

Friday, January 25, 2008

## Editorial: Video backs up need for outside review

### Treatment of handcuffed prisoner in the O.C. Jail supports other allegations of excessive force

An Orange County Register editorial

In October 2006, Orange County jail inmate John Derek Chamberlain was beaten to death while a deputy watched television nearby. One of the inmates involved in the beating accused the deputy of instigating the beating. The savagery of the case and the seriousness of the accusations led to widespread discussion last year of conditions in the county jail system. At the Register, we met with and heard from former inmates who said that they were beaten by guards. The Sheriff's Department denied any such charges. But a number of the allegations were credible, and the county has paid out settlements in some cases.

Now, a Sheriff's Department videotape, released as part of a lawsuit against the county, paints a harrowing picture of an incident in the county jail. In March 2006, Matthew Fleuret was taken to the Orange County Jail after a fight at a bar.

As the Los Angeles Times reported, "Orange County sheriff's deputies repeatedly shocked a handcuffed prisoner with a Taser, even after he had been strapped into a restraint chair, slammed him onto the floor with a 'knee drop' and appeared to hit him in the head while he sat passively on a bench." Mr. Fleuret apparently was tasered 11 times in 13 minutes. Deputies claim that he was drunk and uncooperative, but who are you going to believe, the official statement or your own eyes? In no way does Mr. Fleuret appear to be resisting.

Defenders of the department have been quiet so far, but their standard operating procedure is to say that if we weren't there we shouldn't judge, and that the deputies have a tough job and need to be able to subdue a prisoner. We can understand that argument in tough cases, when a belligerent person is resisting arrest, but we cannot understand it in cases when the person appears to be complying with multiple officers and is fully restrained. "While Fleuret is on his stomach, a heavy-set deputy drops on him knee-first, slamming Fleuret's neck and head onto the floor," the Times reported. This is hard to accept under even the most generous scenario. Granted, more investigation is needed, but we have found that internal investigations rarely criticize employees.

What does it take to get the Sheriff's Department to simply say, "That seems to be a case of excessive force. We agree to an outside investigation and will institute policies to assure this doesn't happen again." Yet the public never gets that sort of adult explanation from the department. The Board of Supervisors on Feb. 5 will vote on the creation of an Office of Independent Review. Here's yet another example of why it is so badly needed.

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