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A Short Circuit In Phillips' Mind

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The last time Wendell Phillips and I spoke, I mentioned that some of the deputies he represents were unhappy with the present system of checks and balances at the Sacramento County Deputy Sheriffs' Association.

Wendell, of course, is that organization's president.

I told him that there was an unspoken fear among certain members that there are no checks and balances at all except, of course, the ones Wendell writes.

But Wendell, as he does so well and so often, put my mind at ease. He said every penny of the \$800,000 or so the association collects in dues each year is accounted for monthly and at the end of each year by a real accountant, and that any member is welcome to come look at the books anytime at all.

"This (distrust), I don't understand," he said, sounding hurt.

The conversation came to mind as I was reviewing some sworn testimony yesterday that Wendell gave in a deposition.

The deposition centered around a case the association finds itself in with two elderly retired farmers, George and Gale Hamatani, who in 1987 bought the building where the association had its headquarters.

Sometime in the fall of 1988, Wendell wrote the Hamatanis a letter informing them that due to repeated electrical problems, which were damaging the association's computers, he was breaking its lease and moving out in February. The letter also said that the association wasn't going to pay any more rent.

As it turns out, however, the electrical problems were almost certainly created by the association itself. Sometime early in the association's occupancy of the building, walls were constructed to form offices and wiring was installed to accommodate computers.

Among the wiring highlights: Computer outlets were improperly grounded to a copper water pipe in the floor; wiring was used that was inadequate for commercial uses; secretaries were plugging adding machines into outlets designed for computer use only; and the wiring to these outlets was not encased in steel conduit making them susceptible to interference from external sources such as ceiling lights, air conditioners and telephone lines.

Another way to put this is that the wiring looked like it was done by, say, an editor.

Or say, a deputy sheriff.

Someone, at any rate, who didn't know enough about what he was doing to know he didn't know how to do it.

Wendell, however, has insisted it was a contractor.

He said he'd kicked around the idea of having deputies do the work themselves, but decided to hire the job out. He said the association gave the job to "somebody's relative."

He couldn't remember the relative.

He couldn't remember the contractor.

He couldn't remember how much this contractor was paid.

He couldn't remember what bank the association was using at the time, or who the treasurer of the association was, or where records of the transaction might be kept.

He said all the association's documents were kept five years and shredded.

He couldn't remember who the association's accountant was at the time; he couldn't remember who the association's accountant is now.

"We hired some contractor to do it." he told Steve Gibson of The Bee Wednesday. "This (the wiring) was his responsibility. I'm not a building contractor."

And as beautifully as that explains it, a few questions may be left hanging still.

For instance, why isn't there any record of the necessary city building permits being issued for the job?

Or also for instance if the wiring was the contractor's responsibility, why didn't the association go to the contractor after its computers began to break down and make him do the job right?

It's possible that such questions may also have occurred to William H. Lally, a retired Superior Court judge and the arbitrator in the Hamatanis' suit against the association. He ruled that the association owes the elderly couple \$90,000.

Wendell, of course, is taking it to court, and while we're waiting to see how that comes out, let me suggest one other possibility.

That Wendell Phillips, whose previously impeccable memory is failing faster than a shorted-out computer, may have forgotten that it was deputy sheriffs who did the electrical work after all. That's the memory of at least one deputy, anyway, who called me yesterday to talk this over.

And if that is the case, there shouldn't be any check to "somebody's relative" to pay for the work.

And if such a check was written and cashed as Wendell has assured us it was then somebody's relative took money from the county Deputy Sheriffs' Association for work he didn't do.

Such a payment would surely be reflected in the association's tax returns, and it seems to me that the members of the association, dedicated as they are to upholding the law, would demand to see the tax return from the year in question and then hunt down the miscreant who made chumps of them all.