

Ridgeview's Jamar Moya is comforted by his older brother, Kamari Cotton Moya, following the Wolf Pack's loss to Narbonne Saturday night at Ridgeview.

NICK ELLIS / FOR THE CALIFORNIAN



The Bakersfield Californian

Ridgeview's bid for an undefeated state championship season ended Saturday night when Harbor City-Narbonne posted a 35-20 state playoff win at Ridgeview. • The Wolf Pack finishes 13-1 as it lost for the second straight season in the state playoffs. • Ridgeview junior Jamar Moya had a 3-yard touchdown catch and 16-yard TD run. Ridgeview's other touchdown was a 4-yard run by Cristion Brown in the first quarter. • The Wolf Pack had its chances. In the fourth quarter, Ridgeview's Ricky Leung Wai blocked two punts and the Wolf Pack recovered a Narbonne fumble at the Gauchos' 38-yard line. But Ridgeview only converted those mistakes into six points. • Narbonne (13-2), limited to 30 net rushing yards in the first half, ran for 178 yards and three touchdowns in the second half.

COMPLETE COVERAGE | C1

RIDGEVIEW STUMBLES

TRANSPORTATION

Long-neglected road maintenance is now urgent, expensive endeavor

BY KATE GALBRAITH
CALmatters

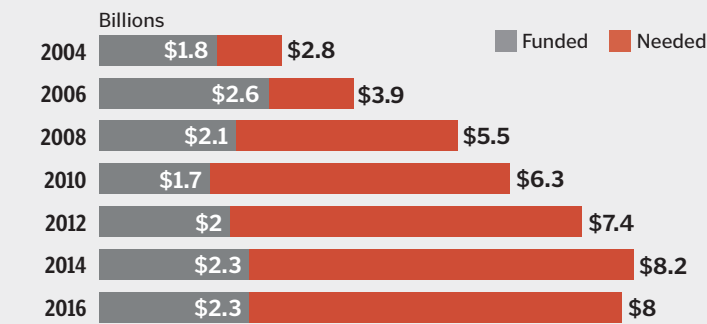
California lawmakers are struggling to climb out of a deep hole. The gas tax that supports road repairs ranks among the highest in the country but the state has some of the worst roads in America. A recent report from the state Senate said 68 percent of California roads are in poor or mediocre condition, the 44th worst record in the nation. It also said the cost for all of the unfunded repairs identified by state and local officials in the coming decade is about \$135 billion.

State lawmakers are now meeting in a special session to find several billion dollars for the most urgent repairs, possibly with a higher gas tax.

If more money isn't found, "these roads will disintegrate to the point where they'll have to be rebuilt, which is very, very expensive," said state Sen. Jim Beall, D-San Jose, co-chairman of a special

Funding for California's major road repair program

The State Highway and Protection Program has not kept up with the amount needed to maintain roads.



Source: Caltrans

THE CALIFORNIAN

committee working on the issue. The state transportation department, Caltrans, estimates every dollar spent on preventive maintenance today averts as much as \$10 in repairs later.

Please see **ROADS / A5**

INSIDE

California is testing a new way to pay for road repairs by tracking the mileage of vehicles with stickers or electronics. **Page A6**

PUBLIC SAFETY

Critical light cast on Kern County law enforcement

Five-part Guardian series puts focus on dozens of assaults, cover-ups and other cases

BY STEVEN MAYER
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A multi-part series by The Guardian is attracting plenty of attention locally and elsewhere for its concentrated focus on dozens of Kern County cases related to officer-involved deaths, sexual assaults committed by police, alleged cover-ups and pay-offs of victims.

Most of the high-profile cases described in the series are not news to readers of The Californian.

The names of unarmed men who died in recent years during confrontations with local law enforcement — names such as David Silva, Jorge Ramirez and James De La Rosa — are probably familiar to regular readers of this newspaper, which has covered these and other cases extensively.

Nevertheless, the series, which also raises pointed questions about the system police use to hold their own accountable, has the advantage of bringing together all of these events and stories for inclusion in a single series — all under one roof, so to speak — making it easier for readers to examine individual cases and issues in a broader context.

Please see **GUARDIAN / A3**

SUCCESS

Your guide to managing money, work and the business of life

Who *not* to tip for the holidays: Financial pros, teachers and your boss top list **INSIDE | D9**

Lots to enjoy at Bootleggers, says critic Pete Tittl

EYE STREET | D1

Looking for goofy gifts? Dave Barry's gift guide has 'em

EYE STREET | D1

WREATHS FOR THE FALLEN

Family members pay their respects in seventh annual event at Bakersfield National Cemetery **LOCAL | A11**



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Top Stories

GUARDIAN

CONTINUED FROM A1

While the Kern County Sheriff's Office and the Bakersfield Police Department declined to comment until The Guardian series is complete, a BPD spokesman suggested there could be much to dispute once the department has had a chance to examine the completed report in detail.

The first chapter of the five-part series, titled "The County," was published Dec. 1, followed over the next few days by the second and third installments. Part 4, the latest, was posted Thursday.

The series begins with a startling claim: "Police in Kern County, California, have killed more people per capita than in any other American county in 2015. The Guardian examines how, with little oversight, officers here became the country's most lethal."

The comparison between Kern County and New York City cited in the report was also startling.

"In all, 13 people have been killed so far this year by law enforcement officers in Kern County, which has a population of just under 875,000," The Guardian wrote. "During the same period, nine people were killed by the NYPD across the five counties of New York City, where almost 10 times as many people live and about 23 times as many sworn law enforcement officers patrol."

The report, a Guardian US project with research and reporting done by Guardian US staff, is not as clear as it could be in describing the process by which it gathered relevant statistics and ascertained that Kern County deserved its place atop this dubious list. No comprehensive database of officer-involved fatalities exists, although calls for the creation of a national index have intensified in recent months, and Texas recently enacted a requirement that law enforcement agencies report such incidents to the state attorney general. But across the U.S. such tallies are currently incomplete and unreliable.

The Guardian compiled its own data, according to the authors of "The County," and while it may indeed be accurate, even The Guardian in its "About the project" webpage acknowledges that its process for gathering information needs improvement, and that its "public accounting for deadly use of force in the U.S. ... will operate as an imperfect work in progress."

"So far, we count with traditional reporting on police reports and witness statements, by monitoring regional news outlets, research groups and open-source reporting projects such as the websites Fatal Encounters and Killed by Police. But our intention is to progress to a verified crowdsourced system," The Guardian explains.

Danny Edwards, a journalism professor at Bakersfield College who worked 24 years as a reporter and editor at daily newspapers in Fresno and the San Francisco Bay area, said he has combed through Part 1 in detail, but has not been able to devote as much time to subsequent installments. In general, Edwards said, he has been impressed by the reporting and believes it can often be beneficial when a large outside news organization brings to bear its resources, often greater than those of local media, to such a story.

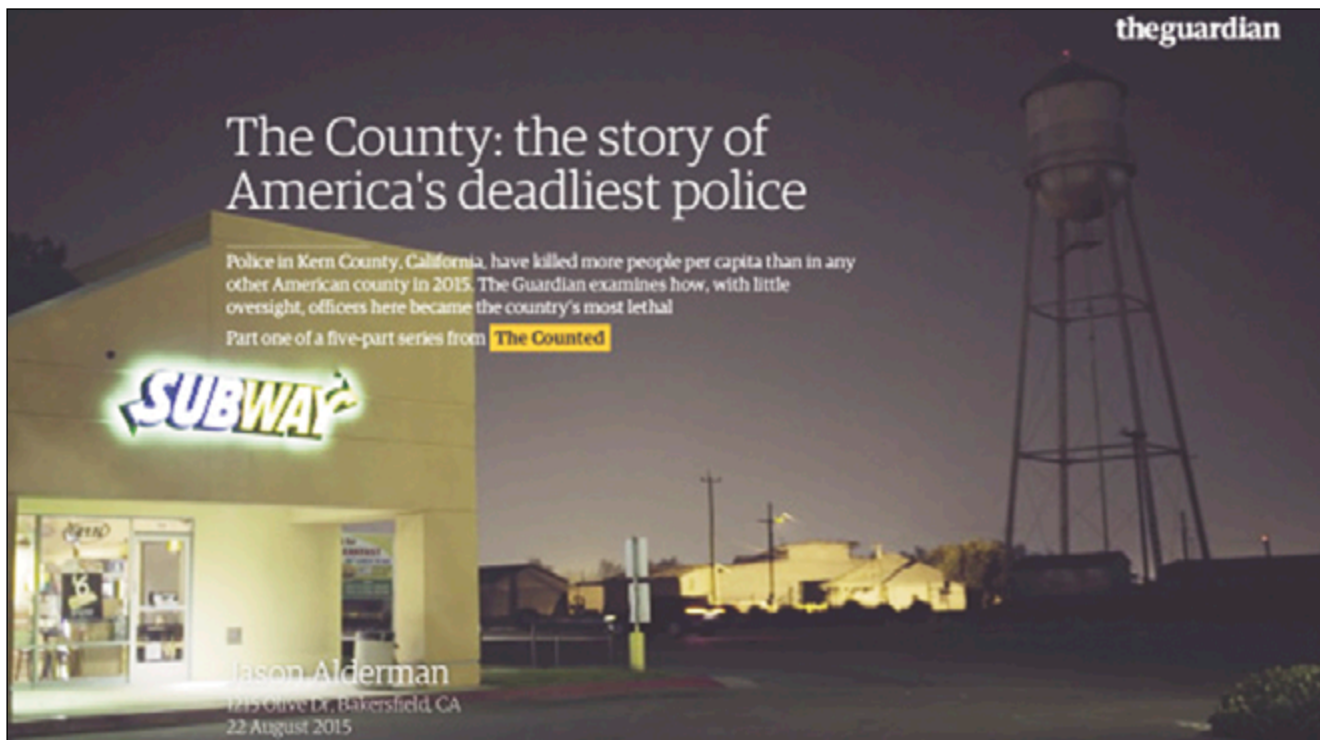
Even when some of the coverage is redundant.

Edwards also takes issue with certain aspects of The Guardian's report. And he noted that, as often happens, outside news organizations rely heavily on previous work done by local reporters.

"A lot of that stuff has been in The Californian or on TV," he said. "The David Silva case has been looked at closely — and probably will be again" now that there is a lawsuit pending.

Still, he said, "maybe an outside look is a good thing."

The series makes extensive use of a variety of multimedia platforms. Each installment allows readers to see the faces and hear the voices of the police, the families, the defenders of local



Guardian US, an arm of the British newspaper The Guardian, has produced a five-part report focused on Kern County's criminal justice system, with particular emphasis on law enforcement and a local culture that supports it.

"I feel what they did was a good thing. It's about time that a big news company came in and wasn't afraid to call out the corruption here in Bakersfield."

— Nicole Ramirez, the sister of Jorge Ramirez, an unarmed confidential police informant who was shot dead by police in 2013 as he led a wanted felon into a trap set by officers, praising The Guardian's coverage.

law enforcement and their critics. A map of law enforcement-related deaths in the greater Bakersfield area since 2005 provides a stark reminder that the vast majority of these incidents occur east of Highway 99.

The series is comprehensive and rich with detail. The Guardian boasts that the reporting is "based on dozens of interviews, multiple hours spent with officers on patrol, and a review of thousands of documents obtained via public records requests and courthouse searches," and that boast appears to be backed up by the results. One astounding revelation is found in Part 3, which is titled "The County: sexual assault and the price of silence." The installment includes information that appears to have been uncovered for the first time.

The Guardian found evidence in deposition testimony and through other sources that the County of Kern and the sheriff's office were meeting with victims of sexual assault — invasive assaults allegedly perpetrated by sworn officers under color of authority — and offering them cash to keep the cases out of court.

The Guardian described the scheme as "a pattern of secretive attempts to pay off victims with small sums of cash."

"At least eight vulnerable victims were offered — and in some cases accepted — cash payoffs by the sheriff's office shortly after the alleged abuse occurred. These payments, in some cases as low as \$200, absolved the department of civil liability and were made without the presence of lawyers, according to a review of depositions, internal sheriff's office memos and victims' accounts."

The Guardian quoted Penny Harrington, the California-based co-founder of the National Center for Women and Policing and the former chief of the Portland, Ore., police bureau.

"They have this outlaw mentality: 'We can do whatever we want to do, we're the police.' And they don't feel accountable," she told The Guardian.

Neil Gehlawat, an attorney with Chain Cohn Stiles in Bakersfield, said victims of sexual assault are particularly vulnerable because their names are typically kept out of news stories to protect their identities. This anonymity makes them more likely to endure without legal representation.

"This is reprehensible, these payoffs," Gehlawat told The Californian. "They show up with cash in hand

and try to pay off these victims."

Harrington told The Guardian she had never heard of police departments paying off the victims of sexual attacks at the hands of their own officers. She described the payments as "almost underground."

"It saves the department the embarrassment. They can brush it under the carpet and of course the community never hears about it, and that's just not OK."

Two Kern County deputies have been convicted in the past five years for assaulting multiple women.

A spokesman for the sheriff's office declined to talk to the Guardian about the payments, the newspaper reported.

The series, of course, touches on many other incidents and issues.

It retells the story of Hillary Bjorneboe, a former Bakersfield police officer who says she was forced out her job and placed on a blacklist after she complained of sexual harassment from her field training officer during her first weeks in the job. She is suing the department and the city.

It outlines the saga of BPD officer Aaron Stringer, who was arrested following a hit-and-run crash while driving under the influence of prescription drugs, and later placed on paid leave after reportedly "tickling" the feet and manipulating the head of James De La Rosa, who had been shot to death just hours before by fellow officers.

It mentions the story of BPD Detective Damacio Diaz, who is facing 16 federal charges after FBI investigators say he assisted a meth dealer and profited handsomely for his help.

Challenged by Guardian reporters on the racial makeup of the BPD as it compares to the community at large, Chief Greg Williamson dismissed as invalid any comparisons with Ferguson, Mo., the St. Louis suburb roiled by racial tension following the 2014 shooting of black teen Michael Brown — and a city where the police department's racial makeup is similarly disproportionate to that of Bakersfield.

"It's a much different system of justice than we have in this city," he told The Guardian. "We have been very engaging in our community, and we have discussion with people of all ethnic backgrounds."

Asked about the process used to screen deputies, Kern County Sheriff Donny Youngblood said his

deputies were subject to the "most stringent examination" before they were allowed out on patrol or inside jails.

Trainees, he said, are given a polygraph test where they are asked about prior sexual behavior, and are subjected to a psychological exam, The Guardian reported.

"It's not foolproof," said Youngblood. "But we deal with that, and we deal with that harshly."

Nicole Ramirez, the sister of Jorge Ramirez, an unarmed confidential police informant who was shot 10 times by police in 2013 as he led a wanted felon into a trap set by officers, welcomed The Guardian's coverage.

"They were here two weeks with us," she told The Californian. "I feel what they did was a good thing. It's about time that a big news company came in and wasn't afraid to call out the corruption here in Bakersfield."

Ramirez said she hopes by getting these stories out to a wider audience, The Guardian's series may help trigger change from the outside.

"I pray the Justice Department will come in and at least look at these departments," she said.

In none of the first four installments does The Guardian mention The Californian or other local news organizations. Might that omission leave readers with the mistaken impression that local news gatherers have been silent on these issues and that all the information presented by The Guardian is new information?

At least two quotes used by Guardian reporters appear to be lifted from local stories without any mention of where The Guardian found them.

For example, after detailing facts surrounding a class-action lawsuit against the county involving jail inmates who were subjected to unwarranted strip and cavity searches, The Guardian quotes Youngblood as follows:

"Youngblood argued at the time of the settlement that his deputies were 'doing exactly what they were supposed to be doing.' With ref-

ONLINE

Read The Guardian's series at <http://tinyurl.com/gm5dvex>.

erence to a number of other counties in California that settled multimillion-dollar class actions for strip and cavity searches, Youngblood added: "We were doing things the way everyone in California were doing things at the time."

The quote from Youngblood was in a Californian story published in 2011.

"I don't like that," Edwards said. "If you're going to use a quote from years past — and you definitely can — you need to source where that came from."

Attempts Friday to reach Jon Swaine, the series' lead reporter, were unsuccessful.

However, in an interview Tuesday with Valley Public Radio's Director of Program Content Joe Moore, Swaine talked about the role local media has played in covering these stories.

"The Bakersfield Californian has reported on lots of these cases, on much of this detail," he said. "But I think sometimes ... it is difficult for regional media because they deal with these departments day-in and day-out and they have to maintain good relationships with these departments ..."

Swaine continued: "I think it's more about the public and whether the people, the voters in that area, care enough, whether they are disturbed enough, whether they trust law enforcement over the word of some of these families ... and witnesses."

Criticisms aside, The Guardian's team appears to have done extensive original research and reporting in compiling what looks like a good starting point for a community discussion about local law enforcement hiring, training and protocols, as well as the nature of Kern County's overall economic, cultural and criminal justice environment.

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