Rights groups seek resignation of Contra Costa County sheriff
Jeff Landau listed the reasons he believes it’s time for Contra Costa County Sheriff David Livingston to resign.

At the top is last month’s report by the state attorney general’s office that found federal immigration detainees were mistreated at the West County Detention Facility, a jail the Sheriff’s Office operates in Richmond.

Landau is an attorney at the county public defender’s office who was speaking as a representative of the Contra Costa County Racial Justice Coalition, a collection of organizations focused on racial inequalities in the county.

He cites other reasons why he thinks Livingston should step down: In April, Patrick Morseman, a nearly three-year veteran of the Sheriff’s Office, was arrested on suspicion of consensual sex with two inmates at the West County Detention Facility. One of those inmates told me that she didn’t consent to sex. Morseman was charged with four felonies for unlawful sex acts.

And just last week, Leartis Johnson, a 65-year-old Antioch man, died at Martinez Detention Facility, a jail the sheriff operates. He was found unresponsive during a room check. According to Lift Up Contra Costa, a coalition of advocacy and union groups, Johnson was the seventh person to die in a county jail in the past year.

Livingston hasn’t been transparent about what’s happening inside the county jails. That's why Landau believes he should resign.

“I think nothing less is appropriate,” he said.

Livingston was elected in 2010 and ran unopposed in 2014 and 2018. For years he’s swatted away mistreatment allegations. And when his office investigated claims that female detainees were forced to urinate and defecate in red biohazard bags, he concluded that the detainees locked in their toilet-less cells had to merely ask to use the common restroom and shouldn’t have used bags.

“In very few cases detainees did use the bags for that purpose in violation of policy,” the sheriff’s office said.

According to the attorney general’s review, county inmates were restricted from using the bathroom.
“The fact that (the attorney general) found that much I think is really awful to see and at the same time it’s gratifying in some way to see that the truth that has been buried is coming to light,” Landau said.

At the Contra Costa County Board of Supervisors public protection committee meeting earlier this week, Landau and other community members demanded a full board meeting on the issue.

Supervisor John Gioia, the committee’s chair, told meeting attendees that he spoke to Livingston after the attorney general’s report was released. According to Gioia, Livingston told him he’d update the committee “at the appropriate time.”

That’s not good enough. The appropriate time is now. The supervisors should demand that Livingston appear and answer questions.

The West County Detention Facility is pictured in Contra Costa County in Richmond, Calif., on Tuesday, Oct. 31, 2017.

Gioia didn’t respond to my request for comment. I reached out to the four other supervisors. Candace Anderson didn’t respond. Diane Burgis is recovering from surgery to replace her aortic valve. Mark Goodwin, her chief of staff, told me she was gathering information and wasn’t prepared to make a statement.

Federal Glover has never returned my phone calls seeking comment.

Karen Mitchoff said she was disappointed that the sheriff’s investigation was substantially different from the attorney general’s review. But she said calling the sheriff before the board “serves no purpose.”

“All it does is continue the negative part of what’s been going on,” she said. “What I want to focus on is moving forward with what the AG’s report highlighted, which was we need a
better ability to get individuals into the education classes, that we need to be more responsive as it comes to the medical concerns. That’s what I want to see.”

Livingston declined my interview request through Jimmy Lee, the sheriff’s spokesman. I want to know if there’s been a review of the sheriff’s investigation, which “found that nearly all of the complaints were unfounded and unsubstantiated.” Has anyone — deputy or command staff — been disciplined because of the attorney general’s report?

Livingston is used to getting what he wants from the county. One of the reasons he decided to end the contract to hold federal detainees for U.S. Immigration and Customs Enforcement was that the supervisors cut a deal for the county to supplement the roughly $2.4 million to $3 million a year the Sheriff’s Office lost in revenue from the deal.

According to the 2018-19 budget, the county is spending $25.6 million on health services for inmates — services inmates aren’t, apparently, sufficiently receiving. The attorney general’s review found that “when women requested medical care” at West County, “the facility did not provide timely and adequate medical care.”

The review also found that nurses failed to make assessments for medical complaints and delayed medical appointments. And when medical appointments were made, nurses failed to make thorough assessments.

“The care provided by RNs at West County during phone triage as well as in-person encounters is often delayed, incomplete, inappropriate, or devoid of necessary collaboration with or referral to a practitioner, placing patients in danger,” the report said.

As for Johnson, the elderly man who died last week at the Martinez jail, the Sheriff’s Office said the death on March 6 “appears to be health-related.”

Seriously.

“It is time for the Board of Supervisors to take serious the deep failings of Sheriff Livingston,” said Jess Jollett, the campaign director for Lift Up Contra Costa. “Our most vulnerable communities are not safe in the care of the county’s chief public safety officer.”

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