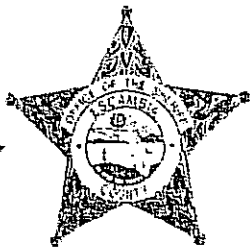


Sheriff



DAVID MORGAN

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June 4, 2013

Commissioner Gene Valentino  
Chairman, Escambia County Board of County Commission

RE: Recusal from Department of Justice (DOJ) Working Group

Mr. Chairman,

In light of your recent public statements relative to the operations of the Escambia County Sheriff's Office, The Escambia County Jail, and the Correctional Officer's duty performance I am compelled to ask that you recuse yourself from working with this group.

Specifically I site your references to; "correctional officers playing video games on laptop computers and ignoring prisoners.....let's address these issues before you come asking me for money." (A paraphrase from an interview with WEAR TV 3.) The conduct you cited is a policy violation for jail personnel, and may constitute a criminal offense of possession of contraband in a confinement facility. And the following morning on radio talk shows (1620 AM/1370 AM) where you alternately make reference to 'the sheriff holding a gun to the head of the county commission,' and 'I do not accept the DOJ findings,' 'we will be looking for further efficiencies in the jail operation before agreeing to any funding.' (Again, paraphrases.)


Commissioner the problems at the Escambia County Jail were well documented prior to my administration. It has been a lingering issue that no one wanted to address. Well now we must. This 'problem' has been studied to death. *We are now under a federal government directive to address, we have 37 days as of today.*

For you or I to attempt to deflect our responsibilities by name calling, finger pointing and nitpicking managerial capabilities (or lack thereof) is an area I strongly encourage you not to venture into. I attach some correspondence brought to my attention, which I have answered. My personnel, Commander Eric Haines and Mr. Henrique Dias, have advised me that these were the very issues discussed in the meeting with you; Mr. Touart and Ms. Amy Lavoy. Ambushing the process by procuring emissaries to propagate half-truths and innuendo via the social media is counter-productive.

Solutions to these documented issues will require teamwork and a willingness to address the issues. Not personality conflicts.

Your recent public comments indicate you do not have an open mind regarding the issue of the Jail, and that you lack the spirit of cooperation and collaboration required for this position. Accordingly, I suggest that you recuse yourself from this working group. In the alternative, should you refuse this request, I will ask the BOCC to appoint another Commissioner to fill this position.

Lastly, your allegation of Correctional Officers playing video games with laptops in the detention facilities is *information of a criminal offense which is a 3<sup>rd</sup> degree felony (FS 951.22)*. I have opened a criminal investigation based upon *your statements as a material witness*. You will be asked within the next few days to speak with one of my investigators under oath. I am confident that you will be fully cooperative in this endeavor as we continue to strive to make the Escambia County Jail a model facility for the nation.



David Morgan, Sheriff  
Escambia County, FL

Cc; Honorable Commissioner Wilson Robertson, Dist 1  
Honorable Commissioner Lumon May, Dist 3  
Honorable Commissioner Grover Robinson IV, Dist 4  
Honorable Commissioner Steven Barry, Dist 5  
Interim County Administrator George Touart  
BOCC Atty, Alison Rogers  
US Dept of Justice, attn.: Mr. Deutch

## 9 Responses to "Valentino attacks detention deputies in WEAR interview"

1. Denise says:

May 31, 2013 at 8:10 am

And look at the number of lawsuits against McNesby as compared to the number against Morgan – we taxpayers were footing the bill for McNesby's Good Ol Boy politics for 8 years...

2. Rick Outzen says:

May 31, 2013 at 4:35 am

Dale,  
How many people died in the jail when McNesby ran it? That is the only question that matters to me.

Trying to paint the jail from 2000-2008 as wonderfully run place is wrong. The jail and McNesby routinely violated the constitutional rights of Escambia County citizens. That's why I wanted the DOJ report and that is what the report says.

3. Dale Parker says:

May 30, 2013 at 9:26 pm

Rick,

I think to be fair you should be asking these questions:

- 1.) The Jail was State Accredited for several years BEFORE Morgan took office. Then lost it's accreditation AFTER he took office.
- 2.) The Jail attained a National Medical Accreditation BEFORE Morgan took office, yet lost it AFTER he was in office.
- 3.) To house Federal Inmates, the jail was inspected by the feds every 90 days and always passed before Morgan took office.
- 4.) BEFORE Morgan took office, arrests were up and the Jail was bursting at the seams, now, arrests are down fewer criminals and all of a sudden there are problems.
- 5.) Currently, Morgan has between 15-20 positions unfilled, what is happened to that money? He has been under staffed at his CURRENT budget for years.
- 6.) They complain about lack of quality candidates for open positions, however, if you will remember, PSC was going to staff a paid for state of the art training center which was cancelled immediately when Morgan took office.
- 7.) You jumped all over Malcolm Thomas for having money squirreled away, yet Morgan has the millions ... why hasn't he paid down the leave with that money?

You should be honest... the ONLY reason Morgan and yourself wanted the DOJ to investigate is that you hoped that it would find something on McNesby. Instead you again have backed something that is going to cost our community MILLIONS for years to come.

Why...

4. *David Morgan, Sheriff Escambia County* says:  
May 31, 2013 at 11:49 am

Mr. Parker,

My policy is not to engage in dialogues via the internet, but due to the egregious inaccuracies of your statements, I am compelled to do so;

1. The Escambia County Jail has been accredited since 1993 under the FL Model Jail Standards. It has never lost its status as such.
2. The jail medical facilities were previously under contract, first with Prison Health Systems (PHS) that lost an accreditation (prior to my administration) and later Armor Correctional Health Services (ACHS) which was under contract when I assumed office in January of 2009. You may recall the plethora of deaths and law suits in the facility specifically from the period of 2000-2008. We began in-house care in August of 2009 saving the county over 2.3 million per year with this change. We are a nationally accredited facility today. Further proof of the positive changes in this facility (both corrections and medical) is the lack of lawsuits; we currently have only one pending. We have had only one death in the jail since my

<http://ricksblog.biz/valentino-attacks-detention-deputies-in-wear-interview/>

6/3/2013

- administration from other than natural causes. It was an inmate on inmate attack.
3. We currently have 23 Federal Inmates housed in the Escambia County Jail. The federal authorities conduct an annual not 90 day inspection. Obviously it meets minimum standards or their inmates would not be housed with us.
  4. When I assumed office the inmate population had reached 1900 at times for a facility constructed for only 1400 (approx.) inmates. Working through the State Attorney's Office and the Court system we aggressively utilized the Pretrial Release Program, Notices to Appear, County Road Camp, etc. to control the jail population. Jail over-crowding is another DOJ issue with officer and inmate safety. Arrests in Escambia County track with national trends.
  5. Officer recruitment and detention is a nation-wide problem. We are never 'fully manned' in patrol or corrections. The cycle of retirements, terminations, or people quitting, is a management variable we contend with every day. Money not being spent on personnel on active duty is escrowed for the next academy class in anticipation of their hiring. We currently have 14 vacancies, with 16 in the hiring process. A previous class of candidates (10) resulted in only one finally being hired. They could not get past the background checks. It is not a prerequisite to attend the academy to meet the final background, polygraph, etc.
  6. The partnership with Pensacola State College was for approximately 11 million. None of the funding was matching from PSC; 5.7M from BOCC and 5.3M from ECSO LOST funds. We could not afford to staff and sustain this operation. PSC has consistently declined entreaties to take back the public safety training academies. We alternatively constructed a joint use facility for training and our Video Visitation Center for the Escambia County Jail.
  7. We are required by statute and union contract to have funding escrowed to meet personnel leave liability buy-outs. When I took office the leave liability was 13.4M, with only 1.2M in escrow. This liability was noted annually in our audits, the number eventually reached 18M. Due to yearly budget reductions by the BOCC we could not offer annual leave buy-outs. (My current budget is 2.6M less than what it was when I assumed office in 2009.) With the cooperation of the Police Benevolent Association (PBA) we negotiated a one-time leave overage buy back for .50 on the dollar taking care of the vast majority of the leave imbalances. At that point we had managed to save approximately 6M in the Internal Service Fund to handle the buy-back. However, it will once again begin to re-accrue if we do not get enough personnel positions to allow our officers to take annual, holiday and comp-time accruals.
  8. What we are presently facing is we must go beyond the minimum standards set by the State of Florida, as identified by the Department of Justice investigation.

These are the facts Mr. Parker, whether you or anyone else chooses to accept them. Being a realist means seeing this situation for what it is.

David Morgan, Sheriff