

Notes on police violence in America

Federal lawsuit alleges beating and torture of 20 inmates in Sonoma County jail

“They went in like the Gestapo,” attorney charges

Evan Blake
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Last week, lawyers for plaintiffs Marqus Martinez, 28, of Santa Rosa and Daniel Banks, 23, of Petaluma, California, filed a federal civil rights lawsuit against Sonoma County Sheriff Steve Freitas, as well as a sergeant and lieutenant at the Sonoma County jail. The lawsuit alleges that on May 28 masked guards spent over five hours marching from cell to cell, successively beating and torturing 20 inmates in a high security part of the jail.

At a press conference announcing the lawsuit, attorney Isaak Schwaiger described the actions of the deputies: “Dressed in black, wearing black body armor, black ski masks and without badges, they went in like the Gestapo. From one end of the module to the other end they carried on the beatings for five and a half hours. Some prisoners were beaten four times.”

The suit alleges that the beatings began when deputies conducting the morning “soap call” started an altercation with inmate Giovanni Montes, 27, throwing him to the ground and shooting him with a stun gun. The deputies then “dragged Montes to the shower, ordered him to strip naked, and told the inmate he was their ‘bitch,’” the suit charges. “They grabbed Montes and threw him to the ground, handcuffed him, then slammed his head into the floor, striking several rapid and violent blows about his head, shoulders, neck, and back.” They then strapped Montes to a chair and placed a mask over his head, while he screamed that he could not breathe, according to the suit.

Another inmate, Jesus Lopez, 25, pleaded for deputies to release Montes, prompting the guards to begin beating him. They handcuffed Lopez, then body-slammed him to the floor, causing injuries and involuntary self-defecation. “Covered in his own feces, Lopez pleaded for toilet paper. The deputies ignored his pleas, laughed at him, and locked him naked in isolation covered in his own feces for two days,” the suit alleges.

After that, guards spent the next five-and-a-half hours beating all the inmates in the unit. “They beat one person, threw him back in his cell and went to the next person. It was a deliberate, systematic beating of everybody in the module,” Schwaiger said.

When the officers reached Daniel Banks’ cell, he was lying face down on his mattress with his hands behind his back to show submission. Nevertheless, four deputies began kneeling and punching him in the back. When Banks turned to look at the guards, one spat in his face and yelled, “That’s right. Get a good look at me you punk bitch. This is our house!”

The case is the fourth civil rights lawsuit currently facing the Sonoma County Sheriff’s Office, which has a long history of killings and abuse, most notoriously the 2013 murder of 13-year-old Andy Lopez by Sonoma sheriff’s deputy Erick Gelhaus.

Instead of speaking to reporters, the Sheriff’s Department took to Facebook to denounce the accusations as “outrageous and inflammatory.” In a statement signed by Sergeant Cecile Focha, the department writes, “There is absolutely no basis to the allegations of torture, sadistic actions, and patterns of egregious constitutional violations or human suffering.” The letter also claims for the first time publicly that on May 28 officers responded to “a seemingly coordinated mass disturbance by inmates housed in administrative segregation,” a transparent cover-up given that each prisoner of that cell block is kept in an isolation unit.

Family of Walter Scott settles civil lawsuit with North Charleston for \$6.5 million

Last Thursday, the family of the late Walter Scott reached a \$6.5 million settlement with the city of North Charleston, South Carolina. Scott was unarmed when officer Michael Slager shot him in the back five times on April 4, for which Slager still faces murder charges as part of a separate criminal lawsuit.

The settlement with the Scott family is the latest in a string of payouts by cities to the families of the victims of police killings, with each intended to whitewash the high-profile murders carried out by their local police forces. City Attorney Brady Hair noted, “This is the largest settlement of this type case in the history of South Carolina.”

The motivation in these costly settlements is to avoid a drawn-out legal process, knowing that the widespread opposition to these police murders persists and would only intensify with further media coverage of the trial.

In July, New York City settled a civil lawsuit brought by the family of Eric Garner for \$5.9 million, followed by the September payout of \$6.4 million from the city of Baltimore to the family of Freddie Gray, which preempted the Gray family’s filing of a civil lawsuit. In response to outrage and protest over Gray’s death, the criminal prosecution of six Baltimore police officers in connection with his killing is still going forward.

The case of Walter Scott is one of the most egregious police murders in recent years, and is largely due to the fact that it was captured on a bystander’s cell phone. The video clearly demonstrates that Scott was unarmed and posed no threat to Slager, who fired eight shots at Scott from roughly 20 feet as he fled, striking him five times.

After Scott collapsed, Slager approached his lifeless body and planted his Taser next to Scott. Before the release of the video, local authorities claimed that Scott had taken Slager’s stun gun and tried to use it against him, forcing Slager to shoot him, which the video wholly refutes.

The settlement with Scott’s family demonstrates the rising cost of police killings and brutality for local governments. In New York City, authorities spent a staggering \$428 million on legal settlements between 2009 and 2014, mainly in connection with police brutality cases. In 2013 alone, Chicago paid out \$84.6 million in settlements, judgments, legal fees and other expenses, while Los Angeles spent roughly \$20 million and Philadelphia spent \$9 million. Comparable figures exist for every major city in the US and represent a crucial line item in overall police expenditure, itself the cornerstone for the maintenance of class rule.

City councilman stunned with Taser while kneeling with his hands at his side

Prairie View, Texas city councilman Jonathan Miller, 26, was stunned with a Taser and arrested last Thursday outside his home. He was charged with interfering with a public servant and resisting arrest. Prairie View is the city where Sandra Bland was brutalized by officer Brian Encinia and subsequently found hanging inside her jail cell last July, a case that remains shrouded in mystery.

Miller approached two officers outside his home after they stopped several of his fraternity brothers to question them about suspicious activity nearby. Four different videos of the Taser stunning demonstrate clearly that Miller posed no threat to the officers, and was stunned because he was merely inquiring why his friends were being questioned.

The female officer, Penny Goodie, is shown in the video telling Miller, “Put your hands behind your back,” at one point grabbing his hands to begin moving them. She then tells him, “Okay, he’s gonna have to tase you, you’re not doing like you’re supposed to.” The video then shows Miller, on his knees with his hands at his side, being hit with the Taser from behind by the other officer, Michael Kelly.

The Prairie View Police Department issued a statement claiming that Miller had “interrupted” the officers’ questioning of the four men, did not “allow them to complete their investigation” and “physically resisted” arrest. None of these accusations are evidenced by the video footage.

In an interview with NBC News, Miller said he “did not understand why or how I was interfering,” and that he had only attempted to “lessen the tension.”

Fellow city council member Marie Herndon called the incident “unnecessary and uncalled for,” saying, “He wasn’t trying to flee, he wasn’t trying to do anything. He was on his knees with his hands to his side and they tased him. And they knew him, both of them knew that he was a city council member.”



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