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Cuyahoga County settles, avoiding lawsuit over juvenile detention center guard accused of throwing urine on boy

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Cuyahoga County officials have agreed to pay \$70,000 to settle out of court a case where jail guards are accused of throwing urine on a teenage inmate.

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By [Cory Shaffer, cleveland.com](#)

CLEVELAND, Ohio – Cuyahoga County officials have agreed to pay \$70,000 to avoid a lawsuit from the family of a teenage inmate who said a guard in the county's juvenile detention center threw urine on him.

Cuyahoga County Prosecutor Michael O'Malley's office reached a settlement earlier this month with the family on the anticipation that they would file a lawsuit in federal court accusing the county and the corrections officers involved of violating the boy's civil rights, according to a copy of the settlement agreement obtained by cleveland.com.

The boy's family agreed not to pursue the lawsuit as part of the settlement, which was finalized April 11 when the county wrote a check to them and their attorney, Peter Pattakos, for the full settlement amount.

An internal disciplinary investigation concluded that the entire July 5, 2017 incident, first reported by WJW Channel 8, was orchestrated by a department supervisor as payback for the teenager throwing urine on another corrections officer two days earlier.

The supervisor, 30-year department veteran Garth Beckles, was fired a month after the incident.

Pattakos said in a statement that he commended the juvenile court for taking swift action after the incident to fire Beckles, and the county for paying "fair compensation for the deplorable conduct at issue."

"Hopefully the County will continue to examine and reform the conditions that allowed a jail official to believe that he could get away with such conduct in the first place," Pattakos said.

The settlement comes after county officials in October [agreed to pay over \\$179,000](#) to settle a separate lawsuit from men who said that while they were being held as teenage inmates in 2015, the detention center's guards encouraged them to fight one another for entertainment.

It also comes when the county is under fire for conditions in its adult jails, which were the subject of a damning U.S. Marshal report that found "inhumane" conditions after several inmates died last year. Unlike those jails, which fall under the Cuyahoga County Sheriff's Department, the juvenile detention center is run and staffed by employees of the county's juvenile court.

The incident

The inmate, who was 16 years old at the time, threw urine on officer Leonor Rivera on July 3, 2017, according to a copy of the disciplinary report.

Surveillance video showed Beckles came to the boy's cell the same day, opened up the door and threw a liquid on him, the report says. The boy later told jail staff that the liquid was water.

But two days later, on July 5, 2017, Beckles orchestrated a scheme to settle the score between the boy and Rivera, the report said.

A corrections officer told internal investigators that Beckles called him during lunch and asked him and the other corrections officers to save their milk cartons, the report says. Beckles was off duty and home at the time, according to the report.

He got to work and surveillance videos showed he and Rivera speak at length in the multipurpose room, before he handed Rivera an empty carton and she walked away. She came back more than 15 minutes later carefully holding the carton, the report said. Beckles then asked another corrections officer to move a round table close to a wall, and set up an inflatable child's pool on its side directly behind a chair at the round table, the report said.

Beckles then grabbed a carton and went into the restroom. He came out about 90 seconds later, also holding the carton with care as though not to spill it.

The two arranged the leftover cartons on the round table, but Rivera sat her carton on the floor, not on the table, the report says.

After the staff meeting started, a corrections officer fetched the boy and brought him to the round table, in front of the pool. Beckles spoke to the boy for about a minute, then he and Rivera both walked toward him. Rivera grabbed a carton from the table and the boy stood, but Beckles and the officer who brought him put their hands on his shoulders and the boy sat back down. Rivera threw the liquid onto the boy, the report said.

She didn't get all of the liquid out of the carton, so she gave a second toss, the report said.

The boy smelled his shirt, the report said. Sims and three other guards escorted him back to a room where he immediately took off the shirt and smelled it again, the report said.

Beckles and the guards in the room then finished the staff meeting.

The investigation

The internal investigation revealed that Beckles claimed the substance was water, and other guards said he told them it was water. One guard said that Rivera "threw the p—s on him," before he quickly clarified, "or whatever it was," the report said.

The boy told investigators he knew the liquid was urine because "it was yellow, warm and it smelled," the report said.

Beckles himself gave inconsistent accounts, the report said. In his first statement, he said he set up the cartons with water to allow the boy to throw the water on all of the guards during the meeting. But he said in a later interview that the boy needed to be taught a lesson and that Rivera was "emotionally scared and needed this release of emotion," the report said.

A social worker who regularly attends staff meetings told investigators that Beckles specifically told her not to come to the first hour of that day's staff meeting, the report said.

The report did not find direct evidence that the liquid was urine, but it said 13 factors "strongly support that conclusion."

The boy said the substance Beckles threw him on July 3 was water, and made no effort to claim otherwise. Video showed that Beckles spent about 30 seconds in the bathroom with a carton the day he threw water on the boy, and more than 90 seconds the day the boy said Rivera threw urine on him, the report said.

More than an hour after the incident, Rivera vigorously cleaned the round table with a disinfectant spray and rag, but did not clean any other table in the room, the report said. The report points out that the video showed most of the carton's liquid hit the boy and, since more than an hour had passed, what little liquid didn't hit him had likely already dried.

"This begs the question: why does Rivera feel the need to thoroughly clean a table if it was only dried water," the report said.

The center's director of recreational activities later told another teen inmate to clean the pool because "it was covered with urine," the report said. That officer told investigators the pool smelled of urine when he cleaned it, the report said.

The report questioned why Beckles would feel the need to set up the pool to catch stray liquid if it was only water.

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