

Tuesday, August 12, 2008

## O.C. inmate: Jailer kicked, punched him with key in fist

Blaine Bowker sued the county today, also alleging thousands of other prisoners are denied rights.

By RACHANEE SRISAVASDI

The Orange County Register

A jail inmate has sued Orange County Sheriff Sandra Hutchens, accusing a jailer of kicking and punched him with a key held in a fist, and also alleges that he and thousands of other prisoners are deprived of access to exercise, dayroom, religious services and telephone access.

Blaine Bowker says he was assaulted on March 12 and 13 while he was incarcerated in the Men's Central Jail in Santa Ana, according to the federal lawsuit.

The inmate was then "held for 71 days in a disciplinary isolation cell ... without adequate access to religious exercise, dayroom, outdoor exercise or telephones," the complaint says. Bowker is now housed at Theo Lacy jail in Orange.

The lawsuit does not name the jailer who allegedly beat Bowker.

Tuesday, his attorney Richard Herman filed an amended version of the claim, asking that a judge deem the case a class action lawsuit because of alleged, similar abuses to thousands of other inmates held at sheriff's department jails since March.

The sheriff's department does not comment on ongoing litigation.

Orange County Superior Court records show Bowker is in custody for multiple felonies, including attempted murder, assault with a deadly weapon and burglary. He will be arraigned on the criminal charges August 25.

Accusations – and findings -- of inmate mistreatment aren't new. In March, a federal appellate court determined the county should give segregated inmates more access to religious services and exercise, and violated the American with Disabilities Act for not giving disabled prisoners access to facilities and programs. The case now is

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being handled by U.S. Circuit Court Judge Audrey Collins in Los Angeles.

Inmate beatings in sheriff's department facilities also have undergone scrutiny since the 2006 death of prisoner John Chamberlain. Besides murder charges being filed against other inmates, Chamberlain's demise triggered a grand jury investigation that found jailers weren't paying attention while more than a dozen inmates killed Chamberlain several feet away from their guard station.

Juries also have recently weighed in on some jail altercations. In June, former Orange County Jail inmate Liza Munoz was awarded \$25,000 after a federal jury saw a videotape of the woman being stunned with a Taser twice while in custody. The panel also determined one jailer committed battery by using the device on Munoz.

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