

Federal prosecutors charge Los Angeles deputy sheriffs in jail abuse probe

John Burton
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On Monday, December 9, federal prosecutors unsealed four grand jury indictments and one criminal complaint charging 18 current and former Los Angeles County deputy sheriffs with a variety of crimes, including conspiracy and deprivation of rights under color of legal authority, obstruction of justice and making false statements.

Most charges involved misconduct in the jail. Some of the charges and arrests have no apparent relation to official Sheriff Department business, however. Three deputies, all of whom are brothers assigned to the jail, were charged with conspiring to commit mortgage fraud. A fourth deputy was charged with building and possessing an illegal firearm.

Sixteen officials were already arrested and in federal custody by the time the cases were announced publicly. One was out of the country and is expected to surrender. The other is already cooperating with prosecutors.

United States Attorney Andre Birotte, Jr. said that the charges follow a three-year investigation into brutality and misconduct in Los Angeles County's massive jail system, the largest in the United States. "These incidents did not take place in a vacuum—in fact, they demonstrated behavior that had become institutionalized," according to Birotte.

"The pattern of activity alleged in the obstruction-of-justice case shows how some members of the Sheriff's Department considered themselves to be above the law," Birotte added. According to unnamed sources cited by the *Los Angeles Times*, other deputies are cooperating with prosecutors to reach plea agreements, and more indictments appear likely.

Lee Baca, the Sheriff of Los Angeles County, said he was "saddened" by the arrests, but denied that they indicated any deep problem within the Sheriff's

Department.

Despite the media hype and the usual handwringing by County politicians, the arrests are part of a conflict between the FBI and local police, and are also aimed at covering over the systemic abuse in the County of Los Angeles prisons. Nevertheless, the details behind the charges paint a picture of rampant misconduct and abuse of power.

There is little new in the charges. The incidents involving jail brutality were for the most part widely publicized more than two years ago, and are only a small part of a much broader problem. None of the Sheriff Department managers who are patently responsible for allowing deputies to terrorize jail inmates have been charged.

Seven of the 18, including both lieutenants and two of the three sergeants, face allegations arising from an incident that happened in August 2011, and was widely reported at the time, including by the WWS. (See "Police reign of terror intensifies at Los Angeles County Jail").

An undercover FBI agent bribed a jail deputy, Gilbert Michel, to smuggle a cell phone to an inmate, Anthony Brown. After jail deputies found the phone, and saw Brown was communicating with the FBI, they moved him to another jail and booked him under a false name. The Sheriff Department inmate database, AJIS, was then altered to show the inmate as released.

A Sheriff's Department memo dubbed the conspiracy to hide Brown from the FBI "Operation Pandora's Box." Baca is alleged to have been involved personally.

Stephen Leavins, a lieutenant in the unit supposedly responsible for investigating criminal misconduct by deputies, is alleged in the indictment to have directed two sergeants to confront one of Brown's FBI handlers outside her home and threaten to arrest her for

smuggling a cell phone into the jail.

Another incident also publicized more than two years ago involves charges against Deputy Bryan Brunsting. A rookie who had just graduated at the top of his academy class resigned after a few weeks, claiming that Brunsting ordered him to beat up a mentally ill inmate and then cover it up.

Five of the arrested deputies are accused of abusing visitors in waiting areas. The supervisor, Sergeant Eric Gonzalez, is alleged to have reprimanded deputies for not using force against visitors who “disrespected” them through “words or conduct.”

One of the incidents was reported in the *Los Angeles Times* more than two years ago. On February 26, 2011, deputies arrested Gabriel Carrillo while he was attempting to visit his brother in the jail. Carrillo accused deputies of beating him while he was handcuffed. He was initially charged with battery against the deputies after the incident, but prosecutors later dropped the case.

In another visiting room incident, the consul general of Austria was at the jail checking on the welfare of an Austrian inmate. Her husband was arrested outside, supposedly for walking too near the entrance to the visiting center. When the consul general tried to speak to a supervisor about her spouse being in custody, she too was arrested, handcuffed and searched—despite her diplomatic immunity.

Baca is running for reelection to a fifth term as Los Angeles Sheriff in 2014. His principal challenger, Paul Tanaka, ironically, rose to “undersheriff” (second in command) despite having founded a tattooed deputy clique known as “The Vikings” when assigned to the Lynwood Station more than twenty years ago. A United States District Judge determined the Vikings to be a “neo-Nazi, white supremacist gang.”

Tanaka was forced out by Baca earlier this year after the September 2012 report by the County “Commission on Jail Violence” documented Tanaka’s assuring deputies that they could use force against inmates without fearing discipline.

The Southern California branch of the American Civil Liberties Union (ACLU), as well as dozens of private lawyers, have been suing the Sheriff’s Department on behalf of brutalized jail inmates for the last 40 years. Despite winning trials and obtaining injunctions that mandate court oversight, the abuses

have become even more brazen.

Violent deputy cliques such as the “3000 Boys”—named after the jail module to which the deputies were assigned—have been linked to numerous jail beatings, as well as a notorious brawl at a Sheriff’s Department Christmas Party a few years ago, resulting in injuries to deputies who had earlier filed complaints about misconduct by 3000-Boy deputies.

The ACLU issued a detailed report on the Los Angeles County jails in September 2011 that included sworn statements by seventy witnesses, including two jail chaplains, a Hollywood producer and an ACLU observer, describing vicious beatings of inmates followed by official cover-ups.

There have been several verdicts against the Los Angeles County Sheriff’s Department. Most recently, on October 17 a Los Angeles federal court jury awarded inmate Tyler Willis \$240,000 for injuries he sustained in a beating and assessed \$100,000 punitive damages against Sheriff Baca personally for his failure to control jail deputies.



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