

to the fact that the Multnomah County Sheriff's office has a strong culture that employees do not rat out each other and the corrections division also has a strong culture of being a chain of command organization."

Montoya is not the only former MCSO employee to shed light on the culture there. As far back as 2002 a deputy claims to have been denied veterans benefits and retaliated against for filing a lawsuit to get the benefits he fought for, see *Edwards v. Staton*, 2016 U.S. Dist. LEXIS 86391 (2016) (case no. 3:14-cv-00531-AC). In *Traxler v. Multnomah County*, 2008 U.S. Dist. LEXIS 7456 (2008) (case no 06-1450-KI) a former employee filed suit for whistleblower retaliation, "Traxler observed upper management, including [Director of Business Services] and [Chief of Corrections], protect certain employees and use budget cuts to get rid of employees that they did not want to keep. [Chief of Corrections] also instructed HR to work around County rules at times to give special treatment to preferred employees. Traxler witnessed [Chief of Corrections] treat family leave inconsistently. Employees he favored were allowed to retain their jobs after using up their medical leave but others lost their jobs. Traxler believes that [Chief of Corrections] wanted her out of an HR management position because she tried to apply HR rules equally for all employees. [Chief of Corrections] made snide comments about Traxler and her skills." Then from 2005 to 2006 she "saw abuses in timekeeping and overtime practices by sworn officers that resulted in payment of excessive sick time and overtime pay to officers. Corrections officers would collect overtime by calling in sick for a shift and working a different shift for another officer in the same 24 hour period...Traxler reported the abuses...Traxler could tell from comments to her from MCSO management that her reports of abuse were not welcome." In *Elliot v. Staton*, 2012 U.S. Dist. LEXIS 87449 (2012) (case no. 3:11-cv-1536-ST) another whistleblower lawsuit was filed by a former deputy that was given bad jobs in response for reporting misconduct.

Another victim of this culture is the general public, as was the case with former deputy Judith Locke whose epic tale of incompetence demonstrates what kinds of people can get hired as corrections

deputies by MCSO and what it takes for them to get fired, *Lucke v. Multnomah County*, 2008 U.S. Dist. LEXIS 71861 (2008) (case no cv-06-1149-ST). Her troubles began when she was stalked and sexually harassed by male deputies in 2002. "Both Lucke and [Laurie] Kimmell [another former deputy] testify that male deputies were treated more favorably than female deputies with respect to the terms and conditions of their employment including in the allotment of break time, shift assignments, and duties." The following year she was the subject of her first of six investigations by the Internal Affairs Unit ("IAU") after an inmate she escorted to the hospital "acquired a set of metal silverware from his hospital dinner tray which Lucke had failed to inspect before hospital staff gave it to him. After Lucke removed [inmate]'s restraints so he could change his pants, [inmate] brandished the knife and fork, held Lucke hostage, stole several of her personal effects, and escaped." Lucke was presumably armed with pepper spray, a taser, and a gun (like Bull was when he escorted me to the hospital), but was so poorly trained that she was no match for a hospitalized inmate with silverware. The Chief Deputy at the time ordered that she receive additional training "because he agreed that the escape was due in part to shortcomings in MCSO policies and procedures which included a failure to properly train deputies." Her second and fifth IAU investigations took place after she failed to engage inmates in support of fellow deputies during altercations at the jail. Her third IAU investigation took place after she encouraged an inmate to fight another inmate by saying in response to a complaint from one inmate about another "to patch it up, or have it out." When she was disciplined she said "there was never a legitimate basis for her discipline as she had heard others make similar statements during her training." Her fourth IAU incident took place for failing to maintain logbooks after an inmate was injured and "she was ordered to rewrite her report of the incident." Finally, her sixth IAU investigation led to her termination in 2007 when she "left her personal weapon loaded and unattended in the women's locker room in the MCJ." Where it could be accessed by "deputies, civilian staff, staff family members, contractors and inmates who are assigned to clean the area." So, after a long period of continued incompetence that endangered inmates, the public, and fellow

deputies she still had not done enough to be terminated until the higher ups realized that keeping her on their staff might get them killed.

With people like Montoya and Lucke working at MCDC it should be no surprise that there have been many claims of excessive force made over the same time period and ever since. In 2003 Deputy Kovachevich used excessive force when an inmate was beaten in booking, *Anthony v. County of Multnomah, et. al.*, 2006 U.S. Dist. LEXIS 35806 (2006) (case no. 04-229-MO). In 2004 an inmate was beaten so bad that he was taken to the hospital, *Hall v. Multnomah County*, 2006 U.S. Dist. LEXIS 27073 (2006) (case no. 04-921-JE), and another inmate was denied medical care after being the victim of excessive force even though he had bleeding surgical wounds, *MacDonald v. Pedro et.al.*, 2007 U.S. Dist. LEXIS 5658 (2007) (case no. 06-715-AA). In 2006 a female inmate was sexually assaulted by a staff member, *Hurt III. V. Multnomah County*, 2006 U.S. Dist. LEXIS 64100 (2006) (case no. 06-1024-PK). In *Evans v. Multnomah County*, 2013 U.S. Dist. LEXIS 55403 (2013) (case no. 3:07-CV-01532-BR) a jury found that deputies and Multnomah County were liable for battery and excessive force due to events from 2006-7. In 2007 a mentally ill inmate was denied medication and tased by Deputy Harrington three times due to county customs, "The court agrees that Multnomah County's screening practice could reasonably be characterized as an unofficial policy capable of inflicting constitutional injury." *Yeo v. Washington County*, 2011 U.S. Dist. LEXIS 31309 (2011) (case no. 08-1317-AC). In 2008 another female inmate was sexually assaulted by a corrections counselor that later faced criminal charges, *Crane v. Allen*, 2012 U.S. Dist. LEXIS 22967 (2012) (case no. 3:09-CV-1303-HZ). In 2009 a 64 year old man in court for a traffic citation was shoved by a corrections deputy working at the courthouse and the shove, "propelled Dinan backwards into a marble door frame and a closed wooden and glass door." *Dinan v. Multnomah County*, 2013 U.S. Dist. LEXIS 11088 (2013) (case no. 3:12-cv-00615-PK). From 2010-11 an inmate was forced to work as an indentured servant for the jail in hazardous conditions and was denied clothes for several days, *Webster v. Multnomah County*, 2014 U.S. Dist. LEXIS 178852 (2014) (case no. 3:14-cv-00652-AC). A 2014 incident