

**Jail Commission  
Jim McDonnell  
September 28, 2012**

**I want to thank the Board of Supervisors for convening this Commission to address the chronic, long term and troubling allegations of excessive uses of force in the LA County Jail system.**

**I am honored to have been able to serve for the past year with such a distinguished panel of accomplished leaders.**

**We owe a debt of gratitude to the Commission's staff for their tireless efforts to accomplish our assigned task. Thank you also to the prominent Los Angeles law firms that assigned some of their sharpest minds to complete the investigative follow up, analyses, interviews and to take the statements necessary to properly tell the story.**

**The allegations of excessive force in the jails go back many years and have been the subject of many reports to the Sheriff, the media, and the public. While some actions may have resulted from the reports being issued, there has been no sustained system-wide effort to address these allegations to date.**

**Despite the significant amount of attention focused on the problems in the jails by the media, the multitude of complaints and lawsuits filed, the payouts and settlements for damages, the reports prepared by the Office of Independent Review, the Special Counsel, and the ACLU, who has been appointed by a federal court to monitor inmate welfare in the jail, there has not been any great public outcry to fix the problems in the jail.**

**Why is this?**

**The people most directly impacted don't have a lot of credibility in the eyes of the public, nor does the behavior that got them to County Jail generate much in the way of sympathy or support.**

**This is the reality that we face. That makes the responsibility of this Commission that much more critical.**

**We were tasked by the Board to thoroughly examine the situation present in the jails. As you will see in the report, we broke our examination down into sections that address Management, Culture, Use of Force, History of Reform Efforts, Oversight and Personnel. Each section has an overview, findings and recommendations for change.**

**I have had the opportunity to work alongside LASD for over 3 decades and I have tremendous respect for the men and women in the Sheriff's department. They do an extremely difficult job overall very well. They have a lot to be proud of including their work in Courts, Custody, Transportation, and Law Enforcement.**

**We have seen that LASD has a strong culture with a rich tradition, and that its members, both active and retired, take tremendous pride in the organization, as well they should. Several employees put a lot on the line to testify before this Commission in an effort to help make their organization better. Many others shared their insights less visibly, but were just as valuable.**

**My hope a year ago was that we would look at issues that were of concern in the LA County Jail system and be able to make recommendations that would improve conditions for inmates and LASD personnel alike.**

**I have to say that I was very surprised by what this Commission has learned from testimony, our examination of the reams of paperwork, and the many interviews conducted pursuant to our charge.**

**We have heard testimony and read interviews from dozens of credible people who have told us that the problems that we are examining in the jails are nothing new. In fact, these issues have been present for years and have been brought to the attention of the Sheriff directly, as well as through the chain of command.**

**We have copies of reports from Merrick Bobb and Mike Gennaco, some dating back years, that were presented to the Sheriff. These reports, among others, identify and address recommendations for change. This Commission heard from both of these gentlemen directly.**

**We also heard from Sheriff Lee Baca and Under Sheriff Paul Tanaka. Both are long time colleagues, whom I have respected and considered as partners, so as you might imagine, this was not an easy, nor pleasant task.**

**The Under Sheriff did not recall many of the details when asked about management issues regarding use of force, jail operations, deputy cliques and promotions, or political fundraising, among other issues.**

**These are significant topics that law enforcement executives deal with on a daily basis. When questioned about the culture of the LASD, we were given similar responses. This was very troubling.**

**We heard Sheriff Baca tell us that he was unaware of many of the problems that we are charged with examining. We heard that his subordinates did not keep him apprised of what was going on and that he was shielded from information that he needed to know.**

**We also heard the Sheriff tell us that he is ultimately responsible for all that happens in the LASD. As the leader of a law enforcement agency, I agree with him. Whether I am informed or not, I am responsible for the actions of my agency and the people in it and I expect to be held accountable. That is the nature of the business.**

**He told us that he is an elected official, accountable to those who elected him.**

**When asked about how he is to be held accountable, he responded, “don’t re-elect me.”**

**In addressing the charge given to us by the Board of Supervisors, that response does not promote reform in any meaningful fashion.**

**As a Commission, we also have no authority to implement change within the LASD. We can only make recommendations for improvements.**

**While we hope we can be helpful in this regard, we also worry that this report will end up like the many others that preceded it.**

**My concern is that if serious remedial action is not taken immediately, federal authorities may pursue legal action against the County which would likely result in a Consent Decree. That would be an onerous, labor intensive and very expensive path to reform. Instead, it would be more constructive for morale within the organization and more efficient to the operation of the department, to implement these reforms before any state or federal mandate.**

**There are many issues that need to be addressed in order to make the LA County Jails a model for the nation. The road will be a difficult one, with expensive infrastructure needs, deployment and staffing concerns, and many other challenges that come with policing an extremely complex and dynamic environment.**

**However, this goal is attainable!**

**We are very fortunate here in Southern California that we have some of the best people in law enforcement as members of our organizations. With appropriate staffing, support and leadership, I am confident that we can overcome any obstacle and rise above the challenges of today to restore public trust.**