

Former inmates sue Daggett County over jail abuse

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SALT LAKE CITY — The American Civil Liberties Union of Utah on Wednesday filed a lawsuit against Daggett County on behalf of two former inmates who were abused while incarcerated at the county jail.

In 2017, the Daggett County Jail was shut down after a Department of Corrections investigation uncovered abuse of inmates that dated back years and included officers illegally using their Tasers on inmates and forcing inmates to act as test dummies to train uncertified police dogs.

Former Daggett County Sheriff Jerry Jorgensen, former Daggett County Sheriff's Lt. Benjamin Lail, of Manila, and former sheriff's deputies Joshua Cox, of Manila, Rodrigo Toledo and Logan Walker were all charged and convicted in various plea deals.

Utah Attorney General Sean Reyes called it "unbelievably inhumane conduct and a reprehensible miscarriage of justice."

On Wednesday, former inmates Dustin Law Porter and Steven Drollette filed a lawsuit against Daggett County, the former sheriff, three of the former deputies, the Corrections Department, and others.

The former inmates say they "lived in fear for their lives, health, safety and welfare because of the ongoing abuse they and other prisoners experienced," according to the lawsuit.

"The repeated and systemic abuse plaintiffs suffered caused them long-term mental and physical harm, that continues today and will continue in the future. These attacks plaintiffs endured were part of a larger culture of abuse that had long been fostered at the Jail by the County and its officials and employees," the lawsuit states.

Drollette said he witnessed Cox wrestling other inmates, and on some occasions "heard deputy Cox radio to officers in the jail's control room to turn off the camera in the areas where he was engaged in that behavior," the lawsuit states.

Other times with the jail work crew, Drollette said he witnessed Cox "calling prisoners' names, telling them it was their turn for him to shock them with a Taser as part of an initiation into the work crew. Deputy Cox told the prisoners that he would remove them from the work crew if he did not allow them to apply the Taser against them," according to the lawsuit.

Drollette was also shocked with the Taser. Later, Cox released a police K9 on Drollette, who bit the inmate and drew blood, according to the lawsuit.

"Mr. Drollette told Deputy Cox to, "stop it and call the dog off," also stating, "it's messed up."

Porter said Cox would also wrestle him, and "on one occasion, deputy Cox 'choked out' Mr. Porter, putting Mr. Porter in a headlock and squeezing hard enough to cut off his air supply. On another occasion, deputy Cox reached over Mr. Porter's head, stuck his finger up inside Mr. Porter's nose, and pulled Mr. Porter backward onto the ground," the lawsuit states.

Cox told Porter, "I'm a cop," and "This badge says I can anything I want to anyone here," the lawsuit contends, as well as "If it's not on camera, it didn't happen."

Drollette said he wrote letters to the jail commanders and corrections officials, but no action was taken.

Cox, who faced the most serious allegations of all the deputies that were charged, pleaded guilty to two counts of aggravated assault and one count of transporting a weapon into a secure area, all third-degree felonies, and one count of theft, a class A misdemeanor.

Cox's attorney, Loni DeLand, said following a change of plea hearing last fall that the incidents were "fun and games" resulting from an overly familiar relationship between the inmates and their jailers.

"Paying your debt to society does not mean your jailers can shock you with a Taser and attack you with dogs only to later call it 'fun and games,'" ACLU legal director John Mejjia said in a prepared statement.

"The state and the county need to answer for what they did to me and the others," Porter said in a statement. "I hope that this lawsuit will bring real change to the way that state prisoners are treated in county jails."

"No one should be subjected to what happened to me and the other prisoners," added Drollette.

Daggett County, Utah's smallest county, relied on the placement of prison inmates in its jail for revenue. The county typically received between \$110,000 and \$115,000 per month to house state inmates.

Annually, state payments for jail inmates made up nearly 30 percent of the county's revenue — or about \$1.4 million in 2016, according to Utah's transparency website.

