

The Crime Report

Inside Criminal Justice

[Share](#)

By **Matthew Fleischer**

Comments: [0](#)

Friday, December 09, 2011 05:56

DANGEROUS JAILS: THE PRINCE

SPECIAL REPORT



Challenge coins from the Los Angeles County Sheriff's Department
Photo illustration by WitnessLA

Six years ago, (Los Angeles) Men's Central Jail commanding officer Captain John Clark had had enough.

Plagued by a spate of bad press over some high-profile incidents, plus calls for reform from the ACLU and the County Board of Supervisors over the dangerous conditions inside his jail, Clark sent his operations lieutenant, Casey Bald—second in command in the jail behind the captain himself—to read his supervisors the riot act.

It was time to get his facility under control.

The symptoms suggesting something was going wrong with the running of the Los Angeles County Sheriff's Department's largest and most troubled facility were becoming increasingly evident to anyone paying attention.

There had been the brutal beating death of mentally ill inmate Chadwick Shane Cochran on November 16, 2005. The emotionally unstable Cochran was locked in a room with 30 other inmates, where a group of gang members mistakenly believed his red ID tag indicating mental illness meant he was a police informant—a snitch.

They attacked 35-year-old Cochran with fists and food trays and then, once he was on the floor, repeatedly stomped his head until his skull shattered. The frenzied assault lasted nearly a half hour. Yet no deputies intervened, even as other inmates in the locked room repeatedly pounded on the door and called out for guards to rescue the dying man.

“[What this] suggests to me is a cascade of errors,” Merrick Bobb, the special monitor who advises county supervisors on Sheriff's Department matters, told an AP reporter when asked about Cochran's death. “It wasn't just one guy messing up one thing, it was a systemic failure.”

The “systemic failure” was one of eight murders in two-and-a-half years inside CJ—as Men's Central Jail is known.

The Office of Independent Review would release a report in November 2006 noting that inmate deaths in the County Jail system in general nearly had nearly doubled from 2004 to 2005—from 23 to 43. Yet, despite the alarming uptick in fatalities, many of the departmental investigations into the jail deaths—inquiries known as “death reviews” —languished unfinished on desks of supervisors inside the jails.

According to the OIR report, 18 of the 43 death reviews took more than a year to complete. Another 13 death reviews were more than 300 days old and still incomplete. The time frames are significant because departmental investigations of wrongdoing have a one-year time limit. After a year, even if a deputy behaves with gross negligence resulting grave harm or death to an inmate, unless the DA chooses to file criminal charges (the chances of which are miniscule without a departmental investigation) the matter is procedurally dead. There will be no discipline, no consequences.

“If you sit on these reviews and the year runs out, we can't do anything about investigating them even if we want to,” explained a former LASD higher up.

Systemic Failure

But the death reviews were only the tip of the iceberg when it came to systemic failure. Force packages—reports on deputy-on-inmate violence—were also sitting un-investigated on supervisors' desks for months, if not years, inside the jail.

At the same time as this systemic breakdown in the realm of paperwork was occurring, cliques of deputy gangs like the now-infamous 3000 Boys were beginning to flex their muscles inside the jail.

Like the gang members they often guarded, these groups shared flashy group tattoos and threw hand signs. Clique members also had the habit of waiting for their entire crew to get off work—sometimes lingering for hours at a time—before leaving the station together en masse.

Not only was this a violation of departmental policy—off-duty deputies are not supposed to mill around the jail—but it was eerie gang-like behavior, meant to intimidate both inmates and other nonmember deputies, the message being “screw with us at your own peril.”

More ominous than these showy displays, however, was the violence Clark determined the cliques were inflicting on inmates behind closed doors—which accounted for the growing piles of force reports littering his supervisors' desks.

Inside CJ, a perfect storm of departmental dysfunction was quickening: bold groups of deputies prone to violence were being overseen by supervisors who failed to consistently hold anyone accountable. It was with these growing concerns that Clark summoned Bald and tasked him with cracking the whip on jail supervisors to finish their paperwork and stay on top of troublesome deputies.

Bald immediately went to a supervisor who sources with knowledge of the situation say was one of the worst offenders, a lieutenant named Christopher Nee, who had nearly a year's backlog of force packages piled on his desk and was seen by many as too friendly with the third-floor deputies.

Bald instructed Nee in clear terms to catch up on his paperwork and help crack down on the deputy gangs, but he did not get the response from his subordinate that he anticipated.

“I don't work for John Clark,” Nee said. “I work for Paul Tanaka.”

In a paramilitary organization like a police force, or the Los Angeles County Sheriff's Department, this was an extraordinary statement. As with the military, chain of command is everything. Sergeants report to lieutenants, who report to captains, who report to commanders and so on.

What Nee was saying, in essence, was that he didn't work for his superior officer, Bald, thus did not have to do as Bald said. Nor did he have to obey Bald's superior officer, Captain Clark, or for that matter Clark's superior who was, at the time, Commander Dennis Conte. The only person whose orders he really had to follow was Paul Tanaka.

It was an extremely telling statement that pointed to a power struggle going on inside the Los Angeles County Sheriff's Department that would help foster patterns of misbehavior and violence into the next decade. One of the primary flash points of this struggle was CJ.

The Tanaka Factor

So who is Paul Tanaka? As it turns out, this is not a simple question to answer.

At the time of Nee's statement, Tanaka was the assistant sheriff of the L.A. County Sheriff's Department in charge of custody. These days he's the department's undersheriff, Sheriff Lee Baca's No. 2 in charge.

Tanaka is also a man of political ambition, whom sources say Baca has been grooming for years to take over the department when the sheriff himself decides to step down. Added to that, he's the mayor of the city of Gardena, a position he's held since 2005. Prior to being elected mayor, he was a Gardena city council member, first elected in 1999, the same year Lee Baca became the L.A. County Sheriff.

Tanaka ascended to the powerful undersheriff position in June 2011. Yet, according to sources close to and inside the Los Angeles County Sheriff's Department, it is Tanaka, not Lee Baca, who has effectively been running huge portions of the day-to-day operations of the department for nearly eight years.

When the ongoing jail inmate abuse scandal heated to a boil three months ago and Sheriff Baca told the L.A. Times editorial board that he was unaware of much that was going on in his jails, that his command staff kept information from him, this was likely true.

For years, Baca has showed up to his weekly Wednesday executive planning council meetings at 9:30 a.m.—one hour later than the rest of his command staff. According to sources who have attended these meetings, before Baca arrives his staff carefully decides what information they should or should not tell him. The person in charge of orchestrating these meetings and choosing what information is filtered to Baca is Paul Tanaka.

"Tanaka tells Lee only what he wants him to hear," says a former LASD higher-up who was privy to multiple meetings. "It gives Baca plausible deniability for the department's problems and it gives Tanaka a tremendous amount of control."

Another former command staffer agrees. “The attitude is always that Lee has to be ‘handled.’”

With this informational control, plus control of most of the LASD departments that oversee revenue streams and resource allocation, Tanaka has obtained power in the department that often far outstrips his rank.

Our sources on these matters are all either current or former LASD members with deep internal knowledge of the department. They range from retired LASD higher-ups who worked alongside Tanaka for years to current members of the force who are fed up with the state of the department.

No matter the departmental rank, all our sources tell us the same thing: Long before Tanaka officially inherited the No. 2 spot there were already two camps inside the Sheriff’s Department—those “in the car” with Tanaka and those on the outside. Those outside the car can be “rolled up”—meaning transferred to department backwaters—if they cross Tanaka, regardless of their performance on the job.

Those in the car with Tanaka are promoted quickly and insulated from performance failures. For years, Lee Baca has, with few exceptions, granted Tanaka the power to pick and choose what supervisors get promoted and where they’re placed—even in units over which Tanaka has no formal organizational control.

Furthermore, our sources allege a pay-to-play-like promotional system headed by Tanaka—whereby donors to Tanaka’s Gardena political campaigns have moved up the ranks faster than nondonors, even when the non-donors are more qualified.

Campaign finance records we acquired from Tanaka’s Gardena political campaigns through Public Records Act requests, together with internal Sheriff’s Department documents obtained by the *LA Justice Report*, back our sources’ contentions.

Tanaka campaign donors —often with troubled or mediocre service records—have found themselves in critical supervisory positions in the department in lieu of more qualified individuals.

The result of this in-crowd/out-crowd system is a department beset by violence in its jails, insubordination in its ranks and multiple federal investigations into criminal misdeeds—a large part of which, argue our sources, can be traced to Paul Tanaka’s rise.

Working in the Grey

For one of the most powerful men in Los Angeles law enforcement, Paul Tanaka keeps a remarkably low public profile. He avoids the media whenever possible, preferring to operate behind the scenes.

When Baca recently gave a press conference to address media reports of uncontrolled violence within the L.A. County jail system, the sheriff stood flanked by all of his command staff—except Tanaka, who was conspicuously absent, especially considering how Baca had appointed him to lead the departmental investigation into the jail situation.

(Tanaka declined to comment for this story.)

Colleagues who have worked with Tanaka describe him as a highly intelligent man with a gift for number crunching. He's a certified public accountant who sources say has been doing Lee Baca's taxes for years. In 1992, ten years after joining the LASD, he scored top in his class on the department's lieutenant's exam. But then, because of some early clouds over his service record, under former sheriff Sherman Block, his career appeared to get stuck. Under Lee Baca, by contrast, his rise has been nothing short of meteoric.

"Baca plucked him up from obscurity," says a source who is a contemporary of Tanaka's in the department. "He was going nowhere under Sheriff Block."

Within four years of Baca becoming sheriff in 1998, Tanaka went from lieutenant to chief of the Administrative Services Division—effectively running the department's multibillion-dollar 2.4 billion dollar budget. By 2005 he was an assistant sheriff—the third most powerful position in the department.

Baca's ascendancy to sheriff happened to correspond with Tanaka's own political ambitions. In 1999 he was elected to the Gardena City Council—mainly with the support of the regional Asian-American community.

By 2002, however, when Tanaka became a department chief, his campaign finance reports show a marked influx of donations by LASD deputies. By 2004, when he was made assistant sheriff, Tanaka had dozens of deputies and supervisors—and in some cases, their family members—on his donor rolls, helping him raise more than \$100,000. He was elected mayor of Gardena in 2005.

But despite his intelligence and political acumen, sources say, Tanaka has a fondness for vulgarity and tough-guy swagger. "Everything with Paul is 'fuck this' or 'fuck that,'" says a former LASD higher up. "The guy has an extremely short fuse."

Tanaka is known for telling deputies to "work in the gray"—a phrase that essentially translates to "do whatever it takes" to hook 'em and book 'em.

“If we know there are drugs in a house, but we don’t have a warrant,” explains one deputy who worked under Tanaka, “‘working the gray’ would mean manufacturing a reason to search the house. We could say we were responding to a complaint of a domestic disturbance, or that we personally heard a disturbance. Whatever it takes to get inside that house and get the job done.”

Tanaka has repeated this advice even at the department’s most troubled stations. In 2005, Century Station was struggling with violence stemming from the resurgence of a deputy gang known as the Regulators. As supervisors struggled to deal with the rogue deputies, Tanaka visited the station and gave his “work the gray” speech. He then went on to tell the assembled deputies—“I don’t think much of Internal Affairs.”

“That is not the kind of thing a supervisor should tell a station like Century,” says a former supervisor with knowledge of the situation. “For their own protection, these deputies need to be taught to respect IA.”

Interestingly, despite his cowboy attitude, most people we interviewed described Tanaka as “deputy five”—a supervisor who talks a tough game but doesn’t have the track record to back it up. Tanaka did his patrol time at Carson Station—not considered a hotbed of action.

Tanaka did work at Lennox—a renowned tough-guy station—as a lieutenant.

But, says one retired supervisor who worked under Tanaka for years: “He was behind a desk. He’s spent almost his whole career at headquarters. I’ve never seen a guy rise as far as he has in the department without moving around.”

His insulation from the day-to-day realities of deputy work failed to strip him of his cowboy notions about how the job needs to be done.

“He lives vicariously through his deputies,” says a supervisor. “He never got the chance to work a serious patrol. So he has no idea what constitutes good police work.”

The Smoking Club

In a back courtyard of the COPS Bureau at the Los Angeles County Sheriff’s Department headquarters building in Monterey Park sits a quiet area reserved for LASD personnel. (COPS oversees federally funded community policing teams and other specialized units.) Technically you could call the area a smoking patio, but the space is not your typical civil servant’s break room.

The patio is tented and climate controlled, complete with a refrigerator, a sink, a barbeque island and an elaborate cigar-smoking section. Sources say its construction cost upward of \$25,000.

But there's a catch. Not all members of the Sheriff's Department are allowed access to this pleasantly appointed enclave. Since its construction sometime in 2008, the patio has reportedly been reserved exclusively for friends and allies of Paul Tanaka.

"I would classify the patio as an executive meeting space," says LASD spokesman Captain Mike Parker. "Can any member of the department hang out at the patio? No. But they wouldn't have access to an executive meeting room either."

But there's more to the patio than simple executive privilege. There's only one entrance to the smoking patio—directly through the COPS Bureau captain's personal office. To use the facility, sheriff's deputies need a unique coin—known as a "challenge coin"—or someone with a coin must accompany the deputy.

Each of these coins is presented to the bearer by Tanaka himself. The LA Justice Report has obtained photographs of the smoking club coins from two different sources. The front bears the emblem of the L.A. County Sheriff's Department, bracketed by the words "Ramona Blvd. Smoking Patio." The back features a picture of a cigar wrapped in a leaf, encircled by the names of various LASD divisions.

Tanaka gives out these coins to only a selected few, and each coin is serially numbered, in part, so no forgeries can be made, but mostly to emphasize the special nature of the talismans. They are earned, say sources, through loyalty to Paul Tanaka.

"I can't prove it, but from what I've observed, there are two ways to get ahead in this department," says retired LASD commander Bob Olmsted. "The official way is the civil service way of solid performance reviews, expected performance and various forms of testing. The real way is to become a 'Tanaka boy'—by volunteering and donating to his campaign and smoking cigars with his inner circle."

The LA Justice Report has obtained Paul Tanaka's campaign finance statements dating back to his early days as a Gardena city councilman in 1999. They reveal a number of disturbing trends. For instance, in 2004, in the run-up to his first mayoral election, Tanaka had a banner year in fundraising—pulling in more than \$42,500 from members of the L.A. County Sheriff's Department.

Since that time, the majority of those donors have been promoted or given plum positions, like that of the Sheriff Baca's driver, a Tanaka-controlled post that brings with it substantial monetary rewards in overtime pay, and is considered a surefire springboard to better things.

Several of the larger donors have seen particularly dramatic rises in their careers.

Christopher Nee, the lieutenant who told Casey Bald “I work for Paul Tanaka,” has been donating generously to Tanaka’s campaign since June 2002—when he gave \$500 as a deputy. Two years later he was a sergeant—and donated \$900. He made lieutenant soon after and was placed inside CJ.

Sources say Nee was never punished for his 2006 insubordination against Bald.

In fact, in the months that followed, Paul Tanaka himself visited the jail to speak with Clark and Bald.

“Leave these deputies alone,” Tanaka explicitly told them, in reference to the deputy cliques whose growing influence—and violence—Clark was attempting to stifle. When Bald attempted to justify the need for a crackdown, citing the obvious violations of code, Tanaka reportedly shouted him down. Clark and Bald were transferred out of the jail to lesser assignments soon after.

The effect of this leadership style, the source tells us, has been amplified in recent years as Tanaka has effectively taken control of nearly all major promotions within the department.

“The chiefs have no input at all [in promotions]. These days, qualified is the last thing on the board. Paul has the first and final say-so.... That creates a morale problem, because the deputies know what’s going on. They know their division chiefs have no juice.

“You never used to see deputies involved in department politics,” the source continues.

“Now, as soon as guys get on the force they start asking, ‘How do I get in Tanaka’s car?’”

In Crowd/Out Crowd

Nee is certainly not the only member of the department with a less-than-perfect track record who has seen his pay grade boosted in the wake of a campaign donation—and has been insulated from the standard repercussions of poor job performance.

Former CJ captain Dan Cruz, who, thus far, has been the highest-ranking member of the department to be put on leave in relation to the recent jails scandal, is among Tanaka’s campaign donors and someone whose promotions the undersheriff has shepherded.

As the *LA Justice Report* previously reported, Tanaka promoted Cruz and then installed him as captain of CJ in April 2008. He arrived at the job with a troubled supervisory past.

In 2009, after two years of steady decline, deputy-on-inmate force incidents jumped from 273 to 330. Force packages and complaints again started to pile up.

The troubling rise in violence inside CJ prompted an investigation by Cruz's supervising officer, Bob Olmsted, by then the Custody Division commander—who had a lieutenant pull 30 force reports at random that were in various stages of oversight. A second lieutenant, Mark McCorkle, analyzed them.

Of that group of 30, 18 uses of force were questionable in nature and conceivably fell outside department policy. And yet, all were either signed off on or were on the verge of being cleared.

Olmsted says he took McCorkle's findings up the chain of command to Custody Chief Dennis Burns, Assistant Sheriff in charge of custody Marvin Cavanaugh, and Paul Tanaka. No action was taken.

In fact, sources say, Cruz only became more emboldened. When one of Cruz's lieutenants came to Cruz relaying directions from Olmsted, the captain allegedly recited his own version of Christopher Nee's message: "I don't work for fucking Olmsted, I work for Paul Tanaka."

As it happens, public records show, right around the time Olmsted began to ramp up his criticism of Cruz, the CJ captain made two very timely donations to Paul Tanaka's political campaign—on December 18, 2008, and on January 6, 2009.

Could these donations have been a contributing factor to why Cruz was never reprimanded by Tanaka for his performance inside CJ?

Sources claim that they were. As evidence, they point to the way Cruz's exit from the jail was handled.

In the fall of 2010, Olmsted's insistence that CJ was out of control under Dan Cruz finally forced Tanaka to investigate what was happening. Up until that time Tanaka had been relying almost exclusively on Cruz's word that all was well at the facility.

Tanaka sent his close ally and longtime campaign donor, Duane Harris, into the jail to lead an investigation. Harris came back 10 days later with a report that found Cruz culpable for the escalating violence in the jail—which, in turn, forced Tanaka's hand in transferring the captain from his post.

Bob Olmsted says he met with Tanaka to plan Dan Cruz's exit strategy from CJ. Olmsted says he was surprised to find that the plan was not to punish Cruz for his inaction and incompetence, but to transfer and then reward him. Cruz would be made a commander.

"Tanaka told me Cruz was 'the only viable candidate' he was willing to promote to commander," says Olmsted. "And this was after he had received Harris' report that Cruz was 100 percent at fault for what was happening in the jail. The plan was for Harris to come in as the operations lieutenant, I would be his commander, and together we'd sandwich Cruz and turn him into a viable candidate."

Olmsted says Tanaka then ticked off a list of three candidates for commander that, for reasons he did not specify, he was unwilling to promote, under any circumstances: Ralph Webb, Joaquin Herran and Ray Leyva.

The Lawsuit

As it happens, both Leyva, who ran Men's Central Jail in 2003 and 2004, and Herran are suing the Los Angeles County Sheriff's Department for what they allege is discrimination and unfair practices in its promotional system.

"Based on our investigation," says Herran and Leyva's lawyer, Bradley Gage, "it appears that Tanaka is at the heart of most Sheriff's Department actions. Officially, Baca runs this department. Unofficially it's Tanaka. And he appears heavily involved in the retaliation against the plaintiffs."

Both Leyva and Herran are still active members of the force and, due to the pending lawsuit, are not authorized to speak to the media. But Gage told the LA Justice Report that in 2004 it was Leyva who, even prior to Clark, proposed the concepts of shift and assignment rotations as antidotes to the growing problem of violent deputy cliques inside the jail.

In response to his reform efforts, Gage says, Leyva was summarily "rolled up" and transferred to the Pitchess Detention Center—a major demotion—where he has remained ever since.

In 2006, when John Clark followed up on Leyva's recommendations for reform and instituted assignment rotation, Tanaka reversed his strategies and Clark too was "rolled up."

Gage says that Leyva has been passed over for promotion 58 times since his transfer to Pitchess—the most in the department.

“In a normal situation, you’d really have to be incompetent to be passed over that many times for promotion,” says a former LASD higher-up with knowledge of Leyva’s situation. “That’s not Ray Leyva. He’s being punished.”

Gage’s legal complaint cites ten captains who were promoted to commander ahead of Leyva and Herran in 2009 and 2010. Of that ten, the LA Justice Report has identified six who have donated to Tanaka’s various campaigns: Jaques La Berge, Buddy Goldman, Jack Jordan, Thomas Martin, Eric Parra and Daryl Evans.

The Billion-Dollar Question

The question remains as to why, with the controversy surrounding the LASD, with so many of his rank-and-file pointing fingers in his undersheriff’s direction, Lee Baca has allowed Tanaka to gain—and retain—so much control in the department.

Some believe that Baca enjoys shepherding his progressive projects, like the Education-Based Incarceration program, plus his frequent trips out of the country as “Sheriff to the World”—but that he no longer wants to deal with the daily operation of running the department.

“When Baca was first elected sheriff,” explains an LASD veteran, “he would constantly hold meetings at the various stations across the department, asking what we needed. And he would make those things happen.

“But after a few years of that he seemed more interested in taking trips to the Middle East and bolstering his political career. He thinks he’s going to be governor or something.”

Others suggest that Tanaka, with his skill in financial matters, used his budget-crunching acumen to rescue the sheriff in crucial instances when a countywide budget crisis meant that the department faced huge cash-flow shortfalls, and that Baca was grateful ever after.

Still others mutter darkly that Tanaka must “have something” on the sheriff, although they offer no specifics.

In the end, no one seems able to explain definitively why Lee Baca continues to allow Paul Tanaka to control so much of the department that he was elected to lead.

Attempts to reach Baca for comment were unsuccessful as he is currently in Abu Dhabi.

Baca, Tanaka and The Shape of Departmental Reform

Removing an LASD captain from his or her duty is such a rare occurrence that most sources we spoke with cannot remember it ever happening.

In the past several months, however, two Tanaka-appointed captains have been relieved of duty: Dan Cruz and Bernice Abram.

Cruz was, of course, removed while he was being investigated in connection with the jail abuse scandal. Abram, the head of Carson Station and a close ally of Tanaka who has contributed to his campaign since 2004, was relieved of duty in August after federal investigators notified sheriff's officials that Abram's voice may have been heard on a narcotics wiretap relating to an investigation of a Compton drug ring.

So what does all this suggest about the departmental reform—particularly of the custody division—that LASD watchers agree is so urgently needed?

LASD spokesman Parker says our sources' concerns are overblown. "This is a department with 18,000 employees," he says. "I'm a captain and I have never donated to Paul Tanaka's campaign. I earned my position through hard work."

To be sure, most of those in the Los Angeles Sheriff's Department are dedicated, hard working men and women who are deserving of their promotions—likely including many of those who are part of Paul Tanaka's inner circle. Yet, the perception—and evidence that in crucial areas of the department one man's power and influence supersedes all else, to the LASD's detriment, is difficult to ignore.

Three months ago, in the wake of investigations into the violent treatment of inmates by sheriff's deputies inside the L.A. County jail system by the *LA Justice Report*, the ACLU, the *Los Angeles Times* and other media outlets, and by the FBI, Lee Baca promised to appoint an internal LASD investigatory panel to look into the dangerous state of the county's jails. Baca made good on his word.

On October 9 he announced that he had convened a "Special Jail Investigations Task Force" with a staff of 35 full-time deputies to get to the bottom of what was happening in his jails.

The man Baca selected to head that task force? Paul Tanaka.

This abridged article is the final part of a three-part WitnessLA.com Justice Report project, created in partnership with Spot.Us, investigation, published Dec 8. For the full version please click [here](#). [Part Two](#) was published Dec 1, and [Part One](#) on Sept 16, 2011. Readers' comments are welcome.

[Email this post »](#)

Related Resources: [Article](#), [crime trends](#), [Jails](#), [Legal](#)