOR OR  
18 RABBI WITHIN THE ORGANIZATION?

19

20 **CAPT. BORNMAN:** I KNOW SOME PEOPLE HAVE THAT OPINION. I'VE  
21 NEVER FELT THAT WAY.

22

23 **SPEAKER:** NO, MADAME CHAIR. VERY BRIEFLY.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** YES, TWO QUESTIONS. DO YOU KNOW IF CAPTAIN  
2 CRUZ HAD HAD PRIOR PROBLEMS ABOUT IN ANY PRIOR ASSIGNMENT WITH  
3 PROCESSING OF THESE SORTS OF MATTERS?

4

5 **CAPT. BORNMAN:** JUST WHAT I'VE HEARD ANECDOTALLY. I DON'T KNOW  
6 ANYTHING FIRSTHAND.

7

8 **MIRIAM A. KRINSKY:** AND DO YOU KNOW WHETHER HE HAD ANY -- HE  
9 BELIEVED THAT MR. TANAKA HAD BEEN HELPFUL TO HIM IN THE PAST?

10

11 **CAPT. BORNMAN:** HE MADE IT VERY CLEAR THAT MR. TANAKA HAD BEEN  
12 HELPFUL TO HIM, YES.

13

14 **HON. LOURDES BAIRD, CHAIR:** IS THAT IT? THANK YOU VERY MUCH.  
15 COMMANDER -- CAPTAIN? CAPTAIN BORNMAN, THANK YOU VERY MUCH FOR  
16 YOUR TESTIMONY.

17

18 **CAPT. BORNMAN:** I HOPE YOU KNOW THIS IS THE HARDEST THING I'VE  
19 EVER DONE IN MY LIFE.

20

21 **HON. LOURDES BAIRD, CHAIR:** I'M SURE IT IS. YOU'RE VERY BRAVE.

22

23 **HON. ROBERT BONNER:** WE ARE VERY GLAD THAT YOU ARE HERE.

24

25 **CAPT. BORNMAN:** THE SHERIFF ASKED ME TO BE HERE SO I'M HERE.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **HON. LOURDES BAIRD, CHAIR:** LET'S TAKE A VERY SHORT BREAK. KEEP  
3 IT TO 10 MINUTES. THANK YOU. (CLEARING THROAT) GET STARTED? AM  
4 I ON? WE'LL RESUME. CALL THE MEETING TO ORDER HERE. AND JUST  
5 BEFORE WE BEGIN WITH OUR NEXT WITNESS, I HAVE A SPEAKER BY THE  
6 NAME OF GORDON. I HOPE I'M PRONOUNCING THIS CORRECTLY  
7 GERBABACK? PLEASE COME FORWARD, MR. GERBABACK.

8

9 **SPEAKER:** GOOD MORNING. GOOD MORNING. I THINK YOU KNOW WHAT THE  
10 GOVERNING RULES ARE, THREE MINUTES?

11

12 **SPEAKER:** YES, I DO. THANK YOU VERY MUCH. PLEASE GO AHEAD.

13

14 **SPEAKER:** OKAY. MY NAME IS GORDON GERBABACK, I'M A PUBLIC WORKS  
15 CONTRACTOR. I'M A FATHER OF FOUR. I WAS ARRESTED ON SEPTEMBER  
16 9TH, 2009 BY OPERATIONS SAFE STREETS AT MY PLACE OF BUSINESS.  
17 AND I WAS TAKEN DOWN TO LYNWOOD AND THEN TRANSFERRED THE  
18 FOLLOWING DAY, WHICH WAS A TUESDAY, TO THE TWIN TOWERS AND I  
19 WAS PROCESSED AT THE TWIN TOWERS. I BELIEVE IT WAS THE SAME  
20 DAY OR THE FOLLOWING DAY A DEPUTY CALLED ME TO THE DOOR AND  
21 ASKED ME TO COME TO THE DOOR, WHICH I DID. HE WAS AN ASIAN  
22 DEPUTY. AND HE GOES "I UNDERSTAND THAT YOU HAVE FAMILY IN LAW  
23 ENFORCEMENT" AND I TOLD HIM YESY DO. I'VE GOT TWO COUSINS THAT  
24 ARE SHERIFFS AND I HAD ANOTHER COUSIN THAT WORKED FOR GIL GAR  
25 SETY AS A PERSONAL DRIVER, BODY GUARD. SO I DO HAVE FAMILY IN



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 LAW ENFORCEMENT. HE SAID I DON'T KNOW WHY YOU'RE IN GENERAL  
2 POPULATION. AND I TOLD HIM I DON'T EVEN KNOW WHY I'M HERE TO  
3 BEGIN WITH. NO ONE'S EVEN TOLD ME WHY I WAS ARRESTED. LONG  
4 STORY SHORT, I WAS MOVED TO THE THIRD FLOOR, THE 3,000 FLOOR.  
5 AND THAT WAS THE DAY WHEN I WAS SUPPOSED TO GO TO COURT. AND I  
6 WAS MOVED UP THERE. AND I WAS ASSAULTED BY TWO DEPUTIES, ONE  
7 WAS A WHITE DEPUTY, ONE WAS HISPANIC. THEY TOOK ME TO AN  
8 ATTORNEY'S ROOM. HANDCUFFED ME WITH MY HANDS BEHIND MY BACK.  
9 AND THEY BASICALLY BEAT MY HEAD INTO LIKE A GLASS PARTITION, I  
10 GUESS IT'S GLASS. THEY USED MY HEAD LIKE A BATTERING RAM. AND  
11 THEY SAID THAT THEY WERE GOING TO TEACH ME A LESSON TO FAT  
12 BLANKS LIKE ME. AND THEN THE FLOOR SUPERVISOR CAME AND ASKED  
13 WHAT HAD HAPPENED, AND I TOLD HIM YOUR TWO DEPUTIES ASSAULTED  
14 ME. AND HE SAID HE WAS GOING TO BE RIGHT BACK. AND THEN THE  
15 WHITE DEPUTY, WHICH WAS APPROXIMATELY 25, SAID "YOU BETTER  
16 CHANGE YOUR STORY OR WE'RE GOING TO TEACH PEOPLE, YOU KNOW,  
17 FAT, BLANK, WHAT WE DO TO PEOPLE LIKE YOU THAT DON'T FOLLOW  
18 THE RULES. AND THEN WHEN THE FLOOR SUPERVISOR CAME BACK WITH  
19 THE CAMERA, I TOLD HIM -- I CHANGED MY STORY TO COMPLY WITH  
20 THE DEPUTY'S DEMANDS AND TOLD HIM I DID THIS TO MYSELF. AND  
21 WHILE HE WAS INTERVIEWING ME WITH THE CAMERA, THE WHITE DEPUTY  
22 WAS STANDING IN THE DOORWAY TO LISTEN IN ON THE CONVERSATION.  
23 AND HE SEEMED CONCERNED AND ASKED THE WHITE DEPUTY AFTER THE  
24 INTERVIEW, HE SAID IS EVERYTHING GOING TO BE OKAY? HE SEEMED  
25 CONCERNED WITH WHAT HE HAD DONE. AND HE SAID OH, YEAH, WE HAVE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 HIM ON VIDEOTAPE. IT WON'T BE A PROBLEM. TAKE HIM TO THE  
2 NURSE'S STATION. AND THEY TOOK ME TO THE NURSE'S STATION. I  
3 HAD THE RIGHT SIDE OF MY HEAD WAS SWELLED UP. AND THEN THEY  
4 CALLED AN AMBULANCE.

5

6 **HON. LOURDES BAIRD, CHAIR:** YOU CAN GO AHEAD AND FINISH?

7

8 **SPEAKER:** YES, PLEASE. THE TIME EXPIRED. SO THEY CALLED AN  
9 AMBULANCE. AND THEN ONE OF THE DEPUTIES, I WAS KIND OF IN A  
10 DAYS, IN AND OUT OF CONSCIOUSNESS, I WAS HANDCUFFED TO THE  
11 BED. AND THEY CALLED OFF THE AMBULANCE AND SAID TAKE HIM WITH  
12 A RADIO CAR DOWN TO L.A. COUNTY USC, WHICH THEY DID. AND THEY  
13 TREATED ME DOWN THERE. I BELIEVE THEY GAVE ME AN MRI. I HAD  
14 BLEEDING ON THE FRONT RIGHT LOBE OF MY BRAIN RIGHT HERE. IT  
15 WAS SWELLED UP PRETTY GOOD. AND I WASN'T RESISTING. I DIDN'T  
16 DO ANYTHING OF THE SORT. IT WAS JUST, YOU KNOW, ALL-OUT  
17 ASSAULT. AND THAT WAS THE DAY THAT I WAS SUPPOSED TO BE IN  
18 COMPTON FOR MY ARRAIGNMENT. BUT THEY MOVED ME FROM THE LYNNUP  
19 IN THE MORNING TO THE THIRD FLOOR AND THEN I KNEW I WAS IN  
20 TROUBLE. I JUST SENSED THAT. THAT WAS THE DAY YOU WERE BROUGHT  
21 IN?

22

23 **SPEAKER:** NO. I WAS BROUGHT IN ON A TUESDAY. THE ASSAULT  
24 HAPPENED ON A THURSDAY WHEN I WAS SUPPOSED TO BE AT COMPTON.  
25 MY EX-WIFE AND MY MOTHER, I WAS ON THE CALENDAR, BUT I DIDN'T

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 MAKE IT. THEY MOVED ME TO THE THIRD FLOOR. THEN I KNEW THERE  
2 WAS SOMETHING DRASTICALLY WRONG. BASICALLY I CAME FORWARD TO  
3 SHED LIGHT ON, YOU KNOW, WHAT I SAW DOWN THERE AND STUFF. AND  
4 I DON'T BELIEVE IT SHOULD BE HAPPENING. ULTIMATELY ALL THE  
5 CHARGES WERE DISMISSED AGAINST ME. I'VE NEVER BEEN IN TROUBLE  
6 WITH THE LAW, EVER. I HAVE FAMILY IN LAW ENFORCEMENT, I'M A  
7 PUBLIC WORKS CONTRACTOR. SO, YOU KNOW, I WOULD LIKE TO MAKE A  
8 CHANGE IF I COULD, PUT MY TWO CENTS IN, YOU KNOW, BECAUSE I  
9 HAVE CHILDREN, TWO, THAT ARE GOING TO GROW UP, OR YOUR  
10 GRANDCHILDREN TO FACE SOMETHING LIKE I FACED. SO I THINK IT'S  
11 A MIRACLE THAT I'M HERE, TO TELL YOU THE TRUTH. PEOPLE CAN  
12 ONLY EXIST IF GOOD PEOPLE DO NOTHING. THANK YOU VERY MUCH.  
13 ANYTHING FURTHER? THANK YOU VERY MUCH.

14

15 **SPEAKER:** DOES ANYONE HAVE ANY QUESTIONS?

16

17 **HON. LOURDES BAIRD, CHAIR:** NO. THANK YOU VERY MUCH. I  
18 APPRECIATE YOU COMING.

19

20 **SPEAKER:** THANK YOU FOR GIVING ME A LITTLE MORE THAN THREE  
21 MINUTES.

22

23 **REV. CECIL L. MURRAY:** THANK YOU, THANK YOU. MS. KRINSKY, WE'RE  
24 READY FOR THE NEXT WITNESS, SO IF YOU COULD CLEAR THE WITNESS  
25 BENCH. THANK YOU.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **RICHARD E. DROOYAN:** CAPTAIN MAXWELL.

3

4 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT, CAPTAIN MAXWELL.

5

6 **CAPT. MAXWELL:** GOOD MORNING. MR. DROOYAN.

7

8 **RICHARD E. DROOYAN:** CAPTAIN MAXWELL, WHAT IS YOUR CURRENT

9 POSITION?

10

11 **CAPT. MAXWELL:** I'M CURRENTLY AN ASSIGNED TO NORWALK STATION.

12

13 **RICHARD E. DROOYAN:** WHAT ARE YOUR DUTIES OF CAPTAIN OF NORWALK

14 STATION?

15

16 **CAPT. MAXWELL:** ESSENTIALLY ACT AS THE CHIEF OF POLICE FOR THE

17 CITY OF NORWALK AND THE CITY OF LA MIRADA AND THEN WE ALSO

18 HAVE 70,000 RESIDENTS IN OUR UNINCORPORATED AREA.

19

20 **RICHARD E. DROOYAN:** AND HOW MANY DEPUTIES APPROXIMATELY ARE

21 ASSIGNED TO THE NORWALK AREA?

22

23 **CAPT. MAXWELL:** I HAVE APPROXIMATELY 250 BUDGETED ITEMS AND 190

24 ARE SWORN DEPUTIES, WILL YOU TENANTS.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **RICHARD E. DROOYAN:** YOU'RE ON THE PATROL SIDE AS OPPOSED TO  
2 CUSTODY SIDE?

3

4 **CAPT. MAXWELL:** CORRECT.

5

6 **RICHARD E. DROOYAN:** HOW LONG HAVE YOU BEEN A DEPUTY SHERIFF  
7 WITH THE DEPARTMENT?

8

9 **CAPT. MAXWELL:** I WAS HIRED IN 1985.

10

11 **RICHARD E. DROOYAN:** DID YOU RECEIVE A LETTER FROM ASSISTANT  
12 SHERIFF RHAMBO, BASICALLY AUTHORIZING OR ENCOURAGING YOUR  
13 COOPERATION WITH THE COMMISSION?

14

15 **CAPT. MAXWELL:** YES, THERE WAS ONE SENT OUT TO ALL DEPARTMENT  
16 MEMBERS.

17

18 **RICHARD E. DROOYAN:** AND AS CAPTAIN OF THE NORWALK AREA, DO YOU  
19 HOLD STAFF MEETINGS?

20

21 **SPEAKER:** YES.

22

23 **RICHARD E. DROOYAN:** HOW MANY TIMES A YEAR DO YOU HOLD STAFF  
24 MEETINGS?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. MAXWELL:** AVERAGE ABOUT ONE TO TWO.

2

3 **RICHARD E. DROOYAN:** WHO ATTENDS YOUR STAFF MEETINGS?

4

5 **CAPT. MAXWELL:** IT'S ALL MY SERGEANTS, APPROXIMATELY 25, 26  
6 SERGEANTS AND 7 LIEUTENANTS. BASICALLY ALL MY SUPERVISORS AT  
7 NORWALK STATION.

8

9 **RICHARD E. DROOYAN:** DO YOU INVITE PEOPLE TO ADDRESS YOUR  
10 SUPERVISORS AT THE STAFF MEETINGS?

11

12 **CAPT. MAXWELL:** YES. WE GO OVER, PEOPLE WORK STUFF, AND WE TRY  
13 TO BRING IN DIFFERENT SPEAKERS THAT TALK ABOUT DIFFERENT  
14 ISSUES.

15

16 **RICHARD E. DROOYAN:** DID UNDERSHERIFF PAUL TANAKA EVER SPEAK AT  
17 A MEETING?

18

19 **CAPT. MAXWELL::** YES, HE WAS ASSISTANT SHERIFF AT THE TIME.

20

21 **RICHARD E. DROOYAN:** HE WAS ASSISTANT SHERIFF FOR PATROL AT THE  
22 TIME?

23

24 **CAPT. MAXWELL:** YES.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **RICHARD E. DROOYAN:** WHEN WAS IT HE SPOKE AT THE STAFF MEETING?

2

3 **CAPT. MAXWELL:** IT WAS AROUND 2009 I BELIEVE.

4

5 **RICHARD E. DROOYAN:** HOW MANY PEOPLE WERE PRESENT FOR THIS  
6 MEETING?

7

8 **CAPT. MAXWELL::** APPROXIMATELY 30.

9

10 **RICHARD E. DROOYAN:** DO YOU RECALL ANYTHING HE SAID TO THIS  
11 GROUP ABOUT WORKING IN THE GRAY AREA?

12

13 **CAPT. MAXWELL:** YES.

14

15 **RICHARD E. DROOYAN:** WHAT DID HE SAY?

16

17 **CAPT. MAXWELL:** HE WAS TALKING TO MY SERGEANTS, LIEUTENANTS, HE  
18 SAID "YOU NEED TO LET DEPUTIES DO THEIR JOB OUT THERE, THEY  
19 HAVE A TOUGH JOB." THEN HE PHYSICALLY MOVED HIMSELF IN THE  
20 ROOM WHERE HE WAS STANDING AT, HE MOVED HIMSELF TO THE RIGHT.  
21 HE SAID "YOU NEED TO ALLOW THE DEPUTIES TO WORK IN THE GRAY  
22 AREA."

23

24 **RICHARD E. DROOYAN:** WHAT WAS YOUR INTERPRETATION OF WHAT HE  
25 WAS SAYING?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. MAXWELL:** WELL THAT'S THE PROBLEM WITH THE GRAY AREA,  
3 THERE'S A LOT OF DIFFERENT INTERPRETATIONS.

4

5 **RICHARD E. DROOYAN:** WHAT ABOUT YOUR OWN INTERPRETATION OF IT?

6

7 **CAPT. MAXWELL:** TO ME, WORKING IN THE GRAY AREA IS OUTSIDE OF  
8 POLICY AND OUTSIDE THE LAW. WITH.

9

10 **RICHARD E. DROOYAN:** WAS THIS A CONCERN TO YOU WHEN HE MADE  
11 THIS STATEMENT TO YOUR SUPERVISORS?

12

13 **CAPT. MAXWELL:** IT WAS A GREAT CONCERN.

14

15 **RICHARD E. DROOYAN:** WHAT IF ANYTHING DID YOU TRY TO DO AFTER  
16 MR. TANAKA LEFT?

17

18 **CAPT. MAXWELL:** AFTER MR. TANAKA LEFT, I EXPLAINED TO EVERYONE  
19 IN THE ROOM AND SAID I DON'T KNOW WHAT MR. TANAKA'S BELIEF OF  
20 WHAT THE GRAY AREA IS BUT HERE AT THE NORWALK STATION THERE IS  
21 NO GRAY AREA, IT'S BLACK AND WHITE. EITHER WITHIN THE POLICY  
22 OR IT'S NOT.

23

24 **RICHARD E. DROOYAN:** DID YOU TELL YOUR DEPUTIES OR SUPERVISORS  
25 WHAT YOU EXPECTED THEM TO DO?



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CAPT. MAXWELL:** YES. CONSTANTLY.

3

4 **RICHARD E. DROOYAN:** OPERATE WITHIN THE LAW?

5

6 **CAPT. MAXWELL:** YES.

7

8 **RICHARD E. DROOYAN:** DID YOU EVER HEAR MR. TANAKA MAKE

9 STATEMENTS ABOUT THE INTERNAL AFFAIRS BUREAU, IAB?

10

11 **CAPT. MAXWELL:** YES.

12

13 **RICHARD E. DROOYAN:** WAS IN IN A MEETING YOU HEARD IT?

14

15 **CAPT. MAXWELL:** EVERY MONDAY, THERE'S A GANG MEETING THAT WE

16 HAVE IT COULD BE COMPARED TO SKIFF HAD THAT LAPD HAD OR COME

17 STAD. IN THE ROOM IS CIVILIANS IN THERE FROM CRIME ANALYST

18 UNITS. THERE'S SERGEANTS, LIEUTENANTS, CAPTAINS, COMMANDERS

19 AND EVEN A CHIEF OR TWO SOMETIMES.

20

21 **RICHARD E. DROOYAN:** WHAT DID MR. TANAKA SAY ABOUT IAB IN THIS

22 MEETING?

23

24 **CAPT. MAXWELL:** THERE'S APPROXIMATELY 40 PEOPLE IN THE MEETING.

25 SOMEHOW THE TOPIC CAME UP HE WAS TALKING ABOUT LAPD, AND I

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Meeting Held on July 6, 2012**

1 DON'T HAVE THE NUMBERS EXACTLY RIGHT, BUT THE SUM WAS THE  
2 IMPORTANT PORTION, HE SAID "DO YOU BELIEVE LAPD THEY HAVE 200  
3 SOME INTERNAL INVESTIGATORS? IA INVESTIGATORS." AND HE SAID  
4 "WE HAVE 45. HE GOES, IN MY OPINION, THAT'S FUCKING 44 TOO  
5 MANY."

6

7 **RICHARD E. DROOYAN:** WHAT WAS YOUR REACTION TO HIS STATEMENT?

8

9 **CAPT. MAXWELL::** I JUST LOOKED AT A COUPLE OF MY BUDDIES, YOU  
10 KNOW, HE JUST BASICALLY TORE DOWN A WHOLE UNIT RIGHT IN FRONT  
11 OF EVERYBODY FROM DIFFERENT PARTS OF THE DEPARTMENT.

12

13 **RICHARD E. DROOYAN:** WHAT WAS THE EFFECT OF HIM TEARING DOWN  
14 THAT UNIT?

15

16 **CAPT. MAXWELL:** I'M SORRY.

17

18 **RICHARD E. DROOYAN:** WHAT WAS THE EFFECT IN YOUR VIEW OF HIM  
19 TEARING DOWN THAT UNIT?

20

21 **CAPT. MAXWELL:** YOU KNOW, IT KIND OF GOES ALONG WITH, YOU KNOW,  
22 CAPTAIN BORNMAN'S TESTIMONY. IT'S JUST THAT HE'S SHOWN A GREAT  
23 DISDAIN TOWARDS DISCIPLINE AND INTERNAL AFFAIRS.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **RICHARD E. DROOYAN:** WERE HIS COMMENTS REGARDING IAB, IS THIS  
2 SOMETHING GENERALLY KNOWN AROUND THE DEPARTMENT?

3

4 **CAPT. MAXWELL:** YES.

5

6 **RICHARD E. DROOYAN:** I DO WANT TO MAKE SURE THAT THE  
7 COMMISSIONER IS AWARE OF YOUR RELATIONSHIP WITH THE  
8 UNDERSHERIFF. YOU HAVE FILED A COMPLAINT AGAINST HIM AT ONE  
9 POINT, IS THAT CORRECT?

10

11 **CAPT. MAXWELL:** YES. APPROXIMATELY TWO YEARS AGO.

12

13 **RICHARD E. DROOYAN:** WOULD YOU PLEASE BRIEFLY DESCRIBE FOR THE  
14 COMMISSIONERS THE INCIDENT THAT LED TO YOUR COMPLAINT?

15

16 **CAPT. MAXWELL:** IT'S BACK IN MAY OF 2010 THAT I HAD AN OFF-THE-  
17 CUFF CONVERSATION WITH THEN UNDERSHERIFF WALDIE. WE WERE  
18 SEVERELY CUT BY BUDGET. WE WERE UNDERSTAFFED. AND MR. TANAKA  
19 WAS REQUIRING A LOT OF REPORTS. AND I JUST SAID THESE REPORTS  
20 ARE KILLING US. AND SO I LATER LEARNED MR. WALDIE HAD TOLD MR.  
21 TANAKA THAT A REGION 3 CAPTAIN HAD MENTIONED TO HIM ABOUT THE  
22 AMOUNT OF STAFF WORK AND MAYBE HE SHOULD LAY OFF SOME OF IT.  
23 WELL, A COUPLE DAYS LATER, I WAS CALLED IN TO MY CHIEF'S  
24 OFFICE, CHIEF LANGE. THERE WAS THREE CAPTAINS CALLED IN:  
25 MYSELF, CAPTAIN HALL AND CAPTAIN KLAUS. AND IN FRONT OF TWO

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 COMMANDERS, THE CHIEF WENT ON AND THE CHIEF WAS VISIBLY  
2 SHAKEN. AND HE TOLD ME "I JUST CAME FROM MR. TANAKA'S OFFICE.  
3 I GOT MY ASS CHEWED. MR. TANAKA SAID WE ARE FUCKING DEAD TO  
4 HIM. OUR FUKING CAREERS ARE OVER. WE ARE NO LONGER ALLOWED TO  
5 ATTEND THE STATION MEETINGS. WON'T GET ANYMORE RESOURCES. THE  
6 CHIEF HAS TWO SETS OF CAPTAINS -- US THREE AND OTHER FOUR IN  
7 HIS DIVISION."

8

9 **RICHARD E. DROOYAN:** AND AS A RESULT, DID YOU FILE A PERSONNEL  
10 COMPLAINT?

11

12 **CAPT. MAXWELL:** YES. THE FIRST ONE OF MY CAREER.

13

14 **RICHARD E. DROOYAN:** WHAT WAS ULTIMATELY THE UPSHOT OF THE  
15 PERSONAL COMPLAINT THAT YOU FILED?

16

17 **CAPT. MAXWELL:** I'M SORRY.

18

19 **RICHARD E. DROOYAN:** WHAT WAS THE RESULT? HOW DID IT END?

20

21 **CAPT. MAXWELL::** WELL, THERE WASN'T REALLY ANY RESULT. IT WAS  
22 NEVER INVESTIGATED. I WAS TOLD TO MEET WITH MR. TANAKA ONE-ON-  
23 ONE AND WORK IT OUT. MR. TANAKA DENIED SAYING ANY OF THESE  
24 THINGS TO MY FACE ONE-ON-ONE. AND SO EITHER A DIVISION CHIEF  
25 LIED TO ME OR ASSISTANT SHERIFF LIED TO ME.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **RICHARD E. DROOYAN:** AND THAT WAS BASICALLY HOW IT ENDED?

3

4 **CAPT. MAXWELL:** I'M SORRY.

5

6 **RICHARD E. DROOYAN:** IS THAT BASICALLY HOW IT ENDED? I MEAN  
7 YOUR COMPLAINT? THAT WAS SORT OF THE END OF YOUR COMPLAINT?

8

9 **CAPT. MAXWELL:** YES. YEAH. LIKE I SAID, THE SAD PART, THE OTHER  
10 TWO CAPTAINS HAD NOTHING TO DO WITH THIS BUT THEY WERE GROUPE  
11 IN BECAUSE THERE'S SEVEN CAPTAINS IN REGION 3. AND FOUR  
12 DEFINITELY ALIGNED WITH MR. TANAKA AND US THREE AREN'T. SO WE  
13 WERE ALL JUST GROUPE IN TO THIS SHOTGUN APPROACH OF THE  
14 THREATS BEING MADE.

15

16 **RICHARD E. DROOYAN:** I HAVE NO FURTHER QUESTIONS FOR CAPTAIN  
17 MAXWELL. DO ANY OF THE COMMISSIONERS HAVE YES? JUDGE  
18 TEVRIZIAN.

19

20 **HON. DICKRAN M. TEVRIZIAN:** AS A RESULT OF THE MEETING THAT YOU  
21 HAD WITH MR. TANAKA, HAVE YOU SUFFERED ANY REPRISALS?

22

23 **CAPT. MAXWELL:** YOU KNOW, I'VE BEEN PASSED OVER FOR PROMOTION  
24 SEVERAL TIMES. THERE'S DEFINITELY DISTANCE PEOPLE KEEP FROM ME  
25 IN ROOMS AND OPEN MEETINGS, NOT TO BE ASSOCIATED WITH ME

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 BECAUSE, YOU KNOW, I HAVE SEVERAL SERGEANTS AND LIEUTENANTS  
2 HAVE COME TO WORK FOR ME THAT HAVE PRIVATELY TOLD ME THAT WE  
3 WERE TOLD NOT TO COME WORK FOR YOU BECAUSE YOU'RE DEAD MAN  
4 WALKING.

5

6 **HON. LOURDES BAIRD, CHAIR:** ANYTHING FURTHER?

7

8 **HON. ROBERT BONNER:** LET ME ASK THIS, COMMISSIONER BONNER.

9

10 **HON. LOURDES BAIRD, CHAIR:** COMMISSIONER BONNER?

11

12 **HON. ROBERT BONNER:** CAPTAIN MAXWELL, HAVE YOU EVER BEEN ASKED  
13 TO MAKE A POLITICAL CONTRIBUTION TO A CAMPAIGN OF PAUL TANAKA  
14 FOR OFFICE?

15

16 **CAPT. MAXWELL:** YES.

17

18 **HON. ROBERT BONNER:** WAS THAT ONCE OR MORE THAN ONCE?

19

20 **CAPT. MAXWELL:** JUST ONCE THAT I CAN RECALL.

21

22 **HON. ROBERT BONNER:** HOW MUCH WERE YOU -- BY THE WAY, WOULD  
23 THIS BE PAUL TANAKA'S POSITION, POLITICAL POSITION AS THE  
24 MAYOR OF GARDENA OR SOME OTHER POSITION?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CAPT. MAXWELL:** THAT'S CORRECT, THE MAYOR OF GARDENA.

2

3 **HON. ROBERT BONNER:** DO YOU RECALL HOW MUCH YOU WERE ASKED TO  
4 CONTRIBUTE?

5

6 **CAPT. MAXWELL:** YES. I WAS CALLED AT HOME ON A SUNDAY NIGHT BY  
7 A DEPARTMENT MEMBER, TOLD THEY WERE SOLICITING DONATIONS FOR  
8 MR. TANAKA AND CAPTAINS AND ABOVE WERE EXPECTED TO GIVE \$250.

9

10 **HON. ROBERT BONNER:** SO THIS WAS SOME OTHER MEMBER OF THE  
11 SHERIFF'S DEPARTMENT THAT MADE A PHONE CALL TO YOU SOLICITING  
12 A CONTRIBUTION FROM YOU AS A CAPTAIN?

13

14 **CAPT. MAXWELL:** YES.

15

16 **HON. ROBERT BONNER:** DID YOU MAKE A CONTRIBUTION?

17

18 **CAPT. MAXWELL:** YES.

19

20 **HON. ROBERT BONNER:** THE GANG MEETING THAT YOU REFERRED TO, I'M  
21 GOING TO PUT "GANG" IN QUOTES, BUT IS THAT AN L.A. SHERIFF'S  
22 DEPARTMENT-WIDE KIND OF MEETING? OR WAS IT NORWALK? OR WHAT?

23

24 **CAPT. MAXWELL:** NO. THIS IS ASSISTANT SHERIFF TANAKA CAME UP  
25 WITH THIS GREAT PHILOSOPHY ABOUT FOUR YEARS AGO NOW WHERE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 PEOPLE ARE HELD ACCOUNTABLE IN THEIR JOBS, SO THERE'S CAPTAINS  
2 FROM EVERY STATION THROUGHOUT L.A. COUNTY THAT ARE IN THAT  
3 MEETING. AND THEY BETTER HAVE THE CORRECT ANSWERS TO THE CRIME  
4 THAT'S GOING ON IN THEIR AREA. IT'S A VERY EFFECTIVE MEETING.

5

6 **HON. ROBERT BONNER:** AND WERE YOU IN FACT EXCLUDED FROM GANG  
7 MEETINGS AFTER THIS CONVERSATION YOU HAD WITH CHIEF LANGE?

8

9 **CAPT. MAXWELL:** YES, I WAS. I DID, AFTER I FILED THE WHAT WE  
10 CALL THE POE, WHICH IS POLICY OF EQUALITIES, IT'S THROUGH THE  
11 BOWMAN CONSENT DEGREE, WHICH THIS COMPLAINT WAS NEVER IN  
12 COMPLIANCE WITH OR FOLLOWED BY, BUT I GOT AN EMAIL THE NEXT  
13 DAY FROM MY DIVISION CHIEF SAYING CONTRARY TO PREVIOUS  
14 DIRECTION, YOU ARE NOW REQUIRED AT THE GANG MEETING ON MONDAY.

15

16 **HON. ROBERT BONNER:** AND WHEN DID THAT OCCUR? THAT OCCURRED  
17 AFTER YOU FILED?

18

19 **CAPT. MAXWELL:** YES. THE DAY AFTER.

20

21 **HON. ROBERT BONNER:** ROUGHLY WHAT DAY ARE WE TALKING ABOUT?  
22 WHAT YEAR, WHAT MONTH?

23

24 **CAPT. MAXWELL:** THE COMPLAINT WAS FILED ON MAY 20TH OF 2010.

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** I HAVE NOTHING FURTHER, THANK YOU.

2

3 **HON. DICKRAN M. TEVRIZIAN:** I HAVE A FOLLOWUP QUESTION.

4

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

6

7 **HON. DICKRAN M. TEVRIZIAN:** DID YOU MAKE YOUR POLITICAL  
8 CONTRIBUTION BEFORE OR AFTER YOU HAD THE MEETING WITH THE  
9 CHIEF IN WHICH YOU WERE TOLD YOU WERE GOING TO BE EXCLUDED  
10 FROM THESE GANG MEETINGS?

11

12 **CAPT. MAXWELL:** IT WAS BEFORE.

13

14 **HON. DICKRAN M. TEVRIZIAN:** DID MR. TANAKA HAVE ANY OTHER  
15 BUSINESS BESIDES BEING A MEMBER OF THE GARDENA CITY COUNCIL OR  
16 MAYOR OF GARDENA?

17

18 **CAPT. MAXWELL:** ANY OTHER BUSINESS? BUSINESS OR PROFESSION?

19

20 **CAPT. MAXWELL:** HE'S A CERTIFIED PUBLIC ACCOUNTANT.

21

22 **HON. DICKRAN M. TEVRIZIAN:** DO YOU KNOW WHETHER HE PRACTICES  
23 THE CERTIFIED PUBLIC ACCOUNTANT?

24

25 **CAPT. MAXWELL:** NO, SIR.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **HON. DICKRAN M. TEVRIZIAN:** DO YOU KNOW WHETHER HE HAS ANY  
3 CLIENTS THAT ARE MEMBERS OF THE L.A. COUNTY SHERIFF'S  
4 DEPARTMENT?

5

6 **CAPT. MAXWELL:** NOT TO MY KNOWLEDGE.

7

8 **HON. ROBERT BONNER:** COULD I JUST ONE FOLLOWUP?

9

10 **HON. LOURDES BAIRD, CHAIR:** COMMISSIONER BONNER?

11

12 **HON. ROBERT BONNER:** ARE YOU AWARE OF ANY POLICY WITHIN THE  
13 L.A. SHERIFF'S DEPARTMENT THAT PROHIBITS A PERSON THAT'S  
14 RUNNING FOR ELECTIVE OFFICE FROM DIRECTLY OR INDIRECTLY  
15 SOLICITING POLITICAL CONTRIBUTIONS FROM PEOPLE THAT ARE BELOW  
16 HIM IN THE CHAIN OF COMMAND AT THE SHERIFF'S DEPARTMENT?

17

18 **CAPT. MAXWELL:** NO, THERE IS NOT. THE ONLY POLICY THAT WE WOULD  
19 HAVE PERTAINED TO THAT IS CONDUCTING POLITICAL ACTIVITY ON  
20 DUTY.

21

22 **HON. ROBERT BONNER:** THANKS. ANYTHING FURTHER? ANYTHING  
23 FURTHER?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **RICHARD E. DROOYAN:** NOT OF CAPTAIN MAXWELL, BUT I WOULD LIKE  
2 THE COMMISSIONERS TO TURN TO TAB 7 IN YOUR BOOK. SHALL WE KEEP  
3 CAPTAIN MAXWELL ON JUST IN CASE?

4  
5 **RICHARD E. DROOYAN:** YEAH. WHY DON'T YOU HAVE -- THIS IS NOT  
6 DIRECTLY RELATED TO HIM, ALTHOUGH -- LET'S JUST KEEP YOU HERE  
7 IN CASE. THOUGH THERE MIGHT NOT BE ANYMORE QUESTIONS. BUT IF  
8 YOU LOOK AT TAB 7, IT IS A MEMORANDUM FROM CAPTAIN ROLLER TO  
9 HIS COMMANDER REGARDING A VISIT TO CENTURY STATION. AND  
10 DIRECTING YOUR ATTENTION TO THE THIRD PARAGRAPH DEALING WITH  
11 QUESTIONS THAT -- DEALING WITH COMMENTS THAT MR. TANAKA MADE  
12 AT CENTURY STATION. I'LL READ IT INTO THE RECORD. "HE WENT ON  
13 TO FIELD VARIOUS QUESTIONS FROM THE GROUP, INCLUDING PLANS FOR  
14 2008, PERSONNEL SHORTAGES AND OTHER GENERAL QUESTIONS. IN  
15 CONCLUDING HIS REMARKS, HE STATED THAT HE DID NOT LIKE A  
16 LENGTHY NEW PURSUIT POLICY AND SOLICITED INPUT FROM THE UNITS  
17 AND MANAGERS TO SHORTEN THE POLICY. HE ALSO STATED THAT HE  
18 BELIEVED THAT DEPUTIES AND OFFICERS SHOULD FUNCTION RIGHT ON  
19 THE EDGE OF THE LINE AND THAT DEPUTIES NEEDED TO BE VERY  
20 AGGRESSIVE IN THEIR APPROACH TO DEALING WITH GANG MEMBERS. HE  
21 ALSO SAID THAT CAPTAINS AND SUPERVISORS SHOULD NOT BE SO HASTY  
22 IN PUTTING ON "CASES" CLOSED QUOTE ON DEPUTIES. AND THEY  
23 SHOULD THINK ABOUT WHAT THEY ARE DOING AND SEE IF THERE'S  
24 ANOTHER WAY TO ADDRESS THE ISSUE. HE SAID A LOT OF SUPERVISORS  
25 ARE QUICK TO JUST PUT CASES ON PEOPLE. AND THAT WHEN THEY

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 BECOME SUPERVISORS, THEY FORGET WHAT IT WAS LIKE TO BE A  
2 DEPUTY. HE SAID THAT HE WOULD BE CHECKING TO SEE WHICH  
3 CAPTAINS WERE PUTTING THE MOST CASES ON DEPUTIES. AND HE WOULD  
4 BE PUTTING A CASE ON THEM. HE SAID THAT WHEN A DEPUTY HAS A  
5 CASE ON HIM, HE CANNOT FUNCTION PROPERLY IN THE FIELD. AND IT  
6 IS A NEGATIVE IMPACT ON HIS PERFORMANCE AND HIS PERSONAL LIFE.  
7 HE SAID HE DIDN'T LIKE INTERNAL AFFAIRS BUREAU AND THE WAY  
8 THEY WORKED.

9

10 **HON. LOURDES BAIRD, CHAIR:** DO YOU HAVE ANY QUESTIONS OF  
11 CAPTAIN MAXWELL? ANY FURTHER? NO. THANK YOU VERY MUCH.

12

13 **CAPT. MAXWELL:** THANK YOU. I'D JUST LIKE TO ADD ONE THING IF I  
14 COULD THAT I KNOW WE DON'T TAKE AN OATH HERE TODAY TO TELL THE  
15 TRUTH, BUT AS AN ACTIVE MEMBER OF THE SHERIFF'S DEPARTMENT, I  
16 COULD BE TERMINATED FOR ANY FALSE STATEMENTS THAT I WOULD  
17 MAKE. T

18

19 **HON. LOURDES BAIRD, CHAIR:** HANK YOU VERY MUCH FOR THAT  
20 INFORMATION. THANK YOU.

21

22 **RICHARD E. DROOYAN:** THANK YOU, CAPTAIN.

23

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

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. LOURDES BAIRD, CHAIR:** IS THERE ANYTHING MORE? LET'S BREAK  
2 FOR LUNCH. I DON'T KNOW HOW LONG WE EXPECT -- PARDON? 1:00?  
3 WERE WE GOING TO HAVE -- NOT ONLY ONE HOUR, BUT IT APPEARS TO  
4 BE 1 HOUR AND 10 MINUTES.

5

6 **MIRIAM A. KRINSKY:** THE LUNCH IS SET UP IN THE USUAL PLACE.  
7 AND, AGAIN, THE USUAL RULE JUST TO AVOID CLUSTERS OF MORE THAN  
8 THREE OF YOU. THANK YOU VERY MUCH. (LUNCH RECESS).

9

10 **HON. LOURDES BAIRD, CHAIR:** THE MEETING WILL COME TO ORDER. MY  
11 FELLOW COMMISSIONERS, ONE MORE REMINDER AND ADMONITION THAT I  
12 WAS JUST REMINDED OF, THE AUDIO PEOPLE APPARENTLY ARE HAVING A  
13 LITTLE DIFFICULTY PICKING UP THE AUDIO, SO I WOULD LIKE TO  
14 MAKE SURE THAT YOU SPEAK RIGHT INTO THE MICROPHONES, IF YOU  
15 WOULD, PLEASE. MS. KRINSKY.

16

17 **MIRIAM A. KRINSKY:** YES, GOOD AFTERNOON, COMMISSIONERS, FOR  
18 THIS NEXT SEGMENT, WE'D LIKE TO WELCOME THE FIVE MEMBERS OF  
19 THE SHERIFF'S DEPARTMENT COMMANDER MANAGEMENT TASKFORCE. ALL  
20 FIVE OF THEM ARE UP HERE. I'D LIKE TO THANK THE ONE WHO ISN'T  
21 IN UNIFORM, COMMANDER PARRA, WHO CAME IN FROM VACATION  
22 LITERALLY JUST A FEW MOMENTS AGO TO BE HERE FOR THIS, SO  
23 PLEASE DON'T FAULT HIM FOR NOT BEING IN UNIFORM; RATHER, THANK  
24 HIM FOR CUTTING HIS VACATION SHORT. WHAT I'D LIKE TO DO IS ASK  
25 THEM ALL TO INTRODUCE THEMSELVES, AND THEN WE WILL BE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DIRECTING DIFFERENT QUESTIONS TO DIFFERENT MEMBERS OF THE  
2 TASKFORCE BASED ON THEIR AREAS OF FOCUS. WHAT WE'VE DONE IS AT  
3 TAB 5 IN YOUR NOTEBOOK, AND YOU MAY WANT TO PULL THIS SHEET  
4 OUT OR HAVE IT HANDY, THANKS TO THE EFFORTS OF COMMANDER  
5 GUYOVICH, WE HAVE A LIST OF WHAT THEIR AREAS OF PURVIEW ARE  
6 AND WILL BE DESCRIBING SORT OF HOW THEY DID THEIR WORK AND THE  
7 FACT THEY'VE DIVIDED UP THEIR AREAS OF FOCUS, THAT WILL GIVE  
8 YOU A SENSE IN THE QUESTION AND ANSWER AFTER I GO THROUGH WITH  
9 THEM IF YOU HAVE SPECIFIC QUESTIONS, WHO MIGHT BE BEST ABLE TO  
10 ADDRESS THAT QUESTION, ALTHOUGH, AGAIN, ALL FIVE OF THEM ARE  
11 UP HERE AND READY TO ADDRESS WHATEVER QUESTIONS YOU HAVE.  
12 ALSO, I KNOW THAT YOU'VE ALL RECEIVED COPIES IN THE MAIL OF  
13 THEIR STATUS REPORT, THEIR SIX-MONTH REPORT. IT'S NOT MY  
14 INTENTION TO, BECAUSE THAT'S A VERY LONG DOCUMENT, TO GO  
15 THROUGH EACH AND EVERY ONE OF THE MANY AREAS WHERE THEY HAVE  
16 BEEN WORKING, BUT, RATHER, TO FOCUS ON A FEW OF THEM AND  
17 PRIMARILY ON SOME. AREAS THAT ARE STILL WORK IN PROGRESS SO  
18 THAT WE HAVE AN OPPORTUNITY TO HEAR WHAT SOME OF THE THINKING  
19 IS AND WHERE THEIR WORK MIGHT GO OVER TIME. SO WITH THAT, I'D  
20 LIKE TO INVITE EACH YOU, IN TURN, STARTING WITH THE LEFT AND  
21 MOVING OVER TO THE RIGHT TO INTRODUCE YOURSELF SO COMMANDER  
22 GUYOVICH.

23

24 **SPEAKER:** HI. I'M COMMANDER CHRISTY GUYOVICH.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV Meeting Held on July 6, 2012**

1 **SPEAKER:** COMMANDER ERIC PARRA

2

3 **SPEAKER:** COMMANDER HELLMOND.

4

5 **SPEAKER:** COMMANDER FENNELL.

6

7 **SPEAKER:** COMMANDER PIETRATONI.

8

9 **MIRIAM A. KRINSKY:** SO COMMANDER GUYOVICH, I'D LIKE TO START  
10 WITH YOU AND HAVE YOU PROVIDE FOR US A LITTLE BIT OF  
11 BACKGROUND IN REGARD TO THE COMMANDER MANAGEMENT TASKFORCE SO  
12 FIRST IF YOU COULD TELL US WHAT IS THE COMMANDER MANAGEMENT  
13 TASKFORCE.

14

15 BACK IN 2011, THE SHERIFF INITIATED OUR TASKFORCE DIRECTLY TO  
16 LOOK AT THE JAILS AND ASSESS TYPE OF SITUATION THAT WAS GOING  
17 ON THERE. AND THE POINT OF THAT WAS TO REALLY ASSESS THE JAIL  
18 CONDITIONS, POLICY, PROCEDURES, SUPERVISION AND TRAINING, ALL  
19 WITH ASPECT OF MOVING THE JAILS AND THE CULTURE OF THE JAILS  
20 INTO A DIFFERENT DIRECTION, A MORE LEARNING AND SAFE  
21 ENVIRONMENT FOR NOT ONLY INMATES BUT ALSO DEPUTIES.

22

23 **MIRIAM A. KRINSKY:** AND WAS THIS MISSION FOR THE TASKFORCE  
24 COMMUNICATED TO THE GROUP IN A MEETING WITH THE SHERIFFS?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1     **CHRISTY GUYOVICH:** YES.

2

3     **MIRIAM A. KRINSKY:** WHO WAS AT THE MEETING?

4

5     **COMMANDER GUYOVICH:** THE FOUR COMMANDERS, FOUR OF US INITIALLY  
6     AND THEN COMMANDER PIETRATONI CAME ON IN JANUARY. BUT  
7     PRIMARILY IT WAS THE FOUR OF US. THERE WERE SO MANY MEETINGS,  
8     I BELIEVE SHERIFF BACA WAS PRESENT, TANAKA WAS PRESENT.

9

10    **MIRIAM A. KRINSKY:** OVER THE COURSE OF YOUR LIFE SPAN. AND WHAT  
11    DID THE SHERIFF SAY WHEN HE FIRST MET WITH THE THEN FOUR OF  
12    YOU WHO WERE TO BE THE TASKFORCE IN REGARD TO THE CONCERNS  
13    THAT HE HAD AND THAT HE HOPED THAT YOU WOULD BE ABLE TO  
14    ADDRESS?

15

16    **COMMANDER GUYOVICH:** WELL THE CONCERNS, WE KIND OF SEPARATED  
17    THEM INTO ABOUT FIVE CATEGORIES. AND IT WAS FORCE, THE WHO,  
18    WHAT, WHY AND HOW WITH FORCE. THE CULTURE, NOT ONLY WITH  
19    INMATES BUT ALSO DEPUTIES. AND CHANGING THAT CULTURE. WE ALSO  
20    LOOKED AT THE LEADERSHIP, TRAINING AND SUPERVISION WITHIN  
21    CUSTODY. ALSO, PERSONNEL STAFFING, WHAT THAT WAS A CREATION OF  
22    A TYPE OF CAREER PATH FOR DEPUTIES IN CUSTODY. AND THEN ON THE  
23    TECHNICAL SIDE WE WERE LOOKING AT THE SYSTEMS AS WELL AS  
24    MONITORING THE IMPLEMENTATION OF INSTALLATION OF THE CCTV  
25    CAMERAS AT CJ.



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** AND OVER TIME, THOSE AREAS THAT YOU'VE  
3 IDENTIFIED, HAVE THOSE AS WELL AS OTHERS BECOME AREAS THAT  
4 YOU'VE DIVIDED UP AMONG YOURSELF

5

6 **COMMANDER GUYOVICH:** YES.

7

8 **MIRIAM A. KRINSKY:** SO BEFORE I GET TO THAT DIVISION, COULD YOU  
9 DESCRIBE FOR US -- DIVISION, COULD YOU DESCRIBE FOR US WHAT  
10 THE SHERIFF SAID AND HOW YOU'VE BEEN FUNCTIONING IN TERMS OF  
11 WHO YOU REPORT TO?

12

13 **COMMANDER GUYOVICH:** WELL, PART OF OUR TASKFORCE WAS TO CUT  
14 THROUGH THE BUREAUCRACY THAT SOMETIMES MAKES THINGS TAKE A  
15 LONG TIME TO GET IN PLACE. SO HE WANTED US TO DIRECTLY GO OUT,  
16 FIRST AND DIRECTLY REPORT TO THE SHERIFF. AND WE DID THAT AND  
17 WE HAVE BEEN DOING THAT SINCE OCTOBER ON A WEEKLY BASIS. SO HE  
18 WANTED TO BE DIRECTLY INVOLVED IN EVERYTHING THAT WE WERE  
19 SEEING AND ANY OF OUR PROPOSALS THAT WE HAD TAKEN TO HIM.

20

21 **MIRIAM A. KRINSKY:** DID HE INDICATE THAT HE HAD CONCERNS ABOUT  
22 THE BUREAUCRACY OR WHATEVER THAT HADN'T BEEN GETTING TO THAT  
23 LEVEL?

24

25 **COMMANDER GUYOVICH:** YES.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** WHAT DID HE SAY IN THAT REGARD?

3

4 **COMMANDER GUYOVICH:** IT'S JUST THE BUREAUCRACY OF THE  
5 DEPARTMENT. SOMETIMES IDEAS COME ABOUT AT A LOWER LEVEL, DON'T  
6 ALWAYS MAKE IT UP TO THE SHERIFF. SO HE JUST WANTED TO ENSURE  
7 THAT ANYTHING THAT WE WERE LEARNING, THAT WE WERE BRINGING IT  
8 TO HIS ATTENTION IMMEDIATELY AND THERE WERE NO MIDDLE PEOPLE  
9 IN BETWEEN.

10

11 **MIRIAM A. KRINSKY:** AS WELL AS IDEAS, DID HE ALSO INDICATE  
12 CONCERNS THAT PROBLEMS HADN'T BEEN GOING DIRECTLY TO HIS  
13 LEVEL?

14

15 **COMMANDER GUYOVICH:** I DON'T KNOW THAT HE GOT INTO ALL THE  
16 SPECIFICS. THE CREATION OF OUR TASKFORCE WAS MORE THE FUTURE  
17 AND WHAT WE WERE GOING TO DO AS FAR AS PUTTING POLICIES AND  
18 PROCEDURES IN PLACE SO THAT WE CAN MOVE THE DEPARTMENT  
19 FORWARD.

20

21 **MIRIAM A. KRINSKY:** SO AFTER YOUR FORMATION, I BELIEVE YOU  
22 INDICATED YOU MEET WITH THE SHERIFF HOW OFTEN? I BELIEVE YOU  
23 SAID WEEKLY?

24

25 **COMMANDER GUYOVICH:** WEEKLY.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** AT TIMES DO YOU MEET WITH HIM MORE OFTEN  
3 THAN WEEKLY?

4

5 **COMMANDER GUYOVICH:** AT TIMES. MOSTLY IN THE BEGINNING WE WERE  
6 MEETING WITH HIM PROBABLY EVERY TWO OR THREE DAYS.

7

8 **MIRIAM A. KRINSKY:** AND WHO ATTENDS THOSE MEETINGS THAT YOU  
9 HAVE WITH THE SHERIFF?

10

11 **COMMANDER GUYOVICH:** OUR WEEKLY MEETINGS NOW? 2 SHERIFF IS  
12 ATTENDING. ASSISTANT SHERIFF RHAMBO, WHEN HE'S AVAILABLE.  
13 CHIEF YIM, BECAUSE HE NOW OVERSEES ALL OF CUSTODY DIVISION,  
14 THE TASKFORCE MEMBERS OF I THINK OF CHIEF YIM'S STAFF, ALSO. I  
15 THINK THAT'S IT.

16

17 **MIRIAM A. KRINSKY:** THE FIVE OF YOU?

18

19 **COMMANDER GUYOVICH:** YES.

20

21 **MIRIAM A. KRINSKY:** AND DOES THE UNDERSHERIFF ATTEND THOSE  
22 MEETINGS?

23

24 **COMMANDER GUYOVICH:** NO, HE DOESN'T.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** I KNOW THAT AT SOME POINT IN TIME THE  
2 TASKFORCE'S FOCUS IS GOING TO SHIFT, CORRECT?

3

4 **COMMANDER GUYOVICH:** CORRECT.

5

6 **MIRIAM A. KRINSKY:** WHAT ARE THE PLANS IN THAT REGARD?

7

8 **COMMANDER GUYOVICH:** OUR PLANS ARE ONCE WE ARE ABLE TO MAYBE  
9 PASS ON SOME OF THE THINGS THAT WE'VE IMPLEMENTED, TO START  
10 MOVING IN THROUGHOUT THE DEPARTMENT IN OTHER AREAS.

11

12 **MIRIAM A. KRINSKY:** WHEN YOU SAY IN OTHER AREAS, DOES THAT MEN  
13 FROM CUSTODY TO THE CONTROL SIDE OF THE DEPARTMENT?

14

15 **COMMANDER GUYOVICH:** YES. IN AUGUST WE PLAN ON MOVING --  
16 INITIATING OUR MOVE INTO CORPORATE SERVICES, LEADERSHIP AND  
17 TRAINING DIVISION, AND ALSO THE PATROL STATION.

18

19 **MIRIAM A. KRINSKY:** AND AS YOU REACH THAT POINT OF TRANSITION,  
20 ARE THERE PLANS TO ISSUE A REPORT TO THE SHERIFF AS WELL AS  
21 CHIEF YIM?

22

23 **COMMANDER GUYOVICH:** YES. FOR CUSTODY, ONCE WE MOVE OUT WE  
24 WILL BE DOING AN OUTBRIEFING FOR CHEF YIM AND FOR SHERIFF  
25 BACA, AS WELL.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** I'D LIKE YOU IF YOU COULD, COMMANDER  
3 GUYOVICH TO LOOK AT THE ORGANIZATIONAL THAT IS AT TAB 1, THE  
4 FIRST DOCUMENT AT TAB 1 WHICH IS THE ONE WITH THE BLUE BOXES  
5 THAT MR. DROOYAN WAS TALKING ABOUT EARLIER THIS MORNING.  
6 THAT'S SOMETHING THAT HAS BEEN PUT TOGETHER IN AN EFFORT TO  
7 REFLECT SORT OF THE CURRENT STRUCTURE OF THE DEPARTMENT. AND  
8 YOU SEE THE COMMANDER TASKFORCE OFF TO THE SIDE AND THE DIRECT  
9 REPORT TO THE SHERIFF, WITH THE FIVE OF YOU, THE FIVE MEMBERS  
10 OF THE TASKFORCE STHAT AN ACCURATE DEPICTION OF THE STRUCTURE  
11 AND REPORTING OBLIGATIONS FOR THE TASKFORCE?

12

13 **CHRISTY GUYOVICH:** YES, IT IS.

14

15 **MIRIAM A. KRINSKY:** I THINK YOU INDICATED ORIGINALLY THERE WERE  
16 FOUR MEMBERS OF THE TASKFORCE, IS THAT RIGHT?

17

18 **CHRISTY GUYOVICH:** YES.

19

20 **MIRIAM A. KRINSKY:** AND COMMANDER PIETRANTONI WAS ADDED?

21

22 **CHRISTY GUYOVICH:** CORRECT.

23

24 **MIRIAM A. KRINSKY:** WHY WAS HE ADDED TO THE MIX?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CHRISTY GUYOVICH:** PIETRANTONI WAS ADDED BECAUSE HE WAS ABLE TO  
2 ACTUALLY BE PHYSICALLY AT CJ. SO HIS OFFICE IS AT MCJ. WHAT  
3 THE SHERIFF WANTED HIM TO DO IS TO BE ON THE FLOOR AT CJ, TWIN  
4 TOWERS AND -- EVERY SINGLE DAY. SO HE'S DOWN THERE MAKING SURE  
5 THAT THE ACCOUNTABILITY IS THERE AND IMPROVING ON FURTHER  
6 ASPECTS OF AREAS THAT PERHAPS WE DID NOT SEE.

7

8 **MIRIAM A. KRINSKY:** SO HE'S SORT OF EYES AND EARS ON THE  
9 GROUND?

10

11 **CHRISTY GUYOVICH:** CORRECT.

12

13 **MIRIAM A. KRINSKY:** AT THE TIME THAT HE WAS ADDED, WHO WAS THE  
14 COMMANDER OVERSEEING -- YOU SAID CJ, YOU MEN MEN'S CENTRAL JAIL  
15 WHICH IS DOWN HERE AS MCJ. WHO WAS OVERSEEING MEN'S CENTRAL  
16 JAIL AND TWIN TOWERS AND --

17

18 **CHRISTY GUYOVICH:** COMMANDER PARRA.

19

20 **MIRIAM A. KRINSKY:** THOSE WERE HIS AREA OF RESPONSIBILITY?

21

22 **CHRISTY GUYOVICH:** YES.

23

24 **MIRIAM A. KRINSKY:** IS THERE ANOTHER COMMANDER THAT OVERSEES  
25 THE OTHER JAIL FACILITIES?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **CHRISTY GUYOVICH:** YES. WELL, NO, THE NORTH FACILITIES IS  
3 COMMANDER STEVE JOHNSON.

4

5 **MIRIAM A. KRINSKY:** OKAY. I'M SORRY. I THINK THEY'RE THE  
6 FACILITIES THAT I SHOW -- WE SHOW IN SEPARATE BOXES OVER TO  
7 THE LEFT, IS THAT RIGHT?

8

9 **CHRISTY GUYOVICH:** CORRECT.

10

11 **MIRIAM A. KRINSKY:** WAS THAT HIS AREA OF RESPONSIBILITY WHEN  
12 THE TASKFORCE WAS FORMED?

13

14 **CHRISTY GUYOVICH:** NO. HE OVERSAW THE ACLU AND A FEW OTHER  
15 AREAS.

16

17 **MIRIAM A. KRINSKY:** NOW, IS THERE A REASON -- THE QUESTION WAS  
18 ASKED EARLIER THIS MORNING, IS THERE A REASON WHY COMMANDER  
19 PIETRANTONI IS ON THE TASKFORCE BUT COMMANDER JOHNSON ISN'T?

20

21 **CHRISTY GUYOVICH:** TO BE QUITE HONEST WITH YOU, COMMANDER  
22 JOHNSON WAS ALREADY PART OF CUSTODY; HE WAS A CUSTODY  
23 COMMANDER WHEN THE TASKFORCE WAS FORMED. SO THE SHERIFF HAND  
24 PICKED US TO BE ON THE TASKFORCE. SO WE WORKED HAND-IN-HAND  
25 WITH THE CUSTODY COMMANDERS.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** SO YOU'VE BEEN WORKING VERY CLOSELY WITH  
3 HIM EVEN THOUGH HE'S NOT ACTUALLY SHOWN AS A MEMBER OF THE  
4 TASKFORCE.

5

6 **CHRISTY GUYOVICH:** CORRECT.

7

8 **MIRIAM A. KRINSKY:** IS THERE A REASON WHY COMMANDER PARRA WHO  
9 WAS AT THE TIME OF YOUR FORMATION IN THE BOX WITH COMMANDER  
10 PETRI TONY, IS THERE A REASON HE WAS PUT ON THE TAS BE FORCE?

11

12 **CHRISTY GUYOVICH:** COMMANDER PARRA, HE CAN TELL YOU FURTHER, HE  
13 WAS ALREADY ASSIGNED TO CUSTODY. SO THE THREE OF US, FINEL  
14 HELLMOLD AND I WERE COMING FROM A PATROL ENVIRONMENT SO PARRA  
15 WAS ALREADY THERE AND ALREADY HAD THE INSIGHT OF SOME OF THE  
16 PROCESSES AND THE HISTORY THAT WAS THERE.

17

18 **MIRIAM A. KRINSKY:** AND WHO AT THE TIME WAS THE COMMANDER IN  
19 THE BOX CURRENTLY OCCUPIED BY STEVE JOHNSON?

20

21 **CHRISTY GUYOVICH:** THAT WAS COMMANDER GREG JOHNSON, WHO  
22 RETIRED.

23



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** OKAY. YOU INDICATED THAT COMMANDER  
2 PIETRANTONI IS KIND OF LOCATED ON SITE AT MEN'S CENTRAL JAIL.  
3 WHERE ARE THE REST OF YOU PHYSICALLY LOCATED?

4

5 **CHRISTY GUYOVICH:** OUR OFFICES ARE ON EIGHTH FLOOR OF TWIN  
6 TOWERS.

7

8 **MIRIAM A. KRINSKY:** AS YOU STARTED TO ENGAGE IN YOUR WORK, DID  
9 YOU BEGIN TO DIVIDE UP THE AREAS OF FOCUS?

10

11 **CHRISTY GUYOVICH:** YES.

12

13 **MIRIAM A. KRINSKY:** AND WE'VE PREPARED, AS I INDICATED EARLIER,  
14 OR YOU'VE PREPARED, A DOCUMENT THAT'S AT TAB 5. IF YOU COULD  
15 LOOK AT THAT. DOES THAT REFLECT THE DIFFERENT AREAS WHERE EACH  
16 OF YOU YOU ARE FOCUSED CURRENTLY?

17

18 **CHRISTY GUYOVICH:** THOSE ARE BASICALLY IT. IF WE PUT ALL THE  
19 AREAS ON THERE, IT WOULD PROBABLY BE A FIVE-PAGE DOCUMENT.

20

21 **MIRIAM A. KRINSKY:** OKAY. AND IF YOU COULD MAYBE TAKE A MOMENT  
22 AND JUST GENERALLY TALK ABOUT AS AMONG THE FIVE OF YOU THE  
23 AREAS WHERE EACH OF YOU ARE FOCUSED?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **CHRISTY GUYOVICH:** COMMANDER PARRA, HIS FOCUS IS FORCE. SO  
2 ANYTHING THAT INVOLVES FORCE. AN ALL THE ANALYSIS THAT WE'VE  
3 DONE AND THE COMMANDERS' FORCE REVIEW COMMITTEE, THAT FALLS  
4 UNDER COMMANDER PARRA. UNDER COMMANDER HELLMOLD, IT'S THE  
5 LEADERSHIP, SUPERVISION AND TRAINING. HE ALSO HANDLES SOME OF  
6 THE POLICIES, THE FORCE POLICY AND THE CCTV VIDEO POLICY. AND  
7 COMMANDER FENNELL HANDLES INMATE RELATIONS AND ANY PERSONNEL-  
8 TYPE RELATIONS AND THE DUAL TRACK CAREER PATH.

9

10 **MIRIAM A. KRINSKY:** HOW ABOUT YOU?

11

12 **CHRISTY GUYOVICH:** I'M KIND OF THE CATCH-ALL ADMINISTRATIVE  
13 SIDE OF IT. I HAND HANDLE ALL THE CCJV REQUESTS, PROCESS  
14 THOSE, PUT TOGETHER THE BOOK AND SOME OF THE OTHER  
15 ADMINISTRATIVE THINGS THAT ALL OF US NEED DAILY.

16

17 **MIRIAM A. KRINSKY:** AND HAVE YOU ALSO BEEN LOOKING AT SOME OF  
18 THE ISSUES RELATED TO TECHNOLOGY AND TRACKING SYSTEMS?

19

20 **CHRISTY GUYOVICH:** YES.

21

22 **MIRIAM A. KRINSKY:** I'D LIKE TO THANK COMMANDER GUYOVICH ON  
23 BEHALF OF THE COMMISSION. SHE'S BEEN TRULY WILLING TO WORK  
24 WITH US AND IN A WAY TO HANDLE OUR REQUESTS. I THINK I'D LIKE  
25 TO MOVE ON TO COMMANDER PARRA. SO, COMMANDER GUYOVICH HAS

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ALREADY DESCRIBED THE FACT THAT WHEN YOU CAME TO THE  
2 TASKFORCE, YOU WERE ALREADY INVOLVED IN A SUPERVISORY CAPACITY  
3 AS COMMANDER IN OVERSEEING SOME OF THE JAIL FACILITIES,  
4 CORRECT?

5

6 **COMMANDER PARRA:** CORRECT.

7

8 **MIRIAM A. KRINSKY:** AND BASED ON THAT WORK AS WELL AS SOME OF  
9 THE ASSESSMENT YOU SOUGHT TO DO WHEN YOU JOINED THE TASKFORCE,  
10 DID YOU IDENTIFY CONCERNS WITH REGARD TO USE OF FORCE IN OUR  
11 JAIL FACILITY?

12

13 **COMMANDER PARRA:** YES.

14

15 **MIRIAM A. KRINSKY:** WHAT WERE THE NATURE OF THE CONCERNS THAT  
16 YOU IDENTIFIED?

17

18 **COMMANDER PARRA:** WE IDENTIFIED MANY CONCERNS. ONE OF THE MOST  
19 IMPORTANT CONCERNS WE IDENTIFIED WAS THE LACK OF SUPERVISION  
20 AND COMMENSURATE WITH THAT WAS THE LACK OF TRAINING FOR  
21 SUPERVISORS IN TERMS OF EXPECTATIONS AND IN TERMS OF WRITING,  
22 HOW WE WANTED THEM TO WRITE THEIR FORCE PACKAGES, HOW WE WAND  
23 THEM TO INVESTIGATE THEIR FORCE PACKAGES AND HOW WE WANTED  
24 THEM TO COMPLETE THEM.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** WERE THERE CONCERNS ALSO IDENTIFIED IN  
2 REGARD TO THE QUALITY OF SUPERVISION IN THE JAILS?

3

4 **COMMNANDER PARRA:** YES.

5

6 **MIRIAM A. KRINSKY:** AND WHAT SORT OF CONCERNS DID YOU IDENTIFY  
7 IN REGARD TO THAT?

8

9 **COMMNANDER PARRA:** WHAT WE WANTED TO DO WAS WE WANTED TO BRING  
10 IN A CADRE OF EXPERIENCED, MOTIVATED SUPERVISORS PARTICULARLY  
11 AT MEN'S CENTRAL JAIL, ULTIMATELY THROUGHOUT THE CUSTODY  
12 ENVIRONMENT, SO THAT WE COULD HAVE MORE PROACTIVE AND MORE  
13 ASSERTIVE LEADERSHIP OVER THE YOUNG JAIL DEPUTIES.

14

15 **MIRIAM A. KRINSKY:** AND WHAT DID YOU DO WHEN YOU FIRST BEGAN  
16 THE WORK WITH THE TASKFORCE TO TRY TO GET A HANDLE OF FORCE  
17 ISSUES AND WHAT SORTS OF CHANGES THE TASKFORCE MIGHT WANT TO  
18 PUT IN PLACE?

19

20 **COMMNANDER PARRA:** WELL, WE BEGAN TO LOOK AT POLICIES. WE  
21 LOOKED AT THE BOARD'S REQUESTS. WE LOOKED AT MERRICK BOBB'S  
22 REQUESTS AND WE LOOKED AT ACLU REQUESTS AND WE BEGAN TO GO ONE  
23 BY ONE THROUGH THOSE TO ENSURE THAT THEY WERE HANDLED.

24

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Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** IN ADDITION TO THE WORK THAT OTHER PEOPLE  
2 HAD DONE THAT YOU'VE IDENTIFIED, DID YOU ALSO TRY TO DO SOME  
3 AUDITING, INVESTIGATION, RANDOM ASSESSMENTS OF YOUR OWN?

4

5 **COMMNANDER PARRA:** YES, WE DID.

6

7 **MIRIAM A. KRINSKY:** AND CAN YOU DESCRIBE FOR US WHAT YOU DID IN  
8 THAT REGARD?

9

10 **COMMNANDER PARRA:** WHAT WE DID IS WE BEGAN TO LOOK AT FORCE  
11 THROUGH THE STATISTICS, THROUGH WHO WAS USING IT, THE TIME OF  
12 DAY, LOCATION, WHERE IN THE FACILITY, AND WE USED THOSE AND A  
13 MYRIAD OF OTHER FACTORS TO HELP US MAYBE CHANGE SOME OF THE  
14 OPERATIONS OF THE FACILITY, MAYBE CHANGE SOME OF THE POLICIES  
15 THAT WOULD ALLOW US TO GET AROUND USING FORCE AT THAT  
16 PARTICULAR TIME.

17

18 **MIRIAM A. KRINSKY:** AND TELL US SPECIFICALLY WHAT DID YOU SEE  
19 IN TERMS OF PATTERNS IN THAT REGARD? AND WHAT SORT OF CHANGES  
20 DID YOU THINK WERE WARRANTED BASED ON THOSE PATTERNS?

21

22 **COMMNANDER PARRA:** I'LL GIVE YOU A COUPLE EXAMPLES. ONE WAS THE  
23 K-10 MOVEMENT AT MEN'S CENTRAL JAIL.

24

25 **MIRIAM A. KRINSKY:** TELL US WHAT A K-10 IS?

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Meeting Held on July 6, 2012**

1

2 **COMMNANDER PARRA:** K-10 ARE THE HIGHEST SECURITY LEVELS OR  
3 HIGH-LEVEL INMATES. AND THEY ARE WAIST CHAINED AND THEY ARE  
4 SERGEANT ESCORTS, USUALLY. AND WHAT HAPPENED IS WE FOUND OUT  
5 THAT WE WERE HAVING A LOT OF FORCE WITH RESPECT TO K-10  
6 INMATES BECAUSE WHEN THEY GET OUT, IF THERE'S NOT AN ADEQUATE  
7 RATIO OF DEPUTIES TO INMATES, THEY TEND TO GET IN FIGHTS AND  
8 IT CAUSES US TO USE FORCE, WHICH WE TERM RESCUE FORCE, TO  
9 PREVENT THEM FROM HURTING EACH OTHER OR US IN THE EVENT THAT  
10 THEY TURN ON US. SO WE BEGAN TO TRAIN AROUND THAT BY HAVING  
11 MORE SUPERVISORS PRESENT, BY HAVING MORE DEPUTIES PRESENT, SO  
12 THAT BY HAVING MORE DISTANCE BETWEEN INMATES WHEN WE MOVE  
13 THEM. IT'S WORKED VERY WELL. WE'VE MITIGATED THAT FORCE ALMOST  
14 DOWN TO ZERO.

15

16 **MIRIAM A. KRINSKY:** YOU REFERENCE MORE SUPERVISORS, WERE THERE  
17 CHANGES PUT IN PLACE GENERALLY AT MEN'S CENTRAL IN REGARD TO  
18 THE TOTAL NUMBER OF SUPERVISORS?

19

20 **COMMNANDER PARRA:** YES. WE BROUGHT IN 19 ADDITIONAL  
21 SUPERVISORS.

22

23 **MIRIAM A. KRINSKY:** AND WHEN YOU SAY "BROUGHT IN" WHERE WERE  
24 THOSE 19 TAKEN FROM?

25

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Meeting Held on July 6, 2012**

1 **COMMANDER PARRA:** THEY WERE TRANSFERRED FROM THROUGHOUT THE  
2 DEPARTMENT.

3

4 **MIRIAM A. KRINSKY:** AND IS THERE ANY GUARANTEE THAT THE 19 WILL  
5 REMAIN AT MEN'S CENTRAL JAIL? AT SOME POINT IN TIME COULD THEY  
6 BE TRANSFERRED BACK FROM WHENCE THEY CAME?

7

8 **COMMANDER PARRA:** I DOUBT IT BUT IT'S POSSIBLE.

9

10 **MIRIAM A. KRINSKY:** OKAY. WERE THERE ANY CHANGES PUT IN PLACE  
11 IN TERMS OF THE LENGTH OF TIME SUPERVISORS WOULD STAY IN THE  
12 JAILS?

13

14 **COMMANDER PARRA:** YES. THE SUPERVISORS NOW HAVE A TWO-YEAR  
15 TIME FRAME FOR WHICH THEY WILL REMAIN IN CUSTODY.

16

17 **MIRIAM A. KRINSKY:** AND WHY IS THAT? WHY WAS THAT CHANGE  
18 DETERMINED TO BE HELPFUL?

19

20 **COMMANDER PARRA:** BECAUSE WE WANTED TO HAVE SOME LONGEVITY IN  
21 SUPERVISION. WE WANTED TO MAKE SURE THEY TOOK SOME OWNERSHIP  
22 AND THEY TOOK SOME LEADERSHIP IN TERMS OF BEING THERE, IN  
23 TERMS OF BELIEVING THEY WERE PART OF CUSTODY. SO WE WANTED  
24 THEM TO SPEND TWO YEARS. INSTEAD OF SIX MONTHS OR NINE MONTHS  
25 AND THEN JUST WANTED TO LEAVE TO ANOTHER ASSIGNMENT.

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Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** AND WE'VE HEARD ABOUT THE POLICY OR  
3 PRACTICE OF SUPERVISORS IN THE JAIL BEING NEW SUPERVISORS,  
4 THAT NEW SUPERVISORS GENERALLY START IN CUSTODY? IS THAT STILL  
5 THE PRACTICE?

6

7 **COMMNANDER PARRA:** GENERALLY NEW SUPERVISORS STILL START IN  
8 CUSTODY.

9

10 **MIRIAM A. KRINSKY:** AND SOME HAVE EXPRESSED CONCERN THAT  
11 CUSTODY IS A DIFFICULT PLACE FOR A NEW SUPERVISOR. HAVE YOU  
12 CONSIDERED THAT CONCERN AND IS THERE ANY THOUGHT TO CHANGING  
13 THE POLICY TO PUT MORE EXPERIENCED SUPERVISORS INTO CUSTODY?

14

15 **COMMNANDER PARRA:** WE HAVEN'T MADE THAT CHANGE, BUT WE HAVE  
16 DISCUSSED IT.

17

18 **MIRIAM A. KRINSKY:** OKAY. DID YOU ALSO LOOK AT ISSUES AND  
19 CONCERNS THAT RELATED TO THE ADEQUACY OF INVESTIGATIONS  
20 REGARDING USE OF FORCE?

21

22 **ERIC PARRA:** YES.

23

24 **MIRIAM A. KRINSKY:** AND WHAT DID YOU DO IN TERMS OF TRYING TO  
25 ASSESS THE NATURE OF CONCERNS IN THAT AREA?



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Meeting Held on July 6, 2012**

1

2 **COMMANDER PARRA::** WE CONDUCTED RANDOM AUDITS OF FORCE  
3 PACKAGES AT THE VARIOUS FACILITIES. AND WHAT WE WOULD DO IS WE  
4 WOULD FIND A MYRIAD OF ISSUES WITH THOSE. WE WOULD SEND THEM  
5 BACK TO THE FACILITY AND MAKE SURE THEY CORRECTED THE  
6 DEFICIENCIES, INSURED THERE WAS TRAINING OR DISCIPLINE OR ANY  
7 OTHER ADMINISTRATIVE REMEDY THAT WE THOUGHT NECESSARY FOR THAT  
8 PARTICULAR FORCE PACKAGE. AND THAT LED TO US FORMING THE  
9 CUSTODY FORCE RESPONSE TEAM.

10

11 **MIRIAM A. KRINSKY:** AND WHAT IS THE CUSTODY FORCE RESPONSE  
12 TEAM? IS THAT, BY THE WAY, SOMETIMES KNOWN AS THE CFRT?

13

14 **COMMANDER PARRA::** THAT'S THE CFRT, YES. THAT'S SARGEANTS THAT  
15 WE BROUGHT IN. THEY'RE TENURED SERGEANTS. SOME ARE USE OF  
16 FORCE INVESTIGATORS -- NOT USE OF FORCE INVESTIGATORS,  
17 TRAINERS. THEY ALL HAVE SIGNIFICANT DEPARTMENTAL EXPERIENCE  
18 AND INVESTIGATIVE EXPERIENCE. AND THEY GO OUT AND THEY MONITOR  
19 FORCE INVESTIGATIONS. NOW, WE WENT BACK AND FORTH ON WHETHER  
20 THEY WERE GOING TO ACTUALLY HANDLE THEM OR MONITOR THEM, BUT  
21 WE WANTED THEM TO MONITOR AND TO ASSIST BECAUSE WE FELT THAT  
22 IF THEY HANDLED THEM, THEY WOULDN'T BE DOING THE SERGEANT THAT  
23 WAS ACTUALLY IN CHARGE OF HANDLING IT ANY SERVICE BECAUSE THEY  
24 WOULDN'T REALLY LEARN. SO THEY'D GO OUT AND THEY'D GO TO ALL  
25 THE FACILITIES WHEN A FORCE INCIDENT OCCURS THAT MEETS THEIR

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Meeting Held on July 6, 2012**

1 CRITERIA. THEY GO OUT AND THEY ASSIST IN THAT INVESTIGATION SO  
2 THAT THEY MAKE SURE THAT WE HAVE UNIFORMITY OF INVESTIGATIONS  
3 ACROSS-THE-BOARD IN CUSTODY.

4

5 **MIRIAM A. KRINSKY:** SO YOU SAID THAT THEY DON'T GO OUT ON ALL.  
6 THEY GO OUT WHEN IT MEETS THEIR CRITERIA. I KNOW IT'S A LITTLE  
7 BIT COMPLICATED, BUT IF YOU COULD MAYBE JUST BRIEFLY DESCRIBE  
8 WHAT ARE THE KINDS OF CASES? SORT OF WHAT'S THE DIVIDING LINE?  
9 IS IT BASED ON SERIOUSNESS OF WHAT?

10

11 **COMMANDER PARRA:** I CAN GIVE YOU THE CRITERIA REAL QUICK.

12

13 **MIRIAM A. KRINSKY:** OKAY.

14

15 **COMMANDER PARRA:** IT'S INTERNAL AFFAIRS BUREAU NOTIFICATION  
16 AND THEY FAIL TO RESPOND BECAUSE IT DOESN'T MEET THEIR LEVEL,  
17 WE RESPOND.

18

19 **MIRIAM A. KRINSKY:** AND BY WE, YOU MEAN THE CUSTODY FORCE  
20 RESPONSE TEAM?

21

22 **ERIC PARRA:** YES. CUSTODY FORCE RESPONSE TEAM. IF THERE'S  
23 SIGNIFICANT INMATE INJURIES OR THAT ARE A RESULT OF ALLEGED  
24 CONTACT, WE RESPOND. SIGNIFICANT EMPLOYEE INJURIES. IF THERE  
25 IS A TASER USED THAT RESULTS IN SIGNIFICANT INJURY. IF THERE'S

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Meeting Held on July 6, 2012**

1 PERSONAL WEAPONS USED, HANDS, FEET, THAT RESULT IN SIGNIFICANT  
2 INMATE INJURY. IF THERE'S AN IMPACT WEAPON OR A SHOT FOOT OR  
3 CAROTID RESTRAINT. IF THERE'S AN EMERGENCY RESPONSE TEAM  
4 ACTIVATION THAT RESULTS IN SIGNIFICANT INJURY. IF THERE'S A  
5 HEAD STRIKE THAT TO THE INMATE'S HEAD OR THE INMATE'S HEAD IS  
6 PUSHED AGAINST A HARD OBJECT, WE RESPOND. ALSO, WE CLOSED IT  
7 OFF AT THE END BY ADVISING THE WATCH COMMANDERS THAT IF THEY  
8 WANT US TO RESPOND, THEY CALL US AND WE'LL RESPOND TO  
9 ANYTHING.

10

11 **MIRIAM A. KRINSKY:** OKAY. SO WOULD IT BE FAIR TO SAY, COMMANDER  
12 PARRA, FROM WHAT YOU SAID, SOME CASES WILL INVOLVE AN IAB,  
13 INTERNAL AFFAIRS BEG YOUR PARDON OH ROLLOUT, CORRECT?

14

15 **COMMNANDER PARRA:** YES.

16

17 **MIRIAM A. KRINSKY:** AND SOME CASES, YOU ALL, I THINK WHAT  
18 YOU'VE CALLED YOU ALL, THE CUSTODY FORCE REVIEW TEAM WILL  
19 RESPOND; CORRECT?

20

21 **COMMNANDER PARRA:** CORRECT.

22

23 **MIRIAM A. KRINSKY:** RESPONSE TEAM, WILL RESPOND, CORRECT?

24

25 **COMMNANDER PARRA:** YES.

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Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** THERE'S SOME CASES WHERE NEITHER, NOBODY  
3 ROLLS OUT, CECT?

4

5 **ERIC PARRA:** THOSE WILL BE THE UNIT LEVEL INVESTIGATION.

6

7 **MIRIAM A. KRINSKY:** THOSE WILL STILL BE DONE AT THE UNIT LEVEL,  
8 CORRECT?

9

10 **ERIC PARRA:** YES.

11

12 **MIRIAM A. KRINSKY:** I THINK YOU INDICATED WHEN YOU ALL RESPOND,  
13 YOU DON'T ACTUALLY DO THE INVESTIGATION, CORRECT? YOU'RE AN  
14 ADDED LEVEL OF ASSISTANCE OR REVIEW TO BE HELPFUL?

15

16 **ERIC PARRA:** YES. WE HAVE THE ABILITY TO ASSUME CONTROL OF THE  
17 INVESTIGATION IN THE POLICY, BUT OUR -- WE PREFER TO BE  
18 MENTORS AND INSURE THAT THERE'S UNIFORMITY.

19

20 **MIRIAM A. KRINSKY:** IS THE STAFFING FOR THIS RESPONSE TEAM  
21 UNDER THE COMMANDER MANAGEMENT TASKFORCE?

22

23 **ERIC PARRA:** YES.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND WHEN THE COMMANDER MANAGEMENT TASKFORCE  
2 MOVES TO OTHER AREAS, IS THERE ANY CERTAINTY THAT THIS  
3 RESPONSE TEAM WILL REMAIN IN PLACE?

4  
5 **ERIC PARRA:** I ASSUME THAT IT WILL. I CAN'T TELL YOU THAT WITH  
6 CERTAINTY THAT IT WILL. BUT I BELIEVE IT WILL.

7  
8 **MIRIAM A. KRINSKY:** OKAY. CAN YOU TELL US WHAT THE CFRC IS? AND  
9 THAT'S ALSO LISTED ON THE DOCUMENT, THE CUSTODY FORCE REVIEW  
10 COMMITTEE?

11  
12 **ERIC PARRA:** THAT CAME IN AS A RESULT OF THE CFRT, THE RESPONSE  
13 TEAM. BECAUSE WHAT WE WANTED WAS WE WAND A DIFFERENT LEVEL OF  
14 SCRUTINY. IF YOU HAVE AN INTERNAL AFFAIRS BUREAU FORCE, IT  
15 GOES TO WHAT'S CALLED EXECUTIVE FORCE REVIEW COMMITTEE, OF  
16 WHICH THREE COMMANDERS SIT ON THAT PANEL, AND THEY DECIDE THE  
17 APPROPRIATENESS OF THAT FORCE AND WHETHER THERE'S ANY POLICY  
18 ISSUES OR OTHER ISSUES. WE WANTED THAT SAME LEVEL OF SCRUTINY  
19 FOR THESE FORCE INVESTIGATIONS THAT OUR SERGEANTS RESPOND TO.  
20 SO IT'S A THREE-COMMANDER PANEL. IT COMES UP, BUT WE'RE A  
21 LITTLE UNIQUE IN THAT IT'S NOT THE CAPTAIN, THE CAPTAIN COMES,  
22 BUT THE QUESTION IS NOT THE ONE WE DIRECT OUR QUESTIONS TO. WE  
23 DIRECT OUR QUESTIONS TO THE SERGEANT AND THE WATCH COMMANDER  
24 THAT HANDLED THAT INCIDENT BECAUSE NOW THEY ARE TECHNICALLY ON  
25 THE HOT SEAT, IF YOU WILL, FOR THAT INVESTIGATION. AND WE'RE

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Meeting Held on July 6, 2012**

1 DIRECTLY QUESTIONING THEM. AND IT'S WORKED VERY WELL IN TERMS  
2 OF TRAINING, IN TERMS OF US DISSEMINATING OUR EXPECTATIONS AND  
3 ALSO IN TERMS OF THEM GOING BACK AND TALKING TO THEIR PEERS  
4 ABOUT THE EXPERIENCE.

5

6 **MIRIAM A. KRINSKY:** AND IS THERE ALSO AN EFFORT BEING MADE TO  
7 TRY TO MOVE CASES PROMPTLY SO THAT THEY DON'T LANGUISH DURING  
8 THE COURSE OF THE INVESTIGATION?

9

10 **ERIC PARRA:** YES. WE HAVE A POLICY THAT SAYS WHEN THERE'S A  
11 CFRT-- FORCE RESPONSE TEAM CASE, THAT CASE WILL BE  
12 INVESTIGATED AND COMPLETED WITHIN 30 DAYS. AND THEN WE PUT  
13 THAT ON THE CALENDAR FOR THE CFRC WITHIN TWO MONTHS AFTER  
14 THAT.

15

16 **MIRIAM A. KRINSKY:** WOULD YOU AGREE THAT EVEN FOR THE CASES  
17 THAT DON'T COME UNDER THE PURVIEW OF THE CFRC OR CFRT THAT  
18 INCREASED SCRUTINY WOULD STILL BE HELPFUL? AN ADDED SORT OF  
19 LAYER OF EYES AND EARS MIGHT STILL BE HELPFUL FOR THOSE CASES?

20

21 **ERIC PARRA:** YES.

22

23 **MIRIAM A. KRINSKY:** AND THE PROBLEMS THAT WERE IDENTIFIED BY  
24 YOU ALL IN TERMS OF USING FORCE INVESTIGATIONS, WAS IT YOUR

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Meeting Held on July 6, 2012**

1 VIEW THAT THOSE PROBLEMS WERE MOST SERIOUS IN TERMS OF THE  
2 UNIT-LEVEL REVIEW THAT WAS BEING DONE?

3

4 **ERIC PARRA:** THAT'S CORRECT.

5

6 **MIRIAM A. KRINSKY:** THERE'S BEEN A RECOMMENDATION, I KNOW WE'LL  
7 BE HEARING FROM A REPRESENTATIVE OF PPOA. I'M JUST GOING TO  
8 CALL THEM PPOA, TO REMOVE INVESTIGATIVE RESPONSIBILITY FROM  
9 FRONTLINE SUPERVISORS SO THAT A DIRECT SUPERVISOR ISN'T  
10 ACTUALLY THE ONE HAVING TO DO THE INVESTIGATION OF HIS  
11 EMPLOYEE OR PERHAPS SOMEBODY WITH WHOM THERE'S A RELATIONSHIP.  
12 DO YOU -- ARE YOU ALL LOOKING AT THAT ISSUE? AND IS THERE ANY  
13 THOUGHT TO MAKING A CHANGE CONSISTENT WITH THAT  
14 RECOMMENDATION?

15

16 **ERIC PARRA:** I HAVE NOT LOOKED AT THAT ISSUE.

17

18 **MIRIAM A. KRINSKY:** IN TERMS OF HOW DISCIPLINE IS DECIDED UPON,  
19 IS THERE ANY KIND OF DOCUMENT, SCHEDULE, MATRIX THAT IS USED  
20 IN DETERMINING WHAT THE APPROPRIATE DISCIPLINE WOULD BE IN A  
21 PARTICULAR CASE?

22

23 **ERIC PARRA:** THE DEPARTMENT HAS GUIDELINES FOR DISCIPLINE  
24 FORMAT WHERE THE POLICY VIOLATION IS LISTED. ALONG WITH THAT  
25 IS A SUGGESTION FOR THE FORM OF DISCIPLINE. FOR INSTANCE IT

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Meeting Held on July 6, 2012**

1 MIGHT SAY FAULTY, IT MIGHT SAY WRITTEN REPRIMAND TO FIVE DAYS  
2 OFF.

3

4 **MIRIAM A. KRINSKY:** IS THAT SOMETHING YOU SOMETIMES CALL THE  
5 BAIL SCHEDULE?

6

7 **ERIC PARRA:** THAT'S WHAT IT'S COMMONLY REFERRED TO.

8

9 **MIRIAM A. KRINSKY:** IS THE -- ARE THE RANGES, SORT OF THE  
10 RECOMMENDED DISCIPLINE RANGES IN THE BAIL SCHEDULE BEING  
11 REVIEWED BY THE TASKFORCE?

12

13 **ERIC PARRA:** YES, THEY ARE.

14

15 **MIRIAM A. KRINSKY:** AND WHAT SORT OF REVIEW ARE YOU DOING OF  
16 THAT? AND WHAT SORTS OF THINGS -- CHANGES ARE YOU POTENTIALLY  
17 LOOKING AT?

18

19 **ERIC PARRA:** WE LOOKED AT ONE RECENTLY, AND I BELIEVE IT WAS  
20 COMMANDER GUYOVICH THAT WORKED ON THAT WITH OIR. IT WAS  
21 CHANGING THE DISCIPLINE FOR A CERTAIN VIOLATION FROM THE  
22 MINIMUM BEING FIVE DAYS TO NOW THE MINIMUM BEING 15 DAYS ON  
23 THAT PARTICULAR VIOLATION. I DON'T RECALL THE EXACT VIOLATION,  
24 THOUGH.

25



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Meeting Held on July 6, 2012**

1 **CHRISTY GUYOVICH:** EXCESSIVE FORCE.

2

3 **MIRIAM A. KRINSKY:** COMMANDER GUYOVICH, MAYBE I SHOULD TURN  
4 THIS BACK TO YOU FOR A MOMENT? SO IF YOU COULD DESCRIBE FOR US  
5 SPECIFICALLY, AGAIN, WHAT IT IS THAT YOU'RE LOOKING AT IN  
6 REGARD TO THAT?

7

8 **CHRISTY GUYOVICH:** IT WAS JUST A RECOMMENDATION. IT'S JUST THE  
9 ONE ITEM. AND THAT RECOMMENDATION CAME FROM MIKE GENNACO IN  
10 INCREASING THE BAIL SCHEDULE FROM THE MINIMUM OF 15 DAYS TO  
11 DISCHARGE INSTEAD OF IT WAS BEFORE FIVE DAYS TO DISCHARGE.

12

13 **MIRIAM A. KRINSKY:** OKAY. AND IS IT YOUR UNDERSTANDING THAT  
14 THAT VERY BROAD RANGE FROM FIVE DAYS TO DISCHARGE OR 10 DAYS  
15 TO DISCHARGE, THAT THOSE ARE ALSO THE RANGES FOR THINGS LIKE  
16 FAILURE TO REPORT? OR MATERIAL FALSE STATEMENTS?

17

18 **CHRISTY GUYOVICH:** I'D HAVE TO LOOK AT THE GUIDELINES, BUT I'M  
19 NOT EXACTLY SURE WHAT THE RANGE IS FOR THOSE.

20

21 **MIRIAM A. KRINSKY:** OKAY. IS THERE ANY CONSIDERATION BEING  
22 GIVEN TO INCREASING THE PENALTIES OR LIMITING THE  
23 DISCRETIONARY RANGE FOR THOSE TYPES OF EVENTS? MATERIAL FALSE  
24 STATEMENTS, FAILURES TO REPORT? GUY GUY THEY MAY BE. I KNOW

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THAT MR. AGAIN ACOH WAS DEALING DIRECTLY WITH CHIEF ABNER  
2 BECAUSE SHE HAS OVERSIGHT OF THAT AREA.

3

4 **MIRIAM A. KRINSKY:** COMMANDER PARRA, BACK TO YOU, HAVE YOU ALSO  
5 BEEN OVERSEEING WORK THAT'S BEEN GOING ON WITH REGARD TO  
6 INSTALLATION OF CAMERAS IN THE JAIL FACILITIES?

7

8 **ERIC PARRA:** NO, THAT'S NOT MY AREA.

9

10 **MIRIAM A. KRINSKY:** I APOLOGIZE. WHOSE AREA WOULD THAT BE?

11

12 **ERIC PARRA:** THAT ACTUALLY FALLS UNDER FACILITY SERVICES  
13 BUREAU.

14

15 **CHRISTY GUYOVICH:** WE JUST MONITOR THE TRACKING OF HOW MANY ARE  
16 BEING INSTALLED AND HOW MANY ARE BEING BROUGHT UP AS FAR AS  
17 BEING RECORDED.

18

19 **MIRIAM A. KRINSKY:** OKAY. SO IN REGARD TO THE MONITORING THAT  
20 YOU'VE BEEN DOING, IS IT YOUR UNDERSTANDING THAT AN INCREASING  
21 NUMBER OF CAMERAS WERE INSTALLED OVER THE PAST SERIES OF  
22 MONTHS AT MEN'S CENTRAL JAIL?

23

24 **CHRISTY GUYOVICH:** YES. WE HAVE A TOTAL OF 705 AT MEN'S CENTRAL  
25 JAIL. THEY'RE ALL UP AND RECORDING RIGHT NOW.

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Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** OKAY. AND IS IT POSSIBLE THAT THERE ARE A  
3 FEW STILL AWAITING A NEW SERVER BEFORE THEY BECOME  
4 OPERATIONAL?

5

6 **CHRISTY GUYOVICH:** NO. AT CJ, THEY ARE ALL RECORDING. TWIN  
7 TOWERS, WE'RE IN THE INSTALLATION PROCESS RIGHT NOW. AND THOSE  
8 ARE THE ONES THAT ARE WAITING FOR SOME SERVERS.

9

10 **MIRIAM A. KRINSKY:** IS IT FAIR TO SAY THAT WITH 700 CAMERAS  
11 THAT NOT EVERY NOOK AND CRANNY IN THE JAIL COULD POSSIBLY BE  
12 COVERED?

13

14 **CHRISTY GUYOVICH:** YEAH, NOT AT CJ.

15

16 **MIRIAM A. KRINSKY:** DO YOU HAVE ANY IDEA HOW IT WAS DECIDED  
17 WHERE CAMERAS WOULD GO UP?

18

19 **CHRISTY GUYOVICH:** IT'S MY UNDERSTANDING -- AND I WASN'T  
20 PHYSICALLY INVOLVED IN THAT PART -- THAT THEY ACTUALLY WALKED  
21 THE FLOORS AND TRIED TO UTILIZE THE AREAS THE CAMERAS WOULD  
22 PICK UP THE BEST AREAS.

23

24 **MIRIAM A. KRINSKY:** ARE THERE POLICIES THAT ARE BEING PUT IN  
25 PLACE TO GOVERN THE USE, CONTROL AND MAINTENANCE MUCH THOSE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 CAMERAS AND VIDEOS IN REGARD TO WHAT IS RECORDED FROM THE  
2 CAMERAS?

3

4 **CHRISTY GUYOVICH:** YES. COMMANDER HELLMOLD IS WORKING ON THAT.

5

6 **MIRIAM A. KRINSKY:** SO COMMANDER HELLMOLD IF I CAN MOVE OVER TO  
7 YOU FOR THAT. ARE THOSE POLICY ONES STILL ONES IN PROGRESS?

8

9 **COMMANDER HELLMOLD:** YES WE HAVE THAT ARE BEING REVISED TO BE  
10 SPECIFIC TO THE VIDEO SURVEILLANCE THROUGHOUT CUSTODY.

11

12 **MIRIAM A. KRINSKY:** OKAY. ARE THE REVISIONS INCLUDING LOOKING  
13 AT HOW LONG THE TAPES ARE MAINTAINED AND WHAT USE CAN BE MADE  
14 OF THE TAPES?

15

16 **COMMANDER HELLMOLD:** YES.

17

18 **MIRIAM A. KRINSKY:** CAN YOU DESCRIBE FOR US WHAT THE CURRENT  
19 POLICY IS AND WHAT CHANGES ARE UNDER CONSIDERATION?

20

21 **COMMANDER HELLMOLD:** THE CURRENT POLICY IS VERY LIMITED  
22 BECAUSE THIS IS A NEW AREA THAT THE DEPARTMENT IS GETTING INTO  
23 IS EXPANDED USE OF SURVEILLANCE, SO IT HAS A LOT TO DO WITH  
24 CHAIN OF CUSTODY AS FAR AS VIDEO AND BOOKING EVIDENCE, THINGS  
25 OF THAT NATURE. WE ARE TRYING TO EXPAND -- OR WE WILL BE

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1 EXPANDING THE POLICY TO ALSO ADDRESS THE QUALITY OF  
2 RESOLUTION, FRAMES PER SECOND AS WELL AS STORAGE. SO WE'RE  
3 UNDER CONSULTATION WITH COUNTY COUNSEL TO FIND THE BEST  
4 PRACTICE FOR THAT, AS WELL.

5

6 **MIRIAM A. KRINSKY:** AND THAT'S AN AREA WHERE THE WORK IS STILL  
7 ONGOING?

8

9 **COMMANDER HELLMOLD:** YES.

10

11 **MIRIAM A. KRINSKY:** I KNOW WE'VE HEARD OF THE SO-CALLED VIDEO  
12 POLICY. SINCE YOU'VE GOT THE MIC, CAN YOU DESCRIBE FOR US WHAT  
13 THE VIDEO POLICY IS AND WHAT THE CURRENT SORT OF DIVERGENCE OF  
14 VIEWS HAS BEEN ON THAT ISSUE? HELL HELL.

15

16 **COMMANDER HELLMOLD:** I BELIEVE WHAT YOU ARE REFERRING TO IS  
17 PROBABLY THE PRIMARY POINT WHICH IS A SIGNIFICANT DISCUSSION  
18 IN THE LAW ENFORCEMENT COMMUNITY NATIONWIDE, WHICH HAS TO DO  
19 WHETHER OR NOT AN OFFICER SHOULD VIEW VIDEO PRIOR TO WRITING  
20 HIS OR HER REPORT. SO THAT FINAL PORTION OF THE POLICY IS THE  
21 ONLY THING HOLDING UP FORMALIZATION OF IT. AND SO WE'VE HAD  
22 SEVERAL WORKING GROUP MEETINGS WITH INDEPENDENT OVERSIGHT,  
23 COUNTY COUNSEL, DEPARTMENT EXECUTIVES, MEMORY EXPERTS, LAW  
24 ENFORCEMENT EXECUTIVES.

25

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Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND THE ISSUE IS WHETHER OR NOT IT WOULD BE  
2 APPROPRIATE FOR LAW ENFORCEMENT OFFICER TO LOOK AT THAT VIDEO,  
3 RECOUNTING THE EVENT, RECORDING THE EVENT BEFORE THEY SIT DOWN  
4 AND WRITE THEIR OWN REPORT ABOUT IT?

5

6 **COMMANDER HELLMOLD:** CORRECT. AND THE PRIMARY CONTENTION WOULD  
7 HAVE TO DO WITH -- OBVIOUSLY IN LAW ENFORCEMENT WE NEED TO  
8 PRESERVE PURE RECALL AS IT RELATES TO STATE OF MIND AT THE  
9 TIME AN OFFICER WAS ENGAGED IN THE ACTIONS THAT HE OR SHE WAS.  
10 SO THE BALANCE WOULD BE AT WHAT POINT ARE THEY PERMITTED TO GO  
11 AHEAD AND WRITE THE REPORT? IS IT PRIOR TO REVIEWING OR AFTER?  
12 WE'VE HAD MEMORY EXPERTS EXPLAIN THAT IT'S PREDICTABLE THAT  
13 YOU WILL HAVE MEMORY RELAPSES AND YOU WOULD NEED TO HAVE THE  
14 OFFICER REFRESH THEIR MEMORY ABOUT AN INCIDENT BECAUSE OF  
15 PHENOMENAL CALLED SELECTIVE MEMORY DURING CRITICAL INCIDENTS.  
16 BUT WE ALSO NEED TO RESPECT PURE RECALL AND CAPTURE TRUE STATE  
17 OF MIND WITHOUT THE INFLUENCE OF THE CAMERA.

18

19 **MIRIAM A. KRINSKY:** I KNOW, COMMANDER HELLMOLD, WE'VE BEEN  
20 REFERRING TO POLICIES WE'VE HEARD THROUGH OUR WORK ABOUT  
21 POLICIES, DIRECTIVES AND MANUALS. COULD YOU TELL US WHAT THOSE  
22 ALL ARE AND HOW THEY RELATE TO EACH OTHER?

23

24 **COMMANDER HELLMOLD:** WELL THERE'S DIFFERENT FORMATS THAT THE  
25 DEPARTMENT HAS. WE HAVE OBVIOUSLY LAWS THAT WE ALL FIRST AND

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 FOREMOST WOULD ADHERE TO. AND THEN THERE'S THE DEPARTMENT OF -  
2 - OR EXCUSE ME THERE'S THE MANUAL OF POLICY AND PROCEDURES  
3 THAT'S THE PRIMARY GUIDING FORCE FOR ALL DEPARTMENT MEMBERS  
4 AND THEN EACH RESPECTIVE DEPARTMENT AND UNIT WOULD HAVE MORE  
5 SPECIFICS TO THE DAY-TO-DAY OPERATIONS OF DUTIES.

6

7 **MIRIAM A. KRINSKY:** AND I DON'T KNOW IF YOU MENTIONED IT, ARE  
8 DIRECTIVES THE SAME AS ORDERS?

9

10 **COMMANDER HELLMOLD.** OKAY. SO UNIT ORDERS WOULD BE FOR A  
11 SPECIFIC UNIT. FOR EXAMPLE, MEN'S CENTRAL JAIL WOULD HAVE  
12 SPECIFIC ORDERS RELATED TO THAT FACILITY. PITCHES DETENTION  
13 CENTER WOULD HAVE UNIT ORDERS ADDRESSING THAT SPECIFIC  
14 FACILITY. BUT THEN DIVISION DIRECTIVES WOULD ADDRESS CUSTODY  
15 DIVISION-WIDE OR PATROL DIVISION-WIDE.

16

17 **MIRIAM A. KRINSKY:** IS THERE ALSO A CUSTODY MANUAL THAT  
18 PERTAINS TO ALL OF CUSTODY?

19

20 **COMMANDER HELLMOLD:** THAT'S CORRECT.

21

22 **MIRIAM A. KRINSKY:** SO IN TERMS OF USE OF FORCE POLICIES, ARE  
23 THOSE CURRENTLY BEING REVISED? ARE THEY IN THE PROCESS OF  
24 BEING WORKED ON BY YOU AND OTHERS ON THE TASKFORCE?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1     **COMMANDER HELLMOLD:** YES. AND WE ARE IN THE FINAL STAGES OF  
2 RESTRUCTURING THE USE OF FORCE POLICY, AS WELL. WE'VE HAD  
3 SEVERAL WORKING GROUPS GENERALLY CONSISTING OF THE SAME  
4 MEMBERS.

5

6     **MIRIAM A. KRINSKY:** AND ARE -- USE OF FORCE CONDUCT FOUND IN  
7 POLICIES, DIRECTIVES, POLICY MANUALS, UNIT ORDERS OR ALL OF  
8 THE ABOVE?

9

10    **COMMANDER HELLMOLD:** IT'S A HIERARCHY SYSTEM. EVERYBODY'S  
11 CONDUCT IS GUIDED BY THE POLICY AND PROCEDURES AND USE OF  
12 FORCE IS IN THAT. THERE ARE SPECIFIC AREAS SUCH AS CELL  
13 EXTRACTION WHICH WOULD OFTEN INVOLVE FORCE WHICH WOULD HAVE  
14 SPECIFIC DIRECTIVES OR POLICIES TO EACH OF THE MEMBERS.

15

16    **MIRIAM A. KRINSKY:** IS THERE ALSO AN ANALYSIS UNDERWAY OR  
17 EFFORTS UNDERWAY TO LOOK AT CRAFTING POLICIES OR IN SOME WAY  
18 ADDRESSING THREATS OF RETALIATION?

19

20    **COMMANDER HELLMOLD:** WE ARE ALSO WORKING ON THAT. THERE'S A  
21 TASKFORCE, AS WELL, EXCUSE ME A WORKING GROUP, AS WELL, THAT'S  
22 ADDRESSING THE OVERRIDING TREATMENT OF INMATES AND A  
23 SUBSECTION OF THAT WOULD BE EFFORTS TO ENSURE THAT THERE'S NO  
24 RETALIATION FOR OPENNESS, FOR LODGING COMPLAINTS BY INMATES OR  
25 MAKING ANY ALLEGATIONS.



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** AND THAT WORK IS STILL ONGOING?

3

4 **COMMANDER HELLMOLD:** YES.

5

6 **MIRIAM A. KRINSKY:** COMMANDER PARRA, I THINK YOU WERE LOOKING  
7 IN SOME TRAINING?

8

9 **COMMANDER PARRA:** CORRECT.

10

11 **MIRIAM A. KRINSKY:** HOW LONG NOW IS THE TRAINING?

12

13 **COMMANDER PARRA:** WE ADDED A WEEK IN THE ACADEMY BUT THAT WAS  
14 FOR CUSTODY SPECIFIC TRAINING, DEESCALATION TRAINING AND FOR  
15 ORIENTATION TO CUSTODY. THE TRAINING THAT THAT WE BEGAN TO  
16 IMPLEMENT SUBSEQUENT TO THEM GRADUATING IS NOW EVERYBODY GOES  
17 THROUGH AN EIGHT-HOUR COURSE THAT HAS PRACTICAL APPLICATION,  
18 IT HAS TRAINING ON DEESCALATION AND THEN HAS PRACTICAL  
19 APPLICATION ON DE-ESCALATION. WE ALSO FOCUS ON THE RESPONSE TO  
20 FORCE, BECAUSE WE WANT THE DEPUTIES TO UNDERSTAND OUR  
21 EXPECTATIONS WHEN THEY RESPOND TO FORCE BECAUSE WE FOUND THAT  
22 IN THE RESPONSE, LET'S SAY THERE'S FIVE OR SIX DEPUTIES  
23 RESPONDING, THAT THEY WOULD SOMETIMES GET INTO THE -- INTO THE  
24 FORCE INCIDENT WHEN IT WAS PRIMARILY ALREADY HANDLED. SO WHAT  
25 WE'RE DOING IS WE'RE SETTING UP SCENARIOS THAT ARE PRACTICAL,

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 APPLICATION--BASED SO THAT THEY CAN COME IN AND SEE THAT AND  
2 WE'RE SHOWING THEM WHAT WE WANT THEM TO DO IN TERMS OF WITNESS  
3 SEGREGATION, IN TERMS OF INMATE SEGREGATION, MOVING INMATES  
4 ALONG, GETTING AN AREA FOR MEDICAL PEOPLE TO BE ABLE TO COME  
5 THROUGH, AND TAKING APPROPRIATE ACTION THAT DOESN'T  
6 NECESSARILY INVOLVE FORCE.

7

8 **MIRIAM A. KRINSKY:** ARE THERE ALSO EFFORTS THAT ARE BEING MADE  
9 THAT HAVE BEEN MADE TO USE VIDEO THAT CAPTURES USE OF FORCE AS  
10 A TRAINING MOMENT? AS A TRAINING TOOL?

11

12 **COMMANDER PARRA:** YES.

13

14 **MIRIAM A. KRINSKY:** IS THERE ANY TRAINING THAT'S BEEN ADDED IN  
15 DEALING WITH INMATES WITH MENTAL HEALTH ISSUES OR CONCERNS?

16

17 **COMMANDER PARRA:** THAT TRAINING IS BEING DEVELOPED.

18

19 **MIRIAM A. KRINSKY:** OKAY. SO IN TERMS OF WHAT'S BEEN ADDED NOW,  
20 I THINK YOU'VE DESCRIBED YOU'VE ADDED A WEEK OF CUSTODY-  
21 SPECIFIC TRAINING AS WELL AS THE RESPONSE TO FORCE AND  
22 PREVIOUSLY THERE WAS ALREADY AN EXISTING EIGHT-HOUR TRAINING,  
23 IS THAT RIGHT?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **COMMANDER PARRA:** YES. BUT WE ALSO DO WEB-BASED TRAINING, TOO,  
2 NOW. WE HAVE SEVERAL WEB-BASED TRAINING SCENARIOS, THEY'RE NOT  
3 SCENARIOS, THEY'RE BASICALLY 15-MINUTE TRAINING SEMINARS THAT  
4 YOU CAN GET ONTO A COMPUTER, AND THE FIRST ONE WAS JUST ABOUT  
5 DE-ESCALATING FORCE AND HOW YOU CAN DO IT AND GIVING YOU SOME  
6 HELPFUL TECHNIQUES AND METHODS FOR DOING THAT. IT GOES THROUGH  
7 IT VERY GENERALLY. AND THEN IT GIVES YOU A SHORT TEST AT THE  
8 END. AND WE TRY TO KEEP IT 15 MINUTES. THE SYSTEM IS DESIGNED  
9 SO THAT IF FOR SOME REASON YOU CAN'T DO 15, WHEN YOU LOG OFF,  
10 IF YOU HAVE TO LOG OFF, THAT WHEN YOU LOG BACK ON, YOU COME  
11 BACK TO THE EXACT SAME SPOT.

12

13 **MIRIAM A. KRINSKY:** WE'VE HAD THE CHANCE TO HEAR FROM OTHER  
14 DEPARTMENT OF CORRECTIONS OR SHERIFFS DEPARTMENTS ABOUT  
15 CUSTODY-SPECIFIC TRAINING THAT SPANS 10, 12, 16 WEEKS. IS  
16 THERE ANY CONSIDERATION THAT'S BEING GIVEN TO EXPANDING  
17 CUSTODY TRAINING BEYOND WHAT YOU'VE DESCRIBED?

18

19 **COMMANDER PARRA:** WE HAVEN'T DISCUSSED EXPANDING IT TO THREE OR  
20 FOUR MONTHS AT THIS POINT.

21

22 **MIRIAM A. KRINSKY:** OKAY. WE KNOW THAT THERE WERE CHANGES THAT  
23 WERE PUT IN PLACE IN REGARD TO IMPACT WEAPONS AND USE OF  
24 FLASHLIGHTS? ARE THOSE CHANGES THAT THE TASKFORCE WORKED ON?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **COMMANDER PARRA:** YES.

2

3 **MIRIAM A. KRINSKY:** AND HAVE THOSE CHANGES BEEN FULLY  
4 IMPLEMENTED? ARE THEY AT THE FINISH LINE YET?

5

6 **COMMANDER PARRA::** THEY'RE AT THE FINISH LINE AND COMMANDER  
7 HELLMOLD HAS BEEN INVOLVED IN THAT.

8

9 **MIRIAM A. KRINSKY:** HAVE THERE BEEN ONGOING CHALLENGES OR  
10 PUSHBACK IN REGARD TO IMPLEMENTATION OF THOSE?

11

12 **COMMANDER HELLMOLD:** THE ONLY CHALLENGE WOULD BE THE LOGISTICS  
13 WHEN WE TALK ABOUT THE BUREAUCRACY AT THE BEGINNING, THERE ARE  
14 REQUIREMENTS THAT THE COUNTY WOULD HAVE IN TERMS OF THE PROPER  
15 PURCHASING OF LIGHTS, SO RIGHT NOW WE'RE GIVING BASICALLY AN  
16 IMPLEMENTATION PERIOD FOR PERSONNEL TO ACQUIRE THE LIGHTS.  
17 UNDER CONSIDERATION RIGHT NOW IS THE SHERIFF'S DEPARTMENT  
18 ACTUALLY PROVIDING EITHER A VOUCHER OR A LIGHT. SO SINCE  
19 THERE'S AN EQUIPMENT, SIGNIFICANT EQUIPMENT CHANGE.

20

21 **MIRIAM A. KRINSKY:** COMMANDER GUYOVICH, I WANT TO COME BACK AND  
22 TALK TO YOU ABOUT TRACKING AND TECHNOLOGY? DID YOU IDENTIFY  
23 SOME CONCERNS IN TERMS OF THE VARIOUS DIFFERENT SYSTEMS THAT  
24 TRACK USE OF FORCE INCIDENTS AS WELL AS PERSONNEL THAT HAVE  
25 HIGH USE OF FORCE HISTORIES?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **COMMANDER GUYOVICH:** WELL, WE INITIALLY STARTED THE TASKFORCE,  
3 ONE OF THE COMPLICATIONS THAT WE HAD WAS TRYING TO GET  
4 REALTIME DATA OF WHAT TYPES OF USE OF FORCE WERE OCCURRING ON  
5 A DAILY BASIS. WE PUT A COUPLE MEASURES IN PLACE THAT WE COULD  
6 GET THE REALTIME INFORMATION. WITH THAT, WE ALSO CAME -- FAST  
7 IS THE FACILITY AUTOMATED TRACKING SYSTEM, THAT CUSTOMY  
8 PRIMARILY USED. AND THAT IS VERY GOOD BUT IT'S JUST  
9 STATISTICAL INFORMATION. IT DOESN'T HAVE AREAS THAT WOULD GIVE  
10 YOU A FULL SCOPE OF WHAT YOU'RE TRYING TO FIND OUT.

11

12 **MIRIAM A. KRINSKY:** I'M SORRY. IF I CAN JUST STOP YOU FOR A  
13 SECOND. THE DATA IN FAST, IS THAT EVENT-DRIVEN RATHER THAN  
14 PERSON-DRIVEN?

15

16 **COMMANDER GUYOVICH:** CORRECT.

17

18 **MIRIAM A. KRINSKY:** AND SO THAT WOULD NOT RECORD THE IDENTITY  
19 OF AN INDIVIDUAL, CORRECT?

20

21 **COMMANDER GUYOVICH:** THAT'S CORRECT.

22

23 **MIRIAM A. KRINSKY:** SO IF YOU'RE TRYING TO TRACK BY  
24 INDIVIDUALS, FAST ISN'T HELPFUL?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **COMMANDER GUYOVICH:** THAT'S CORRECT.

2

3 **MIRIAM A. KRINSKY:** AND THE DATA ENTRY IS DE-CENTRALIZED?

4

5 **COMMANDER GUYOVICH:** YES.

6

7 **MIRIAM A. KRINSKY:** BUT FAST CAN BE USED TO DETERMINE, FOR  
8 INCIDENTS, WHETHER THEY'RE MOVING THROUGH THE SYSTEM?

9

10 **COMMANDER GUYOVICH:** FAST BASICALLY TRACKS LIKE IF THERE'S AN  
11 INMATE DEATH, IF THERE'S AN INMATE COMPLAINT, THOSE TYPE OF  
12 THINGS IT'LL TRACK A TOTAL NUMBER FROM EACH FACILITY, BUT IT  
13 WILL NOT DESCRIBE THE EVENT IF YOU WANTED TO DELVE INTO IT  
14 FURTHER, IT WOULDN'T DESCRIBE THOSE TYPE OF THINGS. IT WOULD  
15 BE JUST STATISTICAL.

16

17 **MIRIAM A. KRINSKY:** AND I THINK I STOPPED YOU. SO YOU WERE  
18 SAYING YOU STARTED TO DESCRIBE FAST.

19

20 **COMMANDER GUYOVICH:** SO THAT'S FAST. SO SOME OF THE THINGS THAT  
21 WE HAD TROUBLES WITH WAS THE ANALYSIS WAS GOING THROUGH  
22 DIFFERENT SYSTEMS. PPI IS THE LOCATION WHERE YOU WOULD LOOK  
23 FOR -- TO SEE WHO ARE YOUR TOP FORCE USERS, WHEREAS FAST IS A  
24 TOTAL: HOW MANY INCIDENTS DID WE HAVE? AND THEN THERE'S A  
25 DISCREPANCY BETWEEN THE TWO, AS WELL, BECAUSE ONE IS A CUSTODY

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 SYSTEM AND ONE IS, THEN, A DEPARTMENT SYSTEM. SO THERE'S SOME  
2 DISCREPANCIES THAT WE'VE HAD CHALLENGES, WHICH IN GOING  
3 THROUGH THIS PROCESS, AS WELL.

4

5 **SPEAKER:** I HAVE A QUESTION. A CLARIFYING QUESTION. JUDGE  
6 TEVRIZIAN. HAVE YOU ENCOUNTERED ANY RESISTANCE OR ANY PROBLEMS  
7 WITH THE EXISTING COLLECTIVE BARGAINING AGREEMENTS WHERE THE  
8 TASKFORCE IS SUGGESTING THE IMPLEMENTATION OF NEW POLICIES OR  
9 PROCEDURES? THIS IS DIRECTED TO ALL OF YOU.

10

11 **COMMANDER GUYOVICH:** I DON'T KNOW THAT WE'VE STUMBLER ACROSS ANY  
12 PROBLEMS? WE DO, AS A COURTESY, CONSULT WITH THEM ON THE  
13 POLICIES AND PROCEDURES. COMMANDER HELLMOLD HAS A WORKING  
14 GROUP AND HE ATTENDS THOSE WORKING GROUPS WITH ALADS TO GET  
15 THEIR INPUT SO THAT WHEN WE DO PROCESS IT THROUGH, IT'S NOT  
16 SOMETHING THAT IS GOING TO BE STOPPED AND THEN, YOU KNOW, WE  
17 HAVE TO THEN MEET AND CONSULT WITH THEM. SO WE KIND OF ARE  
18 DOING IT ON THE FRONT END OF IT.

19

20 **MIRIAM A. KRINSKY:** I MIGHT, PERHAPS, HAVE SOME AREAS THAT I  
21 COULD IDENTIFY, COMMISSIONER TEVRIZIAN IN A MINUTE OR TWO. SO  
22 YOU WERE SAYING PPI TRACKS BY PERSON, CORRECT?

23

24 **COMMANDER GUYOVICH:** CORRECT.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND YOU WERE FINDING THAT THERE WERE OFTEN  
2 DISCREPANCIES BETWEEN THE TWO?

3

4 **COMMANDER GUYOVICH:** YES.

5

6 **MIRIAM A. KRINSKY:** AND IS IT FAIR TO SAY, THEN, THAT THERE'S  
7 NOT A SINGLE, COORDINATED, COMPREHENSIVE SYSTEM THAT TRACKS  
8 ALL OF CUSTODY, USE OF FORCE INCIDENTS AS WELL AS PERSONNEL  
9 COLLECTIVELY?

10

11 **COMMANDER GUYOVICH:** CORRECT.

12

13 **MIRIAM A. KRINSKY:** IS THERE A SYSTEM THAT COULD DO THAT?

14

15 **COMMANDER GUYOVICH:** YES. ONE SYSTEM THAT HAS BEEN -- CUSTODY  
16 HAS BEEN TRYING TO IMPLEMENT IS KNOWN AS CARTS. AND IT'S  
17 CUSTODY ACCOUNTABILITY REPORTING TRACKING SYSTEM. AND  
18 UNFORTUNATELY DUE TO BUDGET ISSUES, IT HASN'T GOT OFF THE  
19 GROUND VERY FAR. AND THIS IS SOMETHING THAT EVEN MERRICK BOBB  
20 WAS RECOMMENDING YEARS AGO. BUT IT IS A SYSTEM, A VERY ROBUST  
21 WEB-BASED SYSTEM THAT WOULD BE ABLE TO PROVIDE A LOT MORE  
22 INFORMATION AND IT ALSO WILL ELIMINATE THESE OTHER SYSTEMS  
23 LIKE FAST, ELOTS, SOME OF THOSE THAT HAVE REACHED THEIR  
24 CAPACITY AND THEY'RE ABOUT 20 YEARS OLD AND WE'RE NO LONGER



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ABLE TO ADD COMPONENTS TO THAT, OR FIELDS, TO ADD INFORMATION  
2 TO TRACK.

3

4 **MIRIAM A. KRINSKY:** SO IN TERMS OF UNFINISHED BUSINESS, WOULD  
5 ONE OF YOUR RECOMMENDATIONS OR AN AREA THAT YOU THINK WOULD BE  
6 A POSITIVE ONE TO MOVE FORWARD, TO SEE SOMETHING LIKE CARTS  
7 HAVE THE ABILITY TO MOVE FORWARD?

8

9 **COMMANDER GUYOVICH:** YES, DEFINITELY.

10

11 **MIRIAM A. KRINSKY:** WERE THERE ALSO PROBLEMS THAT YOU  
12 IDENTIFIED IN TERMS OF THE TIMELINESS AND ACCURACY OF DATA  
13 ENTRY INTO BOTH FAST AND PPI?

14

15 **COMMANDER GUYOVICH:** INTO FAST, THAT WAS ONE OF THE POLICIES  
16 THAT WE PUSHED THROUGH RIGHT AT THE BEGINNING WAS CREATING A  
17 POLICY THAT SAYS TO ENTER IT RIGHT AWAY BECAUSE IN SOME  
18 LOCATIONS, WE FOUND, SOME CUSTODY FACILITIES, THERE WASN'T AN  
19 ENTRY AT ALL INTO FAST, WHEREAS OTHER AREAS WERE VERY GOOD  
20 ABOUT IT. BUT IF, FOR EXAMPLE, IF THEY HAD ONE EMPLOYEE THAT  
21 WAS DESIGNATED TO ENTER THIS INFORMATION, THEY WENT ON  
22 VACATION, THAT INFORMATION WOULD PILEUP, AND THEN WHEN THEY  
23 RETURNED, THEN THEY WOULD ENTER THAT. BUT THAT WAS A PROBLEM  
24 FOR US JUST GETTING TIMELY STATISTICAL INFORMATION.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM KRINKSY:** WE HEARD ALSO THERE WERE INSTANCES WHERE  
2 REPORTS WERE GETTING LOSS IN THE THE SYSTEM OR STACKS WERE  
3 GETTING FORGOTTEN?

4

5 **COMMANDER GUYOVICH:** UM, I DON'T KNOW ABOUT BEING FORGOTTEN OR  
6 LOST, PERHAPS? BUT THE DISCOVERY UNIT DIDN'T START TRACKING OR  
7 AUDITING THEIR REPORTS UNTIL 2008, SO THAT'S WHEN THEY STARTED  
8 DISTRIBUTING THESE LATE REPORTS TO ALL THE FACILITIES. AND  
9 THAT'S WHAT SPARKED CAPTAIN CRUZ TO INSTIGATE A RISK  
10 MANAGEMENT UNIT, WHICH NOW CAPTAIN BORNMAN WAS A PART OF AND  
11 HIS TASK WAS TO GO THROUGH ALL THESE AUDITS THAT CAME FROM  
12 JUDY GERHARDT'S UNIT.

13

14 **MIRIAM A. KRINSKY:** YOU MENTIONED AUDITING, DID THE TASKFORCE  
15 ALSO DO SOME AUDITING ITS OWN? SOME RANDOM AUDITING THAT WAS  
16 REFERENCED EARLIER?

17

18 **COMMANDER GUYOVICH:** YES.

19

20 **MIRIAM A. KRINSKY:** AND DID YOU FIND THAT RANDOM AUDITING AND  
21 INSPECTIONS SORT OF TO BE HELPFUL?

22

23 **COMMANDER GUYOVICH:** YEAH, IT HELPED US, YES, IT HELPED US  
24 IDENTIFY SOME OF THE PROBLEM AREAS. AND WE WERE ABLE TO MEET  
25 WITH THE UNIT COMMANDERS AND SHOW THEM WHERE WE DISCOVERED ANY

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 TRENDS, WHERE WE THOUGHT THAT THEY NEEDED TO IMPROVE, AND  
2 WHERE WE THOUGHT THEY COULD GIVE EMPLOYEES SPECIFIC TRAINING.  
3 THEY WERE VERY HELPFUL TO US.

4

5 **MIRIAM A. KRINSKY:** AND IS THAT AUDITING FUNCTION ONE THAT WHEN  
6 THE TASKFORCE MOVES ON TO THE OTHER SIDE OF THE DEPARTMENT, TO  
7 PATROL, WILL THAT AUDITING FUNCTION STILL CONTINUE IN CUSTODY?

8

9 **COMMANDER GUYOVICH:** YES.

10

11 **MIRIAM A. KRINSKY:** ARE YOU AWARE IN THE PAST OF THE DEPARTMENT  
12 HAVING SOME KIND OF AN INSPECTIONAL AUDITING BUREAU?

13

14 **COMMANDER GUYOVICH:** THE DEPARTMENT, IF I RECALL, THIS IS A FEW  
15 YEARS BACK, HAD INSPECTIONAL SERVICES BUREAU OR A BUREAU  
16 SIMILARLY NAMED THAT DID PERFORM AUDITS. BUT I WASN'T INVOLVED  
17 IN THAT. AND I WAS VERY YOUNG IN MY CAREER SO I'M NOT EXACTLY  
18 CERTAIN WHAT THEY DID.

19

20 **MIRIAM KRINKSY:** HOW IS THIS GOING TO CONTINUE WHEN YOU GUYS  
21 MOVE ON TO OTHER THINGS? HOW IS THIS AUDITING FUNCTION GOING  
22 TO CONTINUE INSTITUTIONALLY WITHIN THE DEPARTMENT?

23

24 **COMMANDER GUYOVICH:** WHAT WE PLAN TO DO IS PLAN TO HAVE A  
25 BRIEFING WITH CUSTODY DIVISION, THE ENTIRE CUSTODY DIVISION,

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 AND WE WANT TO TELL THEM: THESE ARE WHAT WE DO ON A MONTHLY  
2 BASIS. THIS IS WHAT WE DO ON A QUARTERLY BASIS. THIS IS WHAT  
3 WE DO ON A DAILY BASIS. AND WE WANT TO DO A PASS-ON, SO WE  
4 GIVE THEM OUR TASKS, OUR REPORTS, AND THEY IDENTIFY A PERSON  
5 OR PERSONS THAT CAN THEN CONTINUE THESE.

6

7 **HON. DICKRAN M. TEVRIZIAN:** I MEAN, THIS IS REALLY SOMETHING  
8 THAT CUTS TO THE DIVISION IS GOING TO HAVE TO IDENTIFY THE  
9 PERSONNEL THAT'S GOING TO BE ABLE TO BE RESPONSIBLE FOR  
10 CONTINUING AUDITS AND INSPECTIONS, IS THAT CORRECT?

11

12 **COMMANDER GUYOVICH:** THAT'S CORRECT.

13

14 **MIRIAM A. KRINSKY:** AND MAYBE COULD YOU DESCRIBE PERHAPS  
15 COMMANDER GUYOVICH GOING BACK TO YOU, IN ADDITION TO THE FIVE  
16 OF YOU, YOU HAVE STAFF UNDER YOU, CORRECT?

17

18 **COMMANDER GUYOVICH:** CORRECT. WE HAVE EIGHT LIEUTENANTS AND  
19 EIGHT SERGEANTS. AND JUST TO NOTE THAT THERE ARE UNFUNDED  
20 ITEMS, SO THAT MEANS WE'VE TAKEN THEM FROM OTHER CRITICAL  
21 AREAS WITHIN THE DEPARTMENT, AND THEY'RE ON LOAN TO OUR  
22 TASKFORCE. SO AT SOME POINT, THEIR UNITS ARE GOING TO NEED  
23 THEM BACK.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** SO THERE HAVE BEEN EIGHT LIEUTENANTS, EIGHT  
2 SERGEANTS, THE FIVE OF YOU, SO IF I'M DOING MY MATH CORRECTLY,  
3 IS 21 AND ARE THERE OTHER SUPPORT PERSONNEL WORKING WITH  
4 TASKFORCE?

5

6 **CHRISTY GUYOVICH:** YES, THERE'S FOUR SUPPORT STAFF.

7

8 **MIRIAM A. KRINSKY:** SO THAT WOULD BE 25 INDIVIDUALS. AND THE  
9 WORK THAT YOU'VE INCLUDED, INCLUDING SOME OF THE AUDITING  
10 FUNCTIONS HAVE BEEN DONE, BY THE 25 OF YOU?

11

12 **CHRISTY GUYOVICH:** CORRECT.

13

14 **MIRIAM A. KRINSKY:** AND IF CUSTODY WANTED TO CONTINUE WITH  
15 THESE OTHER SORTS OF FUNCTIONS, THEY'D HAVE TO FIND THE  
16 PERSONNEL TO BE ABLE TO REPLACE WHAT THE 25 OF YOU HAVE BEEN  
17 DOING?

18

19 **CHRISTY GUYOVICH:** CORRECT.

20

21 **MIRIAM A. KRINSKY:** SO LET ME JUST RETURN BACK TO THE  
22 MONITORING, THE TRACKING. ARE YOU AWARE, COMMANDER GUYOVICH,  
23 OF PRACTICES THAT EXIST IN SOME PATROL STATIONS WHERE A RED  
24 FLAG SYSTEM OR SORT OF A COMING CLOSE TO THE DEADLINE SORT OF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 SYSTEM IS IN PLACE TO TRY TO SEND UP AN EARLY WARNING BELL IF  
2 THINGS HAVE BEEN SITTING OR NEED TO BE ATTENDED TO?

3

4 **CHRISTY GUYOVICH:** MOST UNITS HAVE STAND-ALONE SYSTEMS. AND  
5 SOMETIMES SEVERAL UNITS HAVE STAND-ALONE SYSTEMS IF THEY LIKE  
6 IT. BUT RIGHT NOW ELOTS IS SIMILAR TO THAT. THAT WAS A SYSTEM  
7 THAT CAPTAIN CRUZ PUT IN PLACE. AND THEY STARTED THAT THERE.  
8 AND IT WAS KIND OF LIKE A RED FLAG. BUT IT DOES NOT GENERATE  
9 AN EMAIL TO TELL YOU IT'S LATE, BUT YOU CAN RUN REPORTS TO  
10 SHOW THAT IT'S -- WHEN THE DUE DATE IS.

11

12 **MIRIAM A. KRINSKY:** AND WAS THAT SOMETHING, AS YOU UNDERSTAND  
13 IT, THAT THEN LIEUTENANT BORNMAN HAD CREATED AFTER IDENTIFYING  
14 SOME PROBLEMS THAT HADN'T BEEN TRACKED?

15

16 **CHRISTY GUYOVICH:** I THINK IT WAS ACTUALLY SERGEANT KEHOE THAT  
17 IMPLEMENTED THAT? ACTUALLY IT WAS ONE OF THEIR -- A TECHIE GUY  
18 THAT KNOWS HOW TO DO THOSE THINGS?

19

20 **MIRIAM A. KRINSKY:** WORKING WITH CAPTAIN BORNMAN?

21

22 **CHRISTY GUYOVICH:** YES.

23

24 **MIRIAM A. KRINSKY:** MERRICK BOBB HAS RECOMMENDED OVER TIME THAT  
25 INMATE COMPLAINTS BE TRACKED IN PPI. DO YOU AGREE THAT WOULD

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Meeting Held on July 6, 2012**

1 BE ONE WAY TO HAVE AN EARLY WARNING SYSTEM FOR PARTICULAR  
2 PERSONNEL AS THEY START TO PERHAPS HAVE ONE OF A SERIES OF  
3 AREAS THAT RING A BELL?

4

5 **CHRISTY GUYOVICH:** WELL EVEN PPI IS AN OLD SYSTEM THAT NEEDS TO  
6 BE EXPANDED. AND PPI DOESN'T GIVE YOU A WARNING, DOESN'T GIVE  
7 YOU A RED FLAG. YOU CAN GENERATE REPORTS, AND IT WILL SHOW YOU  
8 WHAT'S LATE. BUT IN LOOKING AT THE INMATE COMPLAINTS, THERE'S  
9 BEEN A GREAT DEAL OF DISCUSSION WITHIN THE DEPARTMENT, AND  
10 MERRICK BOBB'S RECOMMENDATION, AND THE STANCE THE DEPARTMENT  
11 HAS TAKEN IS THAT CALIFORNIA TITLE 15 DECLARES INMATE  
12 COMPLAINTS AS INMATE GRIEVANCES. AND PENAL CODE 832.5 ACTUALLY  
13 DECLARES PUBLIC COMPLAINTS AND HOLDS THE DEPARTMENT  
14 RESPONSIBLE FOR HAVING, YOU KNOW, A TRACKING SYSTEM FOR PUBLIC  
15 COMPLAINTS, AND THOSE BEING IN A PERSONNEL SYSTEM. SO BASED ON  
16 THAT, THE DEPARTMENT'S STANCE HAS BEEN THAT AN INMATE  
17 GRIEVANCE SHOULD BE HELD IN A DIFFERENT SYSTEM BECAUSE IT IS  
18 NOT A PUBLIC COMPLAINT.

19

20 **MIRIAM A. KRINSKY:** DO YOU KNOW IF THERE'S ANY CONSIDERATION  
21 BEING GIVEN TO PUTTING INMATE COMPLAINTS INTO PPI?

22

23 **CHRISTY GUYOVICH:** WE ARE LOOKING AT PUTTING INMATE COMPLAINTS  
24 IN EITHER FAST OR PPI. PPI WOULD HAVE TO BE EXPANDED, THE  
25 MODULE WOULD HAVE TO BE ABLE TO TAKE THAT TYPE OF VOLUME OF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DOCUMENTS. FAST, WE HAVE CREATED THE MODULE IN THERE, BUT THAT  
2 WOULD CREATE-- WE DEFINITELY HAVE TO CONSULT WITH THE UNIONS  
3 PRIOR TO IMPLEMENTING ANYTHING LIKE THAT BECAUSE IT WILL  
4 CREATE A SECOND PERSONNEL DATABASE.

5

6 **HON. DICKRAN M. TEVRIZIAN:** IT IS A TASK FROM HERE THAT YOU  
7 NEED TO HAVE SOME SYSTEM IN PLACE TO BE ABLE TO TRACK THE  
8 INMATE COMPLAINTS BY DEPUTY, IS THAT CORRECT?

9

10 **CHRISTY GUYOVICH:** I THINK IT WOULD BE BENEFICIAL FOR US TO  
11 HAVE SOME MECHANISM TO BE ABLE TO LOOK AT THE SCOPE OF WHAT IS  
12 BEING GENERATED.

13

14 **MIRIAM A. KRINSKY:** AND ARE YOU AWARE THAT OTHER CUSTODY  
15 DIVISIONS AND DEPARTMENTS DO HAVE MECHANISMS FOR TRACKING  
16 INMATE COMPLAINTS BY CUSTODY PERSONNEL?

17

18 **CHRISTY GUYOVICH:** I'M AWARE THAT THEY ARE TRACKING IN SOME  
19 FORM. I'M NOT SURE IF THAT'S A HARD COPY OR IF THAT'S A STAND-  
20 ALONE SYSTEM THAT THEY HAVE.

21

22 **MIRIAM A. KRINSKY:** I THINK I'D LIKE TO, COMMANDER FENNEL, MOVE  
23 OVER TO YOU. YOU'VE BEEN LOOKING IN YOUR FOCUS AT ISSUES THAT  
24 RELATE TO, AS WE SAY ON THE LIST, INMATE RELATIONS AND  
25 PERSONNEL, CORRECT.



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **COMMANDER FENNEL:** YES.

3

4 **MIRIAM A. KRINSKY:** AND WHAT I'D LIKE TO DO IS SPECIFICALLY  
5 FOCUS, I KNOW YOU'VE WORKED ON A VARIETY OF ISSUES BUT IN THE  
6 INTEREST MUCH TIME SPECIFICALLY LOOK AT WHAT IS CALLED THE  
7 DUAL TRACK CAREER PATH.

8

9 **COMMANDER FENNEL:** YES.

10

11 **MIRIAM A. KRINSKY:** CAN YOU TELL US WHAT THAT PROPOSAL WOULD  
12 CHANGE? WHAT IS THE DUAL TRACK CAREER PATH?

13

14 **COMMANDER FENNEL:** WELL RIGHT NOW DEPUTY SHERIFFS WHO  
15 GRADUATE FROM OUR ACADEMY ARE NEWLY ASSIGNED TO -- NEWLY  
16 ASSIGNED DEPUTIES ARE GIVEN AN OPPORTUNITY TO GO TO CUSTODY  
17 DIVISION OR COURT SERVICES DIVISION. FIN FIN AND WHAT WE FOUND  
18 OR WHAT THE SHERIFF HAS FOUND IS THAT A LOT OF THOSE DEPUTIES  
19 WOULD LIKE TO REMAIN IN CUSTODY OR COURT SERVICES FOR THE  
20 REMAINDER OF THEIR CAREERS. SO WHAT WE DID TO START OFF IS WE  
21 DID A SURVEY TO INQUIRE FROM CUSTODY DEPUTIES HOW MANY  
22 DEPUTIES WOULD LIKE TO TRANSFER TO PATROL IN THE NEXT THREE  
23 YEARS? AND WE FOUND OUT THAT ABOUT OVER ONE QUARTER OF OUR  
24 SHERIFFS DEPUTIES AN SIGNED TO CUSTODY WOULD LIKE TO REMAIN IN  
25 CUSTODY FOR THE REMAINDER OF THEIR CAREER FOR A MULTITUDE OF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DIFFERENT REASONS. SO THAT'S WITH ENTHE SHERIFF CAME UP WITH  
2 THE DUAL TRACK CAREER PATH, WHICH GIVES DEPUTY SHERIFFS THE  
3 FLEXIBILITY AND THE OPTION TO REMAIN IN CUSTODY FOR THEIR  
4 WHOLE CAREERS OR GO TO PATROL, TRANSFER TO PATROL. AND THE  
5 SECOND COMPONENT OF THE DUAL TRACK IS IT GIVES DEPUTIES WHO  
6 ARE ASSIGNED TO CUSTODY AFTER THEY'VE COMPLETED FIVE YEARS IN  
7 CUSTODY, WE CHECKED THROUGH OUR TEST DEVELOPMENT UNIT, AND  
8 THEY BECOME SUBJECT MATTER EXPERTS IN THAT AREA. AND SO IT  
9 GIVES THEM AN OPPORTUNITY TO PROMOTE TO THE RANK OF SERGEANT.  
10 WHAT THEY WOULD LIKE TO SEE IS TO HAVE THE OPPORTUNITY TO  
11 PROMOTE UP DEP I SHERIFF UP TO THE RANK OF CHIEF.

12

13 **MIRIAM A. KRINSKY:** SO THERE WOULD BE A CHANCE FOR PEOPLE WHO  
14 WANT TO MAKE A CAREER IN CUSTODY TO DO SO, TO NOT BE FORCED  
15 OUT TO PAROLE, CORRECT?

16

17 **COMMANDER FENNELL:** YES. WE FEEL IT WOULD GIVE AN INVESTMENT  
18 IN CUSTODY.

19

20 **MIRIAM A. KRINSKY:** AND IT WOULD GIVE PEOPLE AN OPPORTUNITY TO  
21 PROMOTE THROUGH WITHIN? TO MOVE UP THE LADDER, CORRECT?

22

23 **COMMANDER FENNELL:** YES, IT WOULD.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND WHAT SORT OF PROBLEMS THAT YOU I HAD  
2 HAD WOULD THIS BE -- IDENTIFIED WOULD THIS BE DESIGNED TO  
3 ADDRESS?  
4

5 **COMMANDER FENNEL:** MULTITUDE. DEPUTIES ARE ASSIGNED TO  
6 CUSTODY, AT SOME POINT IN THEIR THEIR CAREER, THEY DO HAVE TO  
7 GO TO PATROL. WE FOUND OVER THE LAST SEVERAL YEARS THAT SOME  
8 OF THE DEPUTIES WERE NOT EQUIPPED FOR THE PATROL ENVIRONMENT,  
9 WE'VE DEMOTED OR TERMINATED OVER 47 DEPUTIES THAT WERE NOT  
10 ABLE TO MEET THE MANDATES OF PATROL. SO WE'LL SAVE THE  
11 DEPARTMENT AND THE COUNTY MONEY ON THAT SIDE. ALSO, DEPUTIES  
12 THAT WANT TO STAY IN CUSTODY WILL BE MORE VESTED IN THAT  
13 COMMUNITY, WILL BE MORE VESTED IN THE QUALITY OF SERVICE THEY  
14 GIVE THE SHERIFF'S DEPARTMENT AND THE COUNTY. ANOTHER THING IS  
15 SUPERVISION. WE FOUND THAT MOST OF OUR SUPERVISORS THAT ARE IN  
16 CUSTODY THEIR WHOLE PURPOSE IS TO GET OUT OF CUSTODY AND GO TO  
17 PATROL. SO THIS CAN PROBABLY MITIGATE SOME OF THOSE ACTIONS  
18 WHERE SUPERVISORS WILL BE MORE VESTED IN CUSTODY, ALSO,  
19 BECAUSE THEY WON'T HAVE THAT DESIRE TO GET TO PATROL SO QUICK.  
20

21 **MIRIAM A. KRINSKY:** IS IT ALSO AIMED IN PART ABOUT ADDRESSING  
22 CONCERNS ABOUT REQUIRING NEW DEPUTIES TO HAVE TO GO TO  
23 CUSTODY? AND THEIR BEING STUCK FOR A LONG PERIOD OF TIME IN  
24 CUSTODY AS EXACERBATING MORALE ISSUES?  
25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **COMMANDER FENNELL:** YES, IT WOULD. BECAUSE NOW -- WELL, WITH  
2 THE IMPLEMENTATION OF THE DUAL TRACK, IT WOULD LESSEN THE  
3 AMOUNT OF DEPUTIES THAT WOULD LIKE TO GO TO PATROL. SO  
4 DEPUTIES THAT DO HAVE THAT DESIRE TO GO TO PATROL WILL  
5 PROBABLY ONLY REMAIN IN A CUSTODY ENVIRONMENT FOR THREE YEARS  
6 OR LESS.

7

8 **MIRIAM A. KRINSKY:** SO SOME DEPUTIES WOULD STILL BE REQUIRED TO  
9 GO TO CUSTODY EVEN IF THAT WASN'T THEIR CHOICE TO DO SO?

10

11 **COMMANDER FENNELL:** YES, THEY WOULD INITIALLY; BUT AS MORE  
12 DEPUTIES ARE HIRED ONTO THE DEPARTMENT, THEN THEY WOULD GET  
13 OUT TO PATROL A LOT QUICKER IF THAT IS THEIR DESIRE TO GO TO  
14 PATROL.

15

16 **MIRIAM A. KRINSKY:** WOULD THIS KIND OF A PROPOSAL ALSO LOOK AT  
17 WAYS TO ENHANCE TRAINING FOR CUSTODY?

18

19 **COMMANDER FENNELL:** YES, IT WOULD.

20

21 **MIRIAM A. KRINSKY:** AND DESCRIBE FOR US WHAT IT WOULD DO IN  
22 THAT REGARD?

23

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **COMMANDER FENNEL:** COMMANDER HELLMOLD REALLY HANDLES ALL THE  
2 TRAINING, BUT WE WOULD TRY TO ADD ADDITIONAL TRAINING INTO THE  
3 IT AS A COMPONENT.

4

5 **MIRIAM A. KRINSKY:** AND IS THIS SOMETHING THAT WAS, IN ESSENCE,  
6 RECOMMENDED BY MERRICK BOBB A NUMBER OF YEARS BACK?

7

8 **COMMANDER FENNEL:** YES, IT WAS.

9

10 **MIRIAM A. KRINSKY:** AROUND 2005?

11

12 **COMMANDER FENNEL:** YES.

13

14 **MIRIAM A. KRINSKY:** WOULD THERE BE PAY EQUITY AS TO DEPUTIES  
15 WHO ARE IN CUSTODY VERSUS DEPUTIES IN PATROL?

16

17 **COMMANDER FENNEL:** NO, THERE'S NOT PAY EQUITY RIGHT NOW AS IT  
18 STANDS. A DEPUTY IN CUSTODY, FESS' NOT NON-PATROL TRAINED GETS  
19 5 PERCENT LESS. AND THAT WILL REMAIN IN PLACE. AS IT IS NOW.  
20 AND THEN SERGEANTS AND LIEUTENANTS WHO ARE NON-PATROLLED  
21 TRAINED PROMOTE, THEY WILL GET ONE STEP MORE, WHICH IS A 5  
22 PERCENT LESS THAN PATROL-TRAINED SUPERVISORS.

23

24 **MIRIAM A. KRINSKY:** AND SOME HAVE RAISED THE CONCERN THAT LACK  
25 OF PAY EQUITY SIGNALS A SORT OF LESSER VALUE OR LESSER STATUS

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 OF AN ASSIGNMENT TO CUSTODY? DO YOU HAVE ANY CONCERN IN REGARD  
2 TO THAT SORT OF STIGMA EFFECT?

3

4 **COMMANDER FENNELL:** I CAN UNDERSTAND WHERE SOMEONE COULD SEE  
5 THAT PERCEPTION, BUT THROUGHOUT THE HISTORY OF OUR DEPARTMENT,  
6 CUSTODY DEPUTIES HAVE ALWAYS BEEN PAID ONE STEP LOWER THAN  
7 PATROL-TRAINED DEPUTIES. AND THAT SEEMS TO BE PART OF OUR  
8 CULTURE. AND IN LOOKING AT OTHER AGENCIES THAT HAVE -- IN  
9 CALIFORNIA THAT HAVE A CUSTODY RESPONSIBILITY, THE MAJORITY OF  
10 THEIR DEPUTIES OR OFFICERS IN CUSTODY ARE PAID SIGNIFICANTLY  
11 LESS, ALSO.

12

13 **MIRIAM A. KRINSKY:** MERRICK BOBB AND OTHERS HAVE ALSO RAISED  
14 THE CONCERN THAT CUSTODY IS NOT A GOOD FIRST ASSIGNMENT? IS  
15 THAT -- HAS THAT CONCERN BEEN CONSIDERED BY THE TASKFORCE? AND  
16 IS THIS PROPOSAL, IN PART, AIMED AT REDUCING AT LEAST THE  
17 NUMBER WHO WOULD HAVE THAT FIRST ASSIGNMENT?

18

19 **COMMANDER FENNELL:** I CAN UNDERSTAND AND APPRECIATE MERRICK  
20 BOBB'S OPINION REGARDING CUSTODY NOT BEING A GOOD FIRST  
21 ASSIGNMENT; HOWEVER, I THINK WE, AS A TASKFORCE, THINK TO THE  
22 CONTRARY, BECAUSE A NEW DEPUTY GOING TO CUSTODY OFFERS HIM A  
23 LOT OF BENEFITS IN ORDER TO WORK AROUND PEOPLE WHO ARE  
24 INCARCERATED AND LEARN THE DIFFERENT MANNERS AND HOW THEY  
25 COMMITTED THEIR CRIMINAL ACTIVITY. AND IT GIVES YOU KIND OF A

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 COMFORTABILITY WITH DEALING WITH PEOPLE WHO ARE -- HAVE DONE  
2 THINGS THAT HAVE PUT THEM IN THAT PLACE IN SOCIETY.

3

4 **MIRIAM A. KRINSKY:** WE'RE GOING TO BE HEARING SHORTLY FROM A  
5 REPRESENTATIVE OF PPOA. HAVE YOU LOOKED AT THEIR PROPOSAL IN  
6 REGARD TO CHANGING SOME OF THE KINDS OF ISSUES THAT YOU'VE  
7 JUST DESCRIBED? FIN YES, I HAVE.

8

9 **MIRIAM A. KRINSKY:** AND DO YOU HAVE ANY THOUGHTS IN REGARD TO  
10 WHAT THEY'VE PROPOSED, WHICH IS SLIGHTLY DIFFERENT FROM WHAT  
11 YOU'VE TALKED ABOUT?

12

13 **COMMANDER FENNEL:** YES. THEY DO HAVE SOME VALID POINTS,  
14 INCLUDING CHANGING THE RATIO OF SWORN DEPUTY SHERIFFS AND  
15 C.A.'S, CUSTODY ASSISTANTS IN THE JAILS. RIGHT NOW THE ASHIO  
16 IS 65 PERCENT SWORN PERSONNEL AND 35 PERCENT CA'S.

17

18 **MIRIAM A. KRINSKY:** WHY IS THAT? WHY CAN THERE BE NO MORE THAN  
19 35 PERCENT AT THE JAIL WHO ARE CUSTODY ASSISTANTS?

20

21 **COMMANDER FENNEL:** THAT'S A UNION ISSUE WHO REPRESENT AND  
22 POPA, WHO REPRESENTS CA.'S AND SUPERVISION. THAT'S PROBABLY  
23 SOMETHING THAT SHOULD BE CONSIDERED AND THERE SHOULD BE SOME -  
24 - THERE COULD BE SOME MANIPULATION TO THOSE PERCENTAGES.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** AND BY MANIPULATION, I ASSUME WHAT YOU MEAN  
2 IS: IS IT YOUR VIEW AND THE VIEW OF THE TASKFORCE THAT ABSENT  
3 THAT UNION ISSUE WITH ALADS THAT A HIGHER PERCENT OF CUSTODY  
4 ASSISTANTS WOULD BE WARRANTED?

5

6 **COMMANDER FENNEL:** YES. ONCE THERE IS -- ONCE WE CONDUCT AN  
7 ASSESSMENT FROM ALL THE CAPTAINS AND FIND OUT, GET DUTY  
8 STATEMENTS FROM ALL THE POSTS WITHIN CUSTODY DIVISION, I THINK  
9 THERE COULD BE SOME SIGNIFICANT INCREASES AS FAR AS CUSTODY  
10 ASSISTANTS.

11

12 **MIRIAM A. KRINSKY:** WE KNOW THAT IN RECENT YEARS THAT ROTATIONS  
13 HAVE BEEN PUT IN PLACE AMONG FLOORS OF THE JAIL FACILITY. DO  
14 YOU KNOW AROUND WHEN THAT WAS STARTED?

15

16 **COMMANDER FENNEL:** YES. THAT WAS STARTED UNDER CHIEF BURNS. DO  
17 YOU WANT TO SPEAK ON THAT, PETE?

18

19 **MIRIAM A. KRINSKY:** COMMANDER PIETRANTONI? YES OR NO?

20

21 **COMMANDER PIETRANTONI:** I'LL GLADLY ANSWER THAT QUESTION. YES,  
22 THERE WAS A ROTATION POLICY THAT THEY SAID THEY WOULD LIKE TO  
23 IMPLEMENT TO ROTATE DEPUTIES FROM DIFFERENT FLOORS, BELIEVING  
24 THAT THAT WOULD KEEP CLICKS FROM FORMING AND NOT HAVE  
25 PROBLEMS.



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** AND THAT WAS PUT IN PLACE AROUND WHEN?

3

4 **SPEAKER:** I GUESS IT WAS WHEN?

5

6 **SPEAKER:** NOVEMBER.

7

8 **SPEAKER:** NOVEMBER OF 2011.

9

10 **MIRIAM A. KRINSKY:** JUST FOR THE RECORD I THINK THAT WAS  
11 COMMANDER FENNELLS WHO ANSWERED THAT. SO IN AROUND NOVEMBER OF  
12 LAST YEAR, THOSE ROTATIONS WERE PUT IN PLACE, CORRECT, AMONG  
13 FLOORS WITHIN A FACILITY; IS THAT RIGHT?

14

15 **SPEAKER:** YES.

16

17 **MIRIAM A. KRINSKY:** AND IF WE MOVED TO A SYSTEM WHERE DEPUTIES  
18 STAYED IN THE JAIL FOR LONGER PERIODS OF TIME, HAS THERE BEEN  
19 ANY CONSIDERATIONS GIVEN TO IMPLEMENTING ROTATIONS AMONG  
20 FACILITIES? SO SOMEBODY AT MEN'S CENTRAL JAIL COULD ROTATE TO  
21 TWIN TOWERS OR IRC OR SOMEBODY IN ONE OF THE FACILITIES AT THE  
22 NORTH COULD ROTATE AMONG THOSE FACILITIES? IS THAT SOMETHING  
23 THAT'S BEING CONSIDERED?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **SPEAKER:** YES. THAT WAS GIVEN CONSIDERATION. AND WE'RE STILL  
2 ASSESSING THAT. QUESTION. CLARIFYING QUESTION. I HAD  
3 UNDERSTOOD AND MAYBE I'M WRONG THAT CHIEF BURNS IMPLEMENTED A  
4 ROTATION IN JANUARY OF 2011 SHORTLY AFTER THE QUIET CAN ON  
5 INCIDENT.

6  
7 **CHRISTY GUYOVICH:** THAT WAS MCJ ONLY. AND THEN WE IMPLEMENTED A  
8 POLICY DIRECTIVE THAT SAID ALL CUSTODY FACILITIES WOULD DO THE  
9 SAME.

10  
11 **MIRIAM A. KRINSKY:** I SEE. SO THE ROTATIONS WERE PUT IN PLACE A  
12 LITTLE BIT EARLY AT MEN'S CENTRAL, BUT NOW BY VIRTUE OF  
13 DIRECTIVE THEY'RE BEING PUT IN PLACE CUSTODY-WIDE?

14  
15 **CHRISTY GUYOVICH:** CORRECT.

16  
17 **MIRIAM A. KRINSKY:** ARE THERE STILL CERTAIN ASSIGNMENTS THAT  
18 ARE NOT VIEWED AS PARTICULARLY ILY APPROPRIATE FOR THE NEWEST  
19 PERSONNEL? COMMANDER PIETRANTONI PERHAPS YOU CAN FIELD THAT?

20  
21 **COMMANDER PIETRANTONI:** YES. THAT'S ONE OF THE REASONS, THE  
22 ROTATION IS A GOOD CONCEPT. IT DOESN'T WORK ON CERTAIN AREAS.  
23 FOR EXAMPLE, MENTALLY INSANE INMATES. YOU CAN'T PUT A 22-YEAR-  
24 OLD YOUNG KID AND ROTATE HIM THROUGH THERE. THE NURSING STAFF  
25 SHOULD BE ABLE TO PICK THE OLDER, MATURE DEPUTIES THAT HAVE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 LESS PROBLEMS WORKING WITH THAT KIND OF INMATE. AND IT'S THE  
2 SAME WITH THE K-10S AND IT'S THE SAME WITH HIGH POWER. WHAT I  
3 MEAN BY HIGH POWER IS IT'S THE FELONS THAT ARE IN THE JAIL  
4 LIKE LEADERS OF CERTAIN GANGS THAT HAVE A LOT OF AUTHORITY  
5 OVER OTHER PEOPLE AND THEY'RE PUT IN HIGH POWER. A CERTAIN  
6 DEPUTY NEEDS TO BE ABLE TO WORK WITH THAT INDIVIDUAL, AND  
7 ROTATION DOES NOT PROVIDE THAT. SO THERE'S CERTAIN AREAS THAT  
8 WE WANT TO KEEP A MORE EXPERIENCED DEPUTY IN. AND THIS HAS  
9 DRIVEN THE FORCE DOWN DOING THIS CHANGE. BUT TO ALLEVIATE THAT  
10 PROBLEM SO ANYBODY CAN ESSENTIALLY GET THAT, WE ARE EXTENDING  
11 THEIR TRAINING AS A NEW DEPUTY SHERIFF WHEN THEY COME INTO THE  
12 JAIL. THEY GET A THREE-MONTH TRAINING AS A NEW JAIL DEPUTY AND  
13 NOW THEY'RE GOING TO GO AND EXPERIENCE A COUPLE OF WEEKS IN A  
14 HOSPITAL, A COUPLE OF WEEKS IN HIGH POWER SO THEY ACTUALLY  
15 KNOW EVERY PHASE OF IT. BECAUSE THERE'S A LOT OF DIFFERENT  
16 THINGS THAT YOU HAVE TO KNOW SPECIFIC, THAT ARE JOB-SPECIFIC  
17 TO THAT FACILITY.

18

19 **HON. DICKRAN M. TEVRIZIAN:** I HAVE JUST A CLARIFYING QUESTION.  
20 IT WAS ACTUALLY RAISED THIS MORNING. WHEN THE COMMANDERS  
21 MANAGEMENT TASKFORCE MOVES ON IN AUGUST, ARE YOU GOING TO  
22 REMAIN AS COMMANDER OVER THE MEN'S CENTRAL CFRC AND TWIN  
23 TOWERS?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **COMMANDER PIETRANTONI:** YES, I WILL STAY THERE. I'LL BE WALKING  
2 THE FLOORS OF CJ AND CRDF AND TWIN TOWERS.

3

4 **MIRIAM A. KRINSKY:** I HAVE NO FURTHER QUESTIONS FOR THE  
5 TASKFORCE.

6

7 **HON. LOURDES BAIRD, CHAIR:** ANY QUESTIONS FROM THE  
8 COMMISSIONERS?

9

10 **HON. DICKRAN M. TEVRIZIAN:** I HAVE SOME. JUDGE TEVRIZIAN? OKAY.  
11 COMMANDER FENNEL, YOU INDICATED THAT WHEN YOU WERE ASSIGNED  
12 TO CUSTODY, DID YOU HAVE TO TAKE A 5 PERCENT CUT IN PAY, IS  
13 THAT RIGHT?

14

15 **COMMANDER FENNEL:** IT'S NOT A 5 PERCENT PAY CUT, IT'S PATROL  
16 DEPUTIES GO TO STEP 7. SO THEY GET A 5 PERCENT PAY ENHANCEMENT  
17 OVER CUSTODY DEPUTIES. WHAT HAPPENS IF A PATROL DEPUTY IS  
18 REASSIGNED TO CUSTODY? DO THEY THEN TAKE THE 5 PERCENT PAY  
19 CUT?

20

21 **COMMANDER FENNEL:** NO THEY MAINTAIN THEIR PAY SALARY BECAUSE  
22 THEY ARE PATROL-TRAINED.

23

24 **HON. DICKRAN M. TEVRIZIAN:** IS THERE A REASON THAT YOU KNOW  
25 THAT THE YOUNGER DEPUTIES, THE FIRST ASSIGNMENT IS MEN'S

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 CENTRAL JAIL? DOES IT HAVE ANYTHING TO DO WITH THE PAY SCALE  
2 AT THAT POINT?

3

4 **COMMANDER FENNEL:** NO, IT'S NOT BASED ON PAY. IT'S NOT ONLY  
5 MEN'S CENTRAL JAIL, IT'S JUST THROUGHOUT CUSTODY DIVISION THAT  
6 NEWLY ASSIGNED DEPUTY SHERIFFS ARE PUT IN THAT ASSIGNMENT.

7

8 **HON. DICKRAN M. TEVRIZIAN:** ONE OF THE COMMANDERS INDICATED  
9 THAT THERE WERE 19 ADDITIONAL SUPERVISORS THAT HAVE BEEN  
10 ASSIGNED TO CUSTODY, IS THAT CORRECT?

11

12 THAT'S CORRECT.

13

14 **HON. DICKRAN M. TEVRIZIAN:** AND THAT'S ACROSS-THE-BOARD, AT  
15 MEN'S CENTRAL JAIL, TWIN TOWERS AND THE OTHER FACILITIES OR  
16 JUST MEN'S CENTRAL JAIL?

17

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

19

20 **HON. DICKRAN M. TEVRIZIAN:** AND YOU HAVE, WHAT? THREE SHIFTS A  
21 DAY?

22

23 **SPEAKER:** CORRECT.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. DICKRAN M. TEVRIZIAN:** SO EXCLUDING VACATION TIME AND TIME  
2 OFF, THAT WOULD BE APPROXIMATELY 6 PER SHIFT?

3

4 **SPEAKER:** YES, THAT'S CORRECT. BUT THEY'RE ONLY ON TWO SHIFTS.

5

6 **HON. DICKRAN M. TEVRIZIAN:** SO THAT WOULD BE 9 PER SHIFT?

7

8 **SPEAKER:** CORRECT.

9

10 **HON. DICKRAN M. TEVRIZIAN:** AND ARE THEY RANDOMLY ASSIGNED? DO  
11 THEY HAVE FIXED LOCATIONS? OR DO THEY ROAM THE FACILITY?

12

13 **SPEAKER:** THEY ARE ASSIGNED TO A PARTICULAR FLOOR. WE LIKE TO  
14 HAVE TWO SUPERVISORS PER FLOOR. NOW, THE TASKFORCE THAT'S BEEN  
15 FORMED, IT WAS MENTIONED IT HAS A SUNSET CLAUSE OF AUGUST OF  
16 THIS YEAR WITH RESPECT TO THIS PARTICULAR ASSIGNMENT, WHICH IS  
17 CUSTODY. WHAT'S GOING TO HAPPEN AFTER AUGUST OF THIS YEAR WITH  
18 REGARD TO INFORMATION BEING DIRECTLY TRANSMITTED TO THE  
19 SHERIFF SO THAT IT DOESN'T GET FILTERED OUT?

20

21 **CHRISTY GUYOVICH:** OUR PLAN IS STILL TO OVERSEE CUSTODY. AND  
22 WELL STILL BE MEETING WITH THE SHERIFF ON A WEEKLY BASIS. WHAT  
23 WE WILL BE DOING IS JUST ADDING A COMPONENT AND KIND OF MOVING  
24 THE DIRECTION INTO OTHER AREAS OF THE DEPARTMENT FOR  
25 OVERSIGHT. BUT THERE ARE ASPECTS OF CUSTODY THAT WE WILL

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 CONTINUE TO HAVE TO BE PART OF JUST TO MAKE SURE THERE'S  
2 ACCOUNTABILITY AND INSURE THE PROCESSES CONTINUE.

3

4 **HON. DICKRAN M. TEVRIZIAN:** THE OTHER INFORMATION THAT I  
5 GATHERED THIS MORNING OR GLEANED THIS MORNING WAS THAT THERE  
6 WAS GOING TO BE VIDEO SURVEILLANCE INSTALLATION AND ADOPTION  
7 OF NEW POLICIES AND POLICY MANUALS. WHEN IS THE ESTIMATED DUE  
8 DATE FOR THIS IMPLEMENTATION GOING TO TAKE PLACE? HAS IT BEEN  
9 DETERMINED?

10

11 **SPEAKER:** FOR THE POLICY? BOTH. THE VIDEO SURVEILLANCE WHEN  
12 IT'S GOING TO BE FULLY IMPLEMENTED AND THE POLICY WORKING OUT  
13 ALL THE BUGS AND IMPLEMENTING THE POLICY?

14

15 **SPEAKER:** WELL OUR FACILITIES MANAGEMENT ESTIMATES TOTAL  
16 INSTALLATION OF MEN'S CENTRAL JAIL, WHICH IS ALREADY COMPLETE,  
17 TWIN TOWERS AND IRC BY NOVEMBER OF THIS YEAR. THE POLICIES WE  
18 EXPECT TO BE IMPLEMENTED BY SEPTEMBER. WE DO HAVE CURRENT  
19 POLICIES, BUT THE REVISED POLICIES WE EXPECT BY SEPTEMBER 1ST.

20

21 **HON. DICKRAN M. TEVRIZIAN:** AND I ASKED THIS QUESTION EARLIER.  
22 DO YOU EXPECT ANY RESISTANCE OR ANY PULLBACK BECAUSE OF ANY  
23 COLLECTIVE BARGAINING AGREEMENTS THAT ARE IN PLACE? OR HAVE  
24 YOU BEEN DISCUSSING THIS ALONG THE WAY SO THAT IT WON'T  
25 INTERFERE WITH THOSE EXISTING?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **SPEAKER:** WE HAVE BEEN WORKING WITH THE ASSOCIATIONS; HOWEVER,  
3 WE DO ANTICIPATE ONE POINT OF CONTENTION WITH REGARDS TO THE  
4 VIDEO POLICY AND VIEWING OF THE VIDEO PRIOR TO WRITING A BLESS  
5 REPORT. WE EXPECT THAT WILL BE A BIG ISSUE, AS IT IS ACROSS  
6 THE ENTIRE NATION.

7

8 **HON. DICKRAN M. TEVRIZIAN:** CAN YOU BE MORE SPECIFIC?

9

10 **SPEAKER:** WELL, THERE'S A BELIEF -- IT ESSENTIALLY COMES DOWN  
11 TO TWO OPINIONS, AND THAT IS THAT DEPUTIES PROVIDE AN ORAL  
12 REPORT OF GENERALLY THEIR STATE OF MIND PRIOR TO VIEWING THE  
13 VIDEO SO YOU CAPTURE THEIR STATE OF MIND. THEN AFTER THE WATCH  
14 COMMANDER WOULD REVIEW THE VIDEO. AND AS LONG AS IT'S  
15 CONSISTENT WITH WHAT THE DEPUTY DESCRIBED AND THERE'S NO  
16 EVIDENCE OF MISCONDUCT ON THAT TAPE, THEN THEY WOULD HAVE THE  
17 CHANCE TO VIEW THE VIDEO TO ITEMIZE DETAILS OF THE INCIDENT,  
18 NUMBER OF BLOWS, POSITIONING, THINGS OF THAT NATURE. THAT'S  
19 ONE OPINION. THE OTHER OPINION --

20

21 **HON. DICKRAN M. TEVRIZIAN:** WHO VOICES THAT OPINION?

22

23 **SPEAKER:** WELL THIS IS FROM THE WORKING GROUP. THAT'S THE TWO  
24 STANDARD ARGUMENTS THAT ARE THERE.

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **RICHARD E. DROOYAN:** THEY'RE EXPERTS THAT HAVE LOOKED AT THESE  
2 ISSUES OF INVESTIGATIONS, AS A MATTER OF SAYING. AND THEY COME  
3 OUT WITH THESE TWO DIFFERENT VUZ AND TWO DIFFERENT APPROACHES.  
4 I'LL TURN IT BACK TO HIM. BUT IT'S REALLY SOMETHING THAT IS  
5 NATIONWIDE. IT'S STUDIED BY EXPERTS. IT'S STUDIED BY POLICE  
6 DEPARTMENTS AND SHERIFFS DEPARTMENTS THROUGHOUT THE COUNTRY.  
7 AND THERE IS NO REAL CONSENSUS WHICH IS THE RIGHT WAY. LET MY  
8 TURN IT BACK TO YOU.

9

10 **SPEAKER:** RIGHT. AND WE'VE DISCOVERED TO DATE THAT WE'RE AWARE  
11 OF THERE IS NO LEGAL PRECEDENT THAT ESTABLISHES "THIS IS HOW  
12 IT SHALL BE DONE", BUT WE'RE TRYING TO FIND A BEST PRACTICE AS  
13 APPROPRIATE HERE FOR US. WHAT'S THE DEPARTMENT'S VIEW AND  
14 WHAT'S THE UNION'S VIEW?

15

16 **SPEAKER:** WELL I CAN REPRESENT THAT AT THE LATEST WORKING  
17 GROUP, WE ARE TRYING TO COME CLOSER TO AN AGREEMENT WHERE  
18 DEPUTIES WOULD PROVIDE A SUMMARY OF THEIR STATE OF MIND WHICH  
19 LED TO THEIR ACTIONS AND THEN THEY CAN VIEW THE VIDEO AND  
20 ITEMIZE DETAILS. AND THEN THE UNION WOULD BE STAUNCH AND  
21 ADAMANT THAT DEPUTIES SHOULD BE ABLE TO VIEW VIDEO TO DESCRIBE  
22 THEIR ACTIONS, OTHERWISE IT'S GOING TO BE AN INCOMPLETE  
23 REPORT. WHEN WILL YOU RESOLVE THIS ISSUE?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **SPEAKER:** WE EXPECT TO HAVE IT DONE BUY SEPTEMBER 1ST. WHAT  
2 HAPPENS IF IT'S NOT? WILL THAT PREVENT THE VIDEO FROM AND THE  
3 REPORT WRITING FROM BEING IMPLEMENTED?

4

5 **SPEAKER:** NO. AT THE END OF THE DAY, CURRENTLY AT DIFFERENT  
6 FACILITIES, DEPUTIES ALREADY HAVE ACCESS TO VIDEO BY PRACTICE.  
7 IN OTHER WORDS, THE OLD CAMERAS WERE PAN TILT ZOOM AND THERE  
8 FOR SECURITY PURPOSES SO THEY HAVE THE ABILITY TO REWIND AND  
9 REVIEW. IF WE COME UP WITH THE POLICY THAT THEY ARE NOT TO  
10 VIEW UNTIL AFTER THEY REPORT, THEN WE'D HAVE TO REMOVE THOSE  
11 RIGHTS TO REVIEW.

12

13 **CHRISTY GUYOVICH:** IF I COULD MAYBE JUST FOLLOW --

14

15 **MIRIAM A. KRINSKY:** IF I COULD JUST FOLLOW-UP WITH ONE.  
16 COMMANDER HELLMOLD HAVE OIR AND MERRICK BOBB EXPRESSED A VIEW  
17 ON THIS?

18

19 **COMMANDER HELLMOLD:** YES. MERRICK BOBB AND OIR SAY DEPUTIES  
20 SHOULD WRITE A REPORT WITHOUT VIEWING VIDEO AND THEN THEY  
21 COULD WRITE A SECONDARY REPORT IF THERE ARE ANY CONFLICTS FROM  
22 THE VIDEO.

23

24 **HON. ROBERT BONNER:** LET ME ASK A COUPLE OF QUESTIONS. FIRST OF  
25 ALL APPENDIX A TO THE TASKFORCE SIX-MONTH REPORT, IS THAT A

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 REFLEXION OF -- USE OF FORCE POLICY THAT'S BEEN ADOPTED? OR  
2 ARE THERE PROPOSED POLICIES IN APPENDIX A?

3

4 **CHRISTY GUYOVICH:** THOSE WOULD BE CURRENT POLICIES. THERE ARE  
5 NO DRAFT POLICIES THAT ARE CONTAINED IN THE DOCUMENT.

6

7 **HON. ROBERT BONNER:** AND THE POLICY THAT'S REFLECTED IN  
8 APPENDIX A UNDER ROMAN NUMERAL SMALL FIVE, WHICH TALKS ABOUT  
9 REASONABLE EFFORTS TO DEESCALATE, WERE RESORTING TO USE OF  
10 FORCE, THAT'S CURRENTLY IN EFFECT, CORRECT?

11

12 **SPEAKER:** YES. THAT IS THE --

13

14 **CHRISTY GUYOVICH:** YES. THAT IS THE POLICY THAT THE SHERIFF  
15 PERSONALLY WROTE. IT'S BEEN TWEAKED A LITTLE BIT AFTER  
16 CONSULTATION WITH THE UNIONS, BUT THAT IS IN EFFECT.

17

18 **HON. ROBERT BONNER:** AND WHEN DID THAT GO INTO EFFECT?

19

20 **CHRISTY GUYOVICH:** I BELIEVE THAT WAS BEGINNING OF NOVEMBER.

21

22 **HON. ROBERT BONNER:** OF LAST YEAR?

23

24 **CHRISTY GUYOVICH:** OF 2011.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** AND THAT REPRESENTS, AS I UNDERSTAND IT,  
2 AT LEAST THE FIRST TIME THAT THIS POLICY HAS BEEN ARTICULATED  
3 AS PART OF THE USE OF FORCE POLICY WITHIN THE SHERIFF'S  
4 DEPARTMENT, AM I CORRECT?

5

6 **CHRISTY GUYOVICH:** CORRECT.

7

8 **HON. ROBERT BONNER:** BY THE WAY, LET ME CHANGE SUBJECTS A  
9 LITTLE BIT HERE, BUT ON PAGE 13 OF THE COMMANDER'S TASKFORCE  
10 REPORT, THERE IS A CHART, WHICH IS LABELED UNDER FORCE  
11 ANALYSIS, AND THAT CHART, AT LEAST IN LOOKING AT IT, APPEARS  
12 TO INDICATE THAT THE NUMBERS OF SIGNIFICANT FORCE INCIDENTS,  
13 AS WELL AS THE OVERALL INCIDENTS MUCH USE OF FORCE, HAVE  
14 DROPPED PRETTY SIGNIFICANTLY BEGINNING AROUND 2010 AND GOING  
15 THROUGH THE CURRENT YEAR, 2012. I'M WONDERING WHETHER THERE'S  
16 ANY -- AND I'LL ADDRESS THIS TO ALL OF YOU HERE, BUT IS THERE  
17 ANY ANALYSIS OR EVALUATION AS TO WHAT HAS CAUSED THIS DROP IN  
18 USE MUCH FORCE, BOTH USE OF SIGNIFICANT LEVELS OF FORCE AND  
19 JUST USE OF FORCE OVERALL?

20

21 **CHRISTY GUYOVICH:** YES. ACTUALLY I'LL PASS THAT ON TO COMMANDER  
22 PAN, RRA-- PARRA BECAUSE HE'S DONE EXTENSIVE DEVELOPMENT ON  
23 FORCE AND SUPERVISION AND LEADERSHIP.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **COMMANDER PARRA:** WE'VE LOOKED AT FORCE THROUGHOUT THE YEARS,  
2 AND WE HAVE BEEN -- WE HAVEN'T BEEN ABLE TO DETERMINE A  
3 PRECISE REASON AS TO WHY IT'S TRENDING DOWNWARD, PARTICULARLY  
4 WITH RESPECT TO THE CATEGORY SIGNIFICANT, LESS SIGNIFICANT.  
5 BUT WHAT WE'VE DONE IS WE'VE -- BECAUSE OF THAT, WE'VE LOOKED  
6 AT THE FORCE FROM A HISTORICAL PERSPECTIVE AND WE'VE  
7 CATEGORIZED IT. AND IT'S DEFINITELY TRENDING DOWNWARD EVERY  
8 SINGLE YEAR. I'VE GOT ALL THE ANALYSIS FROM BACK TO 2007. AND  
9 IT IS TRENDING DOWN. AND IT'S SIGNIFICANT TO NOTE THAT BECAUSE  
10 THE POPULATION IS TRENDING UP. SO FORCE IS NOW DOWN TO WHERE  
11 IF YOU LOOKED AT THE NUMBER OF FORCE INCIDENTS THAT OCCURRED  
12 IN MAY OF THE 2008 TOTAL THROUGHOUT THE DEPARTMENT WITH THE  
13 AVERAGE INMATE POPULATION HOVERING AROUND 18,000, IN JUNE,  
14 IT'S ABOUT 20. SO IT'S LESS THAN 1 FORCE INCIDENT PER DAY. AND  
15 WE HAVE NOTICED PARTICULARLY SINCE OCTOBER THAT THEY'VE GONE  
16 DOWN WITH THE EXCEPTION OF A COUPLE OF MONTHS, AND THAT WAS  
17 BECAUSE TWIN TOWERS HAD A SPIKE FOR TWO MONTHS THERE, AND WE -  
18 - HAD A SPIKE FOR TWO MONTHS THERE AND WE LOOKED AT THE MENTAL  
19 INMATES AND WE LOOKED AT THAT AND THAT TRENDED THAT DOWNWARDS.  
20 SO WE BELIEVE THAT THE TRAINING, THE EFFORTS OF EVERYBODY  
21 HERE, BUT ALSO THE CFRT, THE CFRC, OUR EXTRA SUPERVISION AT CJ  
22 HAS DECLINED FORCE AT CJ, BUT OUR OTHER EFFORTS IN TERMS OF  
23 POLICIES, THE TRAINING, US GOING OUT AND PHYSICALLY TALKING TO  
24 EVERY SINGLE UNIT, ALL THEIR WATCH COMMANDERS, ALL THEIR  
25 SERGEANTS ON EVERY SINGLE SHIFT HAS BEGIN TO SEND THE MESSAGE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THAT WE ARE GOING TO CRITICALLY ANALYZE FORCE A LOT MORE, AND  
2 THAT HAS CAUSED IT TO GO DOWN. BONN BEEN DO YOU THINK IT COULD  
3 BE --

4

5 **HON. ROBERT BONNER:** DO YOU THINK IT COULD BE ALSO THE FACT  
6 THAT THIS TASKFORCE WAS FORMED AND THIS COMMISSION WAS  
7 CONSTITUTED?

8

9 **COMMNADER PARRA:** YES.

10

11 **HON. ROBERT BONNER:** OR PUT IT DIFFERENTLY, I DON'T MEAN TO PUT  
12 WORDS IN YOUR MOUTH, THIS WAS COMMISSIONER BONNER, THAT WAS  
13 COMMISSIONER TEVRIZIAN THAT JUST SPOKE, BUT THIS IS  
14 COMMISSIONER BONNER NOW FOR THE RECORD, BUT DO YOU THINK THAT  
15 AT LEAST IN PART THE TRENDLINES THAT WE'RE SEEING PARTICULARLY  
16 BETWEEN 2011 AND 2012 ARE ATTRIBUTABLE TO SHERIFF BACA'S  
17 POLICIES AND FOCUS ON THE AREA OF USE OF FORCE, INCLUDING,  
18 AMONG OTHER THINGS, THE FORMATION OF THE COMMANDERS MANAGEMENT  
19 TASKFORCE AND FOCUSING YOU GUYS ON THIS AREA?

20

21 **COMMANDER PARRA:** YES.

22

23 **COMMANDER GUYOVICH:** AND IF I CAN ADD, WE MENTIONED THE 19  
24 SERGEANTS THAT WE BROUGHT IN, THOSE WERE ALL HAND-PICKED  
25 SERGEANTS. ONE OF THOSE THINGS THAT WE ALL IDENTIFIED AS A

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Meeting Held on July 6, 2012**

1 GROUP WAS WE WANTED STRONG LEADERS IN THE CUSTODY ENVIRONMENT  
2 THAT HAVE THE COURAGE TO STAND UP TO DEPUTIES AND LED THEM IN  
3 THE RIGHT DIRECTION. AND IN OUR ANALYSIS THAT WE'VE COVERED  
4 UNDER SUPERVISION AND LEADERSHIP OF THE PRIOR MANAGEMENT, IT  
5 WAS ONE COMPONENT THAT WE FELT ALSO HAS ADDED TO THAT  
6 DECREASE, ALONG WITH EXPANDING EDUCATION-BASED INCARCERATION  
7 AND PROVIDING BETTER ENVIRONMENT FOR THE INMATES, AS WELL.

8 JIMMY, DID YOU HAVE ONE?

9

10 **SPEAKER:** YEAH, THERE ARE A NUMBER OF FACTORS CONTRIBUTING TO  
11 THE FORCE PREVENTION POLICY, NOT JUST IN THEORY BUT IN  
12 PRACTICE, AS WELL. FOR EXAMPLE, PILL CALL WE FOUND THAT WITH  
13 HIGH-LEVEL CLASSIFICATION INMATES OUT OF THEIR CELLS,  
14 PARTICULARLY AT MCJ, THERE WAS OFTEN FORCE DURING THOSE  
15 INCIDENTS. SO TO NOW BRIDGE THEM PILL CALL AND MEDICAL  
16 ATTENTION TO THEIR CELLS HAS REDUCED. SO THERE'S SOME  
17 MECHANICAL ISSUES THAT ALSO COMMANDER PETRI TONY HAS BEEN ON  
18 THE FRONT LYNN OF ADDRESSING A LOT OF THOSE ISSUES, TACTICS,  
19 TRANSPORTATION AND ESCORT OF HIGH CLASSIFICATION INMATES,  
20 THINGS OF THAT NATURE.

21

22 **HON. ROBERT BONNER:** THERE'S A REFERENCE IN THE REPORT TO --  
23 AND ONE OF THE GOALS IS TO IMPLEMENT, I GUESS, FULLY IMPLEMENT  
24 THE FORCE REDUCTION PLAN. AND I'M NOT SURE I'VE SEEN THE FORCE  
25 REDUCTION PLAN. IS THERE A WRITTEN DOCUMENT THAT IS TITLED

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 FORCE REDUCTION PLAN? OR IS IT -- TO WHAT DOES THAT REFER?

2 COMMANDER PARRA?

3

4 **COMMANDER PARRA:** THERE'S NO FORMAL FORCE REDUCTION PLAN THAT  
5 WE HAVE. IT'S A COMBINATION OF ALL OF OUR EFFORTS. THE UNIQUE  
6 THING THAT THE TASKFORCE HAS IS THAT WE HAVE THE ABILITY TO GO  
7 IN UNDER THE AUTHORITY OF THE SHERIFF AND MAKE A CHANGE. AND  
8 THAT'S UNIQUE THROUGHOUT THE DEPARTMENT. THAT'S WHY WE'RE  
9 HAVING THE PRIMARY IMPACT. AND COMMANDER HELL MOLD BROUGHT UP  
10 THE PILL COL. YOU THOUGHT IT WOULD BE SIMPLE TO CHANGE THE  
11 PILL CALL PROCEDURES. BUT BELIEVE IT OR NOT IT TOOK ME AND A  
12 TEAM TO GO DOWN THERE TO CHANGE PILL CALL PROCEDURES, TO  
13 PROCURE THE RIGHT EQUIPMENT, TO ENSURE THAT IT WAS FOLLOWED  
14 TORQUES DO THINGS LIKE THAT. AND SINCE WE'VE ACCOMPLISHED  
15 THAT, THERE'S BEEN NO FORCE. WE ALSO HAVE THE UNIQUE ABILITY  
16 NOW, BECAUSE COMMANDER PETRI TONY'S DOWN AT MEN'S CENTRAL JAIL  
17 AND HE WALKS THE FLOORS EVERY DAY, WE SPEAK EVERY SINGLE DAY  
18 AND ALL NOTICE A TREND IN FORCE, THE LAST COUPLE MONTHS I  
19 NOTICED A TRENDING UP OF THE K-10 INMATES, I SAID WHY IS THIS  
20 TRENDING UP? CAN YOU TAKE A BETTER LOOK AT IT? I WANT TO SEE  
21 WHAT YOU CAN DO ABOUT IT. SO HE WENT DOWN THERE AND HE CAN  
22 SPEAK TO THAT BUT HE LOOKED AT THE PROBLEMS AND HE CAME UP  
23 WITH SOME TRAINING, HE CAME UP WITH SOME RECOMMENDATIONS, HE  
24 CAME UP WITH MOVING SOME PEOPLE AROUND; AND SINCE THEN, THAT  
25 FORCE HAS GONE AWAY.



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **HON. ROBERT BONNER:** THERE WAS A REFERENCE EARLIER TO I BELIEVE  
3 IT WAS SOMETHING LIKE 19 SERGEANTS BEING TRANSFERRED TO MCJ.  
4 AND I TAKE IT THEY WERE TAKEN FROM SOMEWHERE. AND I WONDER IF  
5 THOSE POSITIONS HAVE BEEN -- THERE'S ANY FUNDING FOR THOSE  
6 POSITIONS OR FOR THE BACKFILL OF THOSE POSITIONS FROM THE  
7 UNITS FROM WHICH THEY'VE BEEN TAKEN.

8

9 **COMMANDER GUYOVICH:** THERE IS NO FUNDING ASSOCIATED WITH THOSE.  
10 WE HAD TO TAKE THOSE ITEMS FROM VARIOUS PARTS OF THE  
11 DEPARTMENT. WE HAVE MADE REQUESTS TO HAVE THOSE ITEMS FUNDED,  
12 ALONG WITH OTHER ITEMS, AS WELL. BUT OUR CURRENT BUDGET  
13 CONDITIONS AREN'T REALLY CAPABLE OF PASSING OUT ADDITIONAL  
14 ITEMS.

15

16 **HON. ROBERT BONNER:** SO IN ESSENCE, YOU TOOK THEM OUT OF HIDE?

17

18 **CHRISTY GUYOVICH:** THEY ARE ALL OUT OF HIDE, INCLUDING OUR TEAM  
19 MEMBERS.

20

21 **COMMANDER PARRA:** AND ALONG WITH THAT, THERE WERE TWO WILL YOU  
22 TENANTS THAT WERE PLACED OVER AT MCJ, ALONG WITH THOSE 19  
23 SERGEANTS.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** THERE'S A REFERENCE IN THE EXECUTIVE  
2 SUMMARY -- AND THIS IS SIGNED BY SHERIFF BACA TO YOUR SIX-  
3 MONTH REPORT, AND IT TALKS ABOUT THE FACT THAT THERE'S ALSO A  
4 JAIL INVESTIGATIONS TASKFORCE. NOW THAT'S A TASKFORCE  
5 DIFFERENT FROM THE COMMANDERS' MANAGEMENT TASKFORCE, CORRECT?

6

7 **COMMANDER GUYOVICH:** CORRECT. WHAT THE OTHER TASKFORCE IS IS  
8 THEY ARE THE TEAM THAT'S DEDICATED TO REVIEW ALL OF THE  
9 DECLARATIONS THAT WERE SUBMITTED BY THE ACLU. SO THEY ARE --  
10 THEY FALL UNDER THE INTERNAL CRIMINAL INVESTIGATION BUREAU,  
11 AND THEY ARE ACTUALLY DOING THOROUGH INVESTIGATIONS ON EVERY  
12 SINGLE DECLARATION THAT HAS BEEN SUBMITTED ALONG WITH OTHERS  
13 THAT THEY HAVE FOUND DURING THAT PROCESS.

14

15 **HON. ROBERT BONNER:** SO SOME OF THAT, OR AT LEAST IN PART,  
16 INVOLVES ALLEGATIONS THAT HAVE BEEN MADE AS PART OF THE ACLU'S  
17 LITIGATION AGAINST THE COUNTY OF LOS ANGELES.

18

19 **COMMANDER GUYOVICH:** YES. THAT'S THE ROSAS V BACA.

20

21 **HON. ROBERT BONNER:** BECAUSE REALLY WHAT WAS I WAS INTERESTED  
22 IN, I THINK I KNOW THE ANSWER NOW, BUT WHETHER THIS JAIL  
23 INVESTIGATIONS TASKFORCE HAS COME UP WITH ANY FINDINGS AND  
24 CONCLUSIONS THAT PERHAPS COULD BE SHARED WITH THIS COMMISSION.  
25 LET ME PUT THAT TO OUR GENERAL COUNSEL.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **RICHARD DROOYAN:** IT'S NOT REALLY A TASKFORCE LIKE THIS  
3 TASKFORCE. IT'S REALLY PART OF ICIB. THE DEPARTMENT IS REALLY  
4 ESCALATING THE ELEVATION OF THE ACLU DECLARATIONS AND TREATING  
5 EACH OF THEM AS IF THEY WERE AN ALLEGATION OF CRIMINAL  
6 CONDUCT. AND THAT'S WHAT THIS TASKFORCE IS DOING. AND THOSE  
7 ARE GETTING, THEN, SUBMITTED TO THE D.A.'S OFFICE FOR  
8 INDEPENDENT REVIEW BY THE D.A. SO I WOULD SAY IT'S JUST,  
9 REALLY, A GROUP THAT'S DEDICATED TO CONDUCTING THE KIND OF  
10 INVESTIGATION THAT ICIB WOULD NORMALLY BE CONDUCTING WHEN  
11 THERE WAS A CRIMINAL ALLEGATION FOCUSED ON THE ACLU  
12 DECLARATIONS.

13

14 **HON. ROBERT BONNER:** OKAY, THANK YOU.

15

16 **COMMANDER GUYOVICH:** AND WE WORK HAND-IN-HAND WITH THEM ONLY  
17 BECAUSE THEY POINT OUT THINGS TO US THAT WE MAY NEED TO LOOK  
18 INTO. BUT I CAN ASSURE YOU THEY ARE DOING VERY THOROUGH  
19 INVESTIGATIONS. AND UNFORTUNATELY SOME OF THE TESTIMONY THAT  
20 YOU'VE HEARD ALREADY IS CONTRARY TO SOME OF THE THINGS THAT  
21 THEY HAVE ALREADY LEARNED. BUT THEIR INVESTIGATIONS WILL BE  
22 CONCLUDED IN THE END OF OCTOBER AS FAR AS ALL THE  
23 DECLARATIONS.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. ROBERT BONNER:** OKAY, THANK YOU. I JUST HAVE ONE MORE  
2 QUESTION, BUT ONE OF THE GOALS OF APPARENTLY THE COMMANDERS'  
3 MANAGEMENT TASKFORCE, AT LEAST WITH RESPECT TO CUSTODY AND THE  
4 CUSTODY ISSUES YOU'VE BEEN LOOKING AT, AND I GUESS THE MISSION  
5 STATEMENT, IS TO PROVIDE A SAFE LEARNING ENVIRONMENT FOR STAFF  
6 AND INMATES. I UNDERSTAND THE SAFE ENVIRONMENT PART OF THIS,  
7 BUT I'M JUST WONDERING, I MEAN, IS JAIL A LEARNING ENVIRONMENT  
8 FOR INMATES AND/OR DEPUTIES? I'M JUST TRYING TO UNDERSTAND  
9 WHAT THE MISSION STATEMENT MEANS.

10

11 **COMMANDER GUYOVICH:** WITH THAT, WHAT IT MEANS IS WE WANT TO  
12 EXPAND EDUCATION-BASED INCARCERATION. AND WE ARE IN THAT  
13 PROCESS. CAPTAIN BORNMAN IS IN CHARGE OF EBI IS WHAT WE REFER  
14 IT TO. AND I THINK THAT WE HAVE SEEN SOME SUCCESSES. I WILL  
15 PROBABLY BE SENDING YOU OUT ANOTHER INVITE TO ATTEND A MERIT  
16 GRADUATION. IT DOESN'T SOUND LIKE A WHOLE MUCH, BUT YOU HAVE  
17 TO ACTUALLY GO AND EXPERIENCE IT TO SEE THE TRANSFORMATION  
18 THAT IT DOES CAUSE. AND IF WE IMPACT JUST ONE INMATE'S LIFE  
19 THAT HE DOES NOT COME BACK INTO THE CUSTODY ENVIRONMENT, THAT  
20 HE DOES DESIRE TO CHANGE HIS LIFE, THEN I THINK THAT IS A  
21 POSITIVE EFFECT.

22

23 **HON. ROBERT BONNER:** I'M SURE IT IS. IN FACT, IT IS. BUT IF I  
24 WERE TRYING TO PHRASE THE GOAL IN MISSION OF THE TASKFORCE, IT  
25 WOULD BE TO REDUCE USE OF FORCE WITHIN THE COUNTY JAIL SYSTEM

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 TO THE MAXIMUM EXTENT POSSIBLE AND IN PARTICULAR TO  
2 SUBSTANTIALLY, IF NOT ACTUALLY, ELIMINATE THE USE OF EXCESSIVE  
3 OR OUT-OF-POLICY FORCE. AND THAT'S WHY THIS POLICY GOAL  
4 STATEMENT JUST DIDN'T QUITE DO IT FOR ME. BUT THAT'S NOT A  
5 QUESTION, SO I HAVE FINISHED MY QUESTIONS.

6

7 **HON. DICKRAN M. TEVRIZIAN:** I HAVE ONE VERY SHORT FOLLOWUP  
8 QUESTION. JUDGE TEVRIZIAN. WHAT ABOUT 109, A.B.109, HAS THAT  
9 HAD AN IMPACT ON YOUR VISION OR YOUR OBLIGATION TO THIS  
10 TASKFORCE THAT YOU'RE PART OF?

11

12 **COMMANDER GUYOVICH:** IT HASN'T DIRECTLY IMPACTED US OTHER THAN  
13 IT IS RAISING THE INMATE POPULATION. AND WITH THAT, RAISES THE  
14 POSSIBILITY OF FORCE. I KNOW THAT THERE ARE SOME DIFFICULTIES  
15 WITH DEALING WITH THE N3 POPULATION THAT WE'RE TRYING TO WORK  
16 THROUGH NOW. CHIEF YIM PRIMARILY IS DEALING WITH THAT ASPECT  
17 OF THE N3'S.

18

19 **HON. DICKRAN M. TEVRIZIAN:** HAVE YOU ENCOUNTERED ANY KIND OF  
20 CONFLICT BETWEEN THE COUNTY PRISONERS VERSUS THE A.B.109  
21 PRISONERS?

22

23 **COMMANDER GUYOVICH:** I PROBABLY AM NOT WELL VERSED ENOUGH TO  
24 COMMENT ON THAT. ARE YOU?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **SPEAKER:** SURE. WE'RE GETTING COUNTY INMATES FROM THE STATE  
2 THAT UP TO FOUR YEARS THEY CAN BE IN COUNTY. SOME OF THEM CAME  
3 DOWN FROM STATE PRISON WHERE THEY'RE -- IT'S TOTALLY A  
4 DIFFERENT ATMOSPHERE IN STATE PRISON THAN IT IS HERE. SOME OF  
5 THEM EXPECT WHAT THEY HAD DOWN STATE UP HERE AND IT'S JUST NOT  
6 GOING TO HAPPEN. THE GOOD THING ABOUT THEM BEING IN COUNTY  
7 JAIL NOW FOR FOUR YEARS IS THAT WE'RE TRYING TO EMULATE WHAT  
8 THE STATE SYSTEM DOES AS FAR AS THEIR EDUCATION AND GIVING  
9 THEM ACCESS TO COMPUTER BECAUSE WHEN A GUY GOES TO THE STATE  
10 PEN, HE CAN ACTUALLY GET HIS COLLEGE DEGREE IN THERE. WITH THE  
11 FBI NOW DOWN HERE, WHAT WE WERE ACTUALLY HAVE GOTTEN A LOT OF  
12 THEM THEIR GED. AND NOW THE GUYS THAT ARE FROM STATE CAN  
13 ACTUALLY GO ON AND GET A COLLEGE DEGREE. BUT THERE'S A  
14 DEFINITE DIFFERENCE. THEY THINK THEY SHOULD BE TREATED BY  
15 STATE RULES, NOT BY THE COUNTY RULES. AND IT'S WORKING OUT,  
16 THOUGH. WE'RE TRYING TO WORK THAT IN AND KEEP THEM TOGETHER AS  
17 MUCH AS POSSIBLE. AND A LARGE CONTINGENCY OF THE STATE INMATES  
18 ARE IN THE EDUCATION-BASED INCARCERATION.

19

20 **HON. DICKRAN M. TEVRIZIAN:** HOW ABOUT RELEASE DATES? DO YOU SEE  
21 MUCH CONFLICT BEING VOICED ABOUT THE COUNTY GETS CERTAIN  
22 RELEASE DATE AND YET WE'RE STATE PEOPLE, WE SHOULD GET THE  
23 SAME THING? OR VICE VERSA?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **SPEAKER:** YES. THAT'S THE QUESTION I GET ASKED ALMOST DAILY. WE  
2 GET 50 PERCENT. AND IF THE COUNTY INMATES DECIDE TO GET LESS  
3 PERCENTAGE -- GOOD TIME WORK TIME RELEASE?

4

5 **SPEAKER:** RIGHT. THE STATE IS SAYING WHY CAN'T I BE ABLE TO GET  
6 THAT SAME ABILITY TO HAVE MY SENTENCE REDUCED? AND LEGAL'S  
7 LOOKING INTO THAT NOW TO SEE IF THERE'S ANYTHING THAT CAN BE  
8 DONE WITH THAT. BUT AS OF STATE-SENTENCED INMATES, THEIR  
9 SENTENCE HAS ALREADY BEEN GIVEN TO THEM, THEIR 50 PERCENT.

10

11 **HON. DICKRAN M. TEVRIZIAN:** BUT DOES THAT IMPACT THE PROBLEMS  
12 THAT WE WERE MUSTERED TOGETHER TO INSPECT? THAT IS, USE OF  
13 FORCE IN THE JAIL? DOES IT CREATE A PROBLEM?

14

15 **SPEAKER:** NO. I DON'T THINK IT CREATES A PROBLEM WITH USE OF  
16 FORCE, NO.

17

18 **HON. LOURDES BAIRD, CHAIR:** I'M SORRY. COMMISSIONER MCDONALD.

19

20 **SPEAKER:** JIM MCDONNELL. JUST A COUPLE OF QUICK QUESTIONS.  
21 THANK YOU FOR THE WORK THAT YOU'VE DONE. YOU'VE MADE A MAJOR  
22 IMPACT IN A SHORT PERIOD OF TIME. AND WE APPRECIATE WHAT'S  
23 BEEN DONE UP TO THIS POINT. YOU MENTIONED THE COMMANDER  
24 MANAGEMENT TASKFORCE, YOU'RE GOING TO BE MOVING ON. YOU'LL  
25 STILL HAVE COUNTY OR CUSTODY AS PART OF YOU WERE PURVIEW BUT

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 YOU'LL BE MOVING ON TO OTHER THINGS WITHIN THE DEPARTMENT.  
2 WILL THAT TRANSITION KIND OF PUT YOU INTO THE INSPECTIONAL  
3 SERVICES UNIT OF THE PAST KIND MUCH MODE WHERE YOU'LL BE THE  
4 INSPECTION AND CONTROL UNIT FOR THE DEPARTMENT?

5

6 **COMMANDER GUYOVICH:** WE'RE NOT EXACTLY SURE, BUT IT APPEARS  
7 THAT'S KIND OF THE DIRECTION THAT WE ARE MOVING INTO.

8

9 **CHIEF JIM McDONNELL:** SO THE FOCUS, THEN, WOULD COME OFF  
10 CUSTODY AS A PRIMARY?

11

12 **COMMANDER GUYOVICH:** I DON'T WANT TO SAY THE FOCUS IS GOING TO  
13 STAY AWAY FROM CUSTODY, BECAUSE AS I SAID, THERE ARE STILL A  
14 LOT OF AREAS THAT WE ARE WORKING ON THAT ARE NOT GOING TO BE  
15 COMPLETED FOR SEVERAL MONTHS. SO WE WILL STILL BE INVOLVED.  
16 COURT SERVICES IS A MUCH SMALLER AREA. WE'RE PRIMARILY  
17 STARTING TO LOOK AT THEIR FORCE TO SEE HOW THAT IS AND DONE  
18 AND WHAT THOSE AND MAYBE START INCLUDING THOSE INTO THE CFRC  
19 AND CFRT, BUT WE WILL CONTINUE TO MONITOR CUSTODY, THE  
20 LEADERSHIP, THE TRAINING AND JIMMY?

21

22 **SPEAKER:** CHIEF, ONE OF THE THINGS THAT CAME TO OUR ATTENTION  
23 WITH REGARDS TO THE INSPECTIONAL ASPECT OF IT IS HISTORICALLY  
24 THE POSITION OF COMMANDER FOR OUR DEPARTMENT, I THINK IT MIGHT  
25 HAVE BEEN SIMILAR FOR LAPD, IT ACTUALLY WAS CALLED INSPECT OR



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 PREVIOUSLY. AND SO THE ROLE WAS VERY CLEAR AND DEFINED. BUT IN  
2 ACTUALITY, THAT POSITION OF COMMANDER AND CAPTAIN REALLY, FOR  
3 ALL INTENTS AND PURPOSES, SHOULD BE HAVING PROPER OVERSIGHT.  
4 FOR EXAMPLE, WE HAD SOME CASES WHERE SOME OF THE UNITS HAD AS  
5 MANY AS 73 PAST DUE FORCE INVESTIGATIONS. AND IT WASN'T UNTIL  
6 THERE WAS SOME OVERSIGHT AND INSPECTION THAT IT CAME TO OUR  
7 ATTENTION. SO OUR POINT IS TO POINT THESE THINGS OUT. BUT AT  
8 THE END OF THE DAY, WE WILL BE EMPOWERING THE CAPTAINS AND  
9 THEY SHOULD ALREADY BE EMPOWERED. THE CAPTAINS AND COMMANDERS  
10 TO HAVE THAT DIRECT OVERSIGHT AND INSPECTION OF THOSE UNITS.  
11 SO CERTAINLY THE CAPTAIN'S RESPONSIBLE. THE COMMANDER, IN A  
12 POSITION, SHOULD BE INSPECTING AND ENSURING THAT. AND NOW AS  
13 ANOTHER LAYER, THE TASKFORCE OR THE INSPECTIONAL OPERATION  
14 THAT WE HAVE IN PLACE, WILL BE ANOTHER LAYER TO ENSURE THAT  
15 SORT OF ACCOUNTABILITY.

16

17 **CHIEF JIM McDONNELL:** OKAY, THANK YOU. REVEREND MURRAY, YOU HAD  
18 A QUESTION?

19

20 **REV. CECIL L. MURRAY:** YES, ONE QUICK QUESTION, AND THANK YOU.  
21 WE HAVE HEARD AND WILL HEAR THAT THERE IS A NEED FOR DIFFERENT  
22 TRACK SYSTEMS ON CUSTODY AND PAROLE, PATROL. 80 PERCENT OR  
23 BETTER, THE MAJORITY OF GRADUATES OF THE ACADEMY ARE TRAINED  
24 FOR PATROL. AND THEY BECOME UNHAPPY CAMPERS WHEN ASSIGNED TO  
25 CUSTODY, EVEN ARGUING WHETHER IT'S ONE-YEAR, TWO-YEAR OR THREE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 YEARS. THERE SEEMS TO BE A DIFFERENT OPINION AMONG YOU. IS  
2 THERE THAT TENSION BETWEEN CUSTODY AND PATROL?

3

4 **SPEAKER:** SIR, I DON'T THINK IT'S REALLY THAT TENSION BETWEEN  
5 CUSTODY AND PATROL. BACK IN 1982, SHERIFF BLOCK HAD TO  
6 INCORPORATE A RULE CALLED A 214 POLICY. AND THE REASON HE HAD  
7 THAT POLICY CAME INTO EFFECT IS MOST OF OUR DEPUTIES THAT WERE  
8 IN CUSTODY WANTED TO STAY IN CUSTODY. AND THEY DID NOT WANT TO  
9 GO TO SOUTH CENTRAL LOS ANGELES STATIONS. SO SHERIFF BLOCK  
10 THEN PUT IN A RULE THAT ALL DEPUTIES MUST GO TO PATROL. AND I  
11 WAS IN THAT CLASS II 14, SO I SPENT ONLY 10 MONTHS IN CUSTODY  
12 BEFORE I WENT TO PAROLE. AND WE'VE BEEN INVOLVED IN THAT ROLE  
13 EVER SINCE 1982. BUT NOW IT SEEMS LIKE THROUGH EVOLUTION, IT'S  
14 TIME TO CHANGE OR ALTER THAT POLICY A LITTLE BIT AND GIVE  
15 DEPUTIES THE FLEXIBILITY TO REMAIN IN CUSTODY OR GO TO PATROL.  
16 AND WE BELIEVE THAT 30 TO 40 PERCENT OF THE DEPUTIES DO NOT  
17 WANT TO GO TO PATROL.

18

19 **REV. CECIL L. MURRAY:** ALL RIGHT.

20

21 **CHIEF JIM McDONNELL:** ONE QUICK FOLLOWUP, MCDONNELL, IF I  
22 COULD. IN GOING THROUGH THE REPORT THAT YOU DID, APPENDIX O,  
23 IT TALKS ABOUT PERSONNEL AND STAFFING IN COMPARISON WITH  
24 REICHER'S ISLAND AND COOK COUNTY. AND LOOKING AT THE THING  
25 THAT STRUCK PLEA IS THE DEPUTY-TO HEIN INMATE RATIO IN L.A. IS

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 1 TO 6-1/2. IN COOK COUNTY IT'S 1-2-1/2. AND IN REICHERS IT'S  
2 1-1-1/2. HAVE YOU ANY COMPARISONS WITH OTHER CALIFORNIA  
3 CUSTODY FACILITIES KNOWING THAT TRADITIONALLY EVEN ACROSS THE  
4 LAW ENFORCEMENT SPECTRUM, WE ARE VERY LEAN COMPARED TO OUR  
5 BACK EAST COUNTERPARTS? DO WE LOOK AT OTHERS OUT HERE? OR IN  
6 THE WESTERN UNITED STATES?

7

8 **SPEAKER:** YEAH, RIGHT NOW WE HAVEN'T LOOKED AT OTHER LAW  
9 ENFORCEMENT AGENCIES THAT DO HAVE THE RESPONSIBILITY OF  
10 CUSTODY, BUT WE'RE GOING TO GO THAT FAR TO LOOK AT THOSE OTHER  
11 AGENCIES, TO LOOK AT THEIR RATIOS, BECAUSE WE KNOW THAT WE'RE  
12 PRETTY HIGH AS FAR AS OUR INMATE-TO-DEPUTY RATIO.

13

14 **SPEAKER:** THROUGH. THAT WAS PRETTY STRIKING.

15

16 **COMMANDER GUYOVICH:** I KNOW THERE WAS A PRELIMINARY VIEW OF  
17 SOME CALIFORNIA AGENCIES. IT WASN'T CONTROL IN THIS ACTUAL  
18 BECAUSE WE ACTUALLY WENT OUT THERE AND LOOKED AT THOSE  
19 FACILITIES BASED UPON RECOMMENDATIONS FROM MERRICK BOBB.

20

21 **COMMANDER PARRA:** I HAVE LOOKED AT OTHER AGENCIES, I DON'T HAVE  
22 THE NUMBERS FOR YOU RIGHT NOW. BUT WHAT WE'RE ALSO DOING IS  
23 FORMING A SOUTHERN CALIFORNIA FORCE CONSORTIUM AMONG ALL OF  
24 THESE OTHER AGENCIES FROM SAN DIEGO UP THROUGH SANTA BARBARA.  
25 AND WHAT WE WANT TO DO IS GET THEIR MANAGEMENT-LEVEL PERSONNEL

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 TOGETHER FOR CUSTODY ISSUES AND WANT TO MET THREE OR FOUR  
2 TIMES A YEAR, PROBABLY FOUR. AND WE'RE GOING TO BRING OUR  
3 ISSUES THAT WE'RE HAVING, WE'RE GOING TO MAKE IT VERY  
4 SPECIFIC. WE DON'T WANT TO DO TWO, THREE DAYS WITH THESE  
5 PEOPLE BECAUSE THEY'RE MANAGERS, WE WANT TO BRIDGE THEM IN FOR  
6 FOUR HOURS AND SAY IN L.A. COUNTY WE'RE EXPERIENCING THIS AS  
7 AN ISSUE. WE' SEND THAT TO THEM BEFORE, PLEASE RESEARCH YOUR  
8 AGENCY AND COME BACK AND BE PREPARED TO DISCUSS THIS SPECIFIC  
9 ISSUE, WHATEVER THAT IS. AND WE'RE GOING TO TRY TO GET BEST  
10 PRACTICES FROM THEM AND GET HOPEFULLY A WAY THAT WE CAN LEARN  
11 FROM THEM, THEY CAN LEARN FROM US AND WE CAN IMPLEMENT NEW  
12 POLICIES.

13

14 **HON. DICKRAN M. TEVRIZIAN:** I HAVE ONE FOLLOW-UP QUESTION, THIS  
15 IS COMMISSIONER TEVRIZIAN. I THINK IT WAS OFFICER FENNELL OR  
16 COMMANDER FENNELL THAT MADE THIS COMMENT THAT THE STATE  
17 PRISONERS, THE 109 PRISONERS CAN BE HELD UP TO FOUR YEARS?

18

19 **COMMANDER FENNELL:** YES.

20

21 **HON. DICKRAN M. TEVRIZIAN:** DO YOU HOLD THEM IN MEN'S CENTRAL  
22 JAIL?

23

24 **COMMANDER FENNELL:** NO, NO, NO.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. DICKRAN M. TEVRIZIAN:** O ARE DO YOU PUT THEM OUT SOMEWHERE  
2 ELSE?

3

4 **COMMANDER FENNELL:** NO. THEY'RE SENTENCED UP TO FOUR YEARS.  
5 MORE THAN THAT, THIS EVERY TO GO. AND THEY HAVE TO BE A  
6 NONVIOLENT FELL ON. THEN THEY CAN BE HOUSED IN THE COUNTY  
7 JAIL.

8

9 **HON. DICKRAN M. TEVRIZIAN:** FOR HOW LONG OF A PERIOD CAN THEY  
10 BE HOUSED IN A COUNTY JAIL?

11

12 **COMMANDER FENNELL:** THEY CAN BE HOUSED UP TO FOUR YEARS BUT  
13 WITH HALF-TIME THAT WOULD BE TWO YEARS.

14

15 **HON. DICKRAN M. TEVRIZIAN:** BUT IF IT'S MEN'S CENTRAL JAIL,  
16 THAT'S A HELL OF A PLACE TO SPEND TWO YEARS. DO YOU TRY TO GET  
17 THEM OUT OF MEN'S CENTRAL JAIL TO SOME PLACE ELSE?

18

19 **COMMANDER FENNELL:** YES. THEY WANT TO TRY TO HOUSE THEM UP IN  
20 THE NORTH FACILITY, BUT ALSO TWIN TOWERS IS A MUCH BETTER  
21 PLACE FOR THEM TO BE HOUSED IN BECAUSE IT'S A POD SITUATION.  
22 RIGHT.

23

24 **COMMANDER FENNELL:** RIGHT, THAT IS TRUE. BUT THE MAJORITY OF  
25 THE ONES THAT WE HAVE, JUST SO YOU KNOW IN MEN'S CENTRAL JAIL,

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ARE IN A HOSPITAL WING. THAT'S WHERE THE MAJORITY THAT WE HAVE  
2 THAT ARE IN WHEELCHAIRS AND THINGS OF THAT NATURE. AND THAT'S  
3 WHERE OTHER FACILITIES HAVE THEM, TOO, BUT WE HAVE MOST OF  
4 THEM IN MEN'S CENTRAL JAIL ARE MEDICALLY, FOR MEDICAL  
5 REASONS, THAT'S WHY THEY'RE THERE.

6

7 **CHRISTY GUYOVICH:** AND IF I CAN JUST ADD, I THINK I JUST  
8 RECENTLY SAW A REPORT WHERE WE ACTUALLY DO HAVE SOME INMATES  
9 THAT ARE SENTENCED MUCH HIGHER THAN THAT, SO THAT THEY WILL BE  
10 LOOKING AT PROBABLY MORE THAN EIGHT YEARS -- MORE THAN EIGHT  
11 YEARS. I THINK I SAW ONE THAT IS LOOKING AT PERHAPS EIGHT TO  
12 15 YEARS THAT WILL BE STAYING WITH US.

13

14 **HON. DICKRAN M. TEVRIZIAN:** IN A COUNTY JAIL FACILITY?

15

16 **CHRISTY GUYOVICH:** WE'RE DOING ANALYSIS ON THAT NOW TO REALLY  
17 SEE WHAT THE TIME PERIOD IS BECAUSE IT'S GOING TO -- OUR HUNCH  
18 IS IT'S GOING TO BE A LOT LONGER THAN WHAT WE WERE TOLD.  
19 THAT'S SHOCKING.

20

21 **CHRISTY GUYOVICH:** IT WAS SHOCKING TO US, AS WELL.

22

23 **HON. LOURDES BAIRD, CHAIR:** YOU'RE FINISHED WITH YOUR DIRECT,  
24 RIGHT?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MIRIAM A. KRINSKY:** I AM, YES.

2

3 **HON. LOURDES BAIRD, CHAIR:** THERE'S ONE THING THAT I WAS  
4 CURIOUS ABOUT AND IT MAY HAVE NOTHING TO DO WITH DIRECTLY WITH  
5 VIOLENCE, BUT IN YOUR REPORT, YOU MENTION, TALK A LITTLE BIT  
6 ABOUT THE MENTAL HEALTH FACILITY. AND IT STATES THERE THAT 17  
7 PERCENT OF THE TOTAL JAIL POPULATION IS UNDER DIRECT  
8 SUPERVISION OF THE MENTAL HEALTH UNIT. AND YOU SUGGESTED THAT  
9 WHAT MIGHT BE DONE IS THAT THERE WOULD BE A GREATER NUMBER OF  
10 PROFESSIONALS BROUGHT IN, MOST OF THEM, AS I UNDERSTAND, OF  
11 THE MENTAL HEALTH PEOPLE ARE IN TWIN TOWERS AND THAT DEPUTIES  
12 WOULD BE RECEIVING ADVANCED TRAINING TO BE ABLE TO DEAL WITH  
13 THIS. AND MY QUESTION GENERALLY IS: A LOT OF IT HAS TO DO WITH  
14 THE RATIO THAT CHIEF MCDONNELL JUST MENTIONED. WHAT EFFECT --  
15 HOW ARE YOU GOING TO MANAGE TO CORRECT THE SITUATION IN THE  
16 MENTAL HEALTH AT THE SAME TIME AS TRYING TO CORRECT THE  
17 SITUATION ELSEWHERE? BECAUSE THERE IS ALSO, I SHOULDN'T SAY  
18 THAT, BECAUSE I'M ASSUMING, AND THAT MAY PRETEND THAT I HAVE  
19 AN ASSUMPTION. THERE IS NO VIOLENCE IF THE MENTAL HEALTH  
20 SECTION OF THE CONSEQUENCES OF THE SAME. SO I'D LIKE TO HAVE  
21 YOU ADDRESS THAT, PLEASE.

22

23 **COMMANDER GUYOVICH:** ONE OF THE THINGS THAT WE REQUESTED EARLY  
24 ON TO THE SHERIFF AND TO THE BOARD OF SUPERVISORS WAS  
25 ADDITIONAL PERSONNEL FOR WHAT WE CALL AS THE JAIL MENTAL

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 EVALUATION TEAM. AND THEY'RE A GROUP OF DEPUTIES THAT ACTUALLY  
2 GO AROUND AND ASSESS INMATES TO SEE IF THEY HAVE PROBLEMS.  
3 SOME OF THE FORCE NUMBERS THAT WERE DONE THAT WE LOOKED AT  
4 INVOLVED MENTALLY ILL. AND WHAT WOULD HAPPEN IS THE DEPARTMENT  
5 OF MENTAL HEALTH WOULD DECLASSIFY THEM OVER AT TWIN TOWERS  
6 NEEDING BED SPACE FOR MORE ACUTE PATIENTS, THEY WOULD TRANSFER  
7 THEM OVER TO MEN'S CENTRAL JAIL. AND DURING THAT PROCESS, TWIN  
8 TOWERS, AS YOU REMEMBER ON THE TOUR, IS A MUCH NICER FACILITY  
9 THAN MEN'S CENTRAL JAIL. AND MANY FORCE INCIDENTS WOULD BE  
10 JUST THAT THE INMATE IS REFUSING TO GO BACK OVER TO MEN'S  
11 CENTRAL JAIL. PART OF THAT IS WE MOVED ANY GENERAL POPULATION  
12 INMATE THAT'S ON PSYCHOTROPIC MEDS OVER TO TWIN TOWERS;  
13 HOWEVER, THEY CANNOT HOLD ALL OF THE MENTALLY ILL INMATES AND  
14 IT DOES REQUIRE ADDITIONAL STAFF TO MONITOR THOSE INMATES.  
15 SOME ARE 15-MINUTE CHECKS, SOME ARE 30-MINUTE CHECKS. AND PART  
16 OF HOW WE'RE TRYING TO ADDRESS THIS IS PROVIDING MORE TRAINING  
17 TO THE DEPUTIES FOR HOW TO DEAL WITH MENTALLY ILL INMATES AND  
18 ALSO PART OF WHAT THEY HAVE AT TWIN TOWERS NOW IS THE VERY  
19 ACUTE PATIENTS, THEY HAVE DEPUTIES THAT HAVE A MUCH HIGHER  
20 LEVEL OF TRAINING. AND THEY ALSO HAVE A MATURITY LEVEL AND A  
21 DESIRE TO WORK WITH THE MENTALLY ILL INMATES THAT THEY HAVE.  
22 SO WE'RE TRYING TO SPREAD THAT ACROSS CUSTODY SO THAT EVERY  
23 DEPUTY WILL HAVE A HIGHER LEVEL OF TRAINING ON HOW TO DEAL  
24 WITH THE MENTALLY ILL SO THAT SOMETIMES THEY ARE ACTING OUT,  
25 BUT IT'S NOT BECAUSE OF A DISCIPLINARY ISSUE; IT IS BECAUSE OF



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 A MENTAL ISSUE. SO IT'S A VERY DIFFICULT THING FOR US TO TRY  
2 TO ADDRESS AS DEPUTIES, BUT WE HAVE BEEN WORKING WITH THE  
3 DEPARTMENT OF MENTAL HEALTH, AND WE HAVE STARTED MEETINGS WITH  
4 ALL PARTIES, ALL THE CUSTODY CAPTAINS AS WELL AS THE DOCTORS  
5 BEFORE MENTAL HEALTH TO TRY TO COULD HAVE UP WITH A PLAN TO  
6 BETTER ASSESS AND ADDRESS THESE ISSUES SO THAT WE CAN ALSO  
7 DECREASE THE AMOUNT OF FORCE THAT IS USED INVOLVING MENTALLY  
8 ILL INMATES.

9

10 **HON. LOURDES BAIRD, CHAIR:** I HAVE ONE OTHER QUESTION WITH  
11 REGARD TO THAT. YOU MENTIONED AND YOU EMPHASIZED THE FACT THAT  
12 YOU WOULD BE TRAINING THESE DEPUTIES IN THESE MENTAL HEALTH  
13 PROBLEMS TO BE ABLE TO DEAL WITH THEM. AREN'T MANY OF THESE  
14 DEPUTIES GOING TO BE -- AND YOU ALSO TALKED ABOUT ATTEMPTING  
15 TO ROTATE DEPUTIES EVERY YEAR. IT SEEMS TO ME THAT THAT'S  
16 ALMOST CONTRARY. IF YOU HAVE DEPUTIES THAT ARE GOING TO BE  
17 THERE HIGHLY TRAINED, YOU'D WANT TO KEEP THEM. AND HOW DOES  
18 THAT PLAY INTO ALSO THE PROPORTIONALITIES THAT WE HAVE ALREADY  
19 TALKED ABOUT WITH THE DIFFERENT UNIONS ISSUES.

20

21 **COMMANDER GUYOVICH:** CORRECT. IT'S VERY DIFFICULT. I'LL LET  
22 COMMANDER PIETRANTONI ALSO ADD TO THIS. WE DON'T DISAGREE WITH  
23 THE ROTATION OF DEPUTIES TO MINIMIZE CLIQUES. BUT WE HAVE SEEN  
24 AN INCREASE IN FORCE IN CERTAIN AREAS LIKE THE K-10 WHERE YOU  
25 HAVE DEPUTIES THAT ARE NOT TRAINED TO DEAL WITH THIS LEVEL OF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 INMATE, AND MISTAKES HAVE HAPPENED AND FORCE HAS OCCURRED. SO  
2 WE ARE TRYING TO -- IN OUR POLICY IDENTIFY CERTAIN CONDITIONS  
3 THAT A CHIEF CAN WAIVE DUE TO AN EXPERTISE. BUT WE ARE TRYING  
4 TO EXPAND THE TRAINING SO THAT MORE PEOPLE DO HAVE THIS  
5 TRAINING. BUT I'LL LET PETEY EXPAND MORE BECAUSE THE K-10S  
6 HAVE ACTUALLY BEEN A REAL YOU WITH THE ROTATIONS?

7

8 AND THE K-10S WERE A PRETTY EASY SOLUTIONS. THE NUMBER THAT IS  
9 YOU SAID THAT CHIEF MCDONNELL MENTIONED, THAT'S WHAT WE DID:  
10 WE INCREASED THE NUMBER OF DEPUTIES THAT ESCORT THE K-10S.  
11 ANOTHER THING THAT WASN'T MENTIONED YET, BUT SOME OF THE  
12 DEPUTIES WEAR THEIR OWN PERSONAL CAMERAS NOW. AND WE'RE IN A  
13 TRIAL PERIOD OF THIS CAMERA AND THEY ACTUALLY RECORD THE WHOLE  
14 ESCORT AND THEY ACTUALLY TELL THE INMATES "RECORDING'S ON."  
15 'SO EVERYBODY'S AWARE. AND ALSO WITH THE MENTALLY ILL, WE'RE -  
16 - ALTHOUGH ROOTATION AND ALL THE SPECIAL TRAINING, THEY SHOULD  
17 ALL BE SPECIALLY TRAINED, BUT EVEN IF EVERYBODY IS SPECIALLY  
18 TRAINED, THERE ARE STILL STARS THAT ARE BETTER SUITED TO DO  
19 THAT JUST LIKE THERE'S IN EVERY PROFESSION, THERE ARE STARS.  
20 AND WE IDENTIFY THOSE PEOPLE. AND BASED ON THE CHIEF'S RULE  
21 THAT I AM ALLOWED TO NOT ROTATE THEM, I DON'T ROTATE THEM. AND  
22 I TRY TO KEEP THEM THERE AS MUCH AS I CAN, BECAUSE THAT'S ONE  
23 OF THE REASONS WHY I THINK THE FORCE IS DECREASED, IS BECAUSE  
24 WE HAVE THE PROPER PERSON IN THE PROPER PLACE. BUT YOU HAVE TO  
25 UNDERSTAND IN CENTRAL JAIL, THAT'S A VERY HARD PLACE TO WORK.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 AND WE HAVE THE MOST MINIMALLY TRAINED DEPUTY THERE. IT'S  
2 SUPERVISION THAT NEEDS TO STEP UP TO THE PLATE. IT'S THE  
3 SUPERVISION. THE FOUR SERGEANTS TO ACTUALLY TAKE CHARGE. WHEN  
4 I HEAR THAT SERGEANTS SAY THAT THEY CAN'T CONTROL DEPUTIES, I  
5 DON'T UNDERSTAND THAT. I CAN'T UNDERSTAND IT FOR THE LIFE OF  
6 ME HOW A SERGEANT OR LIEUTENANT CAN'T CONTROL DEPUTIES IN A  
7 COUNTY JAIL. I DON'T UNDERSTAND THAT. I MEAN, THEY SHOULD BE  
8 ABLE TO CONTROL THEM. THERE SHOULDN'T BE A PROBLEM. THAT ISN'T  
9 A DEPUTY PROBLEM; THAT'S A SUPERVISION PROBLEM. THANK YOU.  
10 ANYTHING FURTHER?

11 **COMMANDER GUYOVICH:** IF I COULD, I'M SORRY TO INTERRUPT, BUT IF  
12 I COULD JUST ADD ONE THING. I'VE BEEN PRESENT FOR ALL THE  
13 TESTIMONIES. AND IF I CAN JUST ADD THAT YOU ARE SEEING ONE  
14 SIDE. UNFORTUNATELY THERE'S NOT A CROSS-EXAMINATION OF THE  
15 PEOPLE THAT HAVE PROVIDED TESTIMONY. AND YOU ARE HEARING ONE  
16 PERSPECTIVE AND ONE SIDE OF THOSE COMMENTS. AND HOPEFULLY THE  
17 END REPORT WILL PROVIDE COMMENTS FROM PEOPLE THAT ARE NOT  
18 COMFORTABLE TO COME UP AND PUBLICLY SPEAK TO YOU, BUT I ASK  
19 THAT YOU GUYS PLEASE KEEP AN OPEN MIND AND SEE THAT YOU ARE  
20 HEARING A SIDE OF PRIOR EMPLOYEES, INMATES THAT HAVE LAWSUITS,  
21 AND NOT EVERYTHING THAT HAS BEEN SAID UP HERE IS EXACTLY 100  
22 PERCENT THE FULL STORY.

23  
24 **HON. LOURDES BAIRD, CHAIR:** I'M SURE YOU UNDERSTAND THAT WE'VE  
25 -- WE DO UNDERSTAND WE DON'T HAVE CROSS EXAMINATION BOTH OF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 YOURSELVES OR THE OTHER INDIVIDUALS WHO HAVE COME BEFORE US.  
2 WE ALWAYS TAKE INTO CONSIDERATION WHAT THE CROSS-EXAMINATION  
3 MIGHT HAVE BEEN OF EVERY WITNESS THAT COMES BEFORE US.  
4 ANYTHING FURTHER? WE'RE MENTALLY DOING THE CROSS-EXAMINATION.  
5 [LAUGHTER.]

6

7 **COMMANDER GUYOVICH:** THANK YOU.

8

9 **HON. LOURDES BAIRD, CHAIR:** I THANK ALL FIVE OF YOU FOR COMING  
10 AND THE WORK THAT YOU PREPARED TODAY AND THE WORK YOU'RE DOING  
11 ON BEHALF OF THE JAILS AND THE PRISONERS THERE. THANK YOU VERY  
12 MUCH. WE HAVE ONE -- WE HAVE A SPEAKER. WE HAVE ONE SPEAKER  
13 WHO IS GOING TO TAKE THREE MINUTES? MR. ELIASBURG.

14

15 **RICHARD E. DROOYAN:** AND THEN TAKE A BREAK. AND THEN WE HAVE  
16 THE PPOA IS THE LAST PRESENTATION.

17

18 **HON. LOURDES BAIRD, CHAIR:** OH, YES. NOT YET.

19

20 **MIRIAM A. KRINSKY:** MR. ELIASBURG, WELCOME.

21

22 **PETER ELIASBERG:** THANK YOU, GOOD AFTERNOON. I JUST WANT TO  
23 MAKE ONE COMMENT THAT GOES TO QUESTIONS THAT YOU WERE  
24 PRIMARILY ASKING, JUDGE BAIRD. I GUESS AGAINST THE MICROCOSM  
25 OF AN ISSUE THAT THIS COMMISSION'S GOING TO NEED TO TACKLE.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 YOU ASKED A LOT OF QUESTIONS ABOUT DEALING WITH THE MENTALLY  
2 ILL. AND I WAS VERY, VERY PLEASED TO HEAR ABOUT THE KINDS OF  
3 STEPS THAT ARE BEING TAKEN TO LOOK AT THIS. SHERIFF BACA, AT  
4 THE BEGINNING OF THIS YEAR, ANNOUNCED THAT THERE WAS  
5 DISPROPORTIONATE FORCE DIRECTED AT THE MENTALLY ILL. THEY'RE  
6 TALKING ABOUT CHANGING VARIOUS POLICIES AND TACTICS TO DEAL  
7 WITH THAT, NOT HAVING THE MENTALLY ILL IN MEN'S CENTRAL,  
8 ANYBODY TAKING PSYCHOTROPIC MEDS IN MEN'S CENTRAL JAIL. BUT  
9 WHAT'S SO DEPRESSING IS THAT EVERY ONE OF THOSE THINGS THAT WE  
10 PUT IN THE REPORT FOUR YEARS AGO BY A PREEMINENT EXPERT ON THE  
11 ISSUES OF MENTAL HEALTH AND PEOPLE IN CORRECTIONS BY TERRY  
12 COOPERS. AND THE DEPARTMENT COMPLETELY IGNORED THAT REPORT. I  
13 AM VERY GLAD THAT THEY ARE NOW, AMONG OTHER THINGS, THAT FORCE  
14 WAS DISPROPORTIONATELY DIRECTED AT THE MENTALLY ILL, THAT THE  
15 MENTALLY ILL WERE REGULARLY BE DECLASSIFIED INTO MEN'S CENTRAL  
16 JAIL WHICH MANY OF YOU KNOW IS A TOTALLY UNACCEPTABLE  
17 SITUATION PROBABLY FOR ANYBODY AT ANY TIME BUT FOR SOMEBODY  
18 WHO'S GOT SERIOUS MENTAL ILLNESS CAUSES MASSIVE  
19 DECOMPENSATION, MAJOR PROBLEMS, ACTING OUT, VIOLENCE BEING  
20 USED AGAINST THE MENTALLY ILL BY OTHER INMATES AND CORRECTIONS  
21 OFFICERS. AND WE MADE THAT REPORT FOUR YEARS AGO, AND THE  
22 SHERIFF'S DEPARTMENT SAID IT WASN'T TRUE AND THAT WASN'T AN  
23 ISSUE, THERE WASN'T DISPROPORTIONATE FORCE USED AGAINST THE  
24 MENTALLY ILL. WE TR IDEA TO PUT IT ON THE AGENDA OF THE BOARD  
25 OF SUPERVISORS. THE BOARD OF SUPERVISORS IGNORED US. SO I'M

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 VERY GLAD THAT STEPS ARE BEING TAKEN IN THE RIGHT DIRECTION,  
2 BUT I THINK ONE OF YOUR BIGGER TASK IS NOT JUST WHAT ARE THE  
3 POLICIES THAT NEED TO BE IN PLACE? BUT WHAT DO YOU DO WITH AN  
4 INSTITUTION THAT FOR FOUR YEARS IGNORED AN ENORMOUS PROBLEM  
5 THAT WAS LIKE THEIR HOUSE WAS ON FIRE AND THEY RAN AROUND AND  
6 TOLD EVERYBODY THAT THERE WASN'T AN ISSUE. AND IT WASN'T JUST  
7 -- THAT'S A MICROCOSM. LET'S TAKE BOB OLMSTED. HE HAD SOMEBODY  
8 DO AN AUDIT OF THE 10000 OF THE FORCE PACKAGE, THEY LEARNED  
9 THAT -- 100 OF THE FORCAGE, 40 OF THEM WERE OUT OF POLICY.  
10 THEY BROUGHT IT TO CHIEF BURNS. DID IT GO TO SHERIFF BACA?  
11 WELL IF IT DIDN'T GO TO SHERIFF BACA THEN HOW IS IT WHEN  
12 SHERIFF BACA FINALLY HEARD ABOUT IT CHIEF BURNS AND THE  
13 UNDERSHERIFF KEPT THEIR JOBS? I MEAN I WOULD THINK -- I DON'T  
14 WANT TO SPEAK FOR YOU, JUDGE BONNER, BUT I CAN'T IMAGINE THAT  
15 IF YOU WOULD HAVE DISCOVERED WHILE YOU WERE RUNNING THE DEA  
16 THAT THERE WAS A MASSIVE PROBLEM WITH INVESTIGATIVE PACKAGES  
17 ABOUT POTENTIAL MALFEASANCE SITTING FOR 300 DAYS WITHOUT BEING  
18 PROCESSED? THAT YOU WOULDN'T HAVE, A, SAID, OKAY I'M GOING TO  
19 MAKE SOME CHANGES AND QUICK, AND BTHAT HEADS WOULDN'T HAVE  
20 ROLLED. BUT I'M NOT AWARE OF A SINGLE HEAD ROLLING IN THIS  
21 DEPARTMENT. IT APPEARS THAT DAN CRUZ IS BEING HUNG OUT TO DRY  
22 BUT I DON'T SEE ANYTHING HAPPENING TO SHERIFF TANAKA. CHIEF  
23 BURNS STAYED ON AFTER FOUR OR FIVE MONTHS AFTER ALL OF THESE  
24 THINGS CAME OUT. THE L.A. TIMES ANNOUNCED THAT THE FBI IS  
25 INVESTIGATING WHAT IS HAPPENING IN THE JAILS, AND HE WAS

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ALLOWED TO GRACEFULLY RETIRE. IF HE DIDN'T REPORT IT TO  
2 SHERIFF BACA, HOW IS IT THAT SHERIFF BACA AROUND HIM TO STAY  
3 IN HIS POSITION. IF YOU'RE GOING TO FIX AN INSTITUTION, IT'S  
4 NOT JUST CHANGING POLICIES. HOW DO YOU FIX AN INSTITUTION THAT  
5 IGNORES MASSIVE PROBLEMS FOR YEAR AFTERRIER? IT'S ONLY WHEN  
6 THERE'S A JAIL COMMISSION FORMED THAT THEY SET UP THE  
7 COMMANDER'S MANAGEMENT TASKFORCE, WHICH I'M GLAD THEY HAVE,  
8 BUT IT'S WAY, WAY TOO LATE. THANK YOU. THANK YOU VERY MUCH.  
9 LET'S TAKE A BREAK. HOW LONG DO YOU ANTICIPATE THE NEXT  
10 WITNESS TO BE? ROUGHLY?

11

12 **RICHARD E. DROOYAN:** HALF HOUR. OKAY. LET'S TAKE 10 MINUTES, IS  
13 THAT ENOUGH FOR EVERYBODY? OKAY. THANKS. 10 MINUTES. (10-  
14 MINUTE RECESS).

15

16 **HON. LOURDES BAIRD, CHAIR:** ARE WE READY? ALL RIGHT. WE'RE  
17 READY TO START. THE SESSION IS NOW OPEN AGAIN.

18

19 **RICHARD E. DROOYAN:** (OFF MIC COMMENT).

20

21 **HON. LOURDES BAIRD, CHAIR:** ALL RIGHT, WELCOME. THE ONLY  
22 ADMONITION IS TO PLEASE SPEAK INTO THE MICROPHONE AS I AM  
23 DOING NOW, NOT AS I WAS DOG A MOMENT AGO -- DOING A MOMENT  
24 AGO.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **MS. GODLEY:** WE'LL SEE IF WE CAN GET THIS RIGHT. MY NAME IS  
2 TAMMY GODLEY, AND AS RICK SAID, I'M A PARTNER WITH MUNGER,  
3 TOLLES & OLSON AND ONE OF THE VOLUNTEERS WITH THE FOLKS THAT  
4 ARE DOING THE DIFFERENT RESEARCH. MY PARTICULAR AREA THAT OUR  
5 GROUP IS LOOKING AT IS PERSONNEL AND TRAINING. BUT TODAY I'D  
6 LIKE TO INTRODUCE TO YOU LIEUTENANT BRIAN MORIGUCHI. HE IS  
7 FROM THE L.A. SHERIFF'S DEPARTMENT AND PRESIDENT OF THE LOS  
8 ANGELES COUNTY PROFESSIONAL OFFICERS' ASSOCIATION, WHICH IS  
9 THE ACRONYM IS REALLY PPOA, BUT HISTORICALLY IT IS REFERRED TO  
10 AS POPA, AND I WILL REFER TO IT AS POPA TODAY. LIEUTENANT, CAN  
11 YOU TELL US WHO POPA REPRESENTS?

12

13 **LT. MORIGUCHI:** PPOA AN REPRESENTS ABOUT 8600 MEMBERS IN LOS  
14 ANGELES COUNTY PRIMARILY FROM THE SHERIFF'S DEPARTMENT, BUT  
15 ALSO THE CORONER AND DISTRICT ATTORNEY'S OFFICE. WE HAVE  
16 MEMBERS FROM VARIOUS, SERGEANTS AND LIEUTENANTS, WE BARGAIN  
17 FOR CUSTOMER AN ASSISTANTS, SOME OF OUR CRIME LAB FOLKS. OUR  
18 MEMBERSHIP, THOUGH, DOES INCLUDE SOME DEPUTIES AS WELL AS  
19 MANAGEMENT ALL THE WAY UP TO THE SHERIFF. THE SHERIFF IS A  
20 MEMBER OF POPA.

21

22 **MS. GODLEY:** AND SO YOU DO CUSTODY ASSISTANTS AND THEN  
23 SERGEANTS AND WILL YOU TENANTS BUT GENERALLY YOU DON'T  
24 REPRESENT AND BARGAIN FOR DEPUTIES WHICH ARE REPRESENTED  
25 LARGELY BY ALADS, IS THAT CORRECT?



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **LT. MORIGUCHI:** THAT'S CORRECT.

3

4 **MS. GODLEY:** JUST SO THE COMMISSION HAS A BIT OF A SENSE OF  
5 YOUR BACKGROUND, CAN YOU JUST GIVE THEM A BRIEF SENSE OF YOUR  
6 BACKGROUND WITH THE DEPARTMENT?

7

8 **LT. MORIGUCHI:** SURE, I'VE BEEN A DEPUTY SHERIFF FOR 26 YEARS.  
9 I HAVE WORKED FOUR DIFFERENT CUSTODY ASSIGNMENTS, TWO AS A  
10 DEPUTY, ONE AS A SERGEANT AND ONE AS A LIEUTENANT. I BECAME  
11 PRESIDENT AT POPA ABOUT THREE YEARS AGO AND I AM CURRENTLY ON  
12 FULL RELEASE FROM THE SHERIFF'S DEPARTMENT TO RUN THAT  
13 ASSOCIATION.

14

15 **MS. GODLEY:** ALL RIGHT. NOW POPA HAS PUT TOGETHER A PROPOSAL OF  
16 REFORMS FOR THE CUSTODY DIVISION. CAN YOU TELL ME WHY IT IS  
17 THAT POPA DECIDED TO PUT TOGETHER THESE SETS OF PROPOSALS OR  
18 REFORMS?

19

20 **LT. MORIGUCHI::** SURE. ONE OF THE MAIN REASONS WE DECIDED TO  
21 PUT TOGETHER OUR OWN PLAN IS WE WERE VERY DISCOURAGED BY THE  
22 SHERIFF'S APPROACH AND HOW HIS TASKFORCE WAS COMING UP AND  
23 IMPLEMENTING, ACTUALLY, SOME POLICY CHANGES WITHOUT WHAT WE  
24 THOUGHT A VETTING OUT PROCESS. WE FELT THAT POLITICS WAS  
25 PLAYING INTO IT WHERE THEY WERE JUMPING TO SOLUTIONS WITHOUT

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 REALLY ANALYZING THE PROBLEM. SO WE PUT TOGETHER A GROUP OF  
2 EXPERTS FROM IN-HOUSE AS WELL AS SOME RETIRED MEMBERS OF THE  
3 DEPARTMENT AND PUT TOGETHER OUR OWN PROPOSAL. WE LOOKED AT  
4 WHAT WE DIDN'T THINK THE SHERIFF'S DEPARTMENT WAS REALLY  
5 LOOKING AT THE PROBLEM AND THEN COMING UP WITH SOLUTIONS, THEY  
6 WERE MORE LOOKING AT WHAT MERRICK BOBB WAS RECOMMENDING, WHAT  
7 OIR WAS RECOMMENDING AND WHAT OUTSIDE PEOPLE WERE RECOMMENDING  
8 AND THEN TRYING TO AN PEZ THOSE GROUPS BY COMING BUT WITH SOME  
9 SOLUTIONS TO THOSE RECOMMENDATIONS.

10

11 **MS. GODLEY:** ONE OF THE THINGS THAT YOU NOTE IN YOUR REPORT IS  
12 THAT YOU FEEL THAT POPA HAS A UNIQUE VOICE AND UNIQUE ROLE IN  
13 COMING UP WITH THESE PROPOSALS. WHAT IS THAT UNIQUE VOICE OR  
14 ROLE?

15

16 **LT. MORIGUCHI:** I GUESS OUR UNIQUE ROLE WOULD BE THAT WE ARE  
17 COMPRISED OF MEMBERS OF THE SHERIFF'S DEPARTMENT. I'M A  
18 LIEUTENANT WITH THE DEPARTMENT AND I'VE WORKED CUSTODY. OUR  
19 CUSTODY ASSISTANTS HAVE VAST EXPERIENCE IN THE JAIL SYSTEM, AS  
20 WELL. BUT WE ARE NOT -- BEHOLDEN TO THE SHERIFF. WE ARE  
21 OUTSPOKEN ON MISCONDUCT IN THE SHERIFF'S DEPARTMENT. WE'RE  
22 OUTSPOKEN ON MISCONDUCT OR BEHAVIOR OF MANAGEMENT. QUITE  
23 HONESTLY YOU HEAR TESTIMONY UP HERE, I'M SURE YOU CAN FIGURE  
24 OUT WHICH ONES ARE SUGAR COATED AND WHICH ONES AREN'T. BUT WE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 DON'T HIDE BEHIND ANYTHING. WE'RE PRETTY DIRECT. IT'S REALLY  
2 FOR THE BETTERMENT OF THE DEPARTMENT AS WELL AS OUR MEMBERS.

3

4 **MS. GODLEY:** ONE OF THE DOCUMENTS THAT REALLY WAS A PRECURSOR  
5 TO YOUR PROPOSALS WAS THE 2010 RECLASSIFICATION AND  
6 CIVILIANIZATION FEASIBILITY STUDY. CAN YOU TELL US JUST  
7 BRIEFLY WHAT THAT WAS AND WHAT HAPPENED WITH THAT AFTER IT WAS  
8 COMPLETED?

9

10 **LT. MORIGUCHI::** YES. WE ACTUALLY PARTICIPATED IN THAT PROCESS.  
11 MANY OF OUR MEMBERS WERE INVOLVED. I BELIEVE IT WAS COMMANDER  
12 FENDER WHO HEADED THAT AND A RETIRED CHIEF FROM THE DEPARTMENT  
13 ALSO, RETIRED CUSTODY CHIEF HEADED THAT, AS WELL. WE WERE  
14 HOPEFUL THAT THAT WOULD GO BEFORE THE EXECUTIVE PLANNING OF  
15 THE SHERIFF'S DEPARTMENT WITH THEIR RECOMMENDATIONS.  
16 UNFORTUNATELY IT NEVER GOT THERE. AND I REALLY DON'T KNOW WHY.  
17 I THINK THERE WAS SOME PEOPLE WHO OPPOSE ANY TYPE OF INCREASE  
18 IN CIVILIANIZATION THEY REALLY WANT TO PROTECT THE SWORN  
19 CLASSIFICATION. SO THERE WAS SOME -- WITHIN THE EXECUTIVE  
20 LEVEL INCREASING THE CIVILIANIZATION OF THE SHERIFF'S  
21 DEPARTMENT.

22

23 **MS. GODLEY:** SO UPON COMPLETION OF THAT STUDY AND THEN THERE  
24 WERE YOU THEN DECIDED TO PUT TOGETHER YOUR GROUP TO BUILD OFF  
25 OF THAT TO PUT TOGETHER A NEW PROPOSAL, IS THAT CORRECT?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **LT. MORIGUCHI:** THAT'S CORRECT. WE RELIED HEAVILY ON THE  
3 SHERIFF'S DEPARTMENT STUDY.

4

5 **MS. GODLEY:** WHAT I'D LIKE TO DO IS DIRECT THE COMMISSION TO  
6 TAB 6 OF YOUR BINDERS. WE JUST PUT TOGETHER A POWERPOINT DECK  
7 TO WALK YOU THROUGH SOME OF THE AREAS OF CONCERN AND SOME OF  
8 THE PROPOSALS. SO THE SECOND PAGE. I'M SORRY I DON'T HAVE PAGE  
9 NUMBERS ON THE POWERPOINT. I'LL TRY TO GUIDE YOU THROUGH. BUT  
10 THE PAGE MARKED "AREAS OF CONCERN." AS YOU BEGAN YOUR ANALYSIS  
11 AND PROPOSALS, WHAT WERE POPA'S PRIMARY AREAS OF CONCERN ABOUT  
12 THE SITUATION IN CUSTODY?

13

14 **LT. MORIGUCHI:** I THINK THE PRIMARY WAS THE USE OF FORCE THAT  
15 WERE BROUGHT UP BY THE ACLU. WE WANTED TO FIGURE OUT WHY THAT  
16 WAS, WHY THE USE OF FORCE WAS EXCESSIVE IN SOME JAIL  
17 FACILITIES, NOT ALL OF THEM BUT SOME OF THEM. WE ALSO WANTED  
18 TO LOOK AT THE SUPERVISION ISSUES. WE WERE AWARE OF  
19 PROMOTIONAL ISSUES THAT WE WERE BRINGING TO THE SHERIFF TO TRY  
20 TO CHANGE HOW HE PROMOTES PEOPLE. BUT THE SUPER HAVE IGZ IN  
21 THE JAILS, AS WELL.

22

23 **MS. GODLEY:** WHEN YOU SAY PROMOTIONAL ISSUES, WHAT ARE YOU  
24 REFERRING TO?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** THE PROMOTION TO SERGEANT, ACTUALLY THE WHOLE  
2 PROCESS OF PRO PROPERTYING, WHETHER IT IS SERGEANT OR  
3 LIEUTENANT, THEY GO THROUGH A WRITTEN EXAMINATION, ORAL  
4 INTERVIEW AND APPRAISAL OF PROMOTABILITY RATING AND THEN  
5 THEY'RE PLACED INTO A BAND. THEN YOU'RE SELECTED OUT OF THAT  
6 BAND I DON'T WANT TO SAY RANDOMLY BUT CERTAINLY NOT IN ORDER  
7 OF YOUR TEST SCORE. AND WHAT WE BELIEVE IS OCCURRING IS THAT  
8 SOME EXECUTIVES EXERCISE PRIVILEGE THERE IN PUNISHING SOME  
9 PEOPLE BY LEAVING THEM, EVEN THOUGH THEY SCORED HIGHER THAN  
10 THE MAJORITY OF OTHER PEOPLE AND ALSO TAKING CARE OF THEIR  
11 FRIENDS FOR WHATEVER REASON, WHETHER IT'S TESTIMONY ABOUT  
12 CAMPAIGN CONTRIBUTIONS OR JUST FAVORITISM IN GENERAL WHERE  
13 SOME PEOPLE ARE PROMOTED WHO HAVE A MUCH LOWER TEST SCORE THAN  
14 OTHERS.

15

16 **MS. GODLEY:** HOW DOES THIS FIT IN WITH THE PROMOTION WITHIN THE  
17 JAILS?

18

19 **LT. MORIGUCHI:** WHEN THEY'RE SELECTED, THE FIRST ASSIGNMENT IS  
20 GENERALLY GOING TO BE CUSTODY DIVISION, ALTHOUGH CUSTODY IS  
21 LOOKED AT AS LOST TIME IN YOUR CAREER, SO MOST SUPERVISORS  
22 UPON PROMOTION, TRY AND AVOID CUSTODY IF POSSIBLE. SO THE ONES  
23 WHO END UP GOING TO CUSTODY ARE THOSE WHO ARE WHAT WE CALL OUT  
24 OF THE CAR, NOT IN FAVOR WITH AN EXECUTIVE WHERE THEY DON'T  
25 HAVE SOMEONE WHO CAN PULL STRINGS TO GET THEM TO AVOID CUSTODY

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 OR THOSE WHO ARE BEING RETALIATED AGAINST OR DISLIKED BY  
2 EXECUTIVES AND BEING PUNISHED BY BEING SENT TO CUSTODY. NOW WE  
3 SEE THAT AS A LARGE PROBLEM OF CUSTODY OR SUPERVISION WITHIN  
4 CUSTODY DIVISION WHEN YOU'RE PUTTING THOSE TYPES OF PEOPLE IN  
5 YOUR CUSTODY ENVIRONMENT.

6

7 **MS. GODLEY:** IN TERMS OF DEPUTY MORALE, WHAT HAVE YOU SEEN AS  
8 FAR AS PROBLEMS RELATING TO THAT IN THE CUSTODY DIVISION?

9

10 **LT. MORIGUCHI:** WELL CERTAINLY FROM THE SUPERVISORS'  
11 PERSPECTIVE, MORALE IS VERY LOW, AND A LOT OF THEM COMPLAIN  
12 ABOUT HOW THEY'RE TREATED BY THIS DEPARTMENT. AND I THINK  
13 YOU'VE HAD TESTIMONY, TOO, ABOUT SOME SUPERVISORS WHO END UP  
14 IN THE JAIL WHO JUST DON'T CARE. THEY'RE JUST THERE SAYING  
15 "THIS IS HOW I'M GOING TO GET TREATED, I'M NOT GOING TO DO  
16 ANYTHING AND THEN LET THE DEPUTIES RUN AMUCK. AND I WOULD  
17 AGREE WITH COMMANDER PETRI TONY, THERE IS NO REASON FOR ANY  
18 SUPERVISOR TO ALLOW A DEPUTY TO RUN AMUCK OR TO DICTATE WHAT  
19 THAT SUPERVISOR DOES OR DOESN'T DO, HE HAS A RESPONSIBILITY TO  
20 SUPERVISOR THOSE DEPUTIES. FROM THE DEPUTY'S PERSPECTIVE, THE  
21 VAST MAJORITY OF DEPUTIES DO NOT WANT TO BE IN CUSTODY. I KNOW  
22 COMMANDER FENNELL TALKED ABOUT 1/3 OF THE DEPUTIES ARE HAPPY  
23 IN THE JAIL, WELL THAT TELLS YOU TWO-THIRDS OF THE DEPUTIES  
24 ARE NOT HAPPY IN THE JAIL. THE NEW DEPUTIES THAT GO IN THERE,  
25 SOME OF THEM STAY AS LONG AS 14 YEARS BEFORE THEY GO TO A

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 PATROL STATION. THAT'S FAR TOO LONG FOR SOMEONE WHO WAS HIRED  
2 ON TO BE A POLICE OFFICER TO BE COOPED UP INTO A JAIL  
3 ENVIRONMENT. THEY DEVELOP THOSE BAD HABITS. THEY GET  
4 COMFORTABLE WITH THE OVERTIME. MY GUESS IS THAT'S LARGELY WHY  
5 A THIRD OF THESE PEOPLE WHO WANT TO STAY IN CUSTODY ARE COMING  
6 FROM, THEY WANT TO MAKE THAT OVERTIME.

7

8 **MS. GODLEY:** ONE OF THE THING THINGS THAT YOUR REPORT TALKS  
9 ABOUT IS ALSO THE HIRING SWINGS IN THE DEPARTMENT AND THE  
10 POTENTIAL IMPACT THAT MAY HAVE ON QUALIFICATIONS OF DEPUTIES.  
11 CAN YOU EXPLAIN THAT A LITTLE FURTHER?

12

13 **LT. MORIGUCHI:** SURE. WE DID LOOK IN THE OIR REPORT WHICH  
14 TALKED ABOUT THE HIRING PRACTICES OF THE SHERIFF'S DEPARTMENT.  
15 AND WE'RE ALSO FAMILIAR INTERNALLY WITH THE HIRING SWINGS OF  
16 THE DEPARTMENT. IT'S BEEN GOING ON A LONG TIME. I WORKED  
17 BACKGROUNDS IN THE LATE 80S, NO, EARLY 90S. AND THE SAME  
18 PROBLEM EXISTED THEN. WHEN MONEY GOT TIGHT, THEY WOULD SHUT  
19 DOWN THE ACADEMY. SHUT DOWN THE BACKGROUND, RECRUITMENT,  
20 EVERYTHING. AND THEN AS THINGS IMPROVED, THEY TRIED TO RAMP IT  
21 BACK UP. BUT IT'S LIKE A LOCOMOTIVE, IT CAN'T JUST START ON A  
22 DIME LIKE THAT. IT TAKES MANY, MANY MONTHS TO RAMP UP AND DO A  
23 BACKGROUND INVESTIGATION, AND GET THEM INTO AN ACADEMY AND GET  
24 THEM GRADUATED TO WHERE THEY'RE ACTUALLY WORKING. WE DON'T  
25 BELIEVE THAT SHUTTING DOWN THE ACADEMY OR MAKING A MASS HIRING

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 IS APPROPRIATE WAY TO HIRE. THEY OUGHT TO CONSISTENTLY RUN AN  
2 ACADEMY AND KEEP IT LEVEL THROUGHOUT. THEY KNOW WHAT THE  
3 ATTRITION RATE'S GOING TO BE, SO THEY SHOULD BE HIRING  
4 REGULARLY REGARDLESS OF WHAT THE MONEY SITUATION IS, IN MY  
5 OPINION. AND HIRE BASED UPON THAT ATTRITION RATE. AND ALWAYS  
6 HAVE AN ACADEMY CLASS GOING.

7

8 **MS. GODLEY:** ONE OF THE THINGS YOU TALKED ABOUT IS THAT FOR IS  
9 2W45 FOR PROMOTION, CUTS ARE BEING SEEN AS KIND OF GOING TO A  
10 DARK HOLE OR HOLDING PATTERN. AND ONE OF THE REASONS I THINK  
11 YOU'VE MENTIONED TO ME IS THAT THAT'S BECAUSE YOUR TIME IN  
12 CUSTODY REALLY DOESN'T COUNT FOR YOUR PROMOTION. CAN YOU  
13 EXPLAIN THAT A LITTLE BIT MORE?

14

15 **LT. MORIGUCHI:** IN ORDER TO PROGRESS IN YOUR CAREER, YOU'RE  
16 GOING TO NEED TO GO A PATROL STATION OR POSSIBLY  
17 ADMINISTRATIVE POSITION THEN YOU'RE MUCH BETTER POSITION TODAY  
18 PROMOTE TO THE NEXT LEVEL IF YOU'RE IN THOSE POSITIONS. IT'S  
19 MUCH MORE DIFFICULT TO REMAIN AT CUSTODY AND PROMOTE TO  
20 ANOTHER LEVEL WITHOUT THE OTHER EXPERIENCES THAT YOUR PEERS  
21 HAVE. SO IT'S JUST LOOKED AT LOST TIME. THERE'S NO BENEFIT TO  
22 SOMEONE WHO WORKS IN CUSTODY RIGHT NOW, WHICH I THINK THERE  
23 SHOULD BE. I'VE TALKED TO THE SHERIFF ABOUT CHANGING THE  
24 PROMOTION PROCESS TO GIVE CREDIT IN THE APPRAISAL PROCESS.  
25 SUCH AS FIVE POINTS FOR THOSE WHO WORK CUSTODY, SO THAT THERE



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 IS SOME BENEFIT TO WORK IN CUSTODY, FIVE POINTS FOR WORKING  
2 PATROL, FIVE POINTS FOR WORKING ADMINISTRATIVE JOB, FIVE  
3 POINTS FOR BEING DETECTIVE. THIS WOULD GET YOUR BEST PEOPLE,  
4 YOUR MOST DIVERSE PEOPLE ENGAGED IN THAT PROMOTION PROCESS  
5 WITH THE BEST ABILITY TO PROMOTE.

6

7 **MS. GODLEY:** ALL RIGHT. WELL LET'S START LOOKING SPECIFICALLY  
8 AT SOME OF YOUR RECOMMENDATIONS. THIS IS THE PAGE THAT STARTS  
9 WITH STAFFING. I THINK THE REAL CORE OF YOUR -- THE POPA  
10 PROPOSAL HAS TO DO WITH STAFFING. SO WHY DON'T YOU TALK US  
11 THROUGH THE STAFFING PROPOSAL?

12

13 **LT. MORIGUCHI:** WELL, WHEN WE HAD LOOKED AT THE PROBLEMS IN THE  
14 JAILS WITH THE USE OF FORCE, IT'S PRIMARILY IF YOUNG DEPUTIES  
15 AND WE AN EF EQUATED THAT TO TACHERS AND KEEPERS. DEPUTIES  
16 WANT TO CATCH BAD PEOPLE AND PUT THEM IN JAIL. THE CUSTODY ARE  
17 THE KEEPERS. THEY'RE DESIGNED TO PRO PROVIDE SECURITY IN OUR  
18 JAILS. WE BELIEVE THAT YOU SHOULD HAVE THE RIGHT  
19 CLASSIFICATION DOING THE RIGHT JOB. SO WE BELIEVE THAT MORE  
20 CUSTODY -- WE REFER TO THEM AS CUSTODY JAILERS NOW IN OUR  
21 PROPOSAL BECAUSE WE DON'T THINK THEY'RE ASSISTING ANYBODY.  
22 THEY'RE REALLY RUNNING THOSE JAILS NOW, THEY'RE NOT ASSISTING  
23 DEPUTIES. BUT WE THINK THAT THEY'RE FULLY QUALIFIED, THEY'RE  
24 DOING AN EXCELLENT JOB IN THE JAILS NOW. IN FACT THEIR USE OF  
25 FORCE IS MUCH LOWER THAN THE DEPUTY CLASSIFICATION. WE BELIEVE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THAT INCREASING THE NUMBER OF CUSTODY ASSISTANTS OR JAILERS IS  
2 A MUCH BETTER TO GO. WE ARE PROPOSING WE REPLACE 1200 JAILERS  
3 IN THE JAIL WITH CUSTODY ASSISTANTS OR SHERIFF JAILERS. THAT  
4 WOULD STILL LEAVE 1,000 DEPUTIES IN THE JAIL, APPROXIMATELY  
5 1,000 DEPUTIES. WE DO BELIEVE THAT YOU DO NEED SOME SWORN IN  
6 THE JAIL TO HANDLE THOSE JOBS THAT REQUIRE A GUN. SO THERE MAY  
7 BE TRANSPORTS TO THE HOSPITAL, YOU NEED A DEPUTY SHERIFF  
8 BECAUSE YOU NEED AN ARMED PERSON TO TAKE THAT INMATE TO A  
9 HOSPITAL. BUT THERE ARE FUNCTIONS OF DEPUTIES IN THE JAILS WHO  
10 WE'RE NOT RECOMMENDING REPLACEMENT OF ALL DEPUTIES.

11

12 **MS. GODLEY:** SO THE FIRST RECOMMENDATION CUSTODY ASSISTANTS AS  
13 CUSTODY JAILERS, CORRECT?

14

15 **LT. MORIGUCHI:** CORRECT.

16

17 **MS. GODLEY:** THEN YOU'LL GO FROM HAVING 2400 ROUGHLY DEPUTIES  
18 AND 1200 CUSTODY ASSISTANTS TO 2400 CUSTODY JAILERS AND 1200  
19 DEPUTIES?

20

21 **LT. MORIGUCHI:** CORRECT. AND THAT'S ACTUALLY CONSISTENT WITH  
22 THE SHERIFF'S FEASIBILITY STUDY RECOMMENDATION.

23

24 **MS. GODLEY:** OVER WHAT PERIOD OF TIME DO YOU THINK THAT WOULD  
25 TAKE TO ACCOMPLISH?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **LT. MORIGUCHI:** WE BELIEVE IT WOULD TAKE ABOUT FIVE YEARS TO  
3 ACCOMPLISH. HOWEVER I KNOW IN THE SHERIFF'S DUAL TRACK PRO  
4 PROPOSAL, THEY HAVE ACADEMY CLASSES RUNNING MUCH MORE QUICKLY,  
5 SO THEY COULD HAVE THE WHOLE THING IMPLEMENTED WITHIN TWO  
6 YEARS IF THEY CHOOSE TO. THE CUSTODY ASSISTANT ACADEMY RUNS  
7 ABOUT EIGHT WEEKS WHERE DEPUTY SHERIFF ACADEMY IS ABOUT 20  
8 WEEKS. OH WE BELIEVE THEY COULD ACTUALLY DO IT IN TWO YEARS  
9 BUT I BELIEVE A FIVE-YEAR TRANSITION WOULD PROBABLY BE A  
10 SMOOTHER TRANSITION.

11

12 **MS. GODLEY:** AND WHY IS THAT?

13

14 **LT. MORIGUCHI:** THERE IS GOING TO BE TO NEED TO BE A CULTURE  
15 CHANGE WITHIN THE JAIL, RIGHT NOW THE CUSTODY ASSISTANTS BY  
16 THE NAME, HOW THEY'RE VIEWED, THEY'RE THERE AS BEING DEPUTIES,  
17 THAT'S REALLY NOT WHAT THEY DO. THE SHERIFF JAILERS ARE  
18 RUNNING THE JAIL. THE ONLY REASON THE DEPUTY COMES INTO OUR  
19 JAIL IS FOR TRAINING PURPOSES, AND THEN THEY GO OUT ON PATROL,  
20 WHICH IS WHAT THEY HIRED TO DO, AND THEY DO THEIR PATROL.  
21 RESPONSIBILITIES. I'M A GOOD EXAMPLE OF WHY DEPUTIES WOULD GO  
22 IN THE JAIL AT ALL. I GREW UP IN A MIDDLE CLASS ENVIRONMENT. I  
23 KNEW NOTHING ABOUT GANG MEMBERS. I WASN'T AROUND THEM GROWING  
24 UP. MY FIRST DAY IN JAIL WAS A SHOCK TO ME, BE HONEST, IT WAS  
25 QUITE SCARY FOR ME TO BE IN THERE. WITHIN A MONTH'S TIME I

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ACCLIMATED TO THE ENVIRONMENT. I TALKED TO THE INMATES ABOUT  
2 HOW THEY COMMITTED THEIR CRIMES. I LOOKED AT THEIR TRACK  
3 MARKS, HOW THEY INJECT THEIR DRUGS. AND I LEARNED A LOT OF  
4 INFORMATION WORKING IN THE JAILS AS A DEPUTY SHERIFF. BY ABOUT  
5 A YEAR IN, I LEARNED PRETTY MUCH ALL I NEED TODAY LEARN. THERE  
6 WASN'T MUCH I WOULD LEARN MORE IN THE JAILS. SO THERE IS AN  
7 ADVANTAGE, THERE IS AN EDUCATION AND TRAINING ADVANTAGE TO  
8 WORKING IN THE ZWRAILZ PRIOR TO GOING OUT TO CONTROL.

9

10 **MS. GODLEY:** AND DOES POPA'S PROPOSAL RETAIN THAT TRAINING  
11 BENEFIT, AS YOU SEE IT, FOR NEW DEPUTIES?

12

13 **LT. MORIGUCHI:** YES, OUR PROPOSAL DEPUTY SHERIFFS IN THE JAIL  
14 FOR ONE YEAR AND THEN OUT INTO PATROL.

15

16 **MS. GODLEY:** ONE OF THE OTHER ASPECTS OF YOUR PROPOSAL IS TO  
17 CREATE A CAREER PATH FOR THE CUSTODY JAILERS. CAN YOU EXPLAIN  
18 THAT?

19

20 **LT. MORIGUCHI:** SURE. WITH THE CUSTODY JAILERS FUNCTION, WE'D  
21 LIKE TO SEE THEIR -- ACTUALLY EXPANDED WHICH WOULD INCLUDE  
22 JAILING. MANY OF PEOPLE HAVE BEEN THERE FOR 25 YEARS. THEY  
23 REALLY HAVE STREET INSTITUTIONAL KNOWLEDGE OF HOW TO RUN A  
24 JAIL. WE'D LIKE TO SEE THOSE CUSTODY JAILERS GET INTO  
25 TRAINING, EVEN IF IT MEANS TRAINING DEPUTY SHERIFFS FOR THEIR

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 FUNCTION WHILE THEY'RE IN THE JAIL ON HOW TO PERFORM THEIR  
2 JAIL DUTIES. AND WE LEAVE THEY SHOULD BE COMPENSATED JUST LIKE  
3 WE COMPENSATE TRAINING OFFICERS IN THE DEPUTY CLASSIFICATION.  
4 WE'RE RECOMMENDING A BONUS 1 AND A BONUS 2 IF THEY REACH A  
5 CERTAIN LEVEL LIKE THEY'RE DOING ADMINISTRATIVE DUTIES, THAT'S  
6 A HIGHER LEVEL OF RESPONSIBILITY.

7

8 **MS. GODLEY:** THERE ARE SOME FACILITIES THAT HAVE PROFESSIONAL  
9 CIVILIAN JAIL EARTH THAT PROCEED UP THROUGH THE RANKS AND ARE  
10 PROMOTED TO LIKE SERGEANT AND LIEUTENANT. WHY HAVE YOU  
11 REJECTED THAT WITH YOUR PROPOSAL?

12

13 **LT. MORIGUCHI:** SOME OTHER DEPARTMENTS, NOT WITHIN OUR JAIL  
14 SYSTEM, BUT SOME DEPARTMENTS DO THAT. IN A PARAMILITARY  
15 ORGANIZATION, IT WOULD BE DIFFICULT TO HAVE A CIVILIAN  
16 SERGEANT, LET'S SAY, OR CIVILIAN LIEUTENANT AND THEN HAVE A  
17 SWORN SERGEANT IN THAT JAIL, AS WELL. BECAUSE THERE WOULD BE  
18 CONFUSION OVER WHO'S IN CHARGE? WHAT RANK OUTFRANKS WHOM IN THE  
19 JAIL SYSTEM. SO WE DO NOT ADVOCATE HAVING DUAL TRACK AND DUAL  
20 RANKS WITHIN CIVILIAN AND SWORN CLASSIFICATIONS.

21

22 **MS. GODLEY:** SO YOUR PROPOSAL STILL HAS THE SUPERVISION DONE BY  
23 THE SWORN DEPUTIES?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** YES, SUPERVISION DONE BY THE SERGEANTS AND  
2 LIEUTENANTS.

3

4 **MS. GODLEY:** OKAY. I THINK ONE OF THE KEY, TURNING TO PAGE 3  
5 THAT'S TITLED FINANCIAL SAVINGS, ONE OF THE KEY BENEFITS OF  
6 YOUR PROPOSAL APPEARS TO BE THE COST SAVINGS. CAN YOU EXPLAIN  
7 THAT TO THE COMMISSION?

8

9 **LT. MORIGUCHI:** SURE, THE COST SAVINGS WHEN FULLY IMPLEMENTED  
10 AT FIVE YEARS WOULD BE ABOUT \$60 MILLION. AND THAT'S ACCORDING  
11 TO THE SHERIFF'S STUDY. WE BELIEVE IT'S ACTUALLY HIGHER THAN  
12 THAT BECAUSE THAT'S REALLY JUST BASED ON SALARY AND BENEFITS.  
13 THE OVERTIME SAVINGS, AS WELL, USING A LOWER-PAID  
14 CLASSIFICATION WOULD INCREASE THAT SAVINGS SIGNIFICANTLY SINCE  
15 MOST OF OUR OVERTIME IS EXPENDED IN OUR JAILS. YOU HEARD A LOT  
16 OF TESTIMONY ABOUT PLANS TO -- OR YOU HEARD TESTIMONY ABOUT  
17 STAFFING ISSUES WHERE THEY TALK ABOUT THESE PEOPLE WHO ARE  
18 TEMPORARILY OR BORROWED OR LOANED FROM SOMEWHERE ELSE AND THEY  
19 DON'T KNOW WHERE THESE PEOPLE ARE GOING TO BE NEXT YEAR OR HOW  
20 THEY'RE GOING TO FUND THEM. WELL, WE HAVE THAT FUNDING SOURCE  
21 IN OUR PLAN. THAT \$60 MILLION COULD FUND, LIKE I SAID, IT WILL  
22 BE MORE THAN 60 MILLION, COULD EASILY FUND THEIR TASKFORCES,  
23 THEIR OVERSIGHT COMMITTEES, THEIR CAMERAS IN THE JAILS, IT  
24 COULD FUND A WHOLE LOT OF THINGS. THIS \$57 MILLION THAT'S

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 UNDER FINANCIAL SAVINGS, THAT'S FOR A FIVE-YEAR PERIOD, NOT A  
2 ONE-YEAR PERIOD, IS THAT CORRECT?

3

4 **LT. MORIGUCHI:** IT WOULD BE INCREMENTAL OVER THE YEARS. SO FOR  
5 THE FIRST YEAR THE SAVINGS WOULD BE 10 MILLION. WHEN YOU GET  
6 TO THE FIVE-YEAR MARK, YOUR SAVINGS WILL BE \$60 MILLION GOING  
7 FORWARD IF YOU MAINTAIN THAT REPLACEMENT OF 1200 DEPUTIES.

8

9 **HON. DICKRAN M. TEVRIZIAN:** BUT THIS IS A SNAPSHOT OF FIVE  
10 YEARS, NOT JUST ONE YEAR? GUCH GUCH THAT WOULD BE A SNAPSHOT  
11 OF JUST ONE YEAR. \$57 MILLION?

12

13 **LT. MORIGUCHI:** CORRECT.

14

15 **HON. DICKRAN M. TEVRIZIAN:** PER YEAR?

16

17 **LT. MORIGUCHI:** PER YEAR. AND HIGHER THAN THAT, QUITE HONESTLY.

18

19 **HON. DICKRAN M. TEVRIZIAN:** WE COULD USE THAT MONEY TO BUILD A  
20 NEW JAIL. GUCH GUCH THAT WOULD BE A GREAT RECOMMENDATION.

21

22 **MS. GODLEY:** ONE OF THE SUGGESTIONS THAT TO MAKE THIS CHANGE  
23 AND BE ABLE TO REALIZE THESE COST SAVINGS WOULD REQUIRE A  
24 CHANGE IN THE MOU WITH ALADS. WHAT DO YOU THINK ARE THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 BARRIERS TO ACCOMPLISHING THAT? AND HOW WOULD YOU GO ABOUT  
2 TRYING TO ACCOMPLISH THAT?

3

4 **LT. MORIGUCHI:** I THINK ALADS WOULD SUPPORT THIS CONCEPT  
5 BECAUSE MOST OF THEIR MEMBERS DO NOT WANT TO BE IN THE JAILS.  
6 THEY WANT TO GET OUT AND PATROL. AND OUR PROPOSAL GETS THEM  
7 OUT WITHIN ONE YEAR. SO I THINK ALADS WOULD SUPPORT THAT. I  
8 THINK HAVING RECOMMEND A COMPLETE REPLACEMENT OF ALL DEPUTIES  
9 IN THE JAILS THEY WOULD PROBABLY OBJECT TO THAT, BUT WITH  
10 1,000 SPOTS STILL THERE, CLEARLY THEIR ANALYSIS OF 1/3 OF THE  
11 DEPUTIES WANTING TO STAY THERE, WE'RE TALKING ABOUT ONLY HALF  
12 OF THEM BEING REPLACED, SO THERE'S STILL SOME THAT WILL BE IN  
13 THE JAILS THAT ARE UNHAPPY, BUT OBVIOUSLY ALL THE HAPPY PEOPLE  
14 WILL REMAIN IN THE JAIL. I DON'T THINK THEY'LL OBJECT TO THAT.  
15 NOW, THEY WILL LOSE MEMBERS. AND THAT MAY BE A STICKING POINT  
16 WITH THEM BECAUSE THAT'S REVENUE FOR THE UNION.

17

18 **MS. GODLEY:** LET'S TURN OVER TO THE NEXT RECOMMENDATION THAT  
19 SAYS ALSO FINANCIAL SAVINGS AT THE TOP HERE. THERE ARE TWO  
20 KIND OF BARRIERS THAT YOU'VE IDENTIFIED THAT MIGHT BE A  
21 PROBLEM WITH RETAINING THE FINANCIAL SAVINGS. ONE OF THEM IS  
22 THAT THE COUNTY SUPERVISORS DECIDE THAT THEY CAN CUT 57  
23 MILLION FROM THE BUDGET. WHAT IS YOUR RECOMMENDATION IN REGARD  
24 TO THAT?

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** I FOUND IT A BIT STRANGE THAT THE SHERIFF'S  
2 DEPARTMENT SAID ONE OF THEIR BIGGEST CONCERNS WAS THAT THE  
3 BOARD OF SUPERVISORS WOULD TAKE THAT 60 MILLION FROM THEM. IF  
4 YOU COULD DO THE JOB FOR \$60 MILLION LESS, I DON'T SEE A  
5 PROBLEM WITH THE BOARD TAKING THAT 60 MILLION FROM YOU QUITE  
6 HONESTLY. IF YOU COULD GET THE JOB FOR \$5 THEN THAT'S WHAT YOU  
7 GET, \$5 FOR DOING THE JOB. BUT I THINK THE MONEY CAN BE USED  
8 IN OTHER AREAS. AS YOU MENTIONED, SIR, BUILDING A NEW JAIL IS  
9 ONE. INSTALLING THE CAMERAS. IMPROVING MENTAL HEALTH.  
10 IMPROVING THE SUPERVISION, THE RATIO OF SUPERVISORS IN THE  
11 JAIL. THERE'S SO MANY THINGS THAT THEY COULD USE THAT MONEY  
12 FOR TO IMPROVE OUR JAIL SYSTEM THAT WE BELIEVE THAT THAT'S  
13 WHAT THEY SHOULD BE USING THE MONEY FOR.

14

15 **MS. GODLEY:** THE OTHER ISSUE THAT HAS AROSE AND I THINK KERN  
16 COUNTY IS ONE OF THE AREAS WHERE THIS PROBLEM AROSE IS THERE  
17 WAS A SALARY CREEP. SO WHILE THERE WAS 60 MILLION THE FIRST  
18 YEAR FULLY IMPLEMENTED, AS THE NEW -- AS THE CUSTODY JAILERS  
19 THEN BARGAINED FOR INCREASED BENEFITS, THERE WAS EROSION IN  
20 THAT SAVINGS. WHAT IS YOUR PROPOSAL FOR DEALING WITH SALARY  
21 CREEP?

22

23 **LT. MORIGUCHI:** OUR AGREEMENT IS THAT WE HAVE AN AGREEMENT WITH  
24 THE SHERIFF'S DEPARTMENT AND THE UNION THAT WE WILL NOT ALLOW  
25 THE SALARY CREEP. WE CAN COME TO THE AGREEMENT ON THE GAP,

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 WHETHER IT'S A 15 PERCENT GAP, 20 PERCENT GAP BETWEEN SHERIFF  
2 JAILERS AND DEPUTY SHERIFFS. WE WOULD HAVE SOME AGREEMENT SO  
3 WE DON'T HAVE THAT CREEP. THAT CREEP, BY THE WAY, IS MORE  
4 PREVALENT IN A SYSTEM WHERE YOU HAVE SWORN DEPUTY SHERIFFS AS  
5 BEING PROPOSED WITH THE SHERIFF'S DEPARTMENT WITH THEIR DUAL  
6 TRACK. WHEN YOU HAVE A CUSTODY DEPUTY AND PATROL DEPUTY WHO  
7 HAVE THE EXACT SAME TRAINING WEARING THE EXACT SAME UNIFORM,  
8 THAT CREEP IS MORE EVIDENT WHERE THE CUSTODY DEPUTIES SAY I  
9 WANT THE SAME SALARY HE GETS, I WEAR THE SAME UNIFORM, I HAVE  
10 THE SAME TRAINING, I DESERVE THE SAME SALARY. WE WON'T HAVE  
11 THAT PROBLEM WITH CUSTODY ASSISTANTS OR SHERIFF JAILERS.

12

13 **MS. GODLEY:** ALL RIGHT. TURNING OVER TO YOUR NEXT  
14 RECOMMENDATION, HIRING QUALIFICATIONS OF DEPUTIES. ONE OF THE  
15 THINGS THAT YOUR PROPOSAL LOOKED AT WAS THIS CONCERN THAT WAS  
16 TALKED ABOUT EARLIER ABOUT THESE HIRING SWINGS. WHAT IS YOUR  
17 PROPOSAL IN THAT REGARD?

18

19 **LT. MORIGUCHI:** AS I SAID EARLIER, I THINK A STEADY ACADEMY  
20 CLASS WHERE THEY DON'T STOP HIRING COMPLETELY AND THEN RAMP UP  
21 TO DOING LIKE THEY DID BEFORE WITH 1,000 DEPUTIES, THEIR  
22 LOWERING OF THE STANDARDS IS DEFINITELY A PROBLEM WHEN THE  
23 SHERIFF'S DEPARTMENT SAYS "I NEED TO HIRE 1,000 DEPUTIES IN A  
24 YEAR", THE ONLY WAY TO DO THAT IS TO LOWER THE STANDARDS. WE  
25 KNEW THAT WHEN THEY DID IT. BUT WE'RE SEEING THE EFFECTS TODAY

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Meeting Held on July 6, 2012**

1 WITH SOME OF THESE YOUNG DEPUTIES WHO PROBABLY WERE NOT VETTED  
2 OUT CORRECTLY IN THE BACKGROUND PROCESS. NOW THEY'RE CREATING  
3 PROBLEMS WITHIN THE DEPARTMENT.

4

5 **MS. GODLEY:** NOW IN YOUR PROPOSAL TO CHANGE TO A LARGER  
6 PERCENTAGE OF CUSTODY ASSISTANTS OR JAILERS, SHERIFF'S  
7 JAILERS, ARE THEY GOING TO HAVE LOWER QUALIFICATIONS TO BE  
8 CHOSEN FOR THAT POSITION? AND HOW DOES THAT SQUARE WITH THE  
9 CONCERN ABOUT THE QUALITY OF THE FOLKS THAT ARE HIRED FOR THE  
10 JAILS?

11

12 **LT. MORIGUCHI:** UM EYE SORRY. CAN YOU REPEAT THAT AGAIN?

13

14 **MS. GODLEY:** SO THE CUSTODY ASSISTANTS, DO THEY HAVE LOWER  
15 REQUIREMENTS FOR QUALIFICATION FOR BEING HIRED? AND IF SO, HOW  
16 DOES THAT SQUARE WITH YOUR CONCERN ABOUT THE QUALIFICATIONS OF  
17 THE FOLKS IN THE JAILS? SO NOW WE'RE GOING TO HAVE MORE  
18 CUSTODY JAILERS WITH LOWER QUALIFICATIONS IN THE JAILS.

19

20 **LT. MORIGUCHI:** THEY HAVE SOME DIFFERENT STANDARDS LIKE YOUR  
21 PHYSICAL ABILITY IS A LITTLE BIT LESS. LIKE I SAID, THEIR  
22 TRAINING IS LOWER. THEIR GENERAL BACKGROUND AS FAR AS THEIR  
23 INTEGRITY, QUALITY IS THE SAME AS A DEPUTY SHERIFF.

24

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Meeting Held on July 6, 2012**

1 **MS. GODLEY:** ONE OF THE THINGS THAT WE'VE SEEN FROM THE EXPERTS  
2 IS THE IMPORTANCE OF HAVING FOLKS THAT ARE PARTICULARLY  
3 TRAINED FOR CUSTODY. WAS THAT SOMETHING THAT WENT INTO YOUR  
4 RECOMMENDATIONS FOR HAVING INCREASING THE NUMBER OF CUSTODY  
5 JAILERS? GUCH GUCH TALKING ABOUT PARTICULARLY TRAINED FOR?

6  
7 **MS. GODLEY:** LIKE FOLKS THAT ARE THE KEEPERS AND THE CATCHERS?  
8 THAT YOU HAVE PROFESSIONAL FOLKS THAT ARE PROFESSIONAL FOR THE  
9 JAILS FOCUSED ON THAT PROFESSIONION.

10

11 **LT. MORIGUCHI:** WELL THAT WAS ONE. THINGS THAT WE DIDN'T CARE  
12 FOR IN THE SHERIFF'S PROPOSAL IS YOU HAVE SHERIFFS GOING  
13 THROUGH A FULL DEPUTY ACADEMY, WHICH IS, I BELIEVE THEY SAID  
14 THEY DO ONE WEEK? THEY ADDED ONE WEEK FOR CUSTODY, WHICH MEANS  
15 19 WEEKS IS PATROL, PRIMARILY. WHY WOULD YOU TRAIN SOMEBODY  
16 THAT MUCH FOR PATROL AND THEN PUT THEM IN CUSTODY FOR WHAT  
17 THEY'RE DOING NOW UP TO 14 YEARS? THAT REALLY DIDN'T MAKE A  
18 LOT OF SENSE TO US. WHERE A CUSTODY AN ASSISTANT GOES TO AN  
19 EIGHTEEN H WE CAN ACADEMY, THEY'RE TRAINED SOLELY ON THEIR ROLE  
20 IN CUSTODY AND THEY CAN APPLY THAT IMMEDIATELY. THE DEPUTIES,  
21 I DON'T HAVE AN OBJECTION TO THEM DOING ONE WEEK OF TRAINING  
22 PRIOR TO GOING TO CUSTODY, IT'S JUST THAT ALL THE PATROL  
23 TRAINING THAT THEY GET IS WASTED BECAUSE BUY THE TIME THEY GO  
24 TO PATROL, THEY'VE FORGOTTEN ALL THOSE. WHICH IS WHY WE NOW  
25 SEND THEM TO A PATROL SCHOOL TO REEDUCATE THEM ON PATROL. IT

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 JUST DOESN'T SEEM VERY LOGICAL TO TRAIN THEM IN PATROL AND  
2 THEN PUT THEM IN CUSTODY.

3

4 **MS. GODLEY:** YOUR NEXT RECOMMENDATION IS ENTITLED DURATION OF  
5 CUSTODY ASSIGNMENT. WHAT IS YOUR PROPOSAL HERE? AND HOW DO YOU  
6 PROPOSE TO IMPLEMENT IT?

7

8 **LT. MORIGUCHI:** WELL, THE ONE-YEAR MAXIMUM CUSTODY ASSIGNMENT  
9 FOR NEWLY HIRED DEPUTIES WE BELIEVE WE CAN ACHIEVE THAT BY  
10 INCREASING THE NUMBER OF CAS. THERE ARE A LARGE NUMBER, AS  
11 POINTED OUT, A THIRD OF THEM, DEPUTY SHERIFFS WHO WOULD WANT  
12 TO STAY IN THE JAILS. SO THAT LEAVES A SMALL PERCENTAGE OF  
13 DEPUTIES WHO ARE JUST IN THERE TEMPORARILY AND THEY GO ON OUT  
14 TO PATROL. WE BELIEVE THAT COULD BE ACCOMPLISHED TO ONE YEAR.  
15 I KNOW I BELIEVE IT WAS COMMANDER PARRA WHO SAID THREE YEARS  
16 IS THE SHERIFF'S GOAL. WE BELIEVE THREE YEARS IS TOO LONG. YOU  
17 LOSE YOUR PATROL TRAINING THAT YOU GOT IN THAT ACADEMY WITHIN  
18 THAT FIRST YEAR. IN FACT YOU LOSE IT THE DAY YOU START WORKING  
19 IN THE JAILS, BUT I THINK YOU FULLY LOSE THAT AFTER A YEAR.

20

21 **MS. GODLEY:** SO YOUR PROPOSAL CONTEMPLATES THAT THERE WILL BE  
22 SOME NUMBER OF DEPUTIES THAT STAY IN THE JAIL?

23

24 **LT. MORIGUCHI:** ABSOLUTELY. AND THERE IS A NEED FOR SWORN  
25 DEPUTIES IN THE JAIL. GOD GD BUT I MEAN AUTO --

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MS. GODLEY:** BUT I MEAN THERE WILL BE BOTH THOSE FOLKS COMING  
3 IN NEW RIGHT OUT OF ACADEMY, THEY'LL STAY HERE, BUT THEN THERE  
4 WILL BE ANOTHER, ACTUALLY, FAIRLY LARGE PERCENTAGE OF FOLKS  
5 THAT WILL HAVE CHOSEN TO STAY IN CUSTODY INDEFINITELY? GUCH  
6 GUCH THAT'S CORRECT. AND WHEN WE SAY ONE YEAR, WE'RE TALKING  
7 ABOUT A MAXIMUM OF A YEAR. IF THEY GO STRAIGHT TO PATROL, WE  
8 DON'T HAVE A PROBLEM WITH THAT, AS WELL. IF THE MAJORITY OF  
9 THE DEPUTIES WHO WANT TO WORK A CUSTODY ASSIGNMENT CHOOSE TO  
10 DO THAT WHERE WE CAN SEND ALL THE NEWLY TRAINED DEPUTIES  
11 STRAIGHT TO PATROL, WE'RE OKAY WITH THAT. THAT'S PROBABLY  
12 IDEAL, ACTUALLY.

13

14 **MS. GODLEY:** DOES YOUR PROPOSAL CONTEMPLATE THAT THOSE FOLKS  
15 WHO STAY IN CUSTODY CAN PROMOTE IN CUSTODY? OR DO THEY HAVE TO  
16 GO OUT TO PATROL TO BE ABLE TO PROMOTE?

17

18 **LT. MORIGUCHI:** THEY WOULD HAVE TO GO OUT TO PATROL. ONE OF THE  
19 BIG PROBLEMS, AND YOU'LL SEE IN THE SHERIFF'S REPORT AS WELL  
20 AS IN OUR REPORT IS THE CAST SYSTEM THAT'S DEVELOPED. WHAT  
21 WE'VE FOUND IN THE SHERIFF'S DEPARTMENT, WHEN THEY DEVELOPED  
22 WHAT WAS CALLED THE MODIFIED DEPUTY PROGRAM, WHERE THEY WENT  
23 INTO A LIMITED TRAINING AND THEN THEY WENT INTO THE JAILS, I  
24 THINK COMMANDER FENNELL MENTIONED THAT THEY CAN ONLY REACH A  
25 CERTAIN STEP. THEY COULDN'T GET THAT LAST STEP PAY RAISE. WHEN

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THEY WERE LABELED AS DEPUTIES INTERNALLY WITHIN OUR  
2 DEPARTMENT, AND THEY WERE RIDICULED AND THEY WERE LOOKED AT AS  
3 NOT REAL DEPUTIES. AND I HATE TO SAY THAT BECAUSE THERE REALLY  
4 ISN'T A DIFFERENCE. BUT THAT'S A REALITY OF IT. IF YOU LOOK AT  
5 ALL THE STUDIES WHERE THEY HAVE IMPLEMENTED SOME SORT OF  
6 CUSTODY DEPUTY PROGRAM, ALMOST ALL OF THEM SAY THAT THEY HAVE  
7 A CASTE SYSTEM AND THEY HAVE THIS US VERSUS THEM OR YOU'RE NOT  
8 A REAL DEPUTY, WE'RE REAL DEPUTIES THAT FORMS. AND EVEN I  
9 THINK LAS VEGAS METRO WHERE THE PAY PARITY IS THERE,  
10 EVERYTHING IS EQUAL, THEY STILL HAD THE CASTE OF YOU'RE JUST A  
11 CUSTODY DEPUTY, WE'RE PATROL DEPUTIES, WE'RE REAL DEPUTIES AND  
12 YOU'RE NOT. WE SEE THAT AS A PROBLEM AND THAT'S THE BIGGEST  
13 PROBLEM PROBABLY WITH THAT DUAL TRACK. WE WERE A LITTLE  
14 SHOCKED THAT THE SHERIFF'S DEPARTMENT WOULD ACTUALLY PROPOSE  
15 THAT SINCE WE DID GO THROUGH THE MODIFIED DEPUTY EXPERIENCE  
16 AND SHERIFF BACA IS THE ONE THAT KILLED THAT PROGRAM FOR THAT  
17 VERY REASON WAS THE LABELING AND THE MORALE ISSUES THAT COME  
18 WITH THAT LABELING THESE PEOPLE AS DEPUTIES.

19

20 **MS. GODLEY:** DO YOU THINK THERE WILL BE ANY MORALE ISSUES  
21 SIMILAR TO THAT HAVING THIS SET OF CUSTODY JAILERS AND THEN  
22 THE DEPUTIES? OR DID YOU LOOK AT THAT OR THINK ABOUT HOW THOSE  
23 MORALE ISSUES MIGHT PLAY OUT?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** SURE, WE LOOKED AT THAT. CURRENTLY OUR SYSTEM  
2 RIGHT NOW HAS THOSE CUSTODY ASSISTANTS AND THE DEPUTIES  
3 WORKING SIDE BY SIDE. THERE REALLY ISN'T THAT MORALE ISSUE  
4 BECAUSE CUSTODY ASSISTANTS UNDERSTAND THAT THEY ARE NON-SWORN  
5 AND THE DEPUTIES UNDERSTAND THAT THEY ARE SWORN. AND THEY  
6 REALLY HAVE DIFFERENT -- THEY SHOULD HAVE DIFFERENT FUNCTIONS  
7 AND DIFFERENT TRAINING LEVELS. CUSTODY ASSISTANTS KNOW THAT  
8 THESE DEPUTIES ARE GOING OUT TO PATROL. THEY HAVE ADDITIONAL  
9 TRAINING. SO THERE REALLY ISN'T THIS "WE'RE JUST LIKE YOU  
10 NECESSARILY" THE DID YOUAL TRACK COULD CREATE THAT PROBLEM,  
11 THOUGH, WHEN YOU HAVE CUSTODY DEPUTIES DOING THE EXACT SAME  
12 JOB AS CUSTODY ASSISTANTS. THE CUSTODY ASSISTANTS WILL SAY WHY  
13 AM I BEING PAID 60 PERCENT LESS THAN THIS GUY DOING THE SAME  
14 JOB?

15

16 **MS. GODLEY:** CAN YOU TURN TO THE PAGE TITLED TRAINING? YOU HAVE  
17 TWO RECOMMENDATIONS HERE. WHY DON'T YOU TALK US THROUGH THOSE.

18

19 **LT. MORIGUCHI:** AS I MENTIONED, THE CUSTODY JAILERS, THEIR  
20 ACADEMY IS SPECIFIC TO CUSTODY. THAT'S ALL IT'S ABOUT. AND  
21 THAT'S APPROPRIATE WHEN YOU GO INTO CUSTODY AND THAT'S THE  
22 TRAINING YOU GET. IF YOU GOT PATROL TRAINING, IT'S GOING TO BE  
23 LOST OVER MATTER OF YEARS. SO THAT'S WHAT WE TALK WITH  
24 CUSTODY-SPECIFIC TRAINING. IF CAN CUSTODY JAILERS AND DEPUTIES  
25 EXPERIENCING CUSTODY TRAINING THE DEPUTIES THAT COME THROUGH,



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ACTUALLY IT SHOULD BE DEPUTIES AND CUSTODY ASSISTANTS THAT  
2 COME THROUGH, THE NEWLY HIRED ONES OUGHT TO BE TRAINED BY  
3 THOSE WHO HAVE THE INSTITUTIONAL KNOWLEDGE OF HOW TO OPERATE  
4 THAT JAIL. RIGHT NOW, WE HAVE SOME VERY YOUNG DEPUTIES, JUST  
5 BECAUSE THEY DON'T WANT TO PUT C.A.S IN THE TRAINING CAPACITY,  
6 YOUNG DEPUTIES WHO HAVE NEVER BEEN TO PATROL, DON'T KNOW  
7 PATROL EXPERIENCE AT ALL, TRAINING THESE OTHER BRAND NEW  
8 DEPUTIES IN HOW TO BEHAVE. AND I THINK IF YOU LOOK AT OUR  
9 DEPUTY GANG PROBLEM, THESE ARE YOUNG DEPUTIES THAT ARE  
10 PERPETUATING THE PROBLEMS IN THE JAIL BECAUSE THEY'RE TRAINING  
11 THE YOUNG PEOPLE IN MAYBE HOW THEY'RE TRAINED. LET'S BE GUNG  
12 HO, LET'S BE AGGRESSIVE, LET'S DO X, Y AND Z AND LET'S TAKE  
13 CARE OF EACH OTHER. AND BUY THE WAY, THE NEW GUY COMING IN,  
14 THIS IS HOW HOW THINGS ARE DONE HERE. WE NEED TO GET AWAY FROM  
15 THAT. YOU NEED TO HAVE PROFESSIONAL PEOPLE. AND I BELIEVE THE  
16 CUSTODY ASSISTANT'S CLASSIFICATION IS BEST QUALIFIED TO TEACH  
17 ABOUT HOW TO RUN A JAIL AND HAVE THEM TEACH THOSE DEPUTIES,  
18 AGAIN, THIS HAS TO DO WITH THAT SHIFT, TOO. YOU HAVE TO HAVE  
19 THE SHIFT WHERE CUSTODY ASSISTANTS AREN'T ASSISTING DEPUTIES.  
20 CUSTODY SHERIFF JAILERS ARE RUNNING THE JAIL. DEPUTIES ARE  
21 THERE ONLY FOR A SHORT PERIOD, AND IT'S REALLY THE GANG  
22 TRAINING EXPERIENCE.

23

24 **MS. GODLEY:** TURNING OVER TO YOUR NEXT RECOMMENDATION RELATING  
25 TO SUPERVISION. YOUR FIRST RECOMMENDATION IS TO INCREASE THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 RATIO IN THE JAILS FROM 1 TO 16 TO 1 OF 7 TO SERGEANTS TO  
2 DEPUTIES. HOW DID YOU COME UP WITH THOSE RATIOS? AND HOW DO  
3 YOU EXPECT TO PAY FOR THAT CHANGE?

4

5 **LT. MORIGUCHI:** THE RATIO 1 TO 16 IS THE SHERIFF'S RATIO  
6 CURRENTLY. THE 1 TO 7 IS AN INDUSTRY STANDARD FOR SUPERVISION  
7 TO -- IN THE LAW ENFORCEMENT ENVIRONMENT. FUNDING WOULD COME  
8 FROM THAT 60 PLUS MILLION DOLLARS, WE BELIEVE A SMALL PORTION  
9 OF THAT MONEY COULD BE USED TO MAKE THAT CHANGE IN THE  
10 INCREASE IN SERGEANTS AND LIEUTENANTS.

11

12 **MS. GODLEY:** YOUR NEXT RECOMMENDATION HAS TO DO WITH WRITTEN  
13 POLICY PROMOTIONS, WHICH WE'VE TALKED ABOUT AT THE BEGINNING.  
14 THAT WAS ONE OF THE BIG CONCERNS THAT YOU SAW ABOUT CUSTODY  
15 BEING USED AS DISCIPLINE OR FOR THOSE WHO WERE DISFAVORED AS  
16 WELL AS CUSTODY EXPERIENCE NOT REALLY COUNTING FOR PROMOTION,  
17 SO THOSE ARE THE TYPES OF THINGS THAT YOUR POLICY WOULD BE  
18 LOOKING AT WHEN CONTEMPLATED BY THIS RECOMMENDATION, CORRECT?

19

20 **LT. MORIGUCHI:** CORRECT.

21

22 **MS. GODLEY:** ANYTHING OTHER THAN THAT TYPE OF -- IN THAT  
23 RECOMMENDATION?

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** THIS HAS BEEN A DIFFICULT THING. I MET WITH THE  
2 SHERIFF MANY TIMES ON HIS PROMOTIONAL PROCESS, THE CONCERNS  
3 ABOUT THE FAVORITISM AND THE PAY TO PLAY, ALL THE COMPONENTS  
4 OF THAT. THE SENDING PEOPLE TO CUSTODY I HAVEN'T REALLY  
5 DISCUSSED WITH HIM. BUT IT'S AN OBVIOUS PROBLEM THAT'S EXISTED  
6 FOR A LONG TIME, PEOPLE TRYING TO AVOID CUSTODY AND THOSE WHO  
7 ARE DISLIKED ARE SENT THERE. I CAN TELL YOU FOR MYSELF THAT I  
8 WAS SENT THERE AS A LIEUTENANT AS DISCIPLINARY ACTION, IF YOU  
9 WILL, BY A DEPARTMENT EXECUTIVE WHO WOULD NOT ALLOW ME TO WORK  
10 WHAT HE LOOKED AT AS A GOOD JOB, EVEN THOUGH THE CAPTAIN HAD  
11 ASKED ME TO COME WORK AS A NEW LEE TENANT FOR HIM, WHAT HE  
12 TOLD THAT CAPTAIN WAS: HE IS NOT GOING TO GET THAT JOB. IF YOU  
13 DON'T HAVE ANYBODY ELSE, I WILL GIVE YOU SOMEBODY ELSE, BUT  
14 YOU WILL NOT GET HIM. I MET WITH THE SHERIFF AND EXPRESSED A  
15 CONCERN ABOUT WHAT WAS HAPPENING TO ME. AND HE SAID BASED ON  
16 YOUR EXPERIENCE IN PATROL -- AND I WROTE POLICIES FOR THE  
17 SHERIFF'S DEPARTMENT FOR ABOUT FIVE YEARS ON THE PATROL SIDE  
18 OF THE DEPARTMENT. HE SAID YOU'LL PROBABLY GO TO A PATROL  
19 ASSIGNMENT. WELL IT'S UP TO THIS EXECUTIVE. I'M SURE I'LL GO  
20 TO CUSTODY BECAUSE THAT'S WHERE WE CALL IT CHRISTMAS ISLAND,  
21 THAT'S WHERE ALL THE MISS FITS ARE SENT. I SAID I'M SURE I'M  
22 GOING TO END UP IN CUSTODY. THE SHERIFF TOLD ME THAT'S NOT  
23 GOING TO HAPPEN. THE SHERIFF WENT OUT OF THE COUNTRY. AND WHEN  
24 HE CAME BACK, I WAS ASSIGNED TO ONE OF THE JAILS.

25

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Meeting Held on July 6, 2012**

1 **SPEAKER:** LIEUTENANT WHICH SHERIFF WAS THAT? WAS THAT BACA OR  
2 PREDECESSOR?

3

4 **LT. MORIGUCHI:** THAT WAS BACA.

5

6 **MS. GODLEY:** DO YOU FEEL COMFORTABLE WHO THE SUPERVISOR WAS WHO  
7 HAD YOU SENT TO THE JAILS?

8

9 **LT. MORIGUCHI:** SURE. MR. TANAKA.

10

11 **MS. GODLEY:** ONE OF YOUR OTHER RECOMMENDATIONS IS TO HAVE POPA  
12 EXAMINING COMMITTEE FOR CURRENT SUPERVISION PROBLEMS IN THE  
13 JAILS, CAN YOU FURTHER EXPAND ON THAT PROPOSAL?

14

15 **LT. MORIGUCHI:** YEAH, WE WOULD LIKE TO WORK WITH THE SHERIFF'S  
16 DEPARTMENT IN TRYING TO RESOLVE THEIR PROBLEMS. WE BELIEVE WE  
17 DO OFFER A DIFFERENT PERSPECTIVE, IF YOU WILL. TO DATE, WE  
18 HAVE HAD VERY LITTLE CONTACT. I KNOW THEY SAID THAT THEY WORK  
19 WITH UNIONS UP HERE, BUT THE TRUTH IS I HAVE MET WITH  
20 COMMANDER HELLMOLD ONCE ADDRESSING JUST THE FLASHLIGHT POLICY  
21 AND THAT WAS JUST TWO WEEKS BEFORE THEY WERE GOING TO  
22 IMPLEMENT THAT POLICY. AND WE TOLD THEM THAT YOU DO HAVE TO  
23 MEET AND CONFER WITH US, AND WE DO NOT LIKE YOUR FLASHLIGHT  
24 POLICY. AND HE DID. AND HE MET WITH US. I'VE MET WITH  
25 COMMANDER FENNELL ON I BELIEVE IT'S TWO OCCASIONS, MIGHT HAVE

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1 BEEN ONE OCCASION OVER THE DID YOUAL TRACK PLAN. THAT IS THE  
2 ONLY INTERACTION THAT POPA HAS HAD WITH THIS COMMANDER  
3 TASKFORCE.

4

5 **MS. GODLEY:** TURNING TO YOUR NEXT RECOMMENDATION, IT RELATES TO  
6 MENTAL HEALTH, YOU HAVE THREE RECOMMENDATIONS HERE: INCREASE  
7 DEDICATED SPACE, MEDICAL STAFF, AND TRAINING. ANY FURTHER  
8 EXPLANATION YOU WANT TO DO ON THOSE RECOMMENDATIONS?

9

10 **LT. MORIGUCHI:** WELL THIS RECOMMENDATION IS ACTUALLY IN LINE  
11 WITH WHAT YOU HEARD FROM THE SHERIFF'S COMMANDER TASKFORCE. WE  
12 AGREE THAT MENTAL HEALTH NEEDS TO IMPROVE IN OUR JAILS.  
13 ADDITIONAL TRAINING WOULD BE APPROPRIATE. DEDICATED STAFF AS  
14 COMMANDER PETRI TONY TALKED ABOUT FOR THE MENTALLY ILL  
15 INMATES. THE BEAUTY, THOUGH, OF OUR PLAN IS OURS WOULD BE  
16 FULLY FUNDED; THEIRS IS NOT.

17

18 **MS. GODLEY:** TURNING OVER TO -- OF THE NEXT PAGE OF  
19 RECOMMENDATIONS AND A SET OF OTHER RECOMMENDATIONS, INSTALLING  
20 CAMERAS? WHAT IS YOUR RECOMMENDATION THERE?

21

22 **LT. MORIGUCHI:** WELL, AS YOU HEARD TSHERIFF'S DEPARTMENT HAS  
23 BEGUN INSTALLING CAMERAS. AGAIN, THE MONEY SAVINGS FROM OUR  
24 PROPOSAL DOES PAY FOR THAT, AND THAT SHOULD BE A CONCERN WITH  
25 THESE BUDGET TIMES, THAT THEY BE FISCALLY RESPONSIBLE IN WHAT

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1 THEY'RE DOING. WE DID DISAGREE WITH THE BODY CAMERAS THAT THEY  
2 IMPLEMENTED. WE DID NOT BELIEVE THAT THOSE WOULD BE VERY  
3 FUNCTIONAL. IF YOU HAVE EVER BEEN IN A FIGHT AND YOU TRY TO  
4 WEAR A CAMERA ON YOU, IT JUST DOESN'T CAPTURE WHAT YOU NEED TO  
5 CAPTURE, WHERE STATIONARY CAMERAS IN KEY AREAS OF THE JAIL  
6 WOULD BE APPROPRIATE. WE HAVE NOT MET WITH THE DEPARTMENT ON  
7 THE INSTALLATION OF THE CAMERAS, SO I WAS A LITTLE SHOCKED  
8 WHEN THEY SAID THEY'VE ALREADY IMPLEMENTED INSTALLING CAMERAS.  
9 FROM THE UNION'S STANDPOINT, WE WOULD BE CONCERNED ABOUT WHERE  
10 THESE CAMERAS ARE INSTALLED. WE WANT TO MAKE SURE THAT THEY  
11 ARE NOT INSTALLED IN PRIVATE AREAS, SUCH AS LOCKER ROOMS, OR  
12 AREAS WHERE ANY EMPLOYEE WOULD EXPECT SOME LEVEL OF PRIVACY,  
13 BATHROOMS, WHICH I'M SURE THEY'RE NOT, BY THE WAY, I'M SURE  
14 THE SHERIFF'S DEPARTMENT CONSIDERED THAT. BUT WE'D STILL LIKE  
15 TO MEET WITH THEM TO FIND OUT WHERE THEY'RE INSTALLING THEM.  
16 WE THINK IT'S APPROPRIATE TO INSTALL CAMERAS IN ALL AREAS  
17 WHERE ANY STAFF MEMBER COULD HAVE CONTACT WITH AN INMATE. WE  
18 WANT TO CAPTURE WHAT IS HAPPENING, THE INTERACTION BETWEEN THE  
19 TWO. I DON'T BELIEVE THAT THEY ARE INSTALLING AUDIO-CAPABLE  
20 SYSTEMS, WHICH WE BELIEVE IS IMPORTANT, AS WELL. WHAT YOU SEE  
21 IN A VIDEO MAY NOT TELL THE WHOLE STORY. YOU MAY NOT HEAR THE  
22 COMMANDS GIVEN BY STAFF OR THE ANGER SPEWED BY SOME OF THESE  
23 INMATES WHEN THEY SAY "I'M GOING TO KILL YOU "YOU MAY NOT  
24 CAPTURE THAT WHEN YOU SEE A VIDEO. SO WE WOULD RECOMMEND THAT  
25 THEY INSTALL AUDIO-CAPABLE SYSTEMS.

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1

2 **MS. GODLEY:** ONE OF THE THINGS THAT THEY WERE TALKING ABOUT  
3 EARLIER TODAY WAS THE DISPUTE ABOUT HOW THAT CAMERA  
4 INFORMATION IS USED. DO YOU HAVE A POSITION ON THAT YOU?

5

6 **LT. MORIGUCHI:** WE BELIEVE THAT IT WOULD ALWAYS BE BEST FOR AN  
7 EMPLOYEE TO BE ABLE TO WATCH THE VIDEO TO REFRESH HIS MEMORY  
8 ON WHAT OCCURRED. IT SEEMS TO ME THAT SOME GROUPS ARE MORE  
9 INTENT ON CATCHING THEM IN A LIE RATHER THAN MAKING SURE THAT  
10 THE REPORT IS TRUTHFUL AND ACCURATE FROM THE BEGINNING. I  
11 COULD SEE WHERE THAT WOULD WORK IF YOU DON'T LET THEM WATCH  
12 THE VIDEO AND SAY JUST WRITE WHAT YOU THINK HAPPENED AND THEY  
13 MAKE A MISTAKE OR THEIR RECOLLECTION IS DIFFERENT, THEY'RE  
14 GOING TO ACCUSE THEM OF LYING, AND THAT'S CONCERN FOR US. WE'D  
15 MUCH PREFER THAT THEY JUST WATCH THE VIDEO AND WRITE THE  
16 REPORT TO MAKE SURE THAT THEIR REPORT IS AS ACCURATE AND  
17 TRUTHFUL AS POSSIBLE.

18

19 **MS. GODLEY:** ONE OF THE THINGS ALSO IN YOUR RECOMMENDATIONS IS  
20 THAT THE SUPERVISING SERGEANT IS NOT THE ONE THAT DOES THE  
21 INVESTIGATION OF THE USE OF FORCE. CAN YOU EXPLAIN THAT MORE?  
22 AND THEN WHAT YOU THINK THE BENEFITS ARE TO THAT?

23

24 **LT. MORIGUCHI:** YES, THE CUSTODY FORCE INVESTIGATION TEAMS THAT  
25 THE SHERIFF PROPOSES WE AGREE WITH. WE THINK THAT'S A GOOD

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1 IDEA. I THINK THEY MENTIONED THEM JUST AS A SOURCE, OR THEY  
2 MAKE RECOMMENDATIONS. THAT'S WHERE WE DIFFER. I THINK IT WOULD  
3 BE BETTER FOR THESE FORCE INVESTIGATION TEAMS TO ACTUALLY  
4 HANDLE THE SIGNIFICANT FORCES, THE ONES THAT THEY MENTIONED UP  
5 HERE, THAT THEY HANDLE THOSE INVESTIGATIONS AND ALLOW THAT  
6 FIRST-LINE SUPERVISOR TO GET BACK OUT ON THE FLOOR AND  
7 DIRECTLY SUPERVISE HIS PEOPLE. WHEN YOU TAKE THAT SUPERVISOR,  
8 ESPECIALLY IN THE PLACES LIKE MEN'S CENTRAL JAIL WHERE THERE'S  
9 SIGNIFICANT USES OF FORCE, IF HE'S BOGGED DOWN WITH NUMEROUS  
10 INVESTIGATIONS, HE IS STUCK IN AN OFFICE AND HE'S WRITING AND  
11 HE'S REVIEWING VIDEO AND HE'S NOT ON THE FLOOR DIRECTLY  
12 SUPERVISING THE STAFF. WE WANT TO SEE THOSE SUPERVISORS OUT ON  
13 THE FLOOR DIRECTLY SUPERVISING THE STAFF. AND I THINK THAT  
14 FORCE TEAM WOULD ALLEVIATE SOME OF THAT RESPONSIBILITY. I  
15 UNDERSTAND THEY'RE TALKING ABOUT THEY'D LIKE TO SEE ALL THE  
16 SERGEANTS FULLY TRAINED IN HOW TO HANDLE FORCE INVESTIGATIONS.  
17 WE'RE NOT RECOMMENDING THAT THE SERGEANTS DON'T HANDLE ANY  
18 FORCE INVESTIGATIONS; JUST THOSE SIGNIFICANT ONES THAT THE  
19 COMMANDER'S MENTIONED.

20

21 **MS. GODLEY:** ONE OF YOUR RECOMMENDATIONS ALSO INVOLVED NOT ONLY  
22 HAVING THIS TASKFORCE BUT HAVING NORTH AND SOUTH TASKFORCE TO  
23 HANDLE THAT? DO YOU WANT TO EXPAND THAT A LITTLE BIT MORE?

24



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1 **LT. MORIGUCHI:** WELL, I THINK WHAT WE WERE THINKING IS IN THE  
2 SAVINGS, THE MONEY SAVINGS THAT THEY COULD CREATE DEDICATED  
3 RESPONSE TEAMS AND THE NORTH COUNTY AND THE SOUTH COUNTY, JUST  
4 A PROPOSAL. THE SHERIFF CAN COME UP WITH ALTERNATIVE. MAYBE HE  
5 WANTS A FORCE TEAM AT EVERY FACILITY. THAT WOULD BE FINE. IT'S  
6 JUST WHEN WE WERE LOOKING AT THE DOLLAR SAVINGS, WE WERE  
7 TRYING TO FIGURE OUT HOW TO USE THAT MONEY APPROPRIATELY AND  
8 STILL ACCOMPLISH WHAT WE'RE TRYING TO ACCOMPLISH.

9

10 **MS. GODLEY:** AND THEN THE LAST OR OTHER RECOMMENDATION WE HAVE  
11 HERE IS ENACT POLICIES TO DISCOURAGE DEPUTY CLIQUES AND COIN  
12 CLUBS? DO YOU HAVE PARTICULAR TYPES OF POLICIES YOU THINK  
13 SHOULD BE ENACTED HERE?

14

15 **LT. MORIGUCHI:** YEAH. YOU KNOW, YOU'VE HEARD TESTIMONY HERE  
16 ABOUT EXECUTIVES ENCOURAGING, REALLY, THIS BEHAVIOR. AND THAT  
17 IS DEFINITELY PROBLEMATIC. THERE SHOULD BE A FIRM POLICY  
18 COMING FROM THE SHERIFF THAT THIS TYPE OF CONDUCT, WHETHER  
19 IT'S A SUBORDINATE EXECUTIVE ON DOWN TO DEPUTY SHERIFF OR  
20 CIVILIAN PERSONNEL IS NOT TOLERATED. IT'S NOT CONSISTENT WITH  
21 THE CORE VALUES OF THE SHERIFF'S DEPARTMENT.

22

23 **MS. GODLEY:** ONE OF THE ISSUES THAT HAS COME UP IN DIFFERENT  
24 HEARINGS IS AN ISSUE ABOUT CAMPAIGN CONTRIBUTIONS? DOES POPA  
25 HAVE A RECOMMENDED POLICY ON THAT? DOES IT SEE A PROBLEM WITH

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1 THAT? IF SO, CAN YOU EXPLAIN THE PROBLEM AND THEN WHAT YOUR  
2 PROPOSED POLICY IS?

3

4 **LT. MORIGUCHI:** SURE. I THINK ANY TIME A SUPERVISOR OBTAINS  
5 CAMPAIGN CONTRIBUTIONS FROM AN EMPLOYEE OF HIS, THERE'S ALWAYS  
6 GOING TO BE THE PERCEPTION THAT THERE'S A PAY-TO-PLAY IN  
7 THERE. AND I THINK IF YOU LOOK AT CAMPAIGN CONTRIBUTORS VERSUS  
8 PROMOTIONS, I BELIEVE THERE WAS A STUDY DONE THAT SHOWED A 7  
9 PERCENT -- 700 PERCENT BETTER CHANCE OF GETTING PROMOTED IF  
10 YOU MADE A CAMPAIGN CONTRIBUTION. THAT'S DISTURBING TO ME. WE  
11 WERE CONCERNED, THOUGH, WITH GLORIA MOLINA'S PROPOSAL TO  
12 PROHIBIT CAMPAIGN CONTRIBUTIONS. WE THOUGHT THAT WAS A LITTLE  
13 HARSH IN THAT THE EMPLOYEES SHOULD HAVE A RIGHT TO GIVE  
14 CAMPAIGN CONTRIBUTIONS TO A FELLOW EMPLOYEE RUNNING FOR  
15 POLITICAL OFFICE JUST LIKE ANY OTHER CITIZEN WOULD HAVE THAT  
16 RIGHT. I DID GIVE A PROPOSAL TO THE SHERIFF IN WHICH CAMPAIGN  
17 CONTRIBUTIONS ARE PERMITTED; HOWEVER, IF YOU ACCEPT A CAMPAIGN  
18 CONTRIBUTION FROM AN EMPLOYEE, YOU WOULD HAVE TO RECUSE  
19 YOURSELF FROM ANY DECISIONMAKING ON PROMOTIONS, DISCIPLINE OR  
20 ANYTHING HAVING TO DO WITH THAT EMPLOYEE. THE EXAMPLE I WOULD  
21 GIVE IS CAPTAIN AT A STATION WHO MAY WANT TO RUN FOR CITY  
22 COUNCIL. I THINK IT'S APPROPRIATE FOR HIM TO ACCEPT CAMPAIGN  
23 MONEY FROM AN ACADEMY CLASSMATE WHO MAY LIVE IN ANTELOPE  
24 VALLEY IN A WHOLE DIFFERENT AREA. I THINK THAT'S PERFECTLY  
25 FINE. I THINK WHEN AN EXECUTIVE, ESPECIALLY WHEN YOU GET TO

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1 THE TOP TWO LEVELS OF THIS DEPARTMENT, ACCEPTS CAMPAIGN  
2 CONTRIBUTIONS, THAT'S A PROBLEM. AND I DON'T THINK THE SHERIFF  
3 ACTUALLY OPPOSES NOT ACCEPTING CAMPAIGN MONEY. HE DOESN'T NEED  
4 THE MONEY, QUITE FRANKLY. SO I GAVE HIM A PROPOSAL. I'M HOPING  
5 THAT HE WILL IMPLEMENT THAT PROPOSAL.

6

7 **MS. GODLEY:** ALL RIGHT. TURNING OVER TO THE CHALLENGES, WE  
8 TALKED THROUGH THE SUPERVISORS USING THE SAVINGS, THE SAVINGS  
9 CONTINUING OVER TIME, THE KERN COUNTY SHERIFF'S EXPERIENCE,  
10 THAT IS THE EXPERIENCE WHERE THEY HAD THE CREEP IN SALARY,  
11 CORRECT?

12

13 **LT. MORIGUCHI:** CORRECT.

14

15 **MS. GODLEY:** DEPARTMENT BUDGETED SWORN PERSONNEL STRENGTH.  
16 WHAT'S THAT ISSUE?

17

18 **LT. MORIGUCHI:** ONE OF THE ARGUMENTS THAT WE GOT FROM THE  
19 DEPARTMENT WAS THAT THEY NEEDED SWORN PEOPLE IN CUSTODY IN  
20 CASE THERE WAS AN EMERGENCY. AND THEY HAVE THIS CADRE OF  
21 PERSONNEL THAT WOULD BE ABLE TO RESPOND. SUCH AS THE EARTH  
22 QUAKE OR THE STATION FIRE OR THE RIOTS THAT HAVE OCCURRED IN  
23 THE PAST. SO WE ASKED THEM HOWEVER PEOPLE HAVE EVER BEEN  
24 DEPLOYED OUT OF CUSTODY? AND THEY SAID A COUPLE HUNDRED. SO  
25 UNDER OUR PROPOSAL, YOU HAVE 1,000 DEP YOU CITIES STILL IN THE

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1 JAIL, SO WE THINK THAT'S SUFFICIENT TO COVER ANY TYPE OF  
2 EMERGENCY THAT YOU WOULD HAVE OUT IN THE FIELD. ONE OF THE  
3 CONCERNS THAT WE HAD WITH THE DUAL TRACK CAREER PROPOSAL WAS  
4 THAT IF YOU'RE IN THE JAILS AND YOU PROMOTE, YOU NEVER WORK  
5 PATROL, AND YOU PROMOTE TO SERGEANT OR LIEUTENANT AND THEN YOU  
6 HAVE A DISASTER, LET'S SAY A RIOT OUT IN THE FIELD AND THEY  
7 WANT TO DEPLOY, AS THEY'VE MENTIONED, THAT'S ONE OF THEIR  
8 CONCERNS, THEY WANT TO DEEMPLOY THOSE PEOPLE OUT IN THE FIELD,  
9 THAT'S THE LAST PERSON YOU WANT TO PUT OUT IN THE FIELD,  
10 SOMEONE WHO'S NEVER BEEN OUT THERE, NEVER EXPERIENCED, HAD TO  
11 SET UP A CONTAINMENT, NEVER DONE PLATOON OR SQUAD FORMATIONS;  
12 THEY HAVE TO HAVE THAT PATROL EXPERIENCE TO UNDERSTAND HOW TO  
13 PERFORM OUT IN PATROL.

14

15 **MS. GODLEY:** YOU HAVE LAW ENFORCEMENT COST MODEL IMPLICATIONS.  
16 WHAT IS THAT REFERRING TO?

17

18 **LT. MORIGUCHI:** I DON'T REMEMBER. [LAUGHTER.]

19

20 **MS. GODLEY:** THAT'S OKAY. I DON'T REMEMBER EITHER WHICH IS WHY  
21 I ASKED THE QUESTION THAT WAY.

22

23 **LT. MORIGUCHI:** I THINK IN THE SHERIFF'S -- THE FEASIBILITY  
24 STUDY, THEY MENTIONED THAT. AND I THINK OUR RESPONSE WAS

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1 BASICALLY WE'RE OKAY WITH WHATEVER THEY WERE RECOMMENDING. I  
2 DON'T SEE IT IN MY REPORT, BUT --

3

4 **MS. GODLEY:** THAT'S OKAY. WE CAN GO ON FROM IT, IF I REMEMBER  
5 I'LL ASK A BETTER QUESTION. WE TALKED ABOUT THE MOU WITH  
6 ALADS. WE TALKED ABOUT THE REDUCTION IN SWORN PERSONNEL FOR  
7 EMERGENCIES. RECRUITMENT AND TRANSITION. ONE OF THOSE ISSUES  
8 IS THAT THERE MAY HAVE -- IF THIS WAS IMPLEMENTED AS SUGGESTED  
9 IN THE FEASIBILITY STUDY, YOU'D BASICALLY HAVE TO SHUT DOWN  
10 DEPUTY RECRUITMENT AND RAMP UP THE CUSTODY JAILER RECRUITMENT  
11 FOR THAT FIVE-YEAR PERIOD BECAUSE YOU WOULD BE SENDING FOLKS  
12 OUT TO PATROL AND FILLING THOSE POSITIONS WITH CUSTODY JAILERS  
13 OVER THE FIVE YEARS. WHAT'S YOUR ARE E SPONS TO THAT PROBLEM?  
14 BECAUSE THAT DOESN'T SEEM PARTICULARLY FEASIBLE?

15

16 **LT. MORIGUCHI:** Y WOULD NOT RECOMMEND SHUTTING DOWN THE DEPUTY  
17 CAMP, IT TAKES TIME TO RAMP UP. I THINK THEY SHOULD SLOW IT  
18 DOWN BUT STILL RUN ACADEMY. ONE OF THE BIGGEST PROBLEMS THAT  
19 THE SHERIFF'S DEPARTMENT HAS IN RECRUITING PROXIMATE EM TO  
20 JOIN THE DEPARTMENT IS THE JAILS, HAVING TO WORK IN THE JAIL  
21 FOR FIVE, SIX, SEVEN OR AS MUCH AS 14 YEARS. THAT TURNS A LOT  
22 OF PEOPLE OFF WHO WANT TO BE STREET COPS AND THEY GO TO OTHER  
23 AGENCIES. I'M SURE CHIEF MCDONNELL BENEFITS FROM THAT AS HE  
24 GETS A LOT OF QUALITY PEOPLE IN LONG BEACH AS A RESULT OF  
25 THAT. BUT THAT'S USUALLY THE COMPLAINT THAT WE HEAR FROM

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1 PEOPLE. I DON'T WANT TO GO WORK IN THE JAILS. AND SO OUR  
2 PROPOSAL, WHEN YOU'RE TALKING ABOUT JUST ONE YEAR AND THEN OUT  
3 ON PATROL, THEY'LL LOOK FOR THE BENEFITS OF BEING WITH THE  
4 LARGEST SHERIFF'S DEPARTMENT IN THE WORLD, THE MANY BENEFITS  
5 THAT OUR DEPARTMENT, BECAUSE OF ITS SIZE, HAS. AND THEY'LL SAY  
6 I COULD DO A YEAR IN JAIL TO EDUCATE MYSELF, FOR TRAINING  
7 PURPOSES AND THEN GET OUT ON PATROL. IT'S NOT THAT MUCH OF A  
8 BURDEN.

9

10 **MS. GODLEY:** BUT IT SOUNDS LIKE GOING TO CONTINUE TO HIRE  
11 FOLKS, THERE WILL BE SOME OF THE COST SAVINGS WILL BE REDUCED  
12 BECAUSE WE'RE GOING TO HAVE EXCESS FOLKS? NOT EXCESS, WE'LL  
13 HAVE A LOT MORE FOLKS ON PATROL IF WE'RE GOING TO BE  
14 CONTINUING TO HIRE AND MAKING THIS TRANSITION. SO SOME OF THAT  
15 COST SAVINGS IS GOING TO BE REDUCED BECAUSE OF INCREASED  
16 PEOPLE ON PATROL -- I MEAN ON PATROL?

17

18 **LT. MORIGUCHI:** ONE OF OUR RECOMMENDATIONS IS TO INCREASE THE  
19 UNINCORPORATED PATROL. WHAT WE'RE SEEING NOW IS GENERALLY THE  
20 UNINCORPORATED AREAS ARE BEING RIPPED OFF OF THEIR PATROL  
21 PEOPLE WHERE THE CONTRACT CITIES, WE ALWAYS FUND THEM BECAUSE  
22 IT'S FUNDED BY THOSE CITIES. SO THIS WOULD PUT MORE PEOPLE IN  
23 THE UNINCORPORATED AREAS FOR PATROL PURPOSES.

24

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1 **MS. GODLEY:** REDUCTION IN OPPORTUNITIES FOR SWORN PERSONNEL. I  
2 THINK ONE OF THE THINGS THAT WAS TALKED ABOUT IN YOUR REPORT  
3 IS THAT THERE IS A REAL DESIRE TO HAVE A LARGE NUMBER, I THINK  
4 10,000 SWORN DEPUTIES AS PART OF THE FORCE.

5

6 **LT. MORIGUCHI:** I THINK WE'RE ALWAYS COMPETING WITH LAPD ON  
7 SIZE. I GUESS SIZE MATTERS BETWEEN DEPARTMENT HEADS IN THAT  
8 REGARD. IT'S A STRANGE CONCEPT TO ME TO SAY THAT WE WANT TO  
9 EXPAND ALL OUR SWORN OPPORTUNITIES ON THIS DEPARTMENT. WHY YOU  
10 WOULD HAVE A SWORN PERSON DOING ACCOUNTING? OR WHY YOU WOULD  
11 HAVE A SWORN PERSON DOING OTHER FUNCTIONS THAT CIVILIAN, WHO  
12 IS EDUCATED IN THAT SHOULD BE DOING IS BEYOND ME TO REALLY  
13 UNDERSTAND. WE'RE POLICE OFFICERS. AND THAT'S OUR FUNCTION.  
14 AND THAT'S WHAT WE SHOULD BE DOING. I THINK IT'S A WEAK  
15 ARGUMENT TO SAY THAT OUR PROPOSAL WOULD REDUCE THE NUMBER OF  
16 OPPORTUNITIES FOR SWORN.

17

18 **MS. GODLEY:** AND THEN WE TALKED ABOUT THE SUBORDINATE  
19 RELATIONSHIP. DO YOU SEE ANY ISSUES WITH AND ARE THERE ANY  
20 ISSUES WITH THE JAILERS BEING SUPERVISED BY THE SERGEANTS FROM  
21 THE SWORN DEPUTIES?

22

23 **LT. MORIGUCHI:** THERE'S REALLY NOT A PROBLEM WITH THAT. I THINK  
24 OUR CONCERN THERE WAS IF THEY WERE TO IMPLEMENT THAT DUAL  
25 TRACK SYSTEM, YOU'RE GOING TO HAVE DEPUTY SHERIFFS IN THE JAIL

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Meeting Held on July 6, 2012**

1 WHO HAVE LONGEVITY PAY. SO THEY'LL BE GETTING A BUMP OF BASED  
2 UPON LONGEVITY. AND THEN THEY'LL REACH THAT STEP 6 PAY. SO IT  
3 IS POSSIBLE THAT IF YOU CREATE THIS LONGEVITY IN CUSTODY THAT  
4 THE NEWLY REPORTED SERGEANT WILL BE PAID LESS THAN THAT  
5 DEPUTY. AND THEN THE COUNTY ORDINANCE, THAT SERGEANT HAS TO BE  
6 PAID A DOLLAR MORE. SO EVEN THOUGH I THINK THEIR PROPOSAL THEY  
7 SAY IT'S COST NEUTRAL, IT PROBABLY WILL NOT BE COST NEUTRAL.  
8 WE'RE GOING TO START SEEING THOSE PROBLEMS, ESPECIALLY ON  
9 NEWLY PROMOTED SERGEANTS WHO ARE COMING IN AT STEP 1 AS A  
10 SERGEANT WHO ARE PAID LESS, COULD BE SIGNIFICANTLY LESS, TO  
11 SOMEONE WHO HAS 30 YEARS ON AND HAS BEEN IN CUSTODY FOR 10  
12 YEARS.

13

14 **MS. GODLEY:** ONE OF THE THINGS YOU'VE ALSO IDENTIFIED AS AN  
15 ISSUE THAT THE COUNTY WILL HAVE TO COME UP WITH THIS NEW  
16 CUSTODY JAILER POSITION. HOW LONG DO YOU THINK THAT WILL TAKE?  
17 AND DO YOU THINK THERE WILL BE ISSUES WITH ACCOMPLISHING THAT?

18

19 **LT. MORIGUCHI:** WELL, THE BUREAUCRACY WHICH WAS TALKED ABOUT  
20 EARLIER, THE CEO'S OFFICE IS GOING TO HAVE TO APPROVE OF THAT  
21 NEW CLASSIFICATION. THEY WILL HAVE TO LOOK AT WHAT THE PROPER  
22 PAY IS FOR THAT CLASSIFICATION. PERSONALLY I THINK IF THEY  
23 WERE TO LOOK AT THE DID YOUAL TRACK PLAN, THEY'RE GOING TO IS  
24 HE THAT CUSTODY DEPUTIES OUGHT TO BE PAID FAR LESS THAN STEP 6  
25 OR WHATEVER THAT LEVEL IS THAT THEY'RE GOING TO STAY IN



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Meeting Held on July 6, 2012**

1 CUSTODY. BUT THE BUREAUCRACY COULD TAKE SOME TIME, BUT WE HAVE  
2 NO CONTROL OVER THAT.

3

4 **MS. GODLEY:** TURNING NEXT TO THE CRITIQUE OF THE COMMANDERS'  
5 TASKFORCE PROPOSALS, THEY DIDN'T TALK ABOUT -- I THINK MANY OF  
6 THEM ARE IN THE REPORT. DO YOU HAVE A CRITIQUE OF THE CREATION  
7 OF THE CORE VALUES POLICY?

8

9 **LT. MORIGUCHI:** KIND OF SORT OF. WE DON'T REALLY OBJECT TO A  
10 CORE VALUES POLICY, BUT WE THINK IT'S INEVITABLY THAT THE  
11 CREATION OF A POLICY IS GOING TO DICTATE HOW YOUR PEOPLE  
12 BEHAVE. WHAT I TOLD THE SHERIFF WHEN HE WAS LOOKING AT THIS  
13 POLICY WE ACTUALLY NEED TO HIRE PEOPLE WHO POSSESS THESE CORE  
14 VALUES FROM THEIR UPBRINGING. THAT'S WHAT YOU WANT TO HIRE.  
15 NOT HIRE SOMEBODY WHO IS QUESTIONABLE AND THEN DRILL IN THEIR  
16 HEAD "HERE'S THE POLICY AND I EXPECT YOU TO ABIDE BY IT"  
17 BECAUSE YOU'RE ALWAYS GOING TO HAVE THOSE WHO DON'T ABIDE BY  
18 IT. IN FACT, THE POLICIES ON USE OF FORCE IN OUR JAILS WAS IN  
19 EXISTENCE AND YET YOU HAD DEPUTIES OPERATING OUTSIDE OF THAT.  
20 SO IT WAS THE VIOLATION OF POLICY THAT'S THE PROBLEM. SO IT  
21 LOOKS PRETTY ON A PIECE OF PAPER, BUT I DON'T THINK THAT'S THE  
22 APPROPRIATE WAY TO TRY AND CORRECT BAD BEHAVIOR.

23

24 **MS. GODLEY:** YOU ALSO HAVE A CRITIQUE OF CHANGES TO THE USE OF  
25 FORCE POLICY. WHAT ARE THOSE CRITIQUES?

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Meeting Held on July 6, 2012**

1

2 **LT. MORIGUCHI:** ONE OF THE CONCERNS WITH THE USE OF FORCE  
3 POLICY IS JUST CREATING A POLICY THAT APPLIES TO ONE DIVISION  
4 AND NOT TO THE OTHER. AND THAT GOES FOR THE FLASHLIGHT, TOO,  
5 WHICH WE'LL TALK ABOUT. BUT WHEN YOU CREATE TWO POLICIES AND  
6 THEN YOU HAVE PERSONNEL THAT SWITCH FROM DIVISION TO DIVISION,  
7 THEY, THEN, HAVE TO KNOW WHAT THAT DIFFERENT POLICY IS FOR  
8 THAT DIVISION. SO USE OF FORCE IS USE OF FORCE. IT'S  
9 APPROPRIATE OR IT'S NOT APPROPRIATE. WE DON'T BELIEVE THAT YOU  
10 REALLY IN ED TO CREATE A DIFFERENT POLICY FOR ONE DIVISION  
11 OVER ANOTHER DIVISION. YOU CAN HAVE MORE SIGNIFICANT -- I  
12 THINK COMMANDER HELLMOLD SPELLED OUT SOME ADDITIONAL THINGS  
13 LIKE CELL EXTRACTION WHERE YOU HAVE A SPECIFIC POLICY FOR CELL  
14 EXTRACTION BECAUSE THAT APPLIES TO CUSTODY DIVISION, THAT  
15 WE'RE NOT OBJECTING TO. BUT IF YOU HAVE A DIFFERENT RESPONSE  
16 TO USES OF FORCE OR A DIFFERENT STRUCTURE OF USE OF FORCE  
17 POLICIES FOR CUSTODY AND PATROL, IT'S VERY DIFFICULT, I THINK,  
18 FOR SUPERVISORS OR DEPUTIES TO TRANSITION FROM ONE TO THE  
19 OTHER.

20

21 **MS. GODLEY:** ROTATION OF ASSIGNMENTS, WHAT'S YOUR CRITIQUE OF  
22 THAT?

23

24 **LT. MORIGUCHI:** WE DON'T REALLY OBJECT TO ROTATION OF  
25 ASSIGNMENTS AS A PRACTICE. WHAT WE OBJECT TO IS ROTATION OF

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 ASSIGNMENTS TO DEAL WITH PROBLEM EMPLOYEES. I EQUATE THAT TO  
2 CANCER. ALL YOU'RE DOING IS SPREADING THE CANCER. WHEN YOU  
3 TAKE A GROUP OF BAD EMPLOYEES AND DISBURSE THEM THROUGHOUT  
4 OTHER AREAS OF YOUR JAIL, YOU'RE JUST SPREADING THAT PROBLEM.  
5 DEAL WITH THE PROBLEM EMPLOYEE. DISCIPLINE HIM. FIRE HIM.  
6 BREAK UP WHATEVER IT IS THAT THEY'RE DOING BY HANDLING THAT  
7 EMPLOYEE'S MISBEHAVE I DON'TIOR. JUST REGULAR ROTATION IS  
8 PROBABLY NOT A BAD IDEA. THERE IS A DOWN SIDE TO ROTATING  
9 REGULAR EMPLOYEES. I THINK COMMANDER PETRI TONY TALKED ABOUT  
10 IT. THERE ARE SOME AREAS WHERE YOU NEED SOME EXPERTISE. I  
11 WOULD ARGUE THAT EVEN A DORM SUPERVISOR OR A DORM CUSTODY AN  
12 ASSISTANT, HE DEVELOPS WHEN HE'S THERE OVER TIME, HE DEVELOPS  
13 EXPERTISE WITH HIS DORM, HE KNOW WHO HIS SHOT CALLERS, WHO ARE  
14 THE LEADERS IN THE DORM, HE KNOWS WHO THEY ARE, HE DEVELOPS  
15 SNITCHES. HIS TRUSTEES, HE KNOWS THEM OR THEY KNOW HIM OR HER,  
16 THAT THEY'RE ABLE TO CONDUCT THEMSELVES IN A VERY EFFICIENT  
17 WAY. YOU THEN PULL HIM OUT AFTER A MONTH AND PUT IN A NEW GUY,  
18 THE INMATES DON'T KNOW WHO THAT PERSON IS, THEY DON'T KNOW WHO  
19 THE INMATES ARE AND THEY HAVE TO RE-LEARN THAT WHOLE THING  
20 OVER AND OVER AGAIN. OUR RECOMMENDATION, OF COURSE, IS TO DEAL  
21 WITH THE PROBLEM EMPLOYEE. IF YOUR EMPLOYEE IS DOING A GOOD  
22 JOB, HE RUNS HIS DORM WELL, HE KNOWS HOW IT OPERATES, HE'S  
23 ABLE TO SOLVE CRIME AND NETWORK AND ALL THAT STUFF WITH THE  
24 INMATES AND GATHER INFORMATION, LET HIM BE. LET HIM DO HIS  
25 JOB. BUT LIKE I SAID, IF YOU HAVE A PROBLEM EMPLOYEE, YOU

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 SHOULD DEAL WITH HIM AND NOT JUST TRANSFER HIM OR MOVE HIM TO  
2 ANOTHER PART OF THE FACILITY.

3

4 **MS. GODLEY:** OVER THE COURSE OF YOUR TESTIMONY YOU GAVE A  
5 NUMBER OF CRY FEKS TO THE TWO-TIERED TO THE CUSTODY PATH, DO  
6 YOU HAVE ANYTHING FURTSZDZ YOU WANT TO ADD ON THAT?

7

8 **LT. MORIGUCHI:** I CAN'T THINK OF ANYTHING. I UNDERSTAND WHY IT  
9 WAS PROPOSED. I'M NOT SURE THEY REALLY LOCKED AT SOME OF THE  
10 NEGATIVES, THE TRUE NEGATIVES IF THEY WERE TO IMPLEMENT THAT.  
11 I'M A LITTLE SHOCKED THAT THEY DIDN'T LOOK AT THE HISTORY OF  
12 THE SHERIFF'S DEPARTMENT BECAUSE WE WENT THROUGH THIS. THE  
13 SHERIFF HIMSELF WENT THROUGH THIS AND ELIMINATED THE MODIFIED  
14 DEPUTY FOR THE SAME REASONS THEY'RE TALKING ABOUT IMPLEMENTING  
15 IT AND BRINGING IT BACK.

16

17 **MS. GODLEY:** THEY HAVE ALSO SUGGESTED -- WHAT'S YOUR POSITION?

18

19 **LT. MORIGUCHI:** I GUESS I WOULD LIKE TO SEE IF SUPERVISORS WHO  
20 HAD LESS THAN TWO YEARS WERE A PROBLEM IN THE JAIL, WHICH THEY  
21 DIDN'T DO THAT STUDY. I THINK IT WAS JUST KIND OF PULLED OUT  
22 OF A HAT TO SAY WE WANT OUR SERGEANTS TO BE THERE FOR A LONGER  
23 PERIOD OF TIME. THE LOGICAL CONCLUSION THAT THE LONGER THEY'RE  
24 THERE, THE MORE EXPERIENCED THEY BECOME IN THAT. WHAT WE DID  
25 FIND IS THAT THE AVERAGE SUPERVISOR IN JAIL IS THERE FOR OVER

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 30 MONTHS. SO IT'S ACTUALLY BEYOND THE TWO YEARS. SO IT'S  
2 REALLY NOT THAT SIGNIFICANT. WHERE WE SEE A PROBLEM, THOUGH,  
3 IS WHEN YOU TAKE TRANSFERS TO THE JAILS AND USE THAT AS  
4 PUNISHMENT AGAINST YOUR SUPERVISORS AND THEN TELL THEM "I'M  
5 GOING TO KEEP YOU THERE LONGER ", THE QUALITY OF SUPERVISION  
6 IS GOING TO BE POOR FOR A LONGER PERIOD OF TIME. I DON'T THINK  
7 THAT'S REALLY WHAT THE SHERIFF HAD INTENDED, BUT THAT'S GOING  
8 TO BE THE END RESULT IF HE DOESN'T CORRECT HOW SUPERVISORS ARE  
9 SENT TO CUSTODY OR HOW CUSTODY IS VIEWED AS LOST TIME IN THEIR  
10 CAREER.

11

12 **MS. GODLEY:** ONE OF THE THINGS I THINK THAT HAS COME UP IN YOUR  
13 TESTIMONY IS THIS IDEA THAT CUSTODY IS NOT THE PLACE WHERE YOU  
14 WANT TO BE. WHAT RECOMMENDATIONS DO YOU HAVE TO CHANGE THE  
15 CULTURE IN THE DEPARTMENT ABOUT THAT?

16

17 **LT. MORIGUCHI:** WELL, ONE OF THE THINGS, AS I MENTIONED, TO  
18 PROMOTE TO THE NEXT LEVEL, THAT YOU GIVE CREDIT TO SOMEONE WHO  
19 WORKED CUSTODY ABOVE THOSE WHO DID NOT. AND I THINK THAT WOULD  
20 APPLY FOR EDUCATION IN SOME OF THE OTHER AREAS OF IMPORTANCE  
21 TO THE SHERIFF. I'M NOT SURE -- I'M REALLY NOT SURE WHAT ELSE  
22 THERE IS ON THAT.

23

24 **MS. GODLEY:** CHANGING THE CULTURE IN THAT WAY?

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** THE CULTURE IN THE JAIL DOES NEED TO CHANGE.  
2 THE PLACEMENT OF THE SUPERVISORS INTO THE JAIL HAS TO CHANGE.  
3 AND HOW THEY'RE TREATED IN THE JAIL, HOW IT'S LOOKED AT AS  
4 LOST TIME. ONE PROPOSAL WAS TO ACTUALLY PUT PEOPLE IN THERE AS  
5 THEIR FIRST ASSIGNMENT. THERE IS A PROBLEM WITH THAT. IF  
6 EVERYONE WAS FORCED TO GO THERE AS A FIRST ASSIGNMENT, YOU  
7 COULD BE FORCING PEOPLE OUT RATHER QUICKLY WHO ARE THERE JUST  
8 FOR A COUPLE MONTHS AND THEN OUT DEPENDING UPON HOW THE  
9 PROMOTION CYCLE WORKS. BUT I THINK THAT WOULD BE DIFFICULT.  
10 AND ONE OF THE ASSISTANT SHERIFFS POINTED OUT THAT HE THINKS  
11 IT WOULD BE ALMOST IMPOSSIBLE TO GET EVERY NEWLY PROMOTED  
12 PERSON ROTATED THROUGH CUSTODY.

13

14 **MS. GODLEY:** YOU'VE TALKED ABOUT THE PERSONAL RECORDING  
15 DEVICES. WHAT ABOUT THE CHANGE IN THE FLASHLIGHT POLICY?  
16 WHAT'S YOUR CRITIQUE OF THAT?

17

18 **LT. MORIGUCHI:** WELL, ONE OF THE REASONS WE OPPOSE THE CHANGE  
19 IN THE FLASHLIGHT POLICY, IF YOU'RE AWARE THE FLASHLIGHT  
20 POLICY THEY REDUCED IT FROM A 14-INCH TO 13-INCH. THEY CHANGED  
21 THE MATERIAL AND THE WEIGHT. OUR ARGUMENT WAS THEY OUGHT TO  
22 LOOK AT THE USE OF THE FLASHLIGHT, WHETHER IT WAS A PROBLEM OR  
23 WHETHER YOU HAD A FEW DEPUTIES WHO WERE ABUSING IT, IF IT WERE  
24 A FEW DEPUTIES WERE ABUSING IT, LESS THAN 5 PERCENT OF THE USE  
25 OF INVOLVES A FLASHLIGHT, YOU NEED TO DISPALESTINE THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 INDIVIDUAL. WHAT THEY'RE DOING IS TAKING AWAY A TOOL THAT THE  
2 DEPUTIES AND THE CUSTODY ASSISTANTS USE TO PROTECT THEMSELVES,  
3 AND IF YOU'RE GOING TO DO THAT, THEN YOU NEED TO REPLACE IT  
4 WITH ANOTHER TOOL FOR WHICH THEY CAN PROTECT THEMSELVES.  
5 SHORTENING A FLASHLIGHT BY AN INCH? I REALLY DON'T KNOW WHAT  
6 THE PURPOSE OF THAT WAS OR WHAT THAT'S GOING TO SOLVE.  
7 CHANGING THE MATERIAL TO A SOFTER, KINDER, FRIENDLIER  
8 FLASHLIGHT TO ME TELLS ME THAT THE GUY WHO'S USING THAT  
9 FLASHLIGHT APPROPRIATELY IS GOING TO HAVE TO HIT THAT INMATE  
10 MORE TIMES IN ORDER TO GET COMPLIANCE. SO I'M REALLY NOT SURE  
11 WHAT THAT ACCOMPLISHED, AS WELL. THE LIGHTER WEIGHT? YOU CAN  
12 SWING IT FASTER NOW, I GUESS, WITH A LIGHTER WEIGHT. SO I JUST  
13 DON'T UNDERSTAND WHY THEY DID THAT. NOW THE EXPLANATION I GOT  
14 WAS POLITICAL PRESSURE. AND I THINK IT'S WRONG TO JUST DO IT  
15 FOR POLITICAL PRESSURE. THEY NEED TO REALLY LOOK WHAT THAT  
16 FLASHLIGHT IS USED FOR. IF IT'S APPROPRIATELY USED BY THE  
17 MAJORITY OF THE PERSONNEL THE JAILS. THEY NEED TO DISCIPLINE  
18 THOSE WHO USE IT INAN PROP ARE THELY. AND THE POLICY IS VERY  
19 CLEAR ON THE USE OF IT. AND I'D SAY 99 PERCENT OF THOSE  
20 EMPLOYEES DO USE IT APPROPRIATELY.

21

22 **MS. GODLEY:** DO YOU HAVE OTHER CRITIQUES?

23

24 **HON. DICKRAN M. TEVRIZIAN:** I WANTED HER TO FINISH THEN I HAD.  
25 YOU'LL BE FIRST.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **MIRIAM A. KRINSKY:** DO YOU HAVE OTHER CRITIQUES OF THE  
3 TASKFORCE, OF THE THINGS THAT THEY TALKED ABOUT TODAY THAT YOU  
4 WANTED TO ADD?

5

6 **LT. MORIGUCHI:** I DON'T THINK SO. THE MAIN CRITIQUE WOULD BE  
7 THAT THEY INVOLVE BOTH ALADS AND POPA IN THEIR IMPLEMENTATION  
8 OR DECISIONMAKING SO THAT WE CAN PROVIDE SOME INPUT. WE'RE NOT  
9 THERE TO JUST STOP THEM IN EVERYTHING THAT THEY'RE DOING. WE  
10 WANT TO HELP THEM CREATE AN ATMOSPHERE THAT IS APPROPRIATE,  
11 THAT DOESN'T HURT THE INMATES, IT DOESN'T HURT OUR EMPLOYEES,  
12 EITHER. SO WE WANT TO BE PART OF THE PROCESS.

13

14 **MS. GODLEY:** I HAVE NOTHING FURTHER.

15

16 **HON. DICKRAN M. TEVRIZIAN:** I HAVE QUESTIONS THAT I WANT TO ASK  
17 YOU. I WANT TO START FIRST WITH THE THE MATHEMATICS HERE WITH  
18 REGARD TO THE COST SAVINGS. I DON'T KNOW WHETHER OR NOT THIS  
19 IS FUZZY MATH OR REAL MATH, BUT ON THE PAGE THAT'S ENTITLED  
20 RECOMMENDATIONS, YOU SAY TRANSITION APPROXIMATELY 1200 DEPUTY  
21 POSITIONS TO CUSTODY JAILER POSITIONS. AND YOU SEE MOVE FROM  
22 APPROXIMATELY 2400 DEPUTIES TO 1200 CUSTODY ASSISTANTS TO 1200  
23 DEPUTIES AND 2400 CUSTODY JAILERS. WHAT DO YOU MEAN? 2400  
24 CUSTODY JAILERS AND 12 SWORN DEPUTIES? OR 1200 AND 1200?

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** THE CURRENT RATIO IS 2400 DEPUTIES TO 1200  
2 CUSTODY ASSISTANTS. STOP THERE. THAT'S 3600 PERSONNEL.

3

4 **LT. MORIGUCHI:** YES, TOTAL.

5

6 **HON. DICKRAN M. TEVRIZIAN:** AND NOW YOU WANT TO MOVE TO 2400  
7 CUSTODY JAILERS AND 1200 SWORN DEPUTIES?

8

9 **LT. MORIGUCHI:** CORRECT.

10

11 **HON. DICKRAN M. TEVRIZIAN:** THE 1200 SWORN DEPUTIES ARE GOING  
12 TO BE MOVED INTO PATROL. SO THAT DOESN'T REDUCE ANY -- THERE'S  
13 NO COST SAVING THERE BY MOVING THEM INTO PATROL AND HIRING  
14 1200 MORE CUSTODY JAILERS. YOU ACTUALLY INCREASE YOUR  
15 PERSONNEL COSTS.

16

17 **LT. MORIGUCHI:** THE 1200 DEPUTIES THAT WOULD TRANSITION OUT  
18 INTO PATROL ARE NOT TRANSITIONING INTO NEWLY CREATED SPOTS,  
19 WHICH IF THAT WERE -- IF WE'RE TALKING ABOUT TAKING 1200 ITEMS  
20 AND CREATING THEM IN THE PATROL ENVIRONMENT, THEN YOU'RE  
21 RIGHT, THERE WOULDN'T BE ANY COST SAVINGS AND IT WOULD COST  
22 MORE. WE'RE TALKING ABOUT TRANSITIONING THEM INTO VACANT  
23 POSITIONS AS ATTRITION, WE HAVE ABOUT 40 DEPUTIES TRANSITION  
24 IN PATROL. SO YOU'D START FILLING THOSE DEPUTIES INTO THOSE  
25 SPOTS. YOU'RE NOT REALLY INCREASING THE NUMBERS IN PATROL

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 OTHER THAN IN THE UNINCORPORATED AREAS AS WE TALKED ABOUT.  
2 WOULDN'T YOU BE REDUCING THE NUMBER OF SWORN DEPUTIES THAT THE  
3 SHERIFF HAS BUDGETED AT THE PRESENT TIME?

4

5 **LT. MORIGUCHI:** YOU WOULD BE DECREASING THE TOTAL NUMBER,  
6 CORRECT.

7

8 **HON. DICKRAN M. TEVRIZIAN:** NOW THAT GETS TO MY NEXT QUESTION,  
9 AND THAT IS: WOULDN'T YOUR RECOMMENDATIONS REQUIRE NOT ONLY  
10 DISCUSSIONS WITH THE MOU WITH ALADS, BUT IT WOULD REQUIRE  
11 COUNTY LEGISLATION, IT MAY REQUIRE COUNTY CHARTER LEGISLATION,  
12 AND IT MAY REQUIRE STATE LEGISLATION.

13

14 **LT. MORIGUCHI:** I'M NOT SURE HOW IT WOULD REQUIRE STATE  
15 LEGISLATION. THE SHERP IF'S DEPLOYMENT MODEL WOULD CHANGE. AND  
16 SO YOU WOULD HAVE TO GET BUY-IN FROM THE CEO'S OFFICE AND THE  
17 BOARD OF SUPERVISORS FOR THAT CHANGE. WHAT ABOUT THE CONTROL  
18 OF THE CUSS CUSTODY JAILERS? WOULD THEY REMAIN UNDER THE  
19 CONTROL OF THE SHERIFF WHO IS A CONSTITUTIONALLY ELECTED FOR  
20 L.A. COUNTY?

21

22 **LT. MORIGUCHI:** ABSOLUTELY.

23

24 **HON. DICKRAN M. TEVRIZIAN:** SO YOU WOULD NOT BE INTERFERING  
25 WITH THAT SUPERVISION, WOULD YOU, OF THE JAIL?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **LT. MORIGUCHI:** YEAH, ABSOLUTELY NOT. THE SUPERVISION WOULD  
3 STILL BE UNDER THE SHERIFF. JUST AS THE CUSTODY ASSISTANTS  
4 TODAY ARE MEMBERS OF THE SHERIFF'S DEPARTMENT. SEE, I STILL GO  
5 BACK TO THE FIRST QUESTION I ASK ABOUT THE MATHEMATICS TO SEE  
6 IF IT'S FUZZY MATH OR REALLY IF IT'S GOING TO RESULT IN COST  
7 SAVINGS OF \$57 MILLION A YEAR. BECAUSE IF YOU'RE JUST  
8 TRANSFERRING 1200 DEPUTIES INTO PATROL AND INCREASING THE  
9 NUMBER OF CUSTODY JAILERS FROM 1200 TO 24, YOU'VE ACTUALLY  
10 INCREASED THE PAYROLL OF THE COUNTY IN DEALING WITH CUSTODY  
11 JAILERS, ARE YOU NOT?

12

13 **LT. MORIGUCHI:** I UNDERSTAND WHAT YOU'RE SAYING. BASICALLY WHAT  
14 YOU WOULD HAVE IS -- I THINK THE CONFUSION MIGHT BE IN THAT  
15 THE 1200 DEPUTIES ARE NOT JUST GOING OUT TO PATROL AND  
16 INCREASING YOUR PATROL COMPLIMENT BY 1200. BECAUSE YOU'RE  
17 RIGHT, THEN THERE IS NO SAVINGS THERE AT ALL. WHEN THOSE 1200  
18 DEPUTIES GO OUT TO PATROL, THEY'RE ACTUALLY FILLING IN CURRENT  
19 VACANCIES AS PEOPLE RETIRE, THEY START FILLING IN THOSE SPOTS.  
20 SO THERE IS NO INCREASE IN THE PATROL COMPONENT OTHER THAN AS  
21 I MENTIONED IN THE UNINCORPORATED AREAS, THERE WOULD BE AN  
22 INCREASE IN PATROL. SO THERE'S NOT 1200 DEPUTIES BEING ADDED  
23 TO PATROL; THEY'RE JUST FILLING IN THE VACANCIES FOR THE  
24 DEPLOYMENT OF PATROL PERSONNEL.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. DICKRAN M. TEVRIZIAN:** SO WHAT YOU'RE TRYING TO DO, THEN,  
2 IS TRYING TO TRANSITION IN THE EXISTING DEPUTIES INTO SPOTS  
3 THAT ARE AVAILABLE OUT IN THE FIELD THAT ARE UNFILLED BUY THE  
4 SHERIFF'S DEPARTMENT?

5

6 **LT. MORIGUCHI:** THAT'S CORRECT. SO BASICALLY OUR PROPOSAL WOULD  
7 MEAN THAT THE SHERIFF AND THE BOARD OF SUPERVISORS WOULD HAVE  
8 TO AGREE THAT INSTEAD OF HAVING, LET'S SAY, 8500 DEPUTY  
9 POSITIONS, HE ONLY HAS 7,000 WHATEVER DEPUTY POSITIONS TOTAL.  
10 SO HE'S ACTUALLY DECREASING HIS TOTAL NUMBER OF DEPUTY  
11 SHERIFFS IN THE ORGANIZATION AS A WHOLE.

12

13 **HON. DICKRAN M. TEVRIZIAN:** DO YOU THINK THE SHERIFF IS GOING  
14 TO GO ALONG WITH THAT.

15

16 **LT. MORIGUCHI:** NO, I DO NOT.

17

18 **HON. DICKRAN M. TEVRIZIAN:** DO YOU THINK THE BOARD OF  
19 SUPERVISORS WILL GO ALONG WITH THAT?

20

21 **LT. MORIGUCHI:** WELL I THINK THE CONCERN WITH THE SHERIFF WOULD  
22 BE MAINTAINING THE HIGHEST NUMBER OF SWORN PEOPLE POSSIBLE.  
23 BUT I DO THINK HE ALSO UNDERSTANDS THE ECONOMICS OF THIS, THE  
24 PUTTING THE RIGHT PEOPLE IN THE RIGHT CLASSIFICATION TO THE  
25 RIGHT JOB, I THINK HE UNDERSTANDS THAT. I THINK HE WILL SEE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 THE SAVINGS ASSOCIATED WITH IT AND HOW HE CAN USE THAT SAVINGS  
2 TO IMPROVE THE CUSTODY ENVIRONMENT OR EVEN THE PATROL SIDE OF  
3 THE DEPARTMENT, AS WELL.

4

5 **HON. DICKRAN M. TEVRIZIAN:** DO YOU THINK ALADS WOULD GO ALONG  
6 WITH THAT? BECAUSE THEY'RE GOING TO BE LOSING DEPUTIES.

7

8 **LT. MORIGUCHI:** THAT'S GOING TO BE THE TOUGHEST BATTLE. I THINK  
9 ALADS, THE DIFFICULTY ALADS MAY HAVE THE SAME THING POPA WENT  
10 THROUGH, BY THE BAY, WHEN WE LOOKED AT THE OFFICE OF PUBLIC  
11 SAFETY MERGING INTO THE SHERIFF'S DEPARTMENT. THE OFFICE OF  
12 PUBLIC SAFETY WAS ABOUT 400 SOMETHING MEMBERS, ALL OF WHOM  
13 WERE MEMBERS OF POPA. WE AFFECTED THE MERGE INTO THE SHERIFF'S  
14 DEPARTMENT KNOWING THAT WE'RE GOING TO LOSE THE BULK OF THAT  
15 400, OUR MEMBERS. BUT IT WAS FOR THE BETTERMENT OF THOSE  
16 EMPLOYEES TO BECOME DEPUTY SHERIFFS.

17

18 **HON. DICKRAN M. TEVRIZIAN:** NOW THE SHERIFF HAS PROBABLY ONE OF  
19 THE LARGEST BUS THREATS IN LOS ANGELES COUNTY SECOND ONLY TO  
20 THE MTA FOR THE TRANSPORTATION OF PRISONERS. WHO'S GOING TO  
21 TRANSPORT THE PRISONERS? THE SHERIFF? OR THE CUSTODY JAILERS?

22

23 **LT. MORIGUCHI:** IT WOULD STILL HAVE TO BE SHERIFFS BECAUSE IT  
24 WOULD HAVE TO BE AN ARMED POSITION.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. DICKRAN M. TEVRIZIAN:** AND THE LOCK HOUSES IN LOS ANGELES  
2 COUNTY, THE SHERIFF MAINTAINS CONTROL OVER THOSE LOCKUP  
3 FACILITIES. WHO WOULD WORK IN THOSE COURTHOUSE LOCKUP  
4 FACILITIES? CUSTODY JAILERS OR SHERIFF'S DEPUTIES?

5

6 **LT. MORIGUCHI:** RIGHT NOW THE SHERIFF'S DEPARTMENT USES BOTH  
7 CUSTODY ASSISTANTS AND DEPUTY SHERIFFS IN THE LOCKUPS. WE'RE  
8 NOT RECOMMENDING ANY CHANGES TO THOSE, BUT CERTAINLY IF YOU  
9 WANTED TO SAVE MORE MONEY, YOU COULD INCREASE THE NUMBER OF  
10 CUSTODY ASSISTANTS IN THOSE LOCKUPS, AS WELL.

11

12 **HON. DICKRAN M. TEVRIZIAN:** AND THE DIFFERENCE BETWEEN MEN'S  
13 COUNTY JAIL AND TWIN TOWERS IS A DRASTIC DIFFERENCE IN THE  
14 CUSTODY FACILITIES. WOULDN'T IT BE EASIER FOR THE JAIL,  
15 KEEPERS OF THE CUSTODY JAILERS TO MAINTAIN A PRESENCE IN TWIN  
16 TOWERS AS OPPOSED TO MEN'S CENTRAL JAIL? IN OTHER WORDS, WHAT  
17 WOULD WORK FOR MEN'S CENTRAL JAIL MAY NOT WORK FOR TWIN TOWERS  
18 REGARDING THESE CUSTODY JAILERS.

19

20 **LT. MORIGUCHI:** I'M NOT SURE I WOULD SEE MUCH OF A DIFFERENCE.  
21 COMMANDER PETRO TONY TALKED ABOUT YOUR K-10S, YOUR HIGHEST  
22 RISK INMATES. WE HAVE CUSTODY ASSISTANTS NOW THAT HANDLE --  
23 HAVE DIRECT CONTACT WITH THOSE K-10S. SO I THINK IT'S A  
24 MISNOMER TO THINK THAT THE CUSTODY ASSISTANTS ARE NOT CAPABLE  
25 OF SUPERVISING HIGH-LEVEL INMATES. THE AREAS THAT THEY SIMPLY

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 CANNOT DO ARE THOSE THAT ARE LAW ENFORCEMENT FUNCTIONS WHICH  
2 REQUIRE A GUN OR ARREST POWERS LIKE THE TRANSPORTATION, LIKE  
3 YOU MENTIONED WITH THE TRANSPORTATION ON THE BUSES OR  
4 TRANSPORTING TO THE HOSPITAL OR EVEN PERIMETER PER PAY TROLL  
5 REQUIRES A UNIFORMED, A SWORN DEPUTY SHERIFF TO CONDUCT THOSE,  
6 WHICH IS WHY WE STILL RECOMMEND THAT 1,000 PEOPLE BE LEFT IN  
7 THE CUSTODY DIVISION TO BE ABLE TO CARRY OUT THOSE FUNCTIONS.  
8 WHERE YOU REALLY DON'T NEED A DEPUTY SHERIFF IS IN THE MODULES  
9 WHERE THEY'RE SUPERVISING THE INMATES WHERE YOU HAVE A CUSTODY  
10 ASSISTANT DOING THE EXACT SAME JOB THE DEPUTY IS DOING AT FAR  
11 LESS PAY AND YOU HAVE THE DEPUTY DOING THE SAME JOB FOR  
12 SIGNIFICANT MORE PAY, THAT IS NOT NECESSARY. AND THOSE ARE THE  
13 THINGS THAT I THINK COMMANDER FENNELL SAID THEY WILL LOOK AT  
14 AND THEY WILL PULL THEIR CAPTAINS TO FIND OUT HOW MANY OF  
15 THOSE POSITIONS EXIST BECAUSE THEY REALIZE, ALSO, THAT THOSE  
16 COULD BE REPLACED WITH CUSTODY ASSISTANTS OR SHERIFF JAILERS.

17

18 **HON. DICKRAN M. TEVRIZIAN:** WHO TRAINS THE CUSTODY JAILERS AT  
19 THE PRESENT TIME?

20

21 **LT. MORIGUCHI:** RIGHT NOW IT'S PRIMARILY DEPUTIES OR OTHER  
22 CUSTODY ASSISTANTS IN THE JAIL SYSTEM THAT HELP TRAIN. WOULD  
23 THAT CONTINUE UNYOUR PROPOSAL? WORE WOULD THAT HAVE TO BE  
24 LOOKED AT? GUCH.

25

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **LT. MORIGUCHI:** THE TRAINING OF THE CUSTODY ASSISTANTS COULD  
2 STILL BE THE SAME AS IT IS TODAY. THE DIFFERENCE WOULD BE IN  
3 THE TRAINING OF THE DEPUTIES. RIGHT NOW, CUSTODY ASSISTANTS DO  
4 NOT TRAIN DEPUTIES IN THE JAIL TO PERFORM JAIL FUNCTIONS. IT'S  
5 DONE BY DEPUTIES. WE BELIEVE THAT A CUSTODY ASSISTANT CAN  
6 TRAIN A DEPUTY. THERE'S NOTHING WRONG WITH A CUSTODY ASSISTANT  
7 TRAINING A DEPUTY. WOULD THAT REQUIRE A CHANGE OF THE MOU WITH  
8 REGARD TO ALADS?

9

10 **LT. MORIGUCHI:** IT WOULD REQUIRE A CHANGE IN THE MOU WITH THAT  
11 65/35 PERCENT IF YOU LEAVE IT AS A CUSTODY ASSISTANT PROGRAM.  
12 IF YOU GO TO A SHERIFF JAILER, THEY WOULD HAVE TO CHECK WITH  
13 THEIR LEGAL COUNSEL, BUT THEY COULD, I GUESS, GET AROUND THE  
14 MOU, SO TO SPEAK, IF THEY CREATE A NEW CLASSIFICATION THAT HAS  
15 ADDED RESPONSIBILITY, THAT MOU COULD BECOME VOID. RIGHT NOW  
16 IT'S A 65/35 PERCENT SPLIT?

17

18 **LT. MORIGUCHI:** CORRECT.

19

20 **HON. DICKRAN M. TEVRIZIAN:** AND YOURS WOULD BE A 50/50 PERCENT  
21 SPLIT?

22

23 **LT. MORIGUCHI:** OURS WOULD ACTUALLY BE THE EXACT OPPOSITE. 65  
24 CUSTODY JAILERS, 35 DEPUTY SHERIFFS.

25



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. LOURDES BAIRD, CHAIR:** ANY OTHER FURTHER QUESTIONS?

2

3 **HON. CARLOS R. MORENO:** I JUST HAVE A COUPLE. THIS IS  
4 COMMISSIONER MORE ENOH. I THINK YOU JUST ANSWERED ONE OF MY  
5 QUESTIONS AND THAT IS: HAVE YOU NOTED ANY DIFFERENCE IN THE  
6 PERCEPTION BY THE INMATES AS TO WHETHER OR NOT THEY'RE BEING  
7 SUPERVISED OR HANDLED BY A CUSTODY ASSISTANT VERSUS A DEP  
8 DEPUTY SHERIFF?

9

10 **LT. MORIGUCHI:** THAT MIGHT BE A LITTLE DIFFICULT FOR ME TO  
11 ANSWER BEING A LIEUTENANT AND I HAVEN'T BEEN IN THAT POSITION  
12 BEFORE. I DO BELIEVE THAT WHAT THE INMATES WANT IS TO BE  
13 TREATED WITH RESPECT. AND I THINK YOU'LL FIND THAT DEPUTIES --  
14 AND I DON'T MEAN ALL DEPUTIES BECAUSE MOST OF THEM ARE VERY  
15 GOOD DEPUTIES -- BUT DEPUTIES ARE MUCH MORE LIKELY TO TREAT  
16 THEM WITH LESS RESPECT THAN ARE CUSTODY ASSISTANTS DO. AND  
17 THAT'S EVIDENT BY THE ADMINISTRATIVE INVESTIGATIONS IN THE  
18 ACLU REPORT. ALMOST ALL THE USES OF FORCE, EXCESSIVE USES OF  
19 FORCE THEY REPORTED WERE DEPUTY SHERIFFS, I THINK TWO INVOLVED  
20 CA'S AND ONLY ONE OF THEM WAS A USE OF FORCE BUY A C.A.

21

22 **HON. CARLOS R. MORENO:** AND WHAT ROLE WOULD YOU ENVISION FOR  
23 EITHER THE CUSTODY ASSISTANTS OR THE DEPUTIES THEMSELVES IN  
24 QUELLING MAJOR DISTURBANCES OR RIOTS? WOULD YOU SEND IN THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 VARSITY AND THEN THE JAILERS WOULD NOT HAVE ANYTHING TO DO  
2 WITH IT?

3

4 **LT. MORIGUCHI:** NO. I THINK THE CUSTODY ASSISTANTS TODAY ARE --  
5 YOU KNOW, WHEN THEY FIRST STARTED, THEY WERE JUST PUSHING  
6 BUTTONS IN ISOLATED AREA. THEY'VE SHOWN THAT THEY CAN DO THE  
7 JOB OF A JAILER FULLY, IN MY OPINION, FULLY, TO HAVE ALL THE  
8 INTERACTION. THEY CAN DO DORM SEARCHES. THEY CAN DO DORM  
9 COUNTS. THEY CAN GO INTO HOSTILE SITUATIONS AND HANDLE  
10 THEMSELVES APPROPRIATELY, EVEN MORE APPROPRIATELY THAN MANY  
11 DEPUTY SHERIFFS. SO I DON'T THINK THAT WOULD BE A PROBLEM.  
12 THEY DO NEED TO BE PROPERLY TRAINED IN THAT AREA, THOUGH.

13

14 **HON. CARLOS R. MORENO:** JUST ONE FINAL QUESTION ON THE  
15 FLASHLIGHT POLICY. IT'S ALWAYS TROUBLED ME TO TRY TO  
16 UNDERSTAND OR GRASP. SA FLASHLIGHT CARRIED BY A DEPUTY EVER  
17 USED AS AN ILLUMINATION DEVICE AS OPPOSED TO A WEAPON? AND WHY  
18 NOT JUST GIVE THEM A BATON IF THERE'S NO NEED FOR AN  
19 ILLUMINATION DEVICE?

20

21 **LT. MORIGUCHI:** YOU COULD DO THAT. I THINK WHAT YOU WOULD FIND  
22 IF YOU GAVE THEM BATONS, YOU'RE GOING TO HAVE THE SAME PROBLEM  
23 WITH SOME DEPUTY WHO MISUSES THAT BATON AND HITS AN INMATE IN  
24 THE HEAD AND THEN WE'RE REALLY BACK TO SQUARE ONE WHERE YOU  
25 ARE TODAY.

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **HON. CARLOS R. MORENO:** IS THAT ANY DIFFERENT THAN BEING HIT BY  
3 A 14-INCH METAL FLASHLIGHT?

4

5 **LT. MORIGUCHI:** IS IT DIFFERENT? I THINK A BATON COULD DO MUCH  
6 MORE SEVERE DAMAGE TO AN INDIVIDUAL. THERE'S ALSO, THE LENGTH  
7 OF THE BATON, DEPENDING UPON WHAT TYPE OF BATON YOU'RE TALKING  
8 ABOUT. THE LENGTH OF A BATON, YOU LOSE SOME ACCURACY. SO YOU  
9 MAY HAVE MORE HEAD STRIKES, MORE DEPUTIES, OR CA'S, CLAIMING  
10 THAT THEY WERE AIMING FOR HIS ELBOW AND HIT HIM IN THE BACK OF  
11 THE HEAD.

12

13 **HON. CARLOS R. MORENO:** SO IS IT FAIR TO SAY THAT THE  
14 FLASHLIGHTS ARE REALLY USED AS WEAPONS AND NOT AS FLASHLIGHTS?

15

16 **LT. MORIGUCHI:** THEY'RE USED AS BOTH. WHEN I WORKED IN THE  
17 JAILS, WE DID DORM SEARCHES ON A REGULAR BASIS. SO WE DID USE  
18 THE FLASH LIGHTS AND CERTAINLY AT NIGHT WHEN THE LIGHTS ARE  
19 OFF IN THE DORM FOR SAFETY REASONS, YOU HAD THAT FLASHLIGHT  
20 ILLUMINATED SO YOU COULD SEE WHERE YOU'RE GOING AND SEE WHERE  
21 THE INMATES ARE IN FRONT OF YOU. SO IT IS YOOTD BOTH WAYS --  
22 USED BOTH WAYS. BUT ONE THING WE DO TEACH OUR DEPUTIES  
23 WHATEVER'S IN YOUR HAND, WHETHER IT'S FLASHLIGHT, KEYS, A PEN,  
24 YOU NEED TO KNOW HOW TO USE THAT AS A WEAPON BECAUSE YOUR LIFE  
25 MAY DEPEND ON IT. AND THAT FLASHLIGHT IS WHAT DEPUTIES ARE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 CARRYING THE MOST, WHICH IS PROBABLY WHY THAT IS BEING LOOKED  
2 AT AS A TOOL OR A WEAPON THEY ARE USING THE MOST BECAUSE IT  
3 HAPPENS TO BE IN THEIR HAND THE MOST.

4

5 **HON. LOURDES BAIRD, CHAIR:** ANY OTHER QUESTIONS?

6

7 **HON. ROBERT BONNER:** JUST A COUPLE IF I COULD. THIS IS JUDGE  
8 BUNKER SPEAKING. ONE IS YOU JUST REFERRED TO THE FIRST  
9 ASSIGNMENT OF A DEPUTY IS TO CUSTODY AFTER THEY GET OUT OF THE  
10 ACADEMY. AND YOU REFER TO APPARENTLY ONE OR MORE CASES WHERE  
11 THERE'S ACTUALLY BEEN DEPUTY THAT HAS BEEN IN THE COUNTY JAIL  
12 OR CUSTODY ASSIGNMENT FOR 14 YEARS. WHAT'S THE AVERAGE LENGTH  
13 OF TIME? LET'S SAY IN THE LAST YEAR OR TWO, I REALIZE THIS  
14 VARIES, BUT WHAT IS THE AVERAGE LENGTH OF THE FIRST ASSIGNMENT  
15 FOR A DEPUTY OUT OF THE ACADEMY IN COUNTY JAIL?

16

17 **LT. MORIGUCHI:** I THINK CURRENTLY IT'S AROUND SEVEN YEARS BASED  
18 ON THE SHERIFF'S REPORT. THE 14 YEARS IS TO GET TO WEST  
19 HOLLYWOOD STATION FOR WHATEVER REASON THAT'S THE HARDEST ONE  
20 TO GET OUT TO. AND THERE'S PROBABLY LOW TURNOVER AT THAT  
21 STATION. SOME STATIONS ARE MUCH SHORTER. BUT THE AVERAGE I  
22 BELIEVE IS AROUND SEVEN YEARS.

23

24 **HON. ROBERT BONNER:** SO IF YOU REALLY WANTED TO GET OUT OF THE  
25 ASSIGNMENT, YOU COULD APPLY TO A LESS DESIRABLE PATROL STATION

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 AND PRESUMABLY HAVE A SHORTER TIME AS YOUR FIRST ASSIGNMENT IN  
2 CUSTODY?

3

4 **LT. MORIGUCHI:** THAT'S CORRECT.

5

6 **HON. ROBERT BONNER:** YOU INDICATED THAT THE CUSTODY ASSISTANTS  
7 -- AND UNDER YOUR PROPOSAL THEY WOULD BE CALLED COUNTY  
8 JAILERS, A NEW JOB DESCRIPTION, BUT ESSENTIALLY PRETTY MUCH  
9 THE SAME JOB YOU'RE PERFORMING NOW -- WHY IS IT IF THEY HAVE  
10 ALL THESE CAPABILITIES UNDER YOUR PROPOSAL THAT FIRST-LINE  
11 SUPERVISION OF THE COUNTY JAILERS WOULD BE SWORN DEPUTY  
12 SHERIFFS? SERGEANTS SPECIFIC AS OPPOSED TO COUNTY JAILERS?

13

14 **LT. MORIGUCHI:** THE MAIN REASON IS THERE ARE STILL SWORN  
15 DEPUTIES IN THE JAIL. SO YOU'D HAVE TO LOOK AT WHETHER YOU'RE  
16 GOING TO HAVE A CIVILIAN CUSTODY ASSISTANT, LET'S SAY A  
17 SERGEANT CUSTODY ASSISTANT, SUPERVISE THAT SWORN INDIVIDUAL.  
18 RIGHT NOW WHAT WE HAVE ARE SWORN SERGEANTS THAT SUPERVISE BOTH  
19 THE SWORN AND THE NONSWORN IN OUR JAILS. AND THAT'S WHY WE  
20 RECOMMENDED CONTINUING THAT PROCESS.

21

22 **HON. ROBERT BONNER:** AND IT WOULD BE PROBLEMATIC OR FOR A  
23 VARIETY OF REASONS THAT I THINK YOU INDICATED IF YOU HAD A  
24 CIVILIAN COUNTY JAILER SUPERVISING SHERIFF'S DEPUTIES, SWORN  
25 SHERIFF'S DEPUTIES?

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1

2 **LT. MORIGUCHI:** THAT'S CORRECT. IF YOU CIVILIANIZE THE WHOLE  
3 JAIL, WE WOULD CERTAINLY BE IN FAVOR OF MAKING THEM SERGEANTS  
4 AND LIEUTENANTS.

5

6 **HON. ROBERT BONNER:** YOU HAVE A NUMBER OF ISSUES YOU'VE RAISED  
7 WITH THE DID YOUAL TRACK CAREER PROPOSAL THAT I THINK IS BEING  
8 AT LEAST DISCUSSED IF NOT RECOMMENDED BY THE COMMANDER  
9 MANAGEMENT TASKFORCE. AND YOU HAVE YOUR PROPOSAL, WHICH IS A  
10 LITTLE DIFFERENT. BUT MY QUESTION TO YOU WOULD BE IF WE REALLY  
11 NEED TO DO SOMETHING HERE, WHY ARE BOTH OF YOU RECOMMENDING  
12 HALF MEASURES? WHY WOULDN'T WE ACTUALLY AT LEAST CONSIDER THE  
13 POSSIBILITY OF BREAKING OUT THE WHOLE CUSTODY FUNCTION, THE  
14 JAIL FUNCTION FROM SAY THE SHERIFF'S DEPARTMENT AND HAVING A  
15 SEPARATE ENTITY OR OPERATION THAT WOULD HANDLE THE JAIL  
16 FUNCTION?

17

18 **LT. MORIGUCHI:** I'M NOT SURE THAT WE WOULD NECESSARILY BE  
19 OPPOSED TO THAT. I GUESS THE FOCUS WOULD BE ON WHAT THE  
20 EXISTING PROBLEM IS WITHIN OUR JAILS AND THEN WHAT SOLUTIONS  
21 WOULD BEST RESOLVE THAT. IF IT MEANS TAKING IT FROM THE  
22 SHERIFF AND PUTTING IT UNDER SOMEONE ELSE'S COMMAND, IF THAT'S  
23 THE BEST SOLUTIONS, I DON'T THINK WE WOULD OPPOSE THAT BECAUSE  
24 I THINK WHAT WE'RE LOOKING FOR IS THE BEST SOLUTIONS. WE JUST  
25 HAVE THE A DIFFERENT OPINION AS TO WHAT THAT SOLUTIONS, THE

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 BEST SOLUTIONS WOULD BE, THE COMMANDERS' TASKFORCE BELIEVES IN  
2 THE DUAL TRACK. WE SEE TOO MANY PROBLEMS THAT WE ANTICIPATE  
3 WITH THAT DUAL TRACK BASED UPON THE PAST HISTORY OF THE  
4 SHERIFF'S DEPARTMENT.

5

6 **HON. ROBERT BONNER:** BUT WOULD SEPARATING OUT THE JAIL FUNCTION  
7 FROM THE SHERIFF'S DEPARTMENT BE A BETTER SOLUTION THAN WHAT  
8 PPOA IS PROPOSING? IN YOUR OPINION.

9

10 **LT. MORIGUCHI:** I'M NOT SURE I COULD ANSWER THAT BECAUSE IT  
11 WOULD DEPEND ON THE STRUCTURE CREATED. THE NEW ENTITY THAT  
12 WOULD SUPERVISE THE JAILS. IF IT'S AN APPROPRIATE SYSTEM THAT  
13 CREATES BETTER SUPERVISION, MORE ECONOMICAL. MANY OF OUR  
14 COMPLAINTS ABOUT THE DUAL TRACK OR THEIR COMPLAINTS ABOUT OUR  
15 PROPOSAL, IF THOSE ARE RESOLVED BY IT GOING TO ANOTHER ENTITY  
16 OR CREATING A NEW ENTITY, MAYBE THAT'S A BETTER SOLUTIONS. I  
17 THINK THERE IS A DOWNSIDE IF THE DEPUTIES OR THE SHERIFF'S  
18 DEPARTMENT TALKS ABOUT BEING ABLE TO PULL SOME PEOPLE OUT AND  
19 A COUPLE HUNDRED PEOPLE IN THE PAST FOR EMERGENCIES OUT IN  
20 THEFELD, IF YOU CREATED A SEPARATE ENTITY, YOU WOULDN'T BE  
21 ABLE TO DO THAT, OBVIOUSLY, BECAUSE THEY WOULDN'T BE OPERATING  
22 UNDER THE SHERIFF'S CONTROL ANYMORE. SO THERE'S PROBABLY SOME  
23 PROS AND CONS. BUT I WOULDN'T SIT HERE TODAY AND SAY THAT WE  
24 WOULD BE FLAT-OUT AGAINST IT WITHOUT ACTUALLY SEEING A

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 PROPOSAL AND THEN ANALYZING THE PROS AND CONS TO THAT  
2 PROPOSAL.

3

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

5

6 **HON. LOURDES BAIRD, CHAIR:** ARE THERE ANY OTHER QUESTIONS? NO?  
7 THANK YOU VERY MUCH, MS. GODLY FOR YOUR EXAMINATION. IT WAS  
8 WONDERFUL TO BE ABLE TO HEAR YOUR TESTIMONY, LIEUTENANT  
9 MORIGUCHI. YOU HAD SOME WONDERFUL SUGGESTIONS WE'LL SEE ABOUT.  
10 YOU KNOW THAT THE COMMISSION WILL TAKE IT INTO CONSIDERATION.

11

12 **LT. MORIGUCHI:** THANK YOU VERY MUCH.

13

14 **HON. LOURDES BAIRD, CHAIR:** WE HAVE SOME REQUESTS THAT WERE  
15 PREVIOUSLY FILED FOR PUBLIC COMMENT. I BELIEVE TWO OF THE  
16 PEOPLE HAVE LEFT BUT LET ME JUST CHECK. MR. PREVEN HERE? IS  
17 MR. MAZE LICH HERE? AND DANYA HAZEN? YES, MS. HAZEN, COULD YOU  
18 PLEASE STEP FORWARD? THANK YOU, MS. HAZEN, PLEASE BE SEATED.  
19 AND I WANT TO REMIND YOU OF OUR ONLY RULE, REALLY, IS THAT YOU  
20 KEEP YOUR COMMENTS LIMITED TO THREE MINUTES. THE LIGHT WILL GO  
21 ON WHEN THREE MINUTES ARE UP. THANK YOU VERY MUCH. PLEASE GO  
22 AHEAD.

23

24 **SPEAKER:** I JUST WANTED TO SAY THAT WE WOULD BE OPPOSED TO THE  
25 DUAL TRACK PROPOSAL FOR DEPUTIES. I'M A CUSTODY ASSISTANT. WE



**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 PRESENTLY DO THE JOB. WE'RE PROUD TO DO THE JOB. WE REALIZE  
2 THAT WE GET SIGNIFICANTLY LESS PAY. THAT REALLY IS ACCEPTABLE.  
3 THE ONLY DIFFERENCE IS THAT WE RECOGNIZE ALSO THAT THEY WOULD  
4 BE GOING OUT TO PATROL AND THAT GIVES US A LITTLE BIT OF, I  
5 DON'T KNOW, CONFIDENCE, WHATEVER SO I WOULD REQUEST THAT YOU  
6 LOOK CAREFULLY. WE ARE DOING THE SAME JOB THAT THE DEPUTIES  
7 ARE DOING. WE DON'T HAVE WEAPONS. BUT WE'RE PROUD OF OUR JOB.  
8 WE HAVE A SAYING: CUSTODY IS OUR LIFE. AND WE'RE PERFECTLY  
9 HAPPY WITH THAT. AND I DO HAVE AN ANSWER TO YOUR QUESTION  
10 ABOUT THE FLASHLIGHTS. WE USE THEM TO GET THE ATTENTION OF OUR  
11 PARTNERS. WE USE THEM FOR SAFETY WITH ENTHE POWER GOES OUT.  
12 AND THE OTHER THING IN A TITLE 15 SITUATION WHEN WE GO TO MAKE  
13 SURE THAT THE INMATES ARE OKAY, WELL -- RATHER THAN HAVE TO  
14 YELL, WE CAN USE THAT FLASHLIGHT TO KNOCK ON THE CELL DOOR OR  
15 WHATEVER. THEY WILL WIGGLE THEIR FOOT OR WHATEVER. AND WE CAN  
16 SEE THAT THEY'RE OKAY AND PROCEED TO THE NEXT VENUE. OKAY. ANY  
17 QUESTIONS? THANK YOU VERY MUCH, MS. HAZEN. WE APPRECIATE YOUR  
18 COMING. IS THERE ANYTHING FURTHER AT THIS POINT? MOTION TO  
19 ADJOURN?

20

21 **SPEAKER:** MOTION.

22

23 **SPEAKER:** SECOND.

24

**Unedited Draft – Partial Transcript of Witness Testimony from CCJV  
Meeting Held on July 6, 2012**

1 **HON. LOURDES BAIRD, CHAIR:** ALL OPPOSED? ALL IN FAVOR? A  
2 REMINDER OUR NEXT MEETING IS JULY 27TH. THANK YOU.  
3