

INTERVIEW WITH MAN

Q=Sgt. (Noey Cortez)

Q1=Sgt. Leon

A=Man

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A: I remember seeing (unintelligible).

Q1: Yes. Relax. You don't have to stand with your hand - or sit...

A: (Unintelligible).

Q1: ...with your hands behind your back.

A: It's not that bad.

Q1: Okay. You're not...

A: (Unintelligible).

Q1: ...handcuffed or anything though, right?

A: Well, yeah, I'm handcuffed.

Q1: You are?

A: Yeah.

Q1: Oh, 'cause you're - you were wearing that (unintelligible).

A: Yeah, have to be.

Q1: All right.

A: Remember, I said I know Sergeant (Turner)? He probably knows (Turner). (Unintelligible) (Turner) over at (unintelligible)?

43
44 Q: Mm-mm. No, I don't.
45
46 A: No?
47
48 Q: No.
49
50 A: Yeah, well he - well he (unintelligible) PD, so might...
51
52 Q: Oh, he's (unintelligible).
53
54 A: ...be a little different.
55
56 Q: Okay.
57
58 A: Yeah.
59
60 Q: What's - what's your name?
61
62 A:
63
64 Q: And, uh, where (unintelligible)?
65
66 A: Right now, I've been in cell 9. I made a statement before - a few statements
67 when I came out the first time.
68
69 Q: Okay, so you...
70
71 A: Regarding (Lubin).
72
73 Q: So right now you're in cell 9?
74
75 A: Yeah.
76
77 Q: Okay. And uh, this is Sergeant Leon.
78
79 A: Yeah.
80
81 Q: I think you already met him before.
82
83 A: Yeah.
84

85 Q: And I'm Sergeant Noe Cortez.
86
87 A: Yeah.
88
89 Q: Okay, I don't think we met before.
90
91 A: No. Not us.
92
93 Q: So this is the first time we've met.
94
95 A: Yeah.
96
97 Q: All right. Um, and we already talked about Mr. (Tyre). And you said - and
98 you said you already made a statement...
99
100 A: Yeah, I...
101
102 Q: ... (unintelligible)?
103
104 A: ...made a statement before in the past. How - it was weird how we had just got
105 let out for - for program that night, and then suddenly, it happened after
106 program.
107
108 Q: Okay, so you talked to the, uh, Sheriff's Office investigators?
109
110 A: Yeah. I talked to, uh - uh, I think, uh - I don't know if he's here right now, but
111 I - he was here. I don't remember his last name. He was a Sergeant Detective.
112
113 Q: Sergeant Detective?
114
115 A: Yeah.
116
117 Q: Okay.
118
119 A: From what I remember correctly.
120
121 Q: Okay.
122
123 A: I just can't remember his last name.
124
125 Q: Okay. And...
126

127 A: (Unintelligible).
128
129 Q: ...uh, so you're currently housed in cell 9?
130
131 A: Yes.
132
133 Q: Back, uh, when this incident happened, where were you housed?
134
135 A: I was in there. And (unintelligible).
136
137 Q: Okay, same cell?
138
139 A: It was, like, kitty-corner.
140
141 Q: Okay.
142
143 A: And I could hear basically a loud thud going on during cell searches.
144
145 Q: Okay. Since y- you already talked to the detective about, uh, what you saw...
146
147 A: Yeah.
148
149 Q: ...and you provided a statement.
150
151 A: Yeah.
152
153 Q: And the reason we're here is, uh, we wanna talk to you about now, how is
154 everything going in - inside your (unintelligible)?
155
156 A: Inside the unit?
157
158 Q: Yeah.
159
160 A: It seems like it's mellowed out.
161
162 Q: Okay.
163
164 A: Compared to. Because I mean, it was pretty bad. So...
165
166 Q: It was pretty bad when?
167

- 168 A: It seemed like it. I mean, 'cause we had things going on with the - the - that
169 after. I mean it took a minute to come back to normal.
170
- 171 Q: Okay.
172
- 173 A: So...
174
- 175 Q: So as of right now...
176
- 177 A: As of right now, except for, they haven't really found a replacement for him at
178 night. So therefore, it's kind of different having different deputies. 'Cause I
179 mean, I think they should have a permanent deputy, and we should be getting
180 more out time since we put them behind bars. It's our statements that really
181 put them behind bars. I think everybody in the unit pretty much came forward
182 and gave their statement. So that (Lubin), (Rodriguez), and (Ferris) could be
183 put - locked up. So I think we should be getting more advantages and more
184 benefits to us being - doing that, personally.
185
- 186 Q: So as far as - you're s- talking about advantages, things going back to normal
187 or...
188
- 189 A: Yeah, like things going back to normal, like, we should be getting more out
190 time. We should be getting - rather than being cooped up all the time, I
191 personally think since we played a big part in it that we should be getting a
192 little bit better treatment in there. I mean, it's pretty good as of right now, but
193 I'm thinking...
194
- 195 Q: Mm-hm.
196
- 197 A: ...most of the inmates should be getting more.
198
- 199 Q1: Well, let me ask you this, just because you were talking about that. And I'm
200 sorry to interrupt.
201
- 202 A: Uh, yeah.
203
- 204 Q1: But are you guys getting what you have - I don't wanna say y- what you have
205 coming, but...
206
- 207 A: What ya have coming. Well some deputies...
208
- 209 Q1: (Unintelligible) you know what I mean?

210
211 A: ...have been programming out more 'cause we had one guy that was giving us,
212 like, f- four hours almost. Like, three to four hours...
213
214 Q1: Okay.
215
216 A: ...after that. But he hasn't been staying there. So I mean...
217
218 Q1: Okay.
219
220 A: ...at night, I mean it's not like we always get to get out. And they started
221 suddenly doing that bottom tier upper tier thing. It's just like...
222
223 Q1: Oh.
224
225 A: ...it kinda cuts it down.
226
227 Q1: Yeah, no, it - it does. When you...
228
229 A: Yeah, and...
230
231 Q1: ...you're tiered like that.
232
233 A: ...it doesn't seem like it's very fair to suddenly start doing lower tier upper...
234
235 Q1: Yeah.
236
237 A: ... tier like that. I don't know why they started doing that now, but for some
238 reason, maybe they think it's easier.
239
240 Q1: Uh, yeah, I - to be honest with you, we don't know why they would do that.
241
242 A: Yeah.
243
244 Q1: It's - that's all jail management.
245
246 A: Yeah, that's...
247
248 Q1: Um...
249
250 A: ...just crazy all of a sudden, just to cut us down on program like that.
251

252 Q1: Yeah.
253
254 A: Like, maybe an hour just because that's the way it was this morning. We only
255 got out an hour this morning, and then we've been doing that at night. So...
256
257 Q: So before the incident, how much program time would you get normally?
258
259 A: I don't know. It - (Lubin) was cool at first, I thought, basically because, uh, he
260 was giving us program. He started to do it like (Gill Brazino) was. (Gill
261 Brazino) was the first one that would actually give us all the program.
262
263 Q: How much time is that?
264
265 A: That would be, like, three hours easy.
266
267 Q: Three hours of program?
268
269 A: Yeah.
270
271 Q: And then now after the incident, uh, what's your, uh...
272
273 A: Uh, I...
274
275 Q: ...program time?
276
277 A: ...don't know. It just seems like it's less because they're doing lower tier upper
278 tier.
279
280 Q: Okay.
281
282 A: So - but at first, I mean, uh, right after that, we were getting, like, three - four
283 hour hours out with (Benson) and then one (unintelligible) the other COs.
284
285 Q: Mm-hm.
286
287 A: But I think we should be getting out more.
288
289 Q1: Sure.
290
291 A: Personally.
292
293 Q1: And to clarify, the three hours out, that was on the nights - on night shift?

294
295 A: Uh, yeah, that was night shift, and then day shift we got an hour or two. Yeah.
296
297 Q1: You got, uh, at least an hour or...
298
299 A: Yeah.
300
301 Q1: ...two on the day shift?
302
303 A: Yeah.
304
305 Q1: So each day you're gettin'...
306
307 A: But not always though. It de- it varies.
308
309 Q1: Yeah, it does. I mean...
310
311 A: Yeah.
312
313 Q1: ...I know there's...
314
315 A: It varies, and I don't really keep...
316
317 Q1: ...things that happen.
318
319 A: Yeah, things go down.
320
321 Q1: Yeah.
322
323 A: I mean it's not always gonna be a perfect unit. So...
324
325 Q1: Yeah, exactly. So...
326
327 A: But...
328
329 Q1: ...in each day, you might get maybe five hours of out time altogether?
330
331 A: Yeah.
332
333 Q1: Okay.
334
335 A: Yeah.

336

337 Q1: Okay.

338

339 Q: Since, uh - since this incident and you - since you talked to the detectives, has
340 anybody come to talk to you about what happened?

341

342 A: Well, I basically talked to the inmates. So I've heard the stories. Like, the -
343 'cause I know the neighbors pretty well of...

344

345 Q: Mm-hm.

346

347 A: ...(Michael Tyre) so I ha- I basically hold all - heard the whole story about
348 how much blood was coming from his forehead and the back of his head and
349 how bad it was.

350

351 Q: Okay.

352

353 A: So...

354

355 Q: So other than the inmates that are - that are...

356

357 A: Yeah.

358

359 Q: ...in there, has anybody else come and talked to you?

360

361 A: No.

362

363 Q: Um, what about the correctional officers? Have they talked to you?

364

365 Man: (Unintelligible).

366

367 A: No, not really.

368

369 Q: Okay.

370

371 A: Yeah, most of them have been cool.

372

373 Q: Okay.

374

375 A: And they - they typically like to leave me alone.

376

377 Q: Okay, so...

378
379 A: 'Cause I usually don't start it unless somebody really pisses me off.
380
381 Q: Sure - sure.
382
383 A: Yeah.
384
385 Q1: That's like everybody.
386
387 A: Well, yeah. But I don't go out of my way. I'd rather get home and get home
388 safe...
389
390 Q1: Yeah.
391
392 A: ...'cause they can definitely get you pretty good. So...
393
394 Q: Okay.
395
396 A: Yeah.
397
398 Q: All right, uh...
399
400 Q1: So you - oh, I'm sorry go ahead.
401
402 Q: (Unintelligible).
403
404 Q1: Nah, I was just gonna say, so you described the atmosphere...
405
406 A: Yeah.
407
408 Q1: ...in there has being very good lately?
409
410 A: It's - it's getting better since they got rid of those three on misconduct.
411
412 Q1: Okay.
413
414 A: 'Cause we've been watching the news. I've seen the - the pickets out front and
415 the - the signs and everything that...
416
417 Q1: Yeah.
418
419 A: ...came around. I mean, there's been a lot of media attention on that one. So...

420
421 Man: (Unintelligible).
422
423 A: ...they all got charged with first degree murder. So, I mean, you guys are
424 doing your job too. At least if you - you guys - I mean, I've told you before, I
425 seen it happen in prison, but...
426
427 Q1: Yeah.
428
429 A: ...(unintelligible) away with it. Yeah.
430
431 Man: Um...
432
433 Q: So now how do you feel as far as your safety?
434
435 A: It feels a whole lot safer.
436
437 Q: Okay.
438
439 A: But see, the only thing - I mean, I couldn't sit there and hear his cries like th-
440 the other inmates could.
441
442 Man: Mm-hm.
443
444 A: 'Cause he was sittin' there in tears. He was - wasn't able to do anything. He
445 wasn't able to fight back whatsoever.
446
447 Man: Yeah.
448
449 A: So I didn't think that was too cool.
450
451 Q: Okay.
452
453 A: But my guess was maybe he had charges as - as - to the reason why they
454 would want to go do that.
455
456 Q: Okay. And as far as your safety, uh, do you know how to get a hold of
457 somebody if you have some concerns?
458
459 A: Well I can get ahold of over there at
460 if I really had to 'cause he used to work over there at Internal Affairs with
461

462
463 Q: Okay.
464
465 A: So if I really had to go to Internal Affairs -- that office over there -- I mean I
466 could just call directly to . It's been a couple years since he...
467
468 Q: What about here at the jail, with the staff here? Do you know how...
469
470 A: No, most of...
471
472 Q: ...to get a hold of?
473
474 A: ...the staff really wouldn't bother me on that one, I don't think. Uh, 'cause they
475 know I can really make a phone call on 'em or I just - 'cause I know people.
476 Therefore, I don't think most of them really would be a hassle on that one.
477
478 Q: Okay.
479
480 A: So...
481
482 Q1: All right.
483
484 Q: And you know you can talk to internal inv- uh, affairs here at the jail...
485
486 A: Yeah.
487
488 Q: ...if you need to...
489
490 A: Yeah, the DMC...
491
492 Q: ...or a...
493
494 A: ...had...
495
496 Q: ...supervisor.
497
498 A: You know, I had an incident a while back with (Abocado) where my left wrist
499 was sprained, and I turned that in. It was a - a black officer. I had
500 hyperextended over my - my head over there in Booking 83. I dealt with
501 (Flores) and - well (Flores) was on the letterhead, but I dealt with Lieutenant
502 (B. Hoy) before she retired. And they pretty much just did a government code
503 session. It was a 330-3311...

504
505 Q: Mm-hm.
506
507 A: ...where they didn't disclose what happened to the officer for doing it.
508
509 Q: Okay.
510
511 A: So I don't even know what they did on it.
512
513 Q1: You said that's back in 1983?
514
515 A: Well, no, this was way back. Uh...
516
517 Q1: Yeah.
518
519 A: ...'07, '08.
520
521 Q1: Oh, '07. So...
522
523 A: Yeah.
524
525 Q1: ... it was a prior complaint you filed, and it's...
526
527 A: Yeah, and, uh...
528
529 Q1: ...been resolved.
530
531 A: ...I don't - I th- I don't know what they did on it though. 'Cause they're not
532 gonna (unintelligible).
533
534 Q1: Yeah.
535
536 A: They're not always gonna give out that information.
537
538 Q1: No. No.
539
540 A: But...
541
542 Q1: The law prevents some things.
543

544 A: Yeah. Yeah. Definitely. 'Cause otherwise, a cop can get, yeah, a lot more
545 harassment. Unless there's somethin' serious like this one. This one is - yeah.
546 All the names got put out, everything.
547
548 Q1: Yeah.
549
550 Q: Yeah.
551
552 A: So...
553
554 Q: And so you obviously know how to file a complaint if (unintelligible).
555
556 A: Yeah, I know how to deal with them.
557
558 Q: (Unintelligible).
559
560 A: And I mean I got a citizen's complaint form and another one for a state
561 employee. I mean I can get access to that...
562
563 Q: Okay.
564
565 A: ...kinda stuff. So I mean citizen complaint forms, things like that, it's real easy
566 to just go file on somebody.
567
568 Q: All right.
569
570 Q1: Okay. Perfect.
571
572 A: (Unintelligible).
573
574 Q: Anything else...
575
576 A: (Unintelligible).
577
578 Q: ...you wanna tell us?
579
580 A: That's it.
581
582 Q1: Any concerns that you have while you're...
583
584 A: No, I...
585

586 Q1: ...in here?
587
588 A: ...I was just hoping they'd get us out for more out time. I'm here until the 22nd.
589 I'm goin' home on the 22nd.
590
591 Q1: Yeah.
592
593 A: So...
594
595 Q1: No guarantees. We can pass that on as...
596
597 A: Yeah.
598
599 Q1: ...a concern.
600
601 A: Yeah.
602
603 Q1: Absolutely. You know, uh, we - who knows what happens to affect the
604 schedules.
605
606 A: Yeah.
607
608 Q1: But as long as you're gettin' out, you know, at least as often as they can.
609 That...
610
611 A: Yeah.
612
613 Q1: ...that's somethin'. But obviously you can always get more.
614
615 A: Yeah.
616
617 Q1: But we'll let 'em know.
618
619 A: Yeah, I - I think it's better now that you guys got rid of those three. I mean,
620 you guys are doing a perfect job on that one.
621
622 Q1: Okay.
623
624 A: 'Cause that - that never happens where a deputy gets fired (unintelligible) any
625 cops get fired behind a certain incident. Most of 'em keep their jobs usually.
626
627 Q1: Yeah, well...

628
629 A: So...
630
631 Q1: ...it's - it's just a search for the truth. 'Cause I know we talked.
632
633 A: Yeah.
634
635 Q1: And that's - that's all it is...
636
637 A: Yeah.
638
639 Q1: ... (unintelligible) a search for the truth.
640
641 A: I think that should happen...
642
643 Q1: It's a search for the truth.
644
645 A: ...more often because I mean that - more than once it happened in state prison.
646
647 Q1: Yeah.
648
649 A: And then they get away with it. They've just got a stronger union. Maybe. I
650 don't know what it is.
651
652 Q1: I don't know.
653
654 A: Maybe they just don't press it. The Feds don't come in and do anything with it.
655
656 Q1: Okay.
657
658 Q: All right. Okay, .
659
660 A: All right. Sound...
661
662 Q: (Unintelligible).
663
664 A: ...good?
665
666 Q1: Yeah. That's...
667
668 Q: Yeah.
669

670 Q1: That's good. Let's just...
671
672 A: Yeah.
673
674 Q1: ...make sure they're ready to take you back.
675
676 A: All right.
677
678 Q1: And we're done, unless you have...
679
680 A: Yeah.
681
682 Q1: ...something you need to tell us.
683
684 A: No.
685
686 Q1: No.
687
688 A: Good enough.
689
690 Q1: Very good.
691
692 Man: All right.
693
694 A: Thanks for your help.
695
696 Q1: Oh, of course.
697
698 A: Yeah. I'm glad you guys are doing your rounds. What do you think they're
699 gonna get life or what?
700
701 Q1: No idea. We'll just let justice take its course with whatever happens.
702
703 A: Yeah, just...
704
705 Q1: Okay.
706
707 A: ...like the signs were sayin', "We want justice" on that one.
708
709 Q1: Yeah.
710
711

712 This transcript has been reviewed with the audio recording submitted and it is an accurate
713 transcription.
714 Signed _____