

Posted 4/13/08

AT LEAST THEY'RE CONSISTENTLY LOUSY

Using sworn deputies for custodial work makes for poor cops and lousy jailers

By Julius (Jay) Wachtel. Who's steering the ship? That's what inquiring minds want to know. After an exhaustive investigation prompted by the death of Derek Chamberlain, a 41-year old inmate, the Orange County District Attorney issued a [report](#) calling vigilance at the Theo Lacy jail, a large complex that houses more than 3,000 prisoners, "the exception as opposed to the rule." On the same day a judge overruled County lawyers and granted motions by the [Los Angeles Times](#) and [Orange County Register](#) to release transcripts of Grand Jury testimony about jailhouse practices. These described a stunning culture of sloth and unconcern, with deputies falsifying logs, watching T.V., text messaging and sleeping while inmates known as "shot callers" roamed the facility on their behalf, keeping the peace and administering punishment at will.

Among those called to testify was recently dethroned Sheriff Mike Carona, who took the Fifth when asked if he was the Sheriff when the killing took place (he was, but wouldn't say so), a deputy who allegedly precipitated the killing by telling inmates in advance that the victim was a "child molester" (he denied it), and another who admitted sharing grand jury testimony with the accused deputy after twice saying she didn't. If that wasn't enough, then-undersheriff Jo Ann Galinsky, whom former Sheriff Mike Carona appointed to head the department while he fought Federal corruption charges, admitted altering a key document, leading grand jurors to incorrectly believe that the Sheriff's Department, rather than the District Attorney, was the lead investigative agency when prisoners died. (The particular incident that led to the inquiry was the first of 129 in which Sheriff's officials did not call in D.A. investigators.)

Once the newspapers blew the whistle, acting Sheriff Jack Anderson suspended six deputies and called in the FBI to investigate possible civil rights violations. Against vociferous opposition from the deputies' union, Anderson also renewed his call to replace sworn jail deputies with correctional officers, arguing that civilian jailers are more likely to act professionally as they would be hired for that purpose only. At present new deputies must work at the jails for as many as six years before going on patrol, a delay that is projected to double once a large, new correctional facility is opened. Not only are jail deputies compensated the same as those on patrol, who have a far more complex and dangerous work environment, but they can earn huge amounts of overtime (a [2007 Grand Jury report](#) revealed that nearly 600 Theo Lacy inmates are guarded by officers on overtime.)

Unlike most other Sheriff's Departments, those in Los Angeles and Orange counties use sworn deputies as jail guards. Thirty years ago new deputies worked at the jail for only a year. However, as jail populations climbed and soaring salaries and benefits brought SoCal officer/population ratios to levels half that of New York, an increasing proportion of deputies have been assigned to jail duty. Aside from being costly, inefficient and, perhaps as Sheriff Anderson implies, ineffective, the shift had a profound impact on the experience level of Sheriff's field personnel.

Patrol and investigation are complex, demanding tasks that cannot be learned while working in a jail. While police officers are "on the road" from their first day out of the academy, L.A.-area deputies must now wait years to hit the streets, meaning that most are still learning to be cops after as long as a decade of wearing the badge. Worse, once they promote they are likely to go right back to the jail, leaving many who attain high rank with little field experience to fall back on. It's a no-brainer to conclude that citizens are far more likely to get quality patrol and investigative services from a police department than a Sheriff's office whose deputies spend the bulk of their careers doing custody work. An [anecdote](#) that illustrates this point is the out-of-control behavior by a contingent of L.A. County deputies who fired on a drunk driver 120 times after he led them on a slow-speed chase through a Compton neighborhood. (The scared deputies mistakenly thought that the man was armed. He was recently awarded more than \$1 million by a civil court jury.)

Union influence and an abiding suspicion of outsiders make law enforcement agencies impervious to criticism, and even more so when headed by an independent elected official. In Orange County, though, we presently have only an "acting" Sheriff, whose selection to complete the remaining years of the previous Sheriff's term is up to the Board of Supervisors. For the first time in recent memory the possibility of real change is in the air. Let's hope it's not just another Santa Ana wind.

p.s. If you don't get the pun, and would like to, please feel free to e-mail.