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7 **INTERVIEW WITH**  
8 **Q=Sgt. Jason Brown**  
9 **A=**

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Q: Okay. All right. I'm Sergeant Brown, like the color. I'm with the Sheriff's Office. I do investigations, okay?

A: All right.

Q: What's your name?

A: Uh, last name

Q: You - well your full name.

A:

Q: What's your birthday?

Q:

Q:

A:

Q: And what cell you in?

A: Um, 42.

Q: So you're upstairs?

A: Yeah.

Q: You know why we're here?

A: Yeah, because, uh, they - well, that - they killed that dude.

Q: I'll tell you what.

A: All right. Yeah.

Q: This is you're going into the dorm.

A: Yeah.

Q: This is the officer's station. Is that 42?

A: Yeah.

Q: Upstairs, right?

A: Mm-hm.

Q: You say, "They killed that dude."

A: Yeah.

Q: So, one of the things that I do, do investigations, is I'm a finder of fact.

42 Okay? I really don't care what the fact is, as long as it's the fact. That's what

43 I want to know. I don't care who gets in trouble by it and who doesn't get in  
44 trouble by it. Okay?  
45 A: Right.  
46 Q: So, but with that being said, I want to make sure that when we talk, I want to  
47 know what you know and not what all these other people told me, okay?  
48 A: Okay.  
49 Q: All right. Does that make sense?  
50 A: Yeah.  
51 Q: Because, right, when you said, "Man, they killed that dude," I know from your  
52 location, you couldn't see what happened.  
53 A: No.  
54 Q: It's impossible, right?  
55 A: Yeah.  
56 Q: It's not possible. So, it is possible that you heard what happened.  
57 A: Mm-hm.  
58 Q: That's what I want to know.  
59 A: Okay.  
60 Q: That make sense?  
61 A: Yeah.  
62 Q: What I want to start with though, is you know that guy?  
63 A: Uh, I knew - nah, I don't know him personally. But, uh...  
64 Q: Just from being in?  
65 A: Just, yeah, interactions.  
66 Q: How long you been in?  
67 A: I've been here - I've been here for a year and three, four months.  
68 Q: You been B the whole time?  
69 A: No.  
70 Q: When'd you get to B?  
71 A: I been here for about since December. So...  
72 Q: Shoot, about eight months.  
73 A: About eight months.  
74 Q: All right. So you were here when he got here.  
75 A: Yeah.  
76 Q: All right. Tell me about him.  
77 A: Um, well, he - he was a - he was like a - a quiet dude. He's - he's what we call  
78 an - a  
79 Q: Yeah.  
80 A: Yeah. I'm sure you heard the term before. Pretty much like a mentally  
81 disturbed person that, you know, and ba- he pretty much only knew like the  
82 basic functions, you know, like piss, wipe his ass, you know what  
83 I mean? Eat. That's it. You know what I'm saying? He - he - he - he didn't  
84 bother nobody. He's - he's type of dude, you can tell on the streets that he was

85 like a bum or something, because you'll see him going digging in the trash,  
86 trying to get food, and, you know what I'm saying, hungry. And I - I give him  
87 like bread and stuff sometimes. You know? That just what kind of guy he was.  
88 You know what I'm saying? And he - he wasn't type of guy to start any  
89 trouble with anybody. I never even seen him have - have a whole conver- like  
90 a - a normal conversation with anyone. He - he only said like a few words,  
91 like, "Oh, do you have any food," or something like that. You know? Never  
92 confrontational, never - I - never - never anything like that. He was just, you  
93 know, he pretty much minded his business, go around looking for food. And...  
94 Q: Lot of people trying to help him out?  
95 A: Yeah. Lot - lot - lot of people try to help him out and he just wander  
96 around, like during program. That's pretty much our rec time.  
97 Q: Mm-hm.  
98 A: When they let us out to, you know, stretch our legs or whatever. He - he just  
99 walk around and be - be in his own world. You know what I mean? Never  
100 seen him...  
101 Q: What about his physical appearance?  
102 A: Physical appearance? He - he wasn't very clean.  
103 Q: Yeah.  
104 A: Wasn't very clean guy. Dirty. Think - I think I seen, uh, shit on his butt. You  
105 know what I mean?  
106 Q: Mm-hm.  
107 A: Like, um, never seen him take a shower. You know what I'm saying?  
108 Q: His clothes?  
109 A: His clothes dirty. He never changed 'em in. You know what I mean?  
110 Q: Yeah.  
111 A: So you can pretty much tell that he was mentally disturbed.  
112 Q: Not like he was doing it on purpose.  
113 A: No.  
114 Q: It's pretty much...  
115 A: It's that...  
116 Q: ...like how he was.  
117 A: He didn't - he didn't know no better.  
118 Q: Yeah.  
119 A: You can pretty - you - you - you can tell that, just by looking at him, that he  
120 didn't know - teeth yellow, like terribly yellow. You know what I'm saying?  
121 Q: Yeah.  
122 A: And, uh, yeah so basically, that's - that's kind of guy he was. Like he didn't -  
123 he's pretty much a nobody. But...  
124 Q: You know the deck officer that was working last night?  
125 A: What'd you say?

126 Q: You know the deck officer that was working last night?  
127 A: Um...  
128 Q: Luber?  
129 A: Yeah.  
130 Q: Um, did Luber never have any problems with him?  
131 A: No. No.  
132 Q: He really didn't have problems with anybody?  
133 A: Ne- wait, who? Oh, that - that guy?  
134 Q: That guy. You know his name?  
135 A: Uh, Tyree?  
136 Q: Tyree.  
137 A: Yeah, yeah. Yeah, yeah. He - he never had any problems with anyone, ever.  
138 I never seen him - I barely even know what his voice sounds like because you  
139 - you - he - he - he doesn't have conversations with people. You know what  
140 I mean? He was just - he was just - you can tell that he was just like basically  
141 like a homeless guy in here. You know what I'm saying? Going around  
142 looking for - just trying to feed his basic needs.  
143 Q: Mm-hm.  
144 A: Of - of being a human.  
145 Q: Right.  
146 A: That's it. You know I mean? The bare minimum.  
147 Q: Um...  
148 A: Him and Luber, I never seen him - him and Luber have any interaction.  
149 Q: Do you take pill call?  
150 A: Do I take pill call? Yes.  
151 Q: Did you take pill call last night?  
152 A: Did I take pill call last night? I believe so.  
153 Q: So you kind of, you know, remember about, you know, when that was. Did -  
154 did Tyree have any problems with pill call last night?  
155 A: No, not that I remember.  
156 Q: Not that you remember?  
157 A: No.  
158 Q: Couple of the peo- well he took - couple people have told me he was kind of a  
159 cheeker. He liked to - to cheek his meds. Do you know about?  
160 A: Um, never - no.  
161 Q: Didn't know anything about that?  
162 A: Mm-mm.  
163 Q: Uh, and that last night maybe he got caught, maybe got called out for, you  
164 know, taking some of his meds? Did this ring a bell?  
165 A: No.  
166 Q: No? Okay. Because if you don't know, you don't know. That's cool.  
167 A: Right.

168 Q: Um, but eventually after pill call, you guys had laundry service.  
169 A: Right.  
170 Q: Everybody went out, got laundry service. Do you know if Tyree got laundry?  
171 A: I don't think so. He - he doesn't. He doesn't normally.  
172 Q: Doesn't normally get laundry?  
173 A: So, yeah, he's always dirty.  
174 Q: Um, and that sometime after that, there was kind of like a pseudo-shakedown,  
175 right?  
176 A: Yeah.  
177 Q: Um, that the officers did?  
178 A: Mm-hm.  
179 Q: Um, but it was for extras. Extra clothing?  
180 A: Right.  
181 Q: And you being in 42, um, I think, uh, when they did this - this search...  
182 A: Right.  
183 Q: ...do you know where it was they started their search? Do you remember what  
184 side they started on?  
185 A: Well, okay so what I'm remembering because it's - it - it's so normal...  
186 Q: Yeah.  
187 A: ...it's so normal, but, I remember them...  
188 Q: So you being on the top, how about this...  
189 A: I'm...  
190 Q: ...they got to you before they got to or after they got to  
191 A: After.  
192 Q: So, it was first, then you? Or you, then  
193 A: It was first.  
194 Q: then you.  
195 A: Yeah. And went down - down that way. But I'm trying to remember whether  
196 they started at the bottom first. No, no, no, I - I - I'm pretty sure he started at  
197 48.  
198 Q: Was there a problem between...  
199 A: Yes. Yes. Okay. So, let me tell you where - where that started, because, that  
200 was - it was some problem before that, pertaining to But not with that  
201 guy.  
202 Q: Tyree.  
203 A: Yeah. So, at - at, uh, at program time, right, rec - rec time, uh, had - I  
204 guess had owed someone some money, or something like that. And he -  
205 he - he gets into a verbal confrontation with someone. And, uh, that - that in-  
206 that - that happened. And then pretty much gets loud. And he's like, "Do  
207 you - you want every - you want everybody to get locked down," da, da, da.  
208 He says that outloud or whatever. And, uh, pretty much ended up us  
209 getting locked down. But, there wasn't a problem so much with Luber and

210                   It was       having a problem with someone else and then Luber saying,  
211                   "Go lock it down...  
212 Q:               Knock it off, yeah.  
213 A:               You know what I mean? So, that's what happened. But when - but  
214                   when, uh, Luber went to go to do pill cal- I mean, not pill call. When Luber  
215                   went to go do, uh, the search, the room search, he - he went to that cell and I  
216                   mean...  
217 Q:               Which one,       or thir- or Tyree's?  
218 A:               cell.  
219 Q:               Okay.  
220 A:               He went to       cell, and - and, uh, you know, he went up there with his boys  
221                   or whatever. They're doing search. But they went in the cell. And, uh, all you  
222                   hear, all I can hear 'cause I can't see his cell either, I heard - I heard 'em  
223                   saying, uh, "Oh you - you motherfuckers." Because I guess they hem-  
224                   because, all right, in the - when - when they do the search right, they order us  
225                   to...  
226 Q:               On the wall.  
227 A:               ...s- stand against the wall. So, I'm pretty sure       stood against the wall. I  
228                   can't say whether he refused or not. But, all you heard was, "Owe, owe, fuck.  
229                   Oh fuck." And then he started cussing 'em out, "Hey you motherfuckers, what  
230                   are you doing? Let me go." And, uh, I heard from       that they slapped him or  
231                   whatever, but I didn't see exactly what...  
232 Q:               When...  
233 A:               ...but, uh...  
234 Q:               Okay. Go ahead.  
235 A:               But, uh, like I said       got locked down for - for, you know, disturbing  
236                   - disturbing, uh...  
237 Q:               The unit?  
238 A:               ...the unit. And they sent him to his cell. And, uh, pretty much they, uh,  
239                   hemmed him up and, you know, caused him pain because he was cussing and  
240                   yelling, "Owe, fuck. Owe, shit. Owe."  
241 Q:               When they came to your dorm, your - your room, your cell...  
242 A:               Right.  
243 Q:               ...um, did you have any extras that they took?  
244 A:               No.  
245 Q:               Um, were you - were they in and out? Or how'd your search go?  
246 A:               Um, my search went - they came in. He said, "Do you have any extras?" I  
247                   said, "No." Besides - I said, "Besides my floor towel," but he already told  
248                   everybody that, "Oh, I'll let you guys have extra floor towel. That's whatever.  
249                   We don't really care about that." You know? It's for cleaning or whatever. But  
250                   he's like he wants extra clothing. So, he, uh, he said, "Do you have any  
251                   extras?" He did a quick search. He, uh, I said, "No." I told him, "No, I don't

252 have any extras." He lift up my - my bed. Went and, uh, looked up under my  
253 bed, inside my bin. Everything was done. In and out within less than...

254 Q: That's Luber?

255 A: ...15 seconds. Yeah.

256 Q: That's Luber?

257 A: Yeah.

258 Q: Uh, did the others - how many were with him?

259 A: Two guys.

260 Q: Do you know who they were?

261 A: Uh, Officer Ferris and Officer Gonzales.

262 Q: Okay. Um, did they come in?

263 A: Uh, no. Wait. Or maybe it was only Ferris. I think it was only Officer - I  
264 think it was just two of 'em. And...

265 Q: Okay.

266 A: ...so, Luber came in. Only Luber came in. Just one officer came in. No, I think  
267 it was all three. Only - on- on- but only Luber came in my room. And the  
268 other guy just - Ferris sta- stood right there.

269 Q: And you were on the wall?

270 A: I was on the wall, yeah.

271 Q: When they left, did they turn off your light or did they leave it on?

272 A: No. They just - they, uh, no, they didn't touch my light.

273 Q: Weird question huh?

274 A: No. It probably has something to do with that guy, because they probably  
275 turned his light off.

276 Q: Uh...

277 A: Oh shit, yeah.

278 Q: ...so, when they finished you and you're done, done, did they search  
279 Tyree's cell before or after that?

280 A: They searched Tyree's cell after.

281 Q: After that.

282 A: Yeah.

283 Q: Okay.

284 A: They went downstairs...

285 Q: Went downstairs.

286 A: ...(unintelligible).

287 Q: So after they went downstairs, and I'm sure it's tough for you to tell, could you  
288 tell - when you're upstairs, can you tell what cell they're going into  
289 downstairs?

290 A: No.

291 Q: Not really from like the doors opening and shutting or anything like that?

292 A: No, not really.

293 Q: When they were downstairs, after being upstairs with you guys...

294 A: Uh-huh.  
295 Q: ...did you hear anything happen?  
296 A: Oh shit.  
297 Q: What'd you hear?  
298 A: Fuck. They - I - I mean, I - I - I thought it was someone else because, like I  
299 said, like you never hear that guy at all.  
300 Q: Tyree?  
301 A: Yeah. You never hear that guy at all.  
302 Q: Mm-hm.  
303 A: Like he's - he's so quiet. I'm like, "It couldn't be him." I'm like, "Damn, they're  
304 fucking someone else up."  
305 Q: So what happened?  
306 A: Uh...  
307 Q: What'd you hear?  
308 A: I hear - all I heard was, "Ah. Ah." All right. I - I heard the first, "Ah," and  
309 then like - and then like 10 seconds go by. And then I heard another,  
310 "Ah." And then like - it's like six seconds will go by, and it, "Ah." You  
311 know? No words in between. Like with it was like words in between like,  
312 "Fuck. What the fuck? Fucker." Like, this - this guy didn't...  
313 Q: Mm-hm.  
314 A: Who- whoever the guy was, at this point I didn't know, whoever the guy was,  
315 wasn't like talking shit or didn't say anything in between getting - getting hurt.  
316 Like he - it was just him getting hurt.  
317 Q: No words whatsoever?  
318 A: No words. Nothing.  
319 Q: Okay.  
320 A: Nothing. No words at all.  
321 Q: Did you hear (unintelligible).  
322 A: No.  
323 Q: Stand up?  
324 A: No, but when...  
325 Q: Get down?  
326 A: When I was...  
327 Q: Get on your bed.  
328 A: None of that.  
329 Q: Get on the wall.  
330 A: No, none of that. And...  
331 Q: Cooperate.  
332 A: No. But when - when they was in cell, I heard 'em whispering stuff to  
333 "Listen, you - you - you need to fucking stop this, this and that." Like,  
334 you know what I mean? I - I didn't hear the whole conversation.  
335 Q: Mm-hm.



336 A: But I heard like certain little words. Like, "Don't fucking," that, you know,  
337 and they were whispering it to 'em.

338 Q: Other than the screams, could you hear any words going on during this time  
339 that you heard that going on downstairs?

340 A: No words.

341 Q: No, "Okay," or...

342 A: No, no.

343 Q: ..."Stop," or, "I'm sorry." Um, "I'll cooperate. Leave me alone. Get out of my  
344 cell. You - you're fucking devil."

345 A: No.

346 Q: Nothing?

347 A: Noth- nothing. Nothing...

348 Q: Okay.

349 A: ...at all whatsoever.

350 Q: How long did that whole thing go on?

351 A: Shit, that probably went on for like a minute, a minute and a half. Minute,  
352 minute and a half.

353 Q: Then what happened?

354 A: Um, then, uh, I guess they finished, uh, doing the - doing the - the - the -  
355 the search.

356 Q: Whatever they were doing.

357 A: Yeah. I mean, I was in my cell at this point. I was - I was - I was done.  
358 But I heard...

359 Q: You couldn't see what was going on anyway.

360 A: No, I - I couldn't see it.

361 Q: Yeah.

362 A: And I was like...

363 Q: Whatever.

364 A: ...I'm like, "Damn, blood." I was like, "They - they at it again? Like another  
365 one? They - they wasn't satisfied with one?"

366 Q: In your - in your mind, from what you're hearing going on, did it sound like  
367 they were tuning someone up? Or did it sound like they were trying to get  
368 control of someone to search the cell?

369 A: No. It sounded like - yeah, it sounded like - sounded like they were tuning  
370 someone up, because the person - like it - it's - it's - it wasn't like - it didn't  
371 sound like a struggle was ensuing. You know what I'm saying? It didn't sound  
372 like a struggle. Like it'll be - like you'll hear...

373 Q: Like a fight?

374 A: Yeah. All you heard was, "Ah." I don't know - I don't know what  
375 happened to the dude, but all you can hear is him in agony, like, you know, in  
376 pain, just, "Ah." And then it'll be quiet. Nothing. Not, "Ugh, ugh, ugh." Not-

377 none of that. Like - like a fight or something, you know, you'll hear, "Ugh,  
378 ugh, ugh." Like it was - it was just, "Ah. Ah."  
379 Q: So a minute and a half later, what happened? They left?  
380 A: Um, I guess they were done with that cell, or whatever. And, uh, they -  
381 they continued their, uh, I suppose they continued their - their, uh...  
382 Q: Searches.  
383 A: ...their search or whatever. I was in my cell so I was probably reading or  
384 something. You know? I stopped paying...  
385 Q: Right.  
386 A: ...attention, pretty much.  
387 Q: Right.  
388 A: But...  
389 Q: And then what happened?  
390 A: Then, after that, um, freaking, um, they finished - they finished that or  
391 whatever. And I guess, Luber, or they came back and like did a check or  
392 something, to like do a welfare check. And, uh...  
393 Q: About how long - how long later?  
394 A: This is easy like 15, 20 minutes later.  
395 Q: So little while.  
396 A: Yeah. Yeah. This - and it's crazy because if that happened to that dude, then  
397 it's like - I mean, no one after whatever happened in there, I couldn't see,  
398 I never seen, you know, the aftermath about it or whatever, but, no one called  
399 for him to get medical attention.  
400 Q: It's blowing your mind it looks like.  
401 A: Yeah. Like - like no one - no - no one called to help him. You know what I'm  
402 saying?  
403 Q: Did you...  
404 A: It's...  
405 Q: After you heard that altercation between the CO's and whoever it was...  
406 A: Mm-hm.  
407 Q: ...did you hear anything else, you know, coming from that cell or any  
408 cells? Did you hear...  
409 A: No. Someone ask for help?  
410 Q: Someone ask for help. Did you hear, I don't know, them using the  
411 shitter? Do you hear 'em use, you know, wa- washing their hands, walking  
412 around, hitting the wall, banging on the table, anything?  
413 A: No.  
414 Q: Nothing at all?  
415 A: Complete silence. Like, it was just complete silence. Like no one...  
416 Q: Did you ever start to smell foul odor?  
417 A: No. I mean, I - I was upstairs so that was...  
418 Q: Yeah.

419 A: ...that was - that would be pretty far away.  
420 Q: So 15, 20 minutes later someone comes back.  
421 A: Mm-hm.  
422 Q: Do welfare check. On everybody?  
423 A: Um, I don't - I don't think they made it upstairs.  
424 Q: Why?  
425 A: I - I - I - I didn't see 'em.  
426 Q: You never saw 'em go by?  
427 A: Uh-uh.  
428 Q: So...  
429 A: I seen - I seen one guy come in, go out, and then...  
430 Q: Do you know who it was?  
431 A: I seen Gonzales. I seen Gonzales and then he just looked like he was in  
432 like panic mode.  
433 Q: Real quick man, describe him, Gonzales, for me.  
434 A: Mexican guy. Short hair, short - shorter hair on the sides, little bit more on  
435 top. Um, yeah about 5- 5'10", 5'11".  
436 Q: Is he the guy with the slicked hair?  
437 A: Yeah, slicked over his...  
438 Q: Like the Superman curl?  
439 A: ...side. Yeah.  
440 Q: Okay.  
441 A: Kind of thing.  
442 Q: All right. Um, so after they came back in, started to check, then what  
443 happened?  
444 A: Um, yeah the guy - I'm, um, the - I guess that's when they start like calling  
445 medical, and like it started becoming like a big panic. But I ain't go - I - I like  
446 started to lay down and go to sleep. Like that's - I don't know, I guess be-  
447 between that, uh, 15, 20 minutes, I had went to go lay down. Then I start  
448 hearing like somebody go out, and then I see Gonzales - well, I - I hear a  
449 CO come in. And then I s- I - I go to my door and I see Gonzales go like - he's  
450 like running back and forth, kind of thing. Like in a panic. So I was like,  
451 what's goin' on? And so, yeah. But, uh...  
452 Q: Did you see the paramedics show up?  
453 A: Yeah.  
454 Q: Did you see the nurses show up?  
455 A: Yeah.  
456 Q: Who, uh, and fire department?  
457 A: Yeah, the fire department.  
458 Q: Who - who came first?  
459 A: Who came first? The nurses.

460 Q: Then?  
461 A: The fire department. The nurses, then the fire department came.  
462 Q: All right.  
463 A: And, uh, yeah I - I...  
464 Q: And then all of a sudden we, in the suits, started showing up right?  
465 A: Yeah, yeah, a bunch of - bunch of more CO's and stuff.  
466 Q: Did you know what was going on?  
467 A: I - I was guessing like they kind of beat the guy to the point where he  
468 probably passed out or something. And then like I see 'em with the machines.  
469 Bringing over the machines. And then I hear the - and I'm like, they're trying  
470 to bring that guy back. So, that's when I put it all together in my mind. Like,  
471 okay...  
472 Q: You guys had program today yeah?  
473 A: Program? Yeah, earlier today.  
474 Q: Yeah, yeah. Did you guys talk about what happened?  
475 A: Yeah.  
476 Q: What'd you hear?  
477 A: I heard that, uh...  
478 Q: This is where we get into what you heard. Remember, you told me when  
479 I first started talking to you?  
480 A: Yeah.  
481 Q: All right. So what'd you hear?  
482 A: I heard that, uh, that, uh, that - that they, uh, some guy told me he seen like  
483 the body like fall out the - like out the - the cell. And I was like, "What? He  
484 fell out the cell? You seen it? You seen the body?"  
485 Q: Mmm.  
486 A: He's like, "Yeah. Yeah, yeah, yeah." I was like, "Wow." And then he was  
487 like, uh, I was like, "Well -" I told him, I was like, "Well, if they put hands on  
488 that guy," well 'cause, you know, we was all having a big discussion. I - I was  
489 like, "If they put hands on that guy, and then, you know, didn't report it or  
490 whatever, and then didn't make a phone call down to medical, like all that's  
491 going to be on record. And there's a camera right there." So I'm like, "They're  
492 going to be in trouble because that guy - they should have called medical.  
493 Shouldn't have been no welfare check like 20 - 20 minutes later for, you know  
494 what I mean, if - if that guy was hurt badly. Then it's like I don't know -  
495 " I mean you guys are gonna put two and two together eventually anyway. So  
496 it's like if there was no phone call made to medical before that, when y'all put  
497 hands on this guy, and, you know, all this stuff, and, you know, y'all probably  
498 wasn't writing reports, cameras all out here, you know, it's like why that much  
499 later did that, you know, he probably could have been saved.  
500 Q: Doesn't sound right, does it?  
501 A: It doesn't. You know what I mean? So it's like, I don't know.

502 Q: You think that, uh, I - I mean you're almost right above that cell. Almost, huh?  
503 A: Yeah.

504 Q: How tall are you?  
505 A: 5'7", 5'8".

506 Q: All right. So, let's say I'm 6'1", okay? I know I slouch like a mother, but, let's  
507 say I'm 6'1". Let's say I weigh roughly 200 pounds. That's a lie.

508 A: Mm-hm.

509 Q: But if I'm standing in my cell and I'm in Cell 39, and you're in Cell 42,  
510 minding your own, reading, laying on your bunk. And I'm standing there, and  
511 I start just man, having the shits. And, I - it's fucking all over my dorm, it's all  
512 over the walls, and I fall out. Boom. I fall down. Because I'm dying. Let's just  
513 say.

514 A: Mm-hm.

515 Q: Could you hear me fall down? Would you hear me hit the ground? Remember,  
516 I - I'm 6'1", 200 pounds.

517 A: Okay.

518 Q: Could you hear me fall down?  
519 A: Wait. Are you saying if there was like a struggle and...

520 Q: No, no, no. If I'm standing there by myself.  
521 A: And...

522 Q: And I start just - I have a heart attack and I die, and I shit myself and I die.  
523 And I fall to the ground and I'm dying. Think you'd hear me fall down?  
524 A: I don't know. Probably not.

525 Q: Let's say, that I'm in my bunk, my dorm, my - my room, Jesus. I'm in my  
526 room. I start having a heart attack or whatever. Just name whatever medical  
527 problem you want.

528 A: Mm-hm.

529 Q: I shit myself and I fall over and I'm dying. But while I'm falling, I hit my head  
530 on my - my bowl. My - my - my toilet. Would you hear that? Figure, I'm  
531 falling down. Probably louder than that, right?  
532 A: Yeah. But, I don't know. I probably - I probably wouldn't hear that. I pro- I  
533 mean - I mean, yeah, you're saying you're a pretty big dude. You  
534 know? I mean 6'1", 200 pounds.

535 Q: I mean if I became dead weight, and I was falling because I was dying, and I  
536 hit my head on my toilet bowl, do you think from your cell you could hear  
537 that? Tough to say?  
538 A: Tough. That's tough to say. But, I mean, after the dorm got hit, it was  
539 pretty much quiet. So if someone bangs on they wall...

540 Q: Especially if it's quiet, huh?  
541 A: Yeah, yeah. If someone bangs on they wall, boom, I would be able to say,  
542 "Yeah I heard a bang."  
543 Q: If I'm in 39, you're in 42, they're done searching the cells, they bounce,

544 and I'm sitting on my - I'm sitting on my - my table, just like we're sitting here  
545 now.  
546 A: Yeah.  
547 Q: And I decide that I'm pissed about it, and I hit my wall. Probably louder than  
548 that, right?  
549 A: Yeah.  
550 Q: But you'd probably hear that?  
551 A: Yeah.  
552 Q: And i'm just sitting here and I use my hand to hit the wall, you'd probably hear  
553 that.  
554 A: Yeah, yeah, yeah.  
555 Q: Okay.  
556 A: Yeah.  
557 Q: I'm just trying to get a gauge of what noises maybe being so close, what you  
558 would hear and what you wouldn't hear.  
559 A: Yeah. Yeah. I mean, but, they're gonna f-...  
560 Q: It's tough when you're not paying attention though, huh?  
561 A: Yeah. But they're - they're gonna - they're gonna figure - you guys are  
562 gonna figure all that out when autopsy come, that this wasn't - probably wasn't  
563 a heart attack. It probably wasn't.  
564 Q: Well maybe it was. I don't know.  
565 A: I mean, it - it could have been.  
566 Q: Yeah, I don't know. Maybe it was. But, you also got to figure that if  
567 something bad happened to that guy, instead of a medical condition...  
568 A: Mm-hm.  
569 Q: ...that the way those cells are situated, you're probably 20', 30' away from that  
570 guy. And that even though you didn't see something, you're a pretty damn  
571 good witness, because you probably heard a lot of what happened.  
572 A: Right.  
573 Q: Right? So that's why it's important to me to find out what you can and can't  
574 hear, when that dorm's quiet.  
575 A: Yeah.  
576 Q: From a guy that's 20' away from you.  
577 A: Yeah. If - I mean, someone - someone hit they head on the toilet, boom, you  
578 would hear a certain bang. You know? But...  
579 Q: 'Cause it's that metal, huh?  
580 A: Yeah. And it - it - I mean, shit, if s- if someone - yeah, like pe- people have  
581 done it. That shit's annoying. You can hear it upstairs.  
582 Q: Yeah, echoes.  
583 A: You know what I'm saying? So it's like, but, and I figure - and I figure if, uh,  
584 if it's quiet and shit. But like if it's like during the day and, you know, it's a

585 bunch of little noises going on, that, you know, but if it was just like during -  
586 during say, uh...

587 Q: Lights out.

588 A: Yeah. If it happened later on after they left the cell, say - say he was still alive,  
589 after they - after they left the cell...

590 Q: That's what I'm trying to say.

591 A: Um...

592 Q: What if he was still alive, and while they were gone, he had a heart attack and  
593 died?

594 A: Yeah. I mean, the dorm - the dorm gets quiet once the - once the - once  
595 the...

596 Q: Mm-hm.

597 A: ...lights go off. If he would've hit the floor, I mean if he would've hit, uh - uh...

598 Q: Maybe even hit his head on the way down.

599 A: Hit his head on the way down or something like that, then...

600 Q: I'm sure everybody would've heard it.

601 A: Yeah. People - people would've heard it. People would have heard it.

602 Q: Cool. Cool.

603 A: And I'm - and it's like, I don't know, I mean this - it's fucked up 'cause like that  
604 guy, he never - he never did - he - he never did nothing to nobody.

605 Q: He never bothered nobody.

606 A: He never bothered anyone. And so it's like, I mean the autopsy going to tell a  
607 lot of stuff.

608 Q: I agree.

609 A: Whether, you know, I mean when they see bruises and stuff, it's gonna be like,  
610 "Oh, well..."

611 Q: If they're even there. We don't even know, right?

612 A: If - if - yeah. But...

613 Q: Do you have anything more to add about what happened or what you heard  
614 last night that maybe I want to know about?

615 A: Um, just that, um, that, uh, I mean Luber - Luber pretty much has been  
616 known as like a dirty cop. You know what I'm saying? Like he's - he's not new  
617 to beating people up and...

618 Q: Have you seen him beat people up?

619 A: Yes.

620 Q: Like what?

621 A: Like, uh, like, uh, jack people up and, you know, throw 'em up against  
622 walls and stuff like that. You know what I mean?

623 Q: Mm-hm.

624 A: In they cell. I mean he had just got done beating up the guy Via. I - I don't  
625 know if you guys talked to him?

626 Q: I have. But there's other people here.

627 A: Yeah. And, uh, I mean, he hasn't gotten to me yet, personally. But I've been  
628 beaten up by cops here before. You know? Come in my cell, after program  
629 and everything, when the lights are off and, you know, they just...

630 Q: Sounds like you want us to do a good job in finding the truth, whatever that is.

631 A: Yes.

632 Q: Well, like I told you when we started, my job is to find the truth.

633 A: Right.

634 Q: No matter what it is. I just want to find the truth.

635 A: Right. I mean...

636 Q: Maybe it's good. Maybe it's bad. I don't know. But I want to find it.

637 A: Yeah. I mean, it's nothing - I don't - I don't have anything personally against  
638 them. It's like, if they - if - if they didn't do nothing, then they shouldn't, you  
639 know what I'm saying, be treated as so. But, it's like, it - this people getting  
640 beat up, if we're talking about that, people getting hurt, it's been going on for a  
641 while. And it's like they're not gonna back off until...

642 Q: Have you ever told anybody about it?

643 A: Uh, yeah, yeah. Actually I - I wrote a grievance on the officer that was  
644 here earlier. It's Officer Kuwilla. Because he slammed my head. I think we  
645 were in this very room actually. He slammed my head up against this table.  
646 Because, uh, I was talking crap. But my hands were handcuffed to this right  
647 here, behind me. And I was talking crap, right? But, I mean, it's their job to  
648 deal with - someone talking crap shouldn't get them beat up, period, 'cause  
649 that's they're paid for. To - to deal with people like that. So, if they beat up  
650 everybody that talk crap...

651 Q: You wrote a grievance on that?

652 A: I - so I wrote a grievance.

653 Q: When was that?

654 A: Um, maybe about three weeks ago?

655 Q: So in July or in August?

656 A: Uh, July. And, uh, I don't - I - I haven't yet received it. I haven't received a -  
657 usually - usually you get like a slip back saying some - a certain thing. Saying,  
658 uh, "Oh well..."

659 Q: No results. So you don't know what happened.

660 A: No results. So...

661 Q: Yeah.

662 A: ...I don't know if it reached the person that was supposed to go to, or not.  
663 But...

664 Q: You were fixed right?

665 A: Yeah. But...

666 Q: All right man. Well unless you have anything else, I'm going to let you get  
667 back to it.

668 A: All right.



669 Q: Cool enough?

670 A: Yep.

671 Q: I appreciate you talking to me.

672 A: Thank you.

673

674 This transcript has been reviewed with the audio recording submitted and it is an accurate  
675 transcription.

676 Signed \_\_\_\_\_