



## TODD SPITZER

SUPERVISOR, THIRD DISTRICT  
ORANGE COUNTY BOARD OF SUPERVISORS

ORANGE COUNTY HALL OF ADMINISTRATION  
333 W. SANTA ANA BLVD., SANTA ANA, CALIFORNIA 92701  
PHONE (714) 834-3330 FAX (714) 834-2786  
[Todd.Spitzer@ocgov.com](mailto:Todd.Spitzer@ocgov.com)

Melanie Eustice, Chief of Staff  
(714) 834-3330

Tori Richards, Communications Director  
(714) 834-8498

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### **Spitzer Calls for Termination of Jail Phone Vendor after Eavesdropping Occurs**

#### ***Spitzer Doesn't Buy "Human Error" Excuse; Believes Enforcement Officials have Known for more than 60 Days***

SANTA ANA – Supervisor Todd Spitzer has called for the termination of the Orange County Jail telephone contract with Global Tel Link (GTL) after they claim a “human error” resulted in the wrongful taping of 1,079 inmate phone calls over a three year period.

Spitzer questioned Sheriff Sandra Hutchens for withholding news of the crisis from the Board of Supervisors for at least two months during Tuesday’s Board meeting. Eavesdropping on phone calls between inmates and their attorneys – which is a felony – only came to light two weeks ago publically, but appears to have been known for months by officials, including the District Attorney.

Spitzer asked the Sheriff directly whether a defendant with pro per status, wherein the defendant is self-represented in a criminal case, should not have their calls recorded. Sheriff Hutchens agreed such a recording would be improper.

“First we have a snitch scandal and now this. Depending on who listened to the calls, dozens of felonies may have been committed by jail personnel, compromising criminal cases,” Spitzer said. “Our judicial system in this county is in crisis. We desperately need an outside impartial investigation.”

The Board tasked the Office of Independent Review with looking into the matter and reporting back in 90 days. Spitzer supported the motion but demanded more immediate action in as soon as 30 days.

GTL said “human error” was to blame for the mistake, which happened because approximately 1,200 numbers were never uploaded to a “private” list. Of that number, 1,079 calls were recorded. Records indicate that 57 calls were then

accessed a total of 70 times by Sheriff's personnel, including two deputies who were involved in the illegal snitch operation. At least one call was downloaded to a CD and given to a police agency investigating that case.

Instead of the Sheriff bringing the matter to the Board, a defense attorney for Joshua Waring revealed the snafu in court while asking for a dismissal of charges. Waring is the son of a former "Real Housewives of Orange County" cast member and is charged with attempted murder. Evidence of the recordings was made clear during Waring's preliminary hearings that his calls may have been recorded while he was in pro per status as late as November 2017. This raises serious concerns over whether there is a legitimate process in place to ensure defendants in pro per status are added to the "Do Not Record" listing.

GTL's contract, worth an estimated \$4.6 million per year, comes up for renewal in November. The company made a similar privacy violation mistake at a jail in Florida.

"Why on earth are taxpayers still funding this incompetence?" Spitzer asked. "I believe GTL violated their contract with malfeasance. The Board should take action to terminate them immediately."

Spitzer stated he will bring forward an agenda item to a future Board of Supervisors meeting to fully discuss the termination of the GTL contract and to direct the Sheriff to seek other vendors to replace GTL.