

Leg. Betty Jean Grant
Chair, Erie County Legislature
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Re: Erie County Holding Center

Dear Leg. Grant:

I recently spoke to an employee of the Erie County Sheriff's Office about the use of excessive force at the Holding Center and over-time expenditures for its staff. I am writing to share with you what I learned with the hope that you will look into these claims.

That the County spends significant funds to compensate Sheriff's Deputies for over-time work at the Holding Center is well established. But I was surprised to hear that in some cases work schedules are made by the administration and supervisors with input from the union intentionally to increase over-time for the highest earning deputies. I understand that if balanced scheduling, was mandated this abuse of the system could be stopped. Not only would this save money, it could reduce the high incidence of excessive force at the jail because, according to my source, over-time leads to fatigue, and fatigued deputies are more likely to use excessive force.

As an attorney who has represented prisoners who have been subject to mistreatment at the Holding Center I have long been concerned with the unnecessary use of force at the jail. What I did not fully understand is that for two reasons most cases of excessive force are not even reported. One is that prisoners who report abuse fear retaliation. The other is that in some cases, supervisors at the Holding Center actually condone and reward prisoner abuse. For example, one of the deputies with Sgt. Thomas Thompson the night prisoner Steven Heilmann was physically abused, was recently promoted to sergeant. The deputy, Jonathan Weir, had been disciplined for lying about the incident in an effort to cover it up.

Three simple changes could help reduce prisoner abuse. One is the addition of cameras in areas of the Holding Center where there are now none. Deputies know that they can beat prisoners in these areas without being captured on video. Another is hiring an independent videographer to accompany deputies when they are called to quell a disturbance. This person would also have unfettered access to videos captured by stationary cameras. The third is to train deputies to restrain non-compliant prisoners instead of beating them.

As you know I am on the Erie County Community Corrections Advisory Board. While I will raise these concerns with the Board, I do not believe that a majority of the current members would give them serious consideration. My hope is that you will.

Respectfully,

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Cc: Leg. Timothy Hogues
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