

# West Valley Detention Center inmate alleges five years of abuse



David Smith, 26, of Covina, is the latest inmate to come forward alleging he was abused by deputies at the West Valley Detention Center in Rancho Cucamonga. courtesy photo

By [Joe Nelson](#), The Sun

Posted: 06/10/14, 7:25 PM PDT | Updated: on 06/10/2014

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A former inmate and chow server at West Valley Detention Center in Rancho Cucamonga said he was subjected to five years of Taser gun abuse by at least a dozen deputies who stunned him more than 80 times.

Allegations by David Brian Smith, 26, of Covina and attorneys who represent him and nearly a dozen other inmates in federal lawsuits contradict claims by San Bernardino County Sheriff John McMahon that alleged abuse at the jail involves only three rookie deputies, since fired, over the past year. The allegations, which surfaced in March, have prompted a criminal probe by the FBI and an internal affairs investigation by the Sheriff's Department, both of which are ongoing.

Attorneys and inmates continue to allege inmate abuse was much more widespread than McMahan has acknowledged.

“I think he (McMahan) wishes that were the truth, and I think he’s probably been told that by his captain and the other deputies there,” said Victorville attorney Jim Terrell, who along with attorneys Stanley Hodge and Sharon Brunner are representing inmates in federal lawsuits alleging civil rights violations at San Bernardino County’s most bustling jail.

Hodge said Tuesday that the alleged abuse, which includes inmates being repeatedly shocked with Taser guns as part of a hazing ritual involving mainly chow servers, has been going on for years and is indicative of a long-standing culture condoned by the rank and file and administrators, including the sheriff himself.

“I think there is a culture that has developed over the terms of several sheriffs, including this one,” Hodge said.

McMahan was out of town and unavailable for comment Tuesday. Sheriff’s Department spokeswoman Cindy Bachman said the department was not at liberty to comment on the allegations due to the pending criminal and administrative investigations.

The allegations stem from a unit at the jail where inmates are segregated from the general population because they are more vulnerable to abuse by other inmates due to the crimes they are charged with or other extenuating circumstances.

Smith is a suspect in a high-profile murder case involving the execution-style rifle and shotgun slayings of a teenage couple in an abandoned Air Force bunker near Barstow in January 2008. He awaits trial.

Terrell said Smith signed on as a plaintiff in the litigation last Saturday and that a separate lawsuit will be filed on Smith’s behalf.

“Of all the people, this is the worst one,” Terrell said of Smith’s alleged abuse. “It’s the most amazing and intriguing story of all.”

Smith said his alleged abuse began in 2009, when he became a food server. Food servers, referred to as “chow servers,” receive special privileges including more time out of their cells to prepare and serve food to other inmates.

Smith said about a dozen deputies stunned him with their Taser guns at least 80 times over a five-year period. All the alleged abuse occurred in what he calls the “G room,” a common area of the jail where food is prepared for inmates. The room also houses the visitor’s area, a nurse’s office and hair cutting room.

The worst incident, Smith said, occurred in the last six months, when three deputies sat him in a chair and all three stunned him at the same time with their Taser guns.

When the deputies were finished they did the same thing to two other inmates, Smith said.

“It’s like a game to them. They do it for fun,” Smith said during an interview at the High Desert Detention Center in Adelanto on June 5. He was transferred from West Valley to the High Desert jail following completion of its expansion.

Smith declined to name the deputies who allegedly abused him because, he said, he is cooperating with the FBI in the criminal investigation, and investigators asked him not to talk to anyone about the case.

Two lawsuits filed in U.S. District Court in Riverside on [May 7](#) and [May 28](#) by a total of 10 inmates allege 10 different deputies repeatedly subjected them to Taser gun torture, which included deputies entering their cells at night while they slept and stunning them with Taser guns.

Inmate John Hanson, a plaintiff in the first lawsuit, said during an interview at the jail he would awaken in the middle of the night to the ear-piercing sound of a police siren, followed by the theme from the television reality series “Cops” blaring over the intercom. Deputies Brock Teyechea and Andrew Cruz, two of the three rookie deputies who were fired in the wake of the allegations, would run into his cell laughing, stunning him and his cell mate, Michael Mesa, with their Taser guns.

Teyechea, Cruz and another deputy, Nicholas Oakley, were fired in the wake of the allegations. All three had been with the department less than a year.

Other inmates allege they had shotguns placed to their heads, had their hands handcuffed behind their backs and their arms pulled up, a practice known as “chicken winging,” and were subjected to searches in which they were digitally sodomized.

The inmates said they were either [denied grievance forms](#) or questioned as to why they wanted them when they asked. Some were threatened with physical violence, the lawsuits allege.

Hodge said Tuesday that he plans to call a “legion of witnesses” to testify at trial.

“We will have dozens, if not more, current and former prisoners to testify as to the lack of bonafide, legitimate grievance procedure,” Hodge said.

McMahon said during a previous interview that his department follows proper procedure regarding inmate grievances and adheres to Title 15 of the U.S. Code, which addresses the prisoner grievance and redress process.

Smith and other inmates alleging abuse said Eric Smith (no relation to David Smith), suffered the brunt of the abuse and was the first to come forward with the allegations that prompted the criminal and internal affairs investigations. During an interview in May at the Central Detention Center in San Bernardino, Eric Smith of Hesperia said he had Taser gun scars all over his body and constantly feared for his safety.

Eric Smith has since been sent to North Kern State Prison in Delano, where he is serving a sentence after being convicted for an assault with a deadly weapon. His attorney, Peter Schlueter, said his client endured two years of physical and psychological torture at the hands of deputies, and that the alleged conduct could not have occurred over such a long period unless it was learned and institutional.

“I don’t think those deputies are acting in a vacuum. I don’t think they would ever dare to act the way they did, with impunity, if they didn’t think that the sheriff’s management would look the other way, if not passively approve,” Schlueter said. “They must believe their supervisors don’t care, and that becomes a driving force behind the cruelty.”

Sheriff McMahon has said there is no evidence to prove that.