



Washington, D.C. 20531

Via Certified Mail

March 30, 2016

Mr. Stanley D. Glanz
c/o Tulsa County Sheriff's Office
Tulsa County Courthouse
500 South Denver
Tulsa, Oklahoma 74103

Ms. Michelle Robinette, Interim Sheriff
Tulsa County Sheriff's Office
Tulsa County Courthouse
500 South Denver
Tulsa, Oklahoma 74103

Dear Mr. Glanz and Sheriff Robinette:

I am writing to you about the testimony the Tulsa County Sheriff's Office (TCSO) provided to the Review Panel on Prison Rape (Panel) during its September 16, 2011, hearing on the TCSO's David L. Moss Criminal Justice Center (Moss Center). Our staff attorneys recently learned through press reports of a seeming discrepancy between Mr. Glanz's testimony to the Panel, the TCSO's response to the Panel's data request, and Mr. Glanz's deposition and trial testimony in *Poore v. Glanz*.¹ I write to bring this matter to your attention to give both of you the opportunity to correct or explain the Panel's record.

To prepare for its hearing on the Moss Center, the Panel asked the TCSO to respond to a data request, which included the following question on staff-on-inmate (SOI) sexual abuse at the jail:

For each investigation involving alleged SOI sexual abuse at the [Moss Center] in calendar years 2008 and 2009, please provide (a) the accused staff member's job assignment at the time of the alleged sexual abuse, (b) the sex of the staff member, (c) the race or national origin of the staff member, (d) the race or national origin of the inmate, (f) [sic] the sexual orientation of the inmate, (g) a brief synopsis of the facts, (h) the outcome of the investigation, (i) the identities of the alleged victim and alleged perpetrator(s), and G) information on whether the matter was referred to the appropriate authority for prosecution.²

In the TCSO's response to the Panel's request, which Mr. Glanz submitted, the TCSO purported to provide information on SOI sexual abuse at the Moss Center in calendar years 2008, 2009, and 2010, even though the Panel did not request data from 2010. As the TCSO explained, it provided data on 2010 "to ensure that complete, accurate, and updated information is

¹ See Judgment, *Poore v. Glanz*, Case No. 11-CV-797-JED-TLW (N.D. Okla. Mar. 2, 2016), ECF No. 226.

² Review Panel on Prison Rape, Data Request to Tulsa Cty. Sheriff's Office No. 35 (Feb. 11, 2011) (on file with the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice).

presented. ³ It identified one SOI-related investigation for 2008, one SOI-related investigation for 2009, and no SOI-related investigations for 2010.⁴

During the Panel's hearing on the Moss Center, Panel Chairperson Reginald Wilkinson and Mr. Glanz had the following colloquy:

Question:

Mr. Wilkinson: Sheriff, if you could keep your hand up, I need to swear you in regarding the documentation that you provided. To the best of your knowledge, can you attest to the accuracy and truthfulness of the written response of the Tulsa County Sheriff's [Office] to the written data request of the Review Panel on Prison Rape sent to your agency in preparation for today's hearing, as well as to the accuracy and truthfulness of other documentation that your agency gave to the Panel in the interim?

Answer:

Sheriff Glanz: I do, yes, sir.⁵

In *Poore v. Glanz*, Plaintiff LaDona A. Poore alleges that former TCSO Detention Officer Seth Bowers sexually assaulted her in 2010 while she was confined at the Moss Center.⁶ According to the discovery record in that case, Ms. Poore reported this misconduct to the TCSO in 2010, soon after she left the Moss Center, and the TCSO investigated her complaint.⁷ During discovery, Ms. Poore learned of allegations that a TCSO staff member also sexually abused another female inmate at the Moss Center in 2010.⁸ Again, as reflected in the discovery record, when this inmate reported the allegations to the TCSO in 2010, it investigated them.⁹

Based in part on these two complaints, Ms. Poore argued, in response to the TCSO's motion for summary judgment on her claims, that the TCSO provided false information to the Panel.¹⁰ Mr. Glanz denied these allegations, suggesting that the TCSO "inadvertently referenced three years (2008-2010) instead of the two years that were requested (2008-2009)."¹¹ The court rejected this argument, concluding that "on its face, the responses provided to the [Panel] reflect that the TCSO represented that it was *advertently* including 2010 in all responses to ensure that

³ Tulsa Cty. Sheriff's Office Response to Review Panel on Prison Rape Data Request No. 35.

⁴ *Id.*

⁵ Transcript of Record: Review Panel on Prison Rape Hearings on Rape and Staff Sexual Misconduct in U.S. Jails 410: 1-12 (Sept. 16, 2011), http://ojp.gov/reviewpanel/pdfs_sept11/transcript_091611.pdf.

⁶ *Poore v. Glanz*, 46 F. Supp. 3d 1191, 1194 (N.D. Okla. 2014).

⁷ *Id.* at 1194, 1200.

⁸ *Id.* at 1200.

⁹ *Id.*

¹⁰ Plaintiff's Response to Defendant Glanz's Motion for Summary Judgment, *Poore v. Glanz*, Case No. 11-CV-797-JED-TLW, ¶ 21 (N.D. Okla. Apr. 17, 2013), ECF No. 98.

¹¹ Defendant Stanley Glanz's Reply in Support of His Motion for Summary Judgment, *Poore v. Glanz*, Case No. 11-CV-797-JED-TLW 7 (N.D. Okla. May 8, 2013), ECF No. 104.

Stanley D. Glanz and Michelle Robinette, Interim Sheriff, Tulsa County Sheriff's Office
March 30, 2016
Page 3 of 3

complete, accurate, and updated information is provided. ¹² During the recent trial in *Poore v. Glanz*, Mr. Glanz acknowledged that the TCSO submitted incomplete information to the Panel on SOI sexual abuse that allegedly occurred at the Moss Center in 2010. ¹³

To correct or explain the apparent discrepancy between Mr. Glanz's testimony to the Panel, the TCSO's response to the Panel's data request, and Mr. Glanz's deposition and trial testimony in the *Poore* case, each of you should send, no later than Wednesday, April 13, 2016, a notarized, sworn statement to my attention at the following address: Review Panel on Prison Rape; 810 7th Street, NW; Washington, DC 20531. The Panel will attach the statements to the official transcript, which is posted on its website.

If you have any questions, please contact me at (202) 307-0692.

Sincerely,



Michael L. Alston
Attorney Advisor

¹² *Poore*, 46 F. Supp. 3d at 1200 (quoting Tulsa Cty. Sheriff's Office Response to Review Panel on Prison Rape Data Request).

¹³ Transcript of Stanley Glanz Trial Testimony at 76:2-12, 77:22-78:12, 81:1-7, 81:20-82:7, *Poore v. Glanz*, Case No. 11-CV-797-JED-TLW (N.D. Okla. Feb. 24, 2016).