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All riled up in Rialto

City churns over police force



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RIALTO Claims of corruption and favoritism. Allegations of racism. Lawsuits.

The troubles dogging the Rialto Police Department have existed for more than a decade.

Most recently, the furor has centered on the City Council's vote in September to eliminate the Police Department and contract with the San Bernardino County sheriff for law-enforcement services.

Some, like the anonymous authors of a so-called "Corruption Report" on the police see a department wallowing in evil, its image smeared by lies, vendettas and back-door deals.

Others, like Officer Glen Anderson, see a heroic "thin blue line" that holds back a tide of crime and violence from sweeping over the city and where the dedication of the rank and file gives the lie to the charges.

Some residents have complained of police brutality; others praise the Police Department and the professionalism of its officers.

The list of issues goes on and on.

Andrew Pilcher, president of the Rialto Police Benefit Association, put it simply.

"We need new leadership (in the department)," he said.

City Attorney Bob Owen said firing the chief will not help; bringing the sheriff in is the answer.

"We've got a bad problem now and it's not being dealt with effectively," he said.

Deputy Chief Arthur Burgess said the purchase of new equipment, such as radios and vehicles, led him to believe that the lean, difficult times the Police Department had faced were over.

"We'd have low moments fiscally. We've hung through those, (we've) fought," he said. "All of a sudden things have changed, and I don't know what's caused it."

He said he has no comment on allegations that the Police Department has a history of troubles it cannot overcome.

Chief Michael Meyers did not return calls seeking comment for this story. City Administrator Henry Garcia could not be reached for comment.

Battle for police

Developments in the battle to contract with the sheriff occur almost weekly in this city riven by its desire for change yet hopeful that its Police Department can be saved.

The lightning-quick pace of moves and counter-moves began last month after the council's Sept. 13 vote to go with the sheriff.

Residents and the officers they support began collecting signatures in order to force a referendum on the issue.

The city clerk refused to certify the petitions last week, saying they did not conform to the Elections Code and violated other rules.

Now, the residents are collecting signatures to force a special election.

A lawsuit filed by the union in September, about a week after the council's vote, alleges the city violated the state's open-meetings law, the Brown Act, and legally could not contract for law-enforcement services while the current salary and benefits contract is in effect.

A judge who heard the case issued a temporary restraining order against the city. The case will come before him Nov. 14.

Another attorney representing a group of residents this month served notice on the city that it must cure what he calls its Brown Act violations or he will sue. The District Attorney's Office investigated the matter and ruled the attorney's claims baseless.

The court either could lift the injunction and allow the transfer to the sheriff to proceed early next year, or it could require the city to meet and confer with police union representatives.

Once the two sides have met and negotiated in good faith, the city could still opt for the sheriff.

If residents can qualify a ballot measure, a special election must be called.

Each side now waits to prove itself in the courts of law and public opinion.

Troubled history

The desire to take such radical action as dismantling a city department didn't come overnight. City leaders say problems with the police have festered for at least 15 years.

The city considered contracting with the sheriff a year ago, but decided to give the Police Department another chance. A salary and benefits contract was drawn up and agreed upon. It expires in December.

Owen said claims of sexual harassment and a hostile work environment in the Police Department date as far back as 1989, his first year with the city.

A former police chief from another city was hired to conduct an investigation into the allegations. It was never disclosed who brought the claims, Owen said.

Members of the police union are calling for new leadership, but city officials say the Police Department has been flush with new leadership for a decade.

Since 1992, six people have held the post of police chief in Rialto. Some have been black, some have been white.

Since that year, members of the police union have taken no-confidence votes against two chiefs, both black men: Dennis Hegwood in 1996 and Meyers in 2005.

When Meyers was a candidate for chief in 1998, he was quoted as saying he could work through the racially charged environment in the Police Department.

Seven years later, those issues remain.

The Police Department has battled claims of racial discrimination and brutality against minorities for more than 10 years.

Several reports released in 1991 and 1992 found racist incidents widespread. The reports cited allegations of police brutality against minorities and the abrupt departure of Hegwood as evidence. Hegwood resigned after the no-confidence vote and after union officials complained he was not supportive of a plan to add corporal's positions to the Police Department payroll.

Three officers' claims of racism spurred an outcry by civil-rights groups in 1997 and triggered a preliminary investigation by the U.S. Department of Justice.

As of 2003, the latest figures available on race in the Police Department show 56 officers were white, 25 black and 21 Latino. Five others were Asian or American Indian. The Justice Department never opened a full investigation, said spokesman Eric Holland. He said there was not enough evidence of wrongdoing to warrant a closer look.

One of the officers who sued, Gary Brown, was charged in 1997 with staging a burglary at his Fontana home several years earlier and falsely reporting his 1990 Honda stolen to collect insurance payments.

Officers and other police personnel have filed 104 lawsuits against the city since 1990 over issues ranging from sexism to racism to problems with the Police Department's canine unit.

Owen said the city has paid \$5 million, including legal costs and expenses, relating to the lawsuits. Fifty lawsuits required payouts and 10 cases are open.

Officer Aaron Vigil, who is Mexican American, sued the Police Department in June 2004, alleging that black officers received preferential treatment.

One officer trainee, Darrell Lockley, who is black, found employment with the Police Department despite pleading guilty to a felony. He petitioned the court, and the felony was reduced to a misdemeanor, according to the lawsuit.

Vigil cites the incident as just one in a string of cases where black officers were given special treatment, according to the suit.

Sgt. Carla McCullough's August 2005 lawsuit alleges the Police Department fired her for giving testimony in Vigil's case that was unfavorable to the department and her former lover, a ranking officer.

She's claiming the Police Department used her relationship with the man as a pretext for firing her.

Some residents have said they fear the police, and at least one instance of an officer making threats has been recorded on videotape.

At a recent council meeting, a Rialto reserve officer pointedly told Councilman Ed Scott "you better watch out because I'm the new cop in town," according to transcripts of the meeting.

Restoring order

Some city officials said the change to the Sheriff's Department is necessary to restore order to law enforcement in the city.

Owen, who has been designated the city's spokesman on the issue, said FBI statistics examining crime over the last six years are particularly troubling.

Violent crimes, including murder, rape and robbery, rose 71 percent during that period.

According to 2004 statistics from the FBI's uniform crime reporting program, Rialto is the 14th most violent city in the state among cities with a population of 10,000 or more.

When compared with cities of 50,000 to 150,000 residents, Rialto is the third most violent in the state.

Burgess said the statistics are a concern, but department leaders have been unable to address these issues because "we haven't had time to talk about anything except our existence from day to day."

"It's something laid right before our feet," he said. "Reduction of crime is what we're all about."

The Police Department's history isn't all troubled, however.

The city's special weapons and tactics team was awarded the 2005 Unit Citation for Valor by the National Tactical Officers Association. The award is presented each year to a tactical unit whose members distinguish themselves through bravery.

In literature distributed at meetings, the police also say the detective division has a homicide clearance rate of 90 percent.

Anderson and Pilcher said the Police Department is filled with fine men and women who want to do their jobs. It's city and police leadership, they say, that are stopping them.

Anderson, who has been an officer almost nine years, criticized the management style of Meyers and Burgess. Pilcher also blamed Garcia.

They said the claims of systemic racism, brutality and sexism are false.

"We keep getting painted with this dirty brush, but there's no proof," Anderson said. "I've seen good, solid police work, people who truly love their jobs and a willingness to make the community safe."

Councilman Ed Scott disagrees that city leaders should be blamed. He said there has been so much trouble for so long that the Police Department cannot be saved.

Rogue officers have come and gone, but their disregard for the law and for their positions as officers has been tolerated, he said.

"I think (the problems stem from) a culture that's ingrained. I think it's been handed down from generation to generation for the last 15 years," he said.

Scott, who once wore a wire for the FBI as part of an investigation into county corruption, said all the police chiefs who served since 1992 were criticized no matter what they did. Garcia runs every department in the city, and Scott said there are problems only with the police.

Scott said the answer to Rialto's police problems is to contract with the county sheriff.

"I think there's a lot of very fine men and women, (but) I don't think they're very well represented," he said. "I don't think they're being given the training and opportunities they need."

People on both sides of the issue have prepared analyses on the effects of a move to the Sheriff's Department. Under the contract, the county would pay the costs of litigation, not Rialto.

City leaders say the contract will save about \$1.5 million a year, allowing a utility tax to be reduced from 8 percent to 6.5 percent.

They also say police employees will receive an enhanced benefit package under the contract, which is disputed by the officers' union.

A document prepared by police supporters that addresses points made by city officials claims employees hired by the sheriff will receive a reduction in pay and benefits.

It also claims the takeover will negatively affect police programs such as the Police Athletic League, SWAT, narcotics, crimes against children and Neighborhood Watch.

"The employees of the Rialto Police Department have not asked for this," the document states. "It will have a negative impact on 160 families, most with children."

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