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Ex-detective says he saw signs of cover-up in Sedgwick County Jail beating investigation

By Tim Potter
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A former Sedgwick County sheriff's detective says in a court affidavit that he saw signs of a cover-up in the way fellow investigators handled a deputy's beating of a mentally ill inmate in 2008.

The ex-detective, Mark Geddis, also said he knew of wider mistreatment of mentally ill inmates in the county jail.

His affidavit, filed Friday in federal court in Wichita, is part of an ongoing civil rights lawsuit over the 2008 beating of Edgar Richard Jr. The lawsuit alleges widespread abuse of mentally ill and disabled inmates.

Geddis is the second current or former sheriff's officer to have alleged mistreatment of mentally ill inmates through an affidavit filed in the lawsuit. In June 2012, The Eagle published an article about a sheriff's sergeant saying in an affidavit that deputies held a contest in 2010 making fun of mentally ill and disabled people and saying that command staff members knew of the contest.

The lawsuit, brought by Richard's estate, is scheduled to go to trial next month. The lawsuit seeks damages of \$4.5 million.

On Tuesday, U.S. District Judge Monti Belot issued an order to not allow Geddis' affidavit to be considered in connection with a motion filed by defendants asking for the case to be dismissed. The lead plaintiff lawyer bringing the lawsuit, Larry Wall, said he expected Geddis to be called as a witness at the trial.

The judge also issued an order removing some of the defendants, including former Sheriffs Gary Steed and Robert Hinshaw and Conmed, the jail medical contractor. The remaining defendants are Manuel Diaz, the former deputy convicted in Richard's beating; physician Paul Murphy; Deputy Saquisha Nelson; and the Office of Sedgwick County Sheriff.

Richard, who according to the lawsuit was not in touch with reality at the time of the beating, was knocked unconscious and suffered a severely broken jaw. The 59-year-old ended up in a nursing home and died of stomach cancer in 2010. Diaz, the deputy who repeatedly struck Richard at his cell, pleaded no contest and received 18 months of probation for reckless aggravated battery. The sheriff's office fired Diaz in October 2008

for breaking the law and "conduct unbecoming." Steed was sheriff at the time of Richard's beating.

Geddis is a former Officer of the Year who said he took a medical retirement in 2011. He was one of the detectives who investigated the Feb. 15, 2008, incident involving Diaz and Richard.

"At that time I knew that the investigation was biased in favor of the department and Deputy Diaz," Geddis said in the affidavit. "I was aware of several circumstances that suggest the investigation was a cover-up."

Art Chalmers, the attorney defending the sheriff, on Monday filed a court document faulting the affidavit, saying "it contains broad defaming, conclusory allegations without providing any factual detail."

Don Peterson, Diaz's attorney, said he couldn't comment on the affidavit.

Wall filed the Geddis affidavit. When asked about the affidavit, Wall said: "I was shocked and surprised by the revelations of Mark Geddis but have no comment other than that."

In an Eagle interview Monday, Geddis said, "I've worked shootings, I've worked homicides, I've worked aggravated assaults," and he always had access to key information about the cases, including details about the crime scene.

But in the Diaz-Richard incident, Geddis said, he felt a lot of basic information was missing or withheld from the criminal investigation.

For example, he said in the affidavit, he didn't have information that Diaz had been reviewed in the past for use of force and didn't know that Diaz had been allowed to change his clothes and take a shower after the beating. The crime scene at Richard's cell has been described as "a gruesome bloody scene," Geddis said in the interview.

Diaz should have been "under constant observation" after the incident and should have been photographed immediately, with the time and place documented, Geddis said.

"The failure to secure the physical evidence of Deputy Diaz's clothes is contrary to all crime scene rules and procedures," he said in the affidavit.

No polygraphs were requested of Diaz or witnesses, Geddis said in the interview. "It definitely would have been another tool to use."

His affidavit concluded: "I know that we were trained on rules and procedures in the Academy but then we are taught a different set of rules on the job. We are taught to be pro blue." Sheriff's officers wear blue uniforms. "We are taught that inmates are not important as compared to a deputy. ... I heard lots of people in command say Diaz had nothing to worry about and that they would take care of him. He was treated like he was the victim."

Geddis worked as a detective for six of his roughly 18 years with the sheriff's office. According to a sheriff's office annual report, Geddis was named the Wichita Crime Commission 2008 Officer of the Year. The report said Geddis was responsible for solving arson cases that caused \$752,000 in damage.

Geddis, 45, said he works in the insurance industry now.

Of his sheriff's tenure, he said, "I didn't leave on bad terms or anything like that." Still, he said of the 2008 incident: "The case was mishandled from the start. I need to let this be known."

Geddis filed an investigative report with the sheriff's office in March 2008 voicing his concerns about the handling of the investigation, he said. That report hasn't been produced and is "mysteriously missing," according to the lawsuit. Geddis said he wouldn't have had to raise his concerns through the affidavit if his investigative report had been available to the attorney bringing the lawsuit.

Geddis also said in the interview that he doesn't fault the current sheriff, Jeff Easter, but Easter's predecessor, Hinshaw. At the time of the Richard beating, Hinshaw was undersheriff, or second in command, below Steed. Hinshaw became sheriff in late 2008.

"Basically, Hinshaw was running everything" at the time of the Richard incident, Geddis said. "I wish I would have worked for Sheriff Easter, because he's all about accountability. So I don't want to give the department a black eye. I think they're doing an awesome job now. The last administration, they were very callous." It was a "good ol' boy system," Geddis said. "We were under a reign of callousness."

Easter defeated Hinshaw in the 2012 election. Concerns over the jail became one of the main issues in the race.

Tuesday's court order removing Hinshaw as a defendant said the lawsuit "fails to cite any evidence of any personal involvement by Robert Hinshaw in any violation of Richard's rights." Hinshaw said Monday that he couldn't comment on Geddis' claims because of the pending lawsuit.

In his affidavit, Geddis faulted interviews conducted by fellow detectives Kim Kleinsorge and Lanon Thompson. "The interview was biased and agenda-driven," Geddis said.

In the interview, he said he watched the other detectives from a conference room as they interrogated another deputy – Nelson – who witnessed the beating and who remains a defendant. He felt they were pushing Nelson because she saw Richard – the injured inmate – as the victim, Geddis said.

In his affidavit, Geddis said that sheriff's Maj. Glenn Kurtz "had a bad attitude toward mentally ill inmates." Geddis noted an allegation that former Undersheriff Mike Stover judged an art contest in which deputies allegedly made crude drawings making fun of the mentally ill.

"I know that the sheriff's office has tolerated racist and abusive language towards suspects and prisoners for all the time I worked there," Geddis said. "I know that mentally ill and mentally disabled prisoners have been called names all of that time."

Geddis contended in the affidavit that some mentally ill inmates belonged instead in mental hospitals.

On Tuesday, Easter said neither he nor any of the four sheriff's personnel criticized by Geddis – Kleinsorge, Thompson, Kurtz and Stover – could comment because of the pending litigation.

Easter said that Kleinsorge and Thompson remain as detectives and that Kurtz is still a major at the jail. Stover, the former undersheriff for Hinshaw, is a captain in support services.

Yolanda Collins, who was the sheriff's sergeant who alleged in a 2012 affidavit that command staff members knew of a 2010 art contest making fun of the mentally ill, has resigned, Easter said.

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