

**Transcript of the Special Investigations Division's Interview of the
Correctional Police Officer in Bayside Incident #1**

INVESTIGATOR: This is Investigator [REDACTED], badge number [REDACTED], Investigator here at Bayside State Prison-Special Investigations Division. Today is August 1st 2019. Time is now 2:50 p.m. Before I start asking questions and conducting interviews, gonna be Weingarten administrative rights. It's -- the subject of investigation is, just, the incident occurred in C unit with an inmate, [REDACTED] [REDACTED], it occurred on 1/24/2019. So if you could go ahead and print your first, last name there for me. Check the box that you wish to be provided by the union. And sign, time, and date for me please. Okay, while he's pretty much filling that out, [inaudible] ... could you introduce yourself with your badge number please?

CORRECTIONAL POLICE OFFICER: [REDACTED] [REDACTED] badge [REDACTED].

INVESTIGATOR: First name?

CORRECTIONAL POLICE OFFICER: [REDACTED].

INVESTIGATOR: Okay. And also?

UNION REPRESENTATIVE: Senior Correctional Police Officer [REDACTED] [REDACTED], badge number [REDACTED] PBA rep.

INVESTIGATOR: Officer [REDACTED], it is my duty to ask you certain questions regarding the circumstances surrounding the incident that occurred on 1/24/2019 in C Unit. Do you voluntarily desire to provide a statement regarding this matter of your own free will and accord, fully realizing the importance of this statement to the State and all concerned?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: Do you have any disabilities or are you on any medications which would preclude you from giving and/or reviewing your statement?

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: Did you discuss any of these issues surrounding this incident in detail prior to beginning the recorded statement?

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: Okay. How long have you been employed with the DOC?

CORRECTIONAL POLICE OFFICER: Approximately seven, seven years.

INVESTIGATOR: Okay. Your current duty assignment?

CORRECTIONAL POLICE OFFICER: C Unit.

INVESTIGATOR: C Unit. RDOs?

CORRECTIONAL POLICE OFFICER: Sunday-Monday.

INVESTIGATOR: Okay. I'm going to show you a photograph of an inmate. Do you recognize that inmate?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: Okay. Where do you recognize him from?

CORRECTIONAL POLICE OFFICER: He was in C Unit at the time.

INVESTIGATOR: Okay. Would -- the incident occurred on the 24th of January . . . can you just describe to me what happened that day with this individual?

CORRECTIONAL POLICE OFFICER: At the time recreation was out, inmate [REDACTED] comes down the steps wandering around the dayroom. He was told if he's, if a kiosk or phone was not available [inaudible]. He really couldn't understand or he was started mouthing off. So I noticed he had a lanyard altered on his JPay.

INVESTIGATOR: Okay.

CORRECTIONAL POLICE OFFICER: When I addressed that . . .

INVESTIGATOR: That's the little tablet you were referring to?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: Okay.

CORRECTIONAL POLICE OFFICER: . . . and that's when it escalated from there because he refused to take it off.

INVESTIGATOR: Okay. This inmate wasn't -- he was just received in the unit I believe, wasn't he?

CORRECTIONAL POLICE OFFICER: Yes. Probably about 10 to 15 minutes.

INVESTIGATOR: Prior to that. When he -- he came down and, and, obviously I, I saw the -- I reviewed some of the video. I did see him, you know, wandering around like he was -- kind of looked like he was lost. I mean, you know, like you said he was -- I guess he asked and was inquiring about the phone or whatever. Did he make any . . . I believe you might have been seated behind the desk. The officer's desk area, correct?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: And I believe there was one time -- did you, did you get up and, and I think maybe address him, at one time, in the...

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: ...like the middle of the -- called the dayroom maybe I guess?

CORRECTIONAL POLICE OFFICER: Yes, yes.

INVESTIGATOR: Did he -- I believe he, he verbally threatened you, didn't he?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: Alright. Do you remember, do you recall what he said?

CORRECTIONAL POLICE OFFICER: He said -- he was told to remove the lanyard from the JPay and once he said if he does this -- when he does it, he was going to punch me in my face.

INVESTIGATOR: Okay. Did he eventually take the, the lanyard off the, you call it, I guess you can say the contraband because...

CORRECTIONAL POLICE OFFICER: The contraband.

INVESTIGATOR: Obviously he had a piece of sheet or, or a shoelace or something was tied to that, correct?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: Alright, did he remove that from the [inaudible]

CORRECTIONAL POLICE OFFICER: At that time I think he did.

INVESTIGATOR: You think he did. But he was kind of hesitant on doing that [inaudible]?

CORRECTIONAL POLICE OFFICER: Yes, yes.

INVESTIGATOR: Alright. Okay and at the time when he said he was going to, you know, punch you in your face you obviously perceived this as a threat...

CORRECTIONAL POLICE OFFICER: As a threat.

INVESTIGATOR: . . . and, you did what you had to do to protect yourself . . .

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: . . . and anyone else that was in the area. Do you recall striking this inmate?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: Okay. Do you remember how many times?

CORRECTIONAL POLICE OFFICER: I'm not sure.

INVESTIGATOR: Okay and then, subsequently he was taken down to the ground . . .

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: . . . secured, handcuffed. Was, was mace deployed?

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: No, okay. And once he was, secured, cuffed, I believe responding officers . . . went to the unit and, and you know, transferred him out of the unit, correct? Do you remember who it was who called the code? Was it you or your partner?

CORRECTIONAL POLICE OFFICER: Not sure.

INVESTIGATOR: I, you know, I know it's, it's been quite some time . . .

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: . . . and I believe you, you got injured. You don't have to cite, you know, to HIPPA laws, you don't have to say what you were in- I know, know you injured or broke your hand, something like that.

CORRECTIONAL POLICE OFFICER: Yes

INVESTIGATOR: And you were out on workman's comp I believe, right?

CORRECTIONAL POLICE OFFICER: Yes.

INVESTIGATOR: You were out for several, several months.

CORRECTIONAL POLICE OFFICER: Several months.

INVESTIGATOR: Alright, so I -- obviously it, you know, like I said it's now August and, usually we try to interview, you know, right away, but the incident, but obviously with where you were injured it didn't take place. So I apologize for being so long within trying to get you interviewed and, and if some things [inaudible] may seem sketchy due to you know the lapse of time, so, we appreciate trying to remember, you know, everything that, that took place. Is there -- like you mentioned earlier he was there for a whole hot 15 minutes, so there's really no need to ask you if you had any problems with the inmate before because you never . . .

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: . . . seen this individual.

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: How long have you been working on the C Unit floor?

CORRECTIONAL POLICE OFFICER: It's going on a year.

INVESTIGATOR: Okay, okay. You have any questions for me?

CORRECTIONAL POLICE OFFICER: Not at all. [Inaudible].

INVESTIGATOR: Okay. At any time were you compelled or coerced into making your statement?

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: Okay. At any time were you made any promises or offered any rewards for making your statement?

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: Is there anything regarding this investigation that we have not asked you or that I have not asked you that you feel I should have?

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: Okay. In a couple of seconds, I'm going to prepare to terminate, end the video camera interview. You're more than welcome to review your answers if you would like once, you know, the camera is turned off. If you don't want to, you know, you don't have to. Would you like to review your . . .

CORRECTIONAL POLICE OFFICER: No.

INVESTIGATOR: . . . Answers. Okay. At this time I'm preparing to terminate this video recorded statement of Senior Correctional Police Officer [REDACTED] [REDACTED].