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INTERVIEW WITH SGT. JUAN SEVILLANO

Q=Sgt. Sammy Tarazi

Q1=Man

A=Sgt. Juan Sevillano

Q: And do you live at

A: That is correct.

Q: Okay. Where is

A: Uh, right next to as you enter.

Q: Okay. Cool. And do you work - uh, what's your schedule here?

A: I work, uh, D-Team schedule, uh, night-shift Wednesday through Friday and every other Saturday.

Q: From 4:30 to 4:30?

A: Yeah. 4:30 to 4:30.

Q: Okay. Perfect. Okay. Um, do you mind if I call you (Juan)? Sarge? Whatever you...

A: That's fine.

Q: Okay.

A: That's fine.

Q: Um, do you know why we're here to talk?

A: Um, what you mentioned earlier in regards to, um, in regards to Inmate

43
44 Q: Yeah.
45
46 A: Yeah.
47
48 Q: Did you remember an incident occurring in August...
49
50 A: Uh, yes.
51
52 Q: ...with her?
53
54 A: I do.
55
56 Q: Okay. Can you just, uh, start from the beginning? Uh, we don't really know
57 much.
58
59 A: Okay.
60
61 Q: Uh...
62
63 A: Okay.
64
65 Q: Just tell us everything you know about it.
66
67 A: I brought my supervisor's summary just in case I had to reflect with dates.
68 Um, this happened on the, uh, 9th.
69
70 Q: Okay.
71
72 A: I was working overtime. Uh, working assigned to the minimum compound. At
73 approximately, I would say, 1930 hours I get a call from, uh, Officer Devine
74 who works at the processing. Calls me and informed me that they might have
75 a possible situation over there, that they have an uncooperative inmate. That I
76 should get over there as soon as possible. Uh, right after I hung up the phone I
77 gathered my stuff and went over there. And as I'm entering processing - upon
78 entering processing I noticed that there was an inmate in the lobby chair who
79 was screaming, out of control, uh, yelling, demanding to speak to a sergeant.
80 And I noticed that deputy - or Officer Broussard was there at the counter. She
81 - you know, she looked a little flustered. And, uh, I could - you could tell she
82 was involved in something. And so, you know, instead of speaking to the
83 inmate first I wanted to get, you know, the story of what's going on with this
84 situation. So I talked to Broussard and, uh, I said, "Broussard, what

85 happened?" She says, "Oh." She was a little flustered. And, you know, I said,
86 "Just calm down. You know, just tell me what happened." And so she was just
87 like trying to get her thoughts together. And I was like, "Broussard,
88 everything's okay. Are you all right?" She says, "Yes. I'm fine." I said, "What
89 happened?" She goes, "Well, uh, this inmate, uh, , uh, was
90 uncooperative," uh, as she was attempting to dress her out. And I said, "Okay.
91 And then what happened?" And she goes, "When I took her in the dress-out
92 room she was, you know, ramping and raving. You know, she starts, uh,
93 taking her time. She tries to get up." And she - she goes, "And I - and I pushed
94 her back down on the bench." I said, "Well okay. That's fine. How did you
95 push her back down on the bench?" She says, uh, she grabbed her by the
96 shoulders and she pushed her down to the bench. And I go, "Okay. That's fine.
97 Then what happened?" She goes, "Then the inmate started screaming more
98 and she started swinging her hands uncontrollably," trying to take Broussard's
99 hands off her shoulder. And I said, "Okay. So what happened next?" And then
100 she said that she grabbed the inmate and took her down to the ground. And
101 then the inmate started screaming more and became uncooperative. So I said,
102 "Okay. Then what happened next?" So she said then, uh, Simpson-Hogan, uh,
103 came in immediately and assisted in con- controlling her. And then she said
104 soon after that, uh, Deputy (Rivera) came in as well. And I said, "Okay. So
105 then what happened next?" She goes, "We - we held her down. We took her
106 clothes off and then we - we put her jail clothing on. And, you know, the
107 inmate's still kickin' and screamin.' She's yelling." Uh, and then she - uh, I
108 said, "What happened after that?" I go, "Did you guys use any type of force
109 other than what you just told me?" She says, "Well, uh, no. You know, I - I
110 did grab her and I did push her down." I said, "Okay. I understand that. Uh,
111 did you use any other type of force?" And she says, uh, "No. You know, I
112 grabbed her and put her down." She was basically reiterating what she had
113 just told me. So I said, "Okay. That's fine." Um, I go, "What happened next?"
114 She goes, uh, "We - we got her up. We brought her out of the dress-out room
115 and then that's when, uh, Deputy (Burden) came in and put the waist chains on
116 her. And they put, uh, the lobby chair on the female side." "Okay. So what
117 happened next?" And she says, "Okay. Then that's when you came in, um,
118 moments after." I said, "Okay - okay." So then looking at the situation I
119 discussed with her other options that she could've used. You know, first of all
120 if she identified an uncooperative inmate she should've backed off. She
121 should've called for her partners who were right there in processing. She
122 should've secured the inmate. You know, she should've, uh, contacted me so
123 we could've came over there and dealt with the inmate accordingly. And, uh,
124 and she said she understood. And I said, "Okay. What I'm gonna need from
125 you is a detailed employee's report in regards to this incident. And any type of
126 force that you used in this incident document it in your employee's report."

127 She said, "Okay - okay." So I left it at that. Uh, the inmate was evaluated my
128 medical, cleared. Uh, medical seen, uh, the inmate. Um, I talked to the inmate
129 and the inmate said that the officer had punched her in the mouth. Uh, the
130 inmate had - I mean deputy - or Officer Broussard had punched her in the
131 mouth.

132

133 Q: And is this the inmate telling you?

134

135 A: This is the inmate, , when I'm talking to the inmate.

136

137 Q: Okay.

138

139 A: So now when I'm done with Broussard I went over to speak to the inmate.
140 You know, first we had medical assess and do all that stuff. I took photos of
141 the inmate. Uh, then after I was done I interviewed the inmate right there. Uh,
142 I said, "What happened?" You know, she was demanding to speak to a
143 sergeant. She said, "The officer punched me in the mouth. Uh, my lip is
144 swollen and it's - it's - it was bleeding. Uh, she, uh, stomped on my - my feet
145 with her boots. And me feet i- is hurting. She grabbed me. She threw me to
146 the floor and I think my elbow is broken." Okay. Well she was cleared and all
147 that. And I, you know, after she told me what happened she says, "I want to
148 file a complaint." I want to, uh, contact Internal Affairs." I said, "That's fine.
149 You're entitled to that. Uh, but right now I need to assess you and make sure
150 that you're okay." No. I had - and then, you know, we did the pictures. And
151 then based on what I saw there at the moment, uh, I didn't see anything that
152 was consistent to what she was saying. She had no visible injuries on her lip
153 or her mouth. There was no bleeding. Uh, her feet were not swollen or red or
154 anything of that nature, or her elbow. So I took pictures of everything -
155 everything that she complained at that moment, and took some more pictures.
156 And then, uh, after that, uh, we left her there. Um, and then I ga- went back
157 and gave Broussard a copy of the Use of Force Policy, uh, Section 8 where it
158 says when you encounter an uncooperative inmate or if you use force what are
159 you supposed to put in the report.

160

161 Q: Mm-hm.

162

163 A: So I gave her a copy of that. And I said, "Okay. You know, make sure you
164 finish your report and get it to me as soon as possible." By then the other two
165 officers that were in there at the moment had already left to their assigned
166 work area. I believe, uh, (Rivera) - Deputy (Rivera) was the movement officer
167 for CCW-R20. And then, uh, officer - or Deputy Simpson-Hogan was
168 assigned to W4C-CCW.

169

170 Q: Okay.

171

172 A: And so I called, uh, Simpson-Hogan and I said, "Hey. You know what, uh,
173 were you involved in this incident?" She says, "Yes." I said, "Okay. Uh, I
174 need you to write an employee's report in regards to this incident. And any
175 type of force that you may have used I need you to document that in your
176 employee's report. Do you understand?" She said, "Yes. I'll get it to you as
177 soon as I can." All right. Uh, so I called Deputy (Rivera) and I told her the
178 same thing. And that's when she told me, "Sarge, I need to speak to you right
179 now - you and Sergeant (Little)." And I said, "Is everything okay?" She says,
180 "No." She goes, "What went down in processing was not cool. It was not -
181 unacceptable." It was - and she says - well I said, "Okay." Uh, instead of
182 speaking on the phone I'm gonna just go over there and talk to her. So I said,
183 "Okay. Uh, well let me, uh, I'll meet you over there." And I hung up the
184 phone. So I went over to CCW and she was already in Sergeant (Little)'s
185 office. And as I entered you could tell she was very, uh, like an emotional
186 wreck. She was concerned. Uh, she was just shaking her head and you could
187 tell that she was very upset. So I come in there and I go, "(Rivera), you okay?"
188 She's all, "No. I'm not okay." And I said, "Okay. Well are you physically
189 okay? Like, are you okay - okay in regards to this incident?" She goes, "I'm
190 okay. But I'm not okay with what went down in processing." I go, "So what
191 happened?" She goes - she was a little hesitant. She goes, "You know, it's hard
192 for me to say." She was a little hesitant. I said, "Look, if you witnessed
193 something you need to let me know." And so she was kind of reserved and she
194 didn't know what to do. And I said, "Hey, (Rivera). Just relax. You're doing
195 the right thing. Uh, you tell me what you're uncomfortable with and let me
196 take over from there." So she says, "Okay." She goes, "Well, uh, what went
197 down was I come into processing. I'm escorting a female body. And I hear all
198 this screaming going on in the female dress-out room." I said, "Okay. So what
199 happened next?" She goes, "So I responded right away over there." She goes,
200 "As I come around the corner I could see Broussard and Simpson-Hogan on
201 the floor with this inmate." And Broussard told her, "We got this, (Rivera)."
202 And she's all like, she goes, "I thought they were telling me to go away." And
203 I said, "Well what did you do?" She goes, "Well I couldn't go away because
204 they were still fighting with the inmate. They were - she was uncontrolled.
205 She wasn't in restraints. They were pulling her clothes off. They were trying to
206 pull her clothes off." So she said she went in there to maintain control and
207 assisted. And I go, "Okay. So what happened next?" So she goes, then, uh, she
208 said she saw Broussard step on the inmate with her left foot. And I said,
209 "Come again?" And she said, uh, "I saw Broussard step on the inmate to hold
210 her down." And I was like, "Oh. Okay. And so what happened next? What did

211 you do?" She goes, "I - I'm holding the inmate trying to take her clothes off
212 because everyone was taking the clothes off." I go, "So what happened next?"
213 She goes, "Well Broussard was stepping on the inmate and the inmate was
214 complaining that she couldn't breathe. And that she was having an anxiety
215 attack." And then she said, "Broussard then grabbed her by the throat with her
216 left hand." She said - I go, "She grabbed her by the - by the throat?" She goes,
217 "Yes. She grabbed her by the throat and she pushed her back down to the
218 ground. And the inmate's yelling, 'I can't breathe.'" And I said, "Okay. What
219 did, uh, Simpson-Hogan do?" She goes, "Simpson-Hogan was pulling her
220 clothes off. And I'm trying to pull her clothes off, uh, her top portion of her
221 clothes off." I go, "Then what happened next?" I go, "Did anybody else come
222 in?" She goes, "No." She goes, "(Burden) came and he asked are - do we need
223 assistance." And she said, "I told him no because she's partially, uh, naked."
224 And I said, "Okay. Uh, so what happened next?" And then she said, "Well
225 then, uh, the inmate - Broussard let go of the inmate and the inmate kinda
226 came up." And then she said, "Broussard grabbed her by the hair and then
227 yanked her down, back to the floor." And I said, "Okay. So what happened
228 next?" She says, "And then we were able to get her clothes on. We put her
229 clothes on. And then after that the inmate - we stood her up and in control
230 holds we brought her out. And that's when Deputy (Burden) put the, uh, waist
231 chains on her and she was put in the, uh, lobby chair." I said, "Okay." I go,
232 "Are you sure this is what you saw?" She goes, "Yes." I said, "Okay. Is there
233 anything that you did?" And she goes, "Other than what I said, this is what I
234 did." And I said, "Okay. Well I'm gonna need you to write a detailed
235 employee's report indicating, uh, the incident from the time you got there,
236 what you did and then what you observed and how you reported this to me
237 and (Little) in this meeting right here." And I further admonished her not to
238 speak to anyone until further notice. So...

239
240 Q: Um, okay. Um, a couple questions that - um, one, can I get a copy of that?

241
242 A: Oh. You can have...

243
244 Q: Would you mind if I photocopy of that?

245
246 A: Yeah. You can - you can - you can have it.

247
248 Q: I can have that copy?

249
250 A: (Unintelligible)

251
252 Q1: Yeah.

253
254 Q: Yeah. If you wrote it you can give it to me. Do you need a...
255
256 A: Well are we allowed to...
257
258 Q1: Yeah. It's just for our reference.
259
260 A: Okay.
261
262 Q1: That's all.
263
264 A: Okay.
265
266 Q: Yeah.
267
268 Q1: We're - we're - we're doing an interview with you.
269
270 A: Yeah. Yes.
271
272 Q: Um, just so I can read it. Um, so I can - so you - where were you when you
273 got the call?
274
275 A: I was in my office on the minimum compound which is, uh, around the corner
276 - around the corner.
277
278 Q: Just, uh, like a minute walk to...
279
280 A: Uh, about - what...
281
282 Q: And...
283
284 A: Thirty-second walk. Depends who's walking.
285
286 Q1: Yeah.
287
288 Q: Who called you?
289
290 A: Uh, Officer Devine.
291
292 Q: Officer Devine?
293
294 A: Yes.

295

296 Q: And what did Officer Devine tell you on this phone call?

297

298 A: He basically told me that, uh, they had an un- they have an uncooperative
299 inmate in the dress-out if I can recall. I don't recall, uh, (verbatim-ly). But he
300 said he had an uncooperative inmate in the female dress-out and it looks like
301 there might be force. Can I come over there? To that effect, to that nature. He
302 says they had an uncooperative - "We have an uncooperative inmate. Uh, they
303 might end up using force. Uh, come over here, sarge." I said, "Okay. I'll be
304 over there."

305

306 Q: Okay. And then when you got there, um, the inmate, , uh...

307

308 A: Yeah. I - I got there - I would say, uh, by the time I wrapped up my - my, uh,
309 my stuff and closed the door, uh, I would say I was over there probably about
310 a minute and a half, two minutes.

311

312 Q: Okay. Then when you got there , the inmate, was where?

313

314 A: She was sitting already in the, uh, female lobby. She was restrained with waist
315 chains.

316

317 Q: Um, was she handcuffed to the chair? Or just...

318

319 A: Uh, she...

320

321 Q: ...(unintelligible) way?

322

323 A: ...was anchored down from the waist chains.

324

325 Q: Okay.

326

327 A: So she had waist chains. And at the same time they anchor 'em down.

328

329 Q: And what was, uh...

330

331 A: They can't get up.

332

333 Q: ...the inmate's, uh, demeanor?

334

335 A: Oh, very uncooperative. Uh, yelling, screaming, uh, allegations. "She beat me
336 up. She punched me. I want to file a complaint. I want to speak to a sarge."

337 And even when I went over to speak to her after I had, uh, talked to Broussard
338 and the nurse came to assess, uh, she was still moving her hands frantically.
339 Uh, and I had to calm her down a couple times. Like, "Ma'am, you need to
340 calm down so I can hear your concerns."

341
342 Q: Let me ask you, so, um, do you know what she was in jail for?
343

344 A: Um, 11377.

345
346 Q: Okay.

347
348 A: Uh, if I recall. Uh...

349
350 Q: So just some drug stuff?

351
352 A: Yeah. Some drug stuff.

353
354 Q: Did she seem like she might be under the influence?
355

356 A: No. You know what, uh, and that's where I was assessing her. I was looking to
357 see if she had dilated pupils or anything to that effect. Uh, she also, uh, I had
358 even asked her, "Ma'am, when was the last time you used drugs?" She said,
359 "Three days ago." I go, "What did you use?" She said, "Methamphetamine." I
360 said, "Okay. Are you under the influence right now?" She said, "No." Are you
361 comin' off or are you detoxing off anything right now?" She said, "No." I said,
362 "Why is your behavior so erratic then?" She goes, "Because I'm upset." I said,
363 "Okay. I understand. But I need you to calm down. If you want me to listen to
364 you I need you to calm down. I can't hear you when you're throwing your
365 hands around and you're just demanding things. I understand you're upset." So
366 after that I calmed her down.

367
368 Q: Did she calm down?
369

370 A: Yeah. She did.

371
372 Q: And...

373
374 A: She did.

375
376 Q: And once she calmed down what was her...
377

378 A: She told me - I told her, "Explain what happened."

379

380 Q: Was her statement - did you believe her?

381

382 A: Um, well based on what she told me and looking at her physical appearance,
383 uh, no. I didn't believe her.

384

385 Q: Okay.

386

387 A: Uh, at that point I wa- didn't see a, uh, a real need -- because based on what
388 she said, that she got punched in the mouth and it was swollen and was
389 bleeding -- she had no indicators of physical, uh, assault on her mouth. She
390 was not bleeding. I even had her open her mouth. Uh, the stomping on the feet
391 with her boots, I looked down at her feet. They were not swollen. She looked
392 like she was a very unkempt like transient almost.

393

394 Q: Yeah.

395

396 A: Her feet were very dirty.

397

398 Q: Okay.

399

400 A: Um, and I said, "Ma'am, I don't see no injuries on your feet." She goes, "Well
401 she did." And I was, like, looking down and I didn't see anything. I mean,
402 even in the photos you will see that there's nothing there. Um, the elbow was
403 not swollen. The right elbow was not swollen. There was no bone protruding.
404 There was no redness to that area.

405

406 Q: So no major injuries?

407

408 A: No major injuries.

409

410 Q: Um, so she was seated in that - in that chair at intake you said?

411

412 A: Yes.

413

414 Q: Um...

415

416 A: She remained there.

417

418 Q: Did a nurse come?

419

420 A: The nurse came up moments after, uh, I arrived. 'Cause I had - I had, uh,
421 Simpson-Hogan, who was still there at the time, call the nurse and have 'em
422 come over so I could have her evaluated.
423
424 Q: And who was the nurse? Do you know?
425
426 A: Um, do - do - do - do. I have it in my report. Give me one second. Nurse
427
428 Q: Nurse
429
430 A: Yeah.
431
432 Q: Is that a male?
433
434 A: Yes. Male.
435
436 Q: Uh, And then were you - do you remember what - medically what they
437 did, what did?
438
439 A: Uh, no. He, uh, basically said she had normal symptoms. Uh, she - her vitals
440 were normal and that she had - she was - he was clear of any injuries. And I
441 said, "Okay." And I asked him, "She's claiming these three areas." He says,
442 "Sarge, she's cleared." And I said, "Okay." So, uh...
443
444 Q: Was there just one check or were there multiple?
445
446 A: Uh, the nurse checked her - checked her then and there. I don't know if they -
447 they usually do a follow-up after. Uh...
448
449 Q: Well I mean, like, just then. Was - uh, so before you got there were you aware
450 of any nurse checking her?
451
452 A: No - no. I'm the one that called. Uh, I had the, uh, officer...
453
454 Q: So there was no medical stuff before you got there?
455
456 A: Mm-mm.
457
458 Q: Okay.
459
460 A: Other than the booking intake, what they do on the first initial, um...
461

462 Q: That would've been at the main jail?
463
464 A: ...medical assessment. That would've been at the main jail.
465
466 Q: Okay. Medical. And then you said you took a bunch of pictures. Um...
467
468 A: Uh, yes. I took pictures of her whole body, you know, front, side, uh, facial,
469 hands.
470
471 Q: I'm - I'm guessing...
472
473 A: Feet.
474
475 Q: ...you sent that along with your, uh...
476
477 A: Yes. I sent that...
478
479 Q: With this report?
480
481 A: ...as an attachment with, uh...
482
483 Q: Do you still have those photos?
484
485 A: Um, I still - I might still have 'em on my camera. Uh, I can check on my - I
486 have my jail issued camera I took pictures on here.
487
488 Q: Oh.
489
490 A: Check.
491
492 Q: Is that on there?
493
494 A: Yeah.
495
496 Q: Yeah. Perfect.
497
498 A: Check now. So after we have established everything what's goin' on with, uh,
499 Deputy (Rivera) I contacted my lieutenant and advised him of the current
500 findings and the initial statement that Broussard gave me were inconsistent.
501 And so he says, "All right. Do a follow-up. And you need to go interview the
502 inmate again. Digital record the conversation. And then I need you to do a
503 report on it."

504

505 Q: Okay. Do you still have that recording as well?

506

507 A: Um, that was submitted as an attachment as well.

508

509 Q: Okay. Did you just burn that to a CD?

510

511 A: Yes. I did.

512

513 Q: Okay. That's a nice camera though. You got touch screen on there.

514

515 A: You know what, uh, you would think. But - oh, yes. I do. I thought I deleted
516 'em. I got, one, two, three, four, five, six right here.

517

518 Q: Do you mind if I take a look?

519

520 A: Yeah. Absolutely. Here you go. You swipe to the, uh, right or left and you'll
521 see.

522

523 Q: File error.

524

525 A: Oh okay. Then you have to download 'em.

526

527 Q: No - no. That's fine. It was ju- I think...

528

529 A: Okay. The one...

530

531 Q: The one that you - this is the first one?

532

533 A: Yeah. That's the first one.

534

535 Q: I'm guessing the 25 is different?

536

537 A: Yeah. There should be a total of six pictures I took.

538

539 Q: Okay. Perfect. Um, we're gonna stop by Elmwood tomorrow.

540

541 A: Okay.

542

543 Q: Would you be able to burn this...

544

545 A: Yeah.

546

547 Q: ...the photos to a CD for me?

548

549 A: I can take care of that tonight.

550

551 Q: Perfect.

552

553 A: (Unintelligible)

554

555 Q: I'll pick 'em up tomorrow. Um, so what was - sorry. The name is all over the
556 place. So Broussard, what - you said her demeanor was, uh, she was kinda out
557 of breath?

558

559 A: Yes. She was out of breath. She was flustered. Uh, she had a little, uh, like she
560 was perspiring. And I kinda knew at that point something had happened, but I
561 wasn't sure.

562

563 Q: Uh, talk to me about Broussard's - how long have you supervised Broussard?

564

565 A: Broussard? Um, I've never been her immediate supervisor. She's out of my
566 span of control. She works processing.

567

568 Q: Okay.

569

570 A: Um, I - but I've known her for a while.

571

572 Q: Okay. And does she lose her cool easily?

573

574 A: You know what, um, I've never experienced anything in regards to her being
575 involved in sit- in situations. Uh, she's never been under my span of control.
576 Even as an officer I've never really been around. 'Cause she either work in
577 CCW or processing. And I - and I really don't work those areas.

578

579 Q: And, uh, Officer Broussard, when she told you, um, her initial statement...

580

581 A: Mm-hm.

582

583 Q: ...when you first got there, she was out of breath and you had to kinda calm
584 her down there?

585

586 A: Yeah. She was very flustered.

587

588 Q: Um, when she gave you that statement initially of what she did...
589
590 A: Mm-hm.
591
592 Q: ...did you believe her?
593
594 A: At the time, yes.
595
596 Q: Okay.
597
598 A: Uh, at - at the time, uh, I was only collecting the information from what was
599 going on at the moment. And everything seemed like everything was okay.
600
601 Q: Did she seem like she was being truthful? Or did she seem like she was being
602 deceptive?
603
604 A: She - she seemed like she was hesitant to tell me what type of force she used.
605
606 Q: Okay.
607
608 A: And so that was kinda like - and I had to te- you know, I had to tell her a
609 couple times, you know, "Just calm down. You know, it's - it's okay. You
610 know, tell me what you did." And, you know, she basically told me what she
611 did to that point. She didn't know how to express what she did.
612
613 Q: Okay.
614
615 A: And I said, "You - now you said you put your hands on her. You shoved her
616 down to the bench." She's like, "Yeah." I said, "Okay. Did you use any other
617 type of force?" And she says, "No." I said, "Okay." Well...
618
619 Q: And this would've been the first day of the, um - I mean this would've been
620 like within the first couple hours of her shift?
621
622 A: Uh, yes. I think in processing, uh, they start at 5 o'clock. The one officer does
623 who's in charge of the money counts. And then, uh, the other two processing
624 officers start at 1800.
625
626 Q: Okay. So this was early on.
627
628 A: So early on in the shift.
629

630 Q: Um, do you know Broussard and Simpson-Hogan, are they friends?
631
632 A: Um, I see them take lunches together. They're always around each other. So I
633 would assume they're very close. Uh...
634
635 Q: Okay.
636
637 A: They have a type of relationship most people.
638
639 Q: Okay.
640
641 A: Uh, I see them always together...
642
643 Q: Okay.
644
645 A: ...for their lunch breaks.
646
647 Q: And then, uh, (Rivera), the one who came and told you this, um...
648
649 A: She was working overtime that day.
650
651 Q: She was working overtime?
652
653 A: Yes. 'Cause she's on D-Team.
654
655 Q: What is...
656
657 Q1: With you?
658
659 A: Yes. With me.
660
661 Q: And what is her attitude? Or what's her relationship with Broussard or
662 Simpson-Hogan? Do you know?
663
664 A: Um, you know, other than work they, you know, they work and that's it.
665 There's no other, like, friendship type of - uh, they're not close. Uh, they just
666 basically, uh, work together.
667
668 Q: Uh, do you know of any tension between (Rivera) and Broussard...
669
670 A: Mm-mm.
671

672 Q: ...that would cause (Rivera) to say what she's telling you to...
673
674 A: Um, no - no.
675
676 Q: Okay. And then what (Rivera) told you - you believed her?
677
678 A: Well...
679
680 Q: Did it seem like she was being truthful about it?
681
682 A: She's - it seemed like she was being very truthful. And there was a very high
683 concern. And she was perplexed as what she should've done or could've done.
684
685 Q: Got it.
686
687 A: And - before she had notified a supervisor.
688
689 Q: Okay. And then, uh, Deputy, uh, I'm just gonna say Deputy Simpson. Um,
690 what was her assignment?
691
692 A: Her assignment? She was working, uh, W4, uh, W4C at CCW, the
693 correctional side for women. She was assigned to the, uh, (unintelligible) for
694 women.
695
696 Q: So from W4C in CCW how far is that from processing?
697
698 A: It's - it's quite a hike. Uh...
699
700 Q: How many minutes would you say if you were just walking normal?
701
702 A: If you're just walking up, say, eight, ten minutes. About - about
703 (unintelligible).
704
705 Q: If you're bookin' it code three?
706
707 A: But they gotta - the gotta...
708
709 Q1: Open the gate for ya?
710
711 A: Yeah. They gotta open gates. They gotta go through secure doors. In order for
712 her to leave her area you have to go out of your secure door, control has to

713 open another door. You gotta exit two sally-ports to get through that door.
714 And then you gotta open another secure door.
715
716 Q1: And then you gotta...
717
718 A: And then you gotta...
719
720 Q1: You gotta go around?
721
722 A: It's basically like saying, uh, walking from here to the main jail or a little bit
723 less. Probably a little...
724
725 Q1: Man.
726
727 A: Maybe a little less.
728
729 Q1: Close.
730
731 A: Yeah.
732
733 Q1: A little less.
734
735 Q: Okay. So far?
736
737 Q1: From here to (Richie)?
738
739 A: It's - it's...
740
741 Q1: In front of (Richie)?
742
743 A: Yeah - yeah. There you go. Right there.
744
745 Q: Okay. Um, do you know why Deputy Simpson was at processing?
746
747 A: Um, according to her reports she happened to be there eating a piece of
748 cheesecake.
749
750 Q: Okay. Is it...
751
752 A: Uh...
753
754 Q: ...common for people to just leave their area to come get a snack?

755

756 A: Well one of the concerns that I had was that she was assigned to the
757 (unintelligible) and she was assigned to a probationary on the job training a
758 new cadet, who is, uh, you're not gonna leave your trainee una- you're not
759 gonna leave...

760

761 Q: Where was the...

762

763 A: ...the POJT.

764

765 Q: ...trainee?

766

767 A: In her unit. It's a two-man person. So she's an assigned training officer to
768 CCW-4C, uh, W4C. And her trainee is assigned with her in the unit. That's a
769 two-officer post.

770

771 Q: Who is the trainee?

772

773 A: I'm gonna have to say - God, I'm gonna have to really look - think back about
774 that one. I...

775

776 Q: Is that - that trainee is probably not still there. Probably a different TO now?

777

778 A: Um, the - I'm trying to see if they went to day-shift or they stayed on - on our
779 shift.

780

781 Q: If you don't remember now would you be able to look that up?

782

783 A: I can look it up. I - I'll - what I'll do is I'll look at the staffing, uh, tracker for
784 assignments...

785

786 Q: Okay.

787

788 A: ...for that day. And I could give you that information.

789

790 Q: Okay. I'll grab that tomorrow.

791

792 A: Okay.

793

794 Q: Um, has - uh, do you know if anybody is talking to that trainee about this
795 incident?

796

797 A: No.
798
799 Q: And that trainee was not there?
800
801 A: Uh, the trainee was, uh, at the building the whole time.
802
803 Q: The trainee was still back at...
804
805 A: Yes.
806
807 Q: ...W4C?
808
809 A: 'Cause he - he can't leave the building.
810
811 Q: Got it. Would it be un- would you say it's uncommon for a training office to
812 leave the trainee at the station to go get cheesecake?
813
814 A: Uh, very uncommon. Uh, you're not gonna leave a trainee POJT alone in the
815 first - and I believe it was his first day there in that assignment.
816
817 Q: And at any time did, uh, Deputy Simpson say that someone called her...
818
819 A: No.
820
821 Q: ...to come down? She just happened to be there to get cheesecake?
822
823 A: She just - according to her employee report, uh, she happened to be there
824 eating cheesecake.
825
826 Q: Okay.
827
828 A: Which, uh, there was cheesecake there when I was there.
829
830 Q: Okay.
831
832 A: Uh, but it's very uncommon for her - or a training officer to leave their POJT -
833 - and especially in an assignment like W4C -- uh, to leave 'em there alone. Uh,
834 normally when you leave 'em there it's like when you go to lunch breaks, or
835 you go for a break, or someone comes in and just standby with 'em.
836
837 Q1: And, Sarge, Detective Tarazi is not familiar with the jails. Could you explain
838 to him, uh, the level of inmate that's housed in W4C?

839

840 A: In W4C you have level four inmates. It's a maximum security housing unit.

841

842 Q: Oh.

843

844 A: Uh, you have level fours that are double reds and then you have level threes.
845 And then you have PC Surenos in there too.

846

847 Q: So other than Deputy Simpson, the trainee, who else would've been there
848 staff-wise?

849

850 A: Uh - uh, our 40, a rover unit. But they weren't in there.

851

852 Q: So what - so during the time of this altercation the trainee was alone in the
853 max...

854

855 A: In - in the, uh, maximum security unit.

856

857 Q: Yeah.

858

859 A: And Simpson-Hogan had left the building to go to processing.

860

861 Q: Got it.

862

863 Q1: That's equivalent to the fourth - the fourth floor of the main jail. Correct?

864

865 A: Yes.

866

867 Q: Okay.

868

869 Q1: Of the females?

870

871 A: Absolutely.

872

873 Q: Okay. And then, uh, do you remember if the trainee was a female or a male?

874

875 A: Male.

876

877 Q: Okay. Do you know how far along in training he was?

878

879 A: Um, I'll say - when did this happen? Eight, nine. It's 19. I would say probably
880 their 15th week of training.

881

882 Q: How long is the JTO program?

883

884 A: Twenty-four week.

885

886 Q: Oh man. That's a long thing. So almost halfway through?

887

888 A: I - I'm almost thinking this group was the one that trans- 'cause at 12 weeks
889 they transition over from days and nights, and nights go to days. So I'm
890 thinking this group had just come on a couple weeks to night-shift.

891

892 Q: Okay. And then do you remember - do you have an impression of this trainee?
893 I know you don't remember the name.

894

895 A: No.

896

897 Q: If he was like super 10-8? Or if he was...

898

899 A: You know what, he's, uh, he seemed pretty 10-8.

900

901 Q: Okay.

902

903 A: He seemed pretty 10-8. Um, and, you know, as I'm starting to think about it I -
904 I - I could see the face but I can't put the name to him.

905

906 Q: I'm - I'm guessing you were a JTO before you were a sergeant.

907

908 A: Thirteen years.

909

910 Q: So and, uh, would you ever leave your trainee in a...

911

912 A: Absolutely not.

913

914 Q: Okay.

915

916 A: That's why I said it kinda, uh, wait a minute. You know, I started putting one
917 and one together after the - (Rivera)'s statement that she made to us in the
918 sergeant's office. Then I started - flags started coming up.

919

920 Q: Everything that you know now, do you believe that Deputy Simpson just
921 happened to be at processing? Or do you think that...

922

923 A: Um, well also, uh...
924
925 Q: ...there's something more to that?
926
927 A: ...(Rivera) actually believes - uh, she actually stated to us, she believes that,
928 uh, Deputy - I mean Officer Broussard called Simpson-Hogan in W4C and
929 told her to come and help her with this uncooperative inmate. (Rivera) did say
930 that.
931
932 Q: Would, uh - uh, so let's, uh, start - I don't know anything about jail policy.
933
934 A: Okay.
935
936 Q: So X gets transported - or gets arrested, transported to the main jail by...
937
938 A: Mm-hm.
939
940 Q: ...the officers who arrested her.
941
942 A: Mm-hm.
943
944 Q: She hangs out there for a while, gets cleared medically there.
945
946 A: Mm-hm. She has to be housed within eight hours.
947
948 Q: So the bus picks her up?
949
950 A: Uh, yeah. They transfer her over to our facility...
951
952 Q: So she gets...
953
954 A: ...for processing.
955
956 Q: ...transferred and the first place she goes is processing?
957
958 A: Processing, first stop.
959
960 Q: Um, and then she goes into the changing room.
961
962 A: Mm-hm.
963
964 Q: And is given the jail uniform?

965

966 A: Yeah. The officers change 'em out. They actually - for her charges, uh, the
967 officer has to conduct a strip search. Uh, so the officer is required to do a strip
968 search based on her charges.

969

970 Q: And what, uh, happens with a strip search?

971

972 A: Uh, they basically have the inmate remove the clothing items, uh, one at a
973 time. After the clothing items are removed the officer checks 'em, put 'em -
974 puts 'em in - in a bag and then goes through the whole formalities of checking
975 every area around their body. Lift your hands, uh, open your mouth. Move
976 your tongue around, your ears, around the genitalia area. And they have to
977 squat and cough. Just check 'em for contraband or drugs.

978

979 Q: Okay. Do you know if that process actually took place?

980

981 A: I be- based on what I read in the reports I don't think it even got to that point
982 because they had to, uh, restrain her and forcibly remove the clothing and
983 forcibly put the clothing back on her. So I don't think - uh, if they did an
984 assessment while they were doing that, they probably did. Or I can't tell you if
985 they did or not.

986

987 Q: And is that assessment usually documented as part...

988

989 A: They, uh...

990

991 Q: ...of the routine?

992

993 A: ...usually document it on a, uh, facility search, uh, log which is there in
994 processing.

995

996 Q: Okay.

997

998 A: And normally when they do that they have to notify a supervisor. "Hey, sarge.
999 I have one that I'm doing a strip search on." "Okay. What are the charges?"
1000 "Uh, 11377." "Okay. Good. Document it on the - just write it on the strip
1001 search log." And then...

1002

1003 Q: Okay.

1004

1005 A: ...they proceed forward with the...

1006

1007 Q: And then after you talked to the second time...
1008
1009 A: Mm-hm.
1010
1011 Q: ...um, did she - where did she go after that?
1012
1013 A: Uh, so she got re-housed. She - initially she was going to the W1 building as a
1014 level one. Uh, after that incident - uh, well because force was used and she
1015 was uncooper- before (Rivera) even told me what was going on, uh, I had to
1016 do a re-housal based on the inmate's actions and what was, uh, conducted
1017 there in the dress-out room. They re-housed her to the maximum security unit.
1018 So that's how she ended up...
1019
1020 Q: W4C?
1021
1022 A: ...in W4C3.
1023
1024 Q: Okay. Um, I'll let you ask a couple questions so I can get my - my notes in
1025 order.
1026
1027 Q1: Sure.
1028
1029 Q: (Unintelligible) clear.
1030
1031 Q1: No problem. Hey, sarge. I just had a few questions for you. So was there a
1032 radio call...
1033
1034 A: Negative.
1035
1036 Q1: ...of an uncooperative inmate?
1037
1038 A: Negative.
1039
1040 Q1: Normally when - when an officer is involved in a situation and needs - needs
1041 assistance would it be more, uh, feasible just, uh, "I have a 415. I have an
1042 uncooperative inmate." And...
1043
1044 A: Yeah.
1045
1046 Q1: ...inmate - officers respond?
1047
1048 A: Absolutely.

1049
1050 Q1: Okay. And there's male inmates that work in processing too. Correct?
1051
1052 A: Yes.
1053
1054 Q1: I mean male officers. I'm sorry.
1055
1056 A: Male officers.
1057
1058 Q1: Now, Devine, is he one of those officers?
1059
1060 A: Yes.
1061
1062 Q1: Okay. And I believe you said Burden?
1063
1064 A: Yes.
1065
1066 Q1: Is Burden one of those officers as well?
1067
1068 A: Yes.
1069
1070 Q1: Okay.
1071
1072 Q: Is that Burden or (Burton)?
1073
1074 A: Uh, B-U-R-D-E-N.
1075
1076 Q: Okay.
1077
1078 Q1: Now I know that there was - somebody had stated that she was partially
1079 naked. Uh, and so when there's - when there's the safety and security of the
1080 facility and a - a threat to an officer is that a - a big play for you guys? Or is
1081 that - or do we need to make the situation safe? Uh, if - I mean 'cause, uh, this
1082 happens a lot. There we- there's women, there's men. There's male officers,
1083 there's female officers. If there is a possible threat of security or safety to the
1084 officers do we stop and not go in because this inmate does not have clothes
1085 on? Or do we go in and stop the threat?
1086
1087 A: The - the primary objective is to stop the threat.
1088
1089 Q1: Okay.
1090

1091 A: And ensure safety is, uh, adhered to immediately. There should be no gender
1092 based on should I or should I not.
1093
1094 Q1: It's - it's not the officer's...
1095
1096 A: No.
1097
1098 Q1: ...decision to - to...
1099
1100 A: (Unintelligible)
1101
1102 Q1: ...take your clothes off and do this. It - there - this was a process of something
1103 that happened?
1104
1105 A: Yes.
1106
1107 Q1: Okay. Did you have a chance to talk to medical?
1108
1109 A: Uh, no. Other than I was there present when the nurse...
1110
1111 Q1: You saw that?
1112
1113 A: I - I was right there the...
1114
1115 Q1: Okay.
1116
1117 A: ...whole entire time. And I asked the nurse right after that. And he - that's
1118 where he stated that the vitals were normal and that he had no injuries - visible
1119 injuries.
1120
1121 Q1: And you me- you had mentioned that the inmate was uncooperative. And then
1122 you - you stated that she was irate.
1123
1124 A: Mm-hm.
1125
1126 Q1: And she was yelling that she was beat up. She's yelling, she's upset, she's
1127 saying she's beat up. How was she uncooperative?
1128
1129 A: Um, she...
1130
1131 Q1: Explain to me how she was uncooperative.
1132

1133 A: She was, uh, moving around in her chair. And I - after I told her to calm
1134 down...
1135
1136 Q1: Okay.
1137
1138 A: ...she was still yelling. You know...
1139
1140 Q1: She was upset about...
1141
1142 A: She was upset.
1143
1144 Q1: And rightfully so. As far as...
1145
1146 A: She (unintelligible).
1147
1148 Q1: So as far as uncooperative I'm thinking like, are you giving her an order?
1149
1150 A: Yes. I - I told her basically, "Ma'am, you need to calm down."
1151
1152 Q1: Okay.
1153
1154 A: And she was still - "Ma'am, you need to stop moving your hands."
1155
1156 Q1: Mm-hm.
1157
1158 A: She continued frantic- frantically move her hands and yell.
1159
1160 Q1: Was she in waist chains?
1161
1162 A: Yes. She was. She had her hands up right here and she was doing all this.
1163
1164 Q1: In - in waist chains?
1165
1166 A: Yes. She was...
1167
1168 Q1: 'Cause they get about this high?
1169
1170 A: About that high.
1171
1172 Q1: Okay.
1173
1174 A: Yeah.

1175

1176 Q1: Um, was she a threat to you...

1177

1178 A: Absolutely not.

1179

1180 Q1: ...at that time? Okay.

1181

1182 A: No. And then soon after, she calmed down.

1183

1184 Q1: Um, did she mention to you anything about wanting to speak to a sergeant?

1185

1186 A: Uh, she was saying that when I was, uh, when I came in there. Uh, "I want to
1187 speak to a sergeant," uh, in a demanding tone. So I - I knew something was -
1188 had happened.

1189

1190 Q1: And she had mentioned to you that she was going to contact Internal Affairs?

1191

1192 A: Yeah. She did say that.

1193

1194 Q1: Did she say why?

1195

1196 A: Uh, because they had beat her up. That the officer had beat her up.

1197

1198 Q1: Had beat her up? Okay. And, um, I'm sorry. Did I (unintelligible)?

1199

1200 Q: No. That's okay.

1201

1202 Q1: Um, Broussard. When - when you met with her she was a little flustered.

1203

1204 A: She was flustered.

1205

1206 Q1: Um, try - she tried to gather her comp- her composure?

1207

1208 A: Yes.

1209

1210 Q1: Um, and what did she exactly say to you? She said that this inmate started
1211 swinging her arms? Did Broussard ever mention that she was swinging and
1212 kicking and assaulting her?

1213

1214 A: Um, she mentioned that she was not specifically assaulting her. That she was,
1215 uh, kicking and moving her - her hands as they tried to control her when they
1216 put her down on the ground.

1217
1218 Q1: And did - wa- was this inmate - um, how was she housed?
1219
1220 A: I'm sorry?
1221
1222 Q1: How was the inmate housed?
1223
1224 A: Uh, so what I had is I had some - what was it? I had (Gonzalez)...
1225
1226 Q1: Mm-hm.
1227
1228 A: ...from CCW control, uh, and myself escort her over to her new housing.
1229
1230 Q1: What was she wearing?
1231
1232 A: Uh, we - uh, (Gonzalez) dressed her out in her double red, uh, level four jail
1233 issue clothing.
1234
1235 Q1: Was that - when she came to jail...
1236
1237 A: Mm-hm.
1238
1239 Q1: ...at processing was that her initial housing?
1240
1241 A: Uh, no.
1242
1243 Q1: What was it?
1244
1245 A: It was W1.
1246
1247 Q1: Okay.
1248
1249 A: Site one, which is a level one.
1250
1251 Q1: And how did you find that out?
1252
1253 A: Uh, because that's something that her class card said.
1254
1255 Q1: Okay.
1256
1257 A: And her jail clothing stated - related that she was...
1258

1259 Q1: Was she wearing that color...
1260
1261 A: She was wearing the...
1262
1263 Q1: ...back there?
1264
1265 A: When I got there she was wearing the level one clothing.
1266
1267 Q1: Mm-hm.
1268
1269 A: The black and white Zebras.
1270
1271 Q1: Mm-hm.
1272
1273 Q: Mm-hm.
1274
1275 A: And then after that (Gonzalez) dressed her out, uh, in the double reds.
1276
1277 Q1: At whose directive?
1278
1279 A: Mine.
1280
1281 Q1: You decided to re-house her?
1282
1283 A: Uh, well based on what I knew at the time...
1284
1285 Q1: Uh-huh.
1286
1287 A: ...I had the officers write a re-housal that her behavior was not conducive for
1288 level one.
1289
1290 Q1: Did you read that re-housal?
1291
1292 A: Um, yes. I did.
1293
1294 Q1: Do you remember what it said in it?
1295
1296 A: Basically what Broussard told me, uh, what happened. That she was
1297 uncooperative during the dress-out. She was, uh, a hard time following
1298 directives and that she used her hands to push her down, I believe to that
1299 effect.
1300

1301 Q1: We're not allowed to have a copy of that - that report. But we were, uh, able to
1302 review the report in classification.
1303

1304 A: Okay.
1305

1306 Q1: Do you remember seeing anything where it says that, "The inmate was
1307 swinging, kicking and striking me?"
1308

1309 A: I - I think when they had her on the ground, I think that's where I kinda
1310 remember reading that. And I think that's probably one of the things that -
1311 why they made her a level four.
1312

1313 Q1: Because she was swinging, kicking?
1314

1315 A: Yes. I - I think that's what I recall.
1316

1317 Q1: Hitting an officer?
1318

1319 A: I don't know about hitting, but swinging and kicking in an attempt to hit her or
1320 so- to that effect.
1321

1322 Q1: In an attempt to hit her? Okay. Um...
1323

1324 Q: Did, uh - let me - sorry to interrupt. Did Broussard ever tell you in her
1325 statement to you...
1326

1327 A: Mm-hm.
1328

1329 Q: ...that the inmate struck her?
1330

1331 A: Uh, she said that she tried to hit her hands off of her as she was holding her
1332 down. She did say that.
1333

1334 Q: Okay.
1335

1336 Q1: Okay.
1337

1338 Q: Um, just policy-wise.
1339

1340 A: Yeah.
1341

1342 Q: When - when an inmate is doing that...

1343

1344 A: Mm-hm.

1345

1346 Q: ...do you guys do crime reports like 148 or like a 242?

1347

1348 A: Well if she made contact with her, absolutely. You know, that would've
1349 changed the dynamics of if she made contact with the officer, you know, it's a
1350 battery on an officer.

1351

1352 Q: Based on what Broussard told you, did you think anything - that would've
1353 been a normal, like, crime report like a 148 or...

1354

1355 A: No.

1356

1357 Q: ...something?

1358

1359 A: No.

1360

1361 Q: That's just...

1362

1363 A: No. Just...

1364

1365 Q: ...business as usual in the jail?

1366

1367 A: Business as usual. They used minimal force. Uh, from the initial statement
1368 that was basically it.

1369

1370 Q: Okay.

1371

1372 A: Or else I would've forwarded to the jail crimes unit and say, "Hey. We got an
1373 assault on an officer."

1374

1375 Q: Based on what, uh, or I'm sorry, what (Rivera) told you, um, would
1376 you say that normally they would've -- based on that use of force -- it
1377 would've been like a 148 charge?

1378

1379 A: For?

1380

1381 Q: What, um, the inmate was doing.

1382

1383 A: Um, I don't think we've done 148s in the jail.

1384

1385 Q: You guys don't normally do 148s?
1386
1387 A: No - no.
1388
1389 Q1: How about - how about this? Are you familiar with 240 of the Penal Code?
1390
1391 A: 240?
1392
1393 Q1: What - what is a 240?
1394
1395 A: Assault.
1396
1397 Q1: An assault. Uh, based on what you've described to us today was this inmate
1398 committing a 240?
1399
1400 A: Um, now that I look at it and look back, possibly, if she made contact with the
1401 officer as the officer tried to restrain her. I would say, yes.
1402
1403 Q: Okay.
1404
1405 Q1: Okay. Well that (unintelligible).
1406
1407 Q: Did, um, did (Rivera) mention anything that, uh, the inmate was striking or
1408 flailing? Or...
1409
1410 A: No. She said that the inmate was, uh, resisting by kicking, uh, you know,
1411 being she didn't want to get dressed out.
1412
1413 Q: Got it. Do you remember -- just off how they described it to you -- was the
1414 inmate laying flat...
1415
1416 A: Uh...
1417
1418 Q: ...on her stomach? Or was she on her back while she was...
1419
1420 A: They - according - according to what - from the reports and what they told me
1421 the inmate was on her back, belly-up.
1422
1423 Q: Okay.
1424
1425 A: So she was - yeah. She was laying on the back.
1426

1427 Q: So when (Rivera) described Broussard, like, putting her foot on her, she
1428 would've been putting - Broussard would have been putting her boot on...
1429

1430 A: Her...
1431

1432 Q:
1433

1434 A: ...ab- abdomen area.
1435

1436 Q: On her stomach, okay.
1437

1438 A: Yes.
1439

1440 Q1: So the way Broussard describes it and her (unintelligible) to you that inmate
1441 was swinging, kicking and attempted to hit her.
1442

1443 A: Mm-hm.
1444

1445 Q1: This is Penal Code Section 240. This is two sentences. If you could just read
1446 that, okay.
1447

1448 A: Okay. Uh, 240. An assault of an unlawful attempt - unlawful attempt, coupled
1449 with a present ability to commit a violent injury of the person of another.
1450

1451 Q1: Would you say that these actions may - may fit that?
1452

1453 A: At - at this point, yes, they could fit that.
1454

1455 Q1: Okay, they could.
1456

1457 Q: Okay.
1458

1459 Q1: Um, do - do - do - do - do - do - do - do.
1460

1461 Q: Have you talked to Broussard or Simpson-Hogan about this since?
1462

1463 A: No. I was directed, uh, just to collect the employees' reports and base and
1464 write my supervisor (unintelligible).
1465

1466 Q: So after (Rivera) had told you what she told you which contradicted what
1467 Broussard told you...
1468

1469 A: Yes.
1470
1471 Q: ...did you talk to Broussard at all?
1472
1473 A: No, I didn't.
1474
1475 Q: As far as you know does Broussard know about this investigation or that...
1476
1477 A: Um...
1478
1479 Q: ...(Rivera} has contradicted her?
1480
1481 A: No, she doesn't. As far as I know, no.
1482
1483 Q: Does, uh, Simpson-Hogan know that...
1484
1485 A: As far- as far as I know, no.
1486
1487 Q: Okay. So when she, - when (Rivera) approached you and told you, hey, I need
1488 to talk to you....
1489
1490 A: Mm-hm.
1491
1492 Q: ...Broussard and Simpson-Hogan weren't within ear - earshot of that?
1493
1494 A: I'm sorry?
1495
1496 Q: Were they within earshot, did they overhear...
1497
1498 A: No. We were in - we were in a - in our - in our office. It was private, doors
1499 were closed.
1500
1501 Q: I mean when, uh, (Rivera)...
1502
1503 Q1: (Unintelligible) where we picked you up at?
1504
1505 A: No. In the CCW sergeant office. That's where we were.
1506
1507 Q: Okay.
1508
1509 A: Sergeant (Santos).
1510

1511 Q: Uh, we were in the (JTRO).
1512
1513 A: Yeah. But somebody - they were in Sergeant (Santo)'s office. That first
1514 office...
1515
1516 Q1: Oh.
1517
1518 A: ...we went to.
1519
1520 Q: Okay. So when (Rivera) called you...
1521
1522 A: Uh-huh.
1523
1524 Q: ...was she still out processing and said I need to talk to you?
1525
1526 A: Um when - when I called (Rivera) I'm the one that called her.
1527
1528 Q: Got it.
1529
1530 A: Um, (Rivera) was - I think she was in CCW control. And Broussard was in
1531 processing. And she - that's where she works.
1532
1533 Q: Okay.
1534
1535 A: And Simpson-Hogan was already back at her unit.
1536
1537 Q: So everyone went back.
1538
1539 A: Everybody was back in their respective areas.
1540
1541 Q: Okay. Um, and then, uh - that's all I got.
1542
1543 Q1: I - I'm just curious. Um, this is a - this is pretty much a level 1 inmate coming
1544 into the - into the facility. Uh, an incident happens with an officer and now
1545 she is a level 4 inmate.
1546
1547 A: Mm-hm.
1548
1549 Q1: Um, but there was no crime report documented. Was there - was this inmate
1550 given an infraction? Was - what - what - what wa - what happened with this
1551 inmate? Or was this just (Reaso)?
1552

1553 A: I - to this point I believe it was just (Reaso). Uh, I'm unaware - I don't believe
1554 the crime report was, uh, generated at the time of the information, what we
1555 had.
1556
1557 Q1: Mm-hm.
1558
1559 A: The infraction and all that. I don't think she was infractioned.
1560
1561 Q: Let me, um - I don't know this. I don't what the policy is. So when someone
1562 gets rehoused, obviously I think there's less freedom as a level 4 than as a
1563 level 1, right?
1564
1565 A: Yeah.
1566
1567 Q: Now, just even moving your arms. Um, is that rehousing document -
1568 obviously we can't get a hold of it. So it seems...
1569
1570 A: Yeah
1571
1572 Q: ...like it's pretty private. Um, can the inmate appeal that? Do they get to see it?
1573
1574 A: They - they can. They can grieve it. They can put request forms to request
1575 why they were made or why were they put in that particular housing. Uh, it's
1576 up to classification to determine what information they're gonna give them as
1577 to why. Whether it's a security issue or, uh, an assault on an officer, or
1578 whatever the case. Uh, classification does not have to disclose that
1579 information to...
1580
1581 Q: And do you remember who wrote the rehousing?
1582
1583 A: Uh, I'm gonna Broussard.
1584
1585 Q: Okay.
1586
1587 A: I'm - I'm gonna say Broussard.
1588
1589 Q: And that that was under your directions?
1590
1591 A: Um, yes. It was under my directions rehousing inmate.
1592
1593 Q: And that was based on what she had originally told you?
1594

1595 A: Yes.
1596
1597 Q: Not what - so you - you...
1598
1599 A: And this was...
1600
1601 Q: ...told her to write it before (Rivera), uh...
1602
1603 A: Oh, yes - yes, absolute- uh, let me see. I think so - I think so. Based on the
1604 inmate's behavior and what they told me, I - and you guys are gonna have to
1605 write (Reaso) because she's not level 1 material.
1606
1607 Q: Got it.
1608
1609 A: Uh, classification determined to make her level 4, uh, based off of that. Which
1610 kind of surprised me.
1611
1612 Q: Got it.
1613
1614 A: I - I thought it would be a level 3 or something.
1615
1616 Q: Okay. Okay.
1617
1618 Q1: Um, (unintelligible) there's one thing I had left. Let me check my notes real
1619 quick. Um...
1620
1621 Q: Oh, I did have one more question. Um, so normally if the inmate, they - they
1622 come in to (CLAD) to processing.
1623
1624 A: Mm-hm.
1625
1626 Q: Here's your clothes.
1627
1628 A: Mm-hm.
1629
1630 Q: And they say, okay, cool, I'm gonna change.
1631
1632 A: Mm-hm.
1633
1634 Q: Right? And then they just change and (unintelligible).
1635

1636 A: No. What - what happens is when they come in we get a list - we get all their
1637 property. Uh, the females will take care of the female inmates and the male
1638 officers will take care of the male inmates.

1639

1640 Q: Okay.

1641

1642 A: Uh, once the inmate comes in and we get all the, uh, basically all the
1643 paperwork ready, uh, the female processing officer will then take the inmate
1644 to the back, escort them back there. And dress them out accordingly to their
1645 level of classification, whether it's a level 1 or level 4.

1646

1647 Q: Okay.

1648

1649 A: Um, certain, uh, strip searches will be conducted based on their charges.
1650 They're charge base. Um, if they don't meet that criteria they won't be strip
1651 searched. But they will be changed out in the presence of an officer, a female
1652 officer. Once a female officer has them fully dressed out she will then have
1653 them sit in the lobby or place them in a holding tank, depending on their level
1654 of classification. Uh, the officer will then call the movement officer to the
1655 building at CCW to come and escort that, uh, inmate over to CCW.

1656

1657 Q: Okay.

1658

1659 A: And that's when the inmate gets housed.

1660

1661 Q: And then, uh, during the change out process does the deputy assist the inmate
1662 take off for her clothes?

1663

1664 A: No. The - the inmates are - all take off their own clothes.

1665

1666 Q: And if they refuse what hap- what's the normal protocol at that point?

1667

1668 A: The normal protocol is for the officer to try to gain compliance, um, verbally
1669 to try to...

1670

1671 Q: Negotiate with them?

1672

1673 A: ...get the inmate to negotiate, you know. If they still feel that the inmate's
1674 uncooperative, is not goin' with the program, uh, per policy, the officer must
1675 back off and notify partners, notify supervisor if there's some type of
1676 indication that there's an uncooperative inmate.

1677

1678 Q: Ultimately push comes to shove you have to force the inmate to change.
1679
1680 A: You're not - if - what, uh, if, uh, sergeant comes on scene.
1681
1682 Q: So that - oh, that forcing her orders as only by with sergeant...
1683
1684 A: By s...
1685
1686 Q: ...present.
1687
1688 A: By sergeant present.
1689
1690 Q: And the use of force that (Rivera) explains to you...
1691
1692 A: Mm-hm.
1693
1694 Q: ...if you were to force someone to change, does that seem, like, that would be
1695 what you would - the level of force you would need to do?
1696
1697 A: No. You - you know what? As - as a sergeant I would go over there and I
1698 explain to the inmate what's going on and what her options are is basically to
1699 comply with our request. Uh, if it has to go to that level I'm gonna make sure I
1700 have additional female officers there.
1701
1702 Q: How many...
1703
1704 A: Uh...
1705
1706 Q: ...would you have?
1707
1708 A: For depending - assessing an inmate I would say probably three, four female
1709 deputies.
1710
1711 Q: Okay.
1712
1713 A: And come in there - and by the show of force, I think I would gain compliance
1714 of the inmate to volunteer her dress out.
1715
1716 Q: Okay. So - I want the scenario to go push this out, like, where, what. They,
1717 you know, they ended up on the floor with her.
1718
1719 A: Uh-huh.

1720

1721 Q: Um, based on what (Rivera) was telling you, would that use of force be okay
1722 in that situation where the - the - the inmate's being completely
1723 uncooperative?

1724

1725 A: No, abs- absolutely not. Absolutely not.

1726

1727 Q: Okay.

1728

1729 A: Uh, first of all, we teach our deputies how to use, uh, quadrant controls, uh,
1730 control holds, uh, with pain compliance. Uh, stepping on an inmate is not
1731 something we teach. Grabbing an inmate by the neck is not something what
1732 we teach. Uh, grabbing someone by the hair is not what we teach. Uh, those
1733 are the three things that Deputy (Rivera) stated to us. And that's when all flags
1734 went up.

1735

1736 Q: Let me ask you this, if, um, if the inmate was on her stomach, so back up...

1737

1738 A: Mm-hm.

1739

1740 Q: ...would it be okay for our deputy to put their knee in the lower back? And
1741 then the other deputy kind of ripped the, like, rip pants off?

1742

1743 A: You know the - no, it's not okay. 'Cause there's a lot of quadrant control that
1744 we teach. Arms, uh, upper quadrants are arms. Lower quadrants are legs. First
1745 of all, you would never wanna, uh, get to that point where you have to
1746 forcefully strip the inmate's clothing off.

1747

1748 Q: Okay.

1749

1750 A: To that effect. If it's gonna go down that route we wanna make sure that we
1751 have the right staff in there. Uh, video documentation. Um, and a sergeant on
1752 scene.

1753

1754 Q: So b- based on the policy it sounds like this is a high liability thing for you
1755 guys that your administration's worried about, uh, this kind of thing
1756 happening.

1757

1758 A: Uh, that kind of conduct - yes.

1759

1760 Q: Okay.

1761

1762 A: What (Rivera) reported, yes, it's a - it's a concern.
1763
1764 Q: Okay.
1765
1766 A: High concern.
1767
1768 Q: Okay. Um, and then, um, cameras. I know we're lacking cameras in our jails.
1769 Um...
1770
1771 A: For female dress out you can't have cameras.
1772
1773 Q: Obviously - yeah.
1774
1775 A: In the processing area there's no cameras in.
1776
1777 Q: Okay.
1778
1779 A: Um, but for the female a- for the actual dress out rooms you cannot have any
1780 type of cameras...
1781
1782 Q: Of course.
1783
1784 A: ...in there.
1785
1786 Q: Um, from W4C the route it would take to get to processing are there cameras?
1787
1788 A: Uh, yes, there is. There's one in W4C. Uh, there's a camera in there where, uh,
1789 Simpson-Hogan and her trainee, the (POJT) are.
1790
1791 Q: Mm-hm.
1792
1793 A: Uh, there's cameras in the hallway that lead out from the W4 building by
1794 CCW control.
1795
1796 Q: Mm-hm.
1797
1798 A: And then cameras that go to the outside. There's cameras outside. And there's
1799 another camera that monitors the CCW gate.
1800
1801 Q: On CCW gate. And how will I obtain this, uh, this footage?
1802
1803 A: Lieutenant Corso. Lieutenant Corso.

1804
1805 Q: Do you know how long it goes back?
1806
1807 A: Uh, it's - it records - it goes back a while.
1808
1809 Q: Like, more than a month?
1810
1811 A: Oh, yes, absolutely.
1812
1813 Q: Perfect. Um, have you seen this video at all or looked at it?
1814
1815 A: No. I haven't even gone in tablets and directly to look at footage. Uh...
1816
1817 Q: Okay. Um - oh. Her clothes that was taken off of her that she came in with.
1818 Um, I'm guessing that was packaged in one bag?
1819
1820 A: Yes.
1821
1822 Q: And that's in her property?
1823
1824 A: It's in her property.
1825
1826 Q: Okay. And then we could, uh, access that through the normal channels. Uh...
1827
1828 A: Yeah. Lieutenant Corso.
1829
1830 Q: Okay. Sarge?
1831
1832 Q1: Did she mention to you that, uh, what the reasons why everything happened?
1833 Uh, I'm talking about
1834
1835 A:
1836
1837 Q1: Did she mention to you - did she tell ya anything about...
1838
1839 A: Uh, I believe 'cause she that the - that she was not - she was moving too slow
1840 and the officer became very upset with her.
1841
1842 Q1: Did she mention anything about her pants or her socks?
1843

1844 A: Something about her pants - or being a little too tight and she couldn't get 'em
1845 off fast enough. Or something about - I believe something about a jacket. That
1846 she was taking a while to fold up and put in the inmate brown bag.
1847

1848 Q1: Okay. Your contact with . Did you record any of that?
1849

1850 A: Uh, yes, I did. The second interview that I had with her.
1851

1852 Q: And you said you would attach to the report?
1853

1854 A: I attached that to the report.
1855

1856 Q: And you don't have it anymore...
1857

1858 A: No, I wouldn't...
1859

1860 Q: ...(unintelligible).
1861

1862 A: ...I wouldn't be in possession of that.
1863

1864 Q: Okay.
1865

1866 Q1: Who has that right now?
1867

1868 A: Uh, it would be Internal Affairs.
1869

1870 Q: Did you forward it on with...
1871

1872 A: (Unintelligible).
1873

1874 Q: Who did you give this report to?
1875

1876 A: I initially - well, when something like this happens it goes to our watch
1877 commander which was Lieutenant (Connor) at the time. I attached the - the
1878 (unintelligible) and the digital recording of my interview with , uh,
1879 later that night. So...
1880

1881 Q1: Does your - does your department keep a copy of - of this and a disc on file...
1882

1883 A: They - they keep a copy...
1884

1885 Q1: ...in your office?

1886
1887 A: ...of the supervisor's summary. Um, and the recording. I could check. 'Cause
1888 I'm new to this.
1889
1890 Q1: We'll - we'll take care of that.
1891
1892 A: Yeah.
1893
1894 Q: Okay.
1895
1896 Q1: Um, and there's something about noncompliant inmate for the dress out. I
1897 mean, I know when I worked it happens every now and then. You get a guy
1898 I'm not (unintelligible). Usually it takes the sergeant to come over...
1899
1900 A: Yeah.
1901
1902 Q1: ...and say, hey, look. You're gonna go with the program. But sooner or later
1903 you're gonna put those clothes on...
1904
1905 A: Yes.
1906
1907 Q1: ...and you're gonna go to your housing unit. I mean, at some point in time
1908 they're doing the process.
1909
1910 A: Mm-hm.
1911
1912 Q1: They can - they can eventually probably even end up with more of a
1913 sentence...
1914
1915 A: Mm-hm.
1916
1917 Q1: More time for what they were doing. Um, this incident, um, could this have all
1918 been avoided with one phone call to you?
1919
1920 A: Absolutely.
1921
1922 Q: And, uh, you - normal job for a sergeant is when a deputy screws up or does
1923 something out of policy is to coach them, would you agree in what they're
1924 supposed to do? It sounds like you had this conversation with her?
1925
1926 A: Yeah, I did.
1927

1928 Q: Uh-huh.
1929
1930 A: But, you know...
1931
1932 Q: I'm not - I - I don't mean to put you on the defensive.
1933
1934 A: No - no - no.
1935
1936 Q: (Unintelligible).
1937
1938 A: Well, you mean, uh, even before, uh, (Rivera)'s statement when we talked in
1939 the CCW sergeant's office, uh, when I spoke to Broussard I even told her that
1940 she had other options that she could have used.
1941
1942 Q: All right.
1943
1944 A: First of all, you identified an uncooperative inmate. And you could have
1945 stepped - you could have taken a step back from that situation.
1946
1947 Q: I guess my question here is what did, uh, what was Broussard's rush to get it
1948 done immediately without calling you or...
1949
1950 A: I - I have no idea. And my thing was...
1951
1952 Q1: W- were there a lot of inmates that needed to be processed?
1953
1954 A: She was the only female inmate there. It's best of my recollection - matter of
1955 fact, she was the only female inmate that was there when I walked in that
1956 building.
1957
1958 Q1: And (unintelligible) is 2200, right?
1959
1960 A: Uh, 2230.
1961
1962 Q1: Yeah, 2230.
1963
1964 A: So this - there was plenty of - there was - there was plenty of time for her to,
1965 uh, dress her out. Uh, plenty of time for her to contact me. Uh, I never got a
1966 contact. I got a c- I was notified by another officer who had concerns of what
1967 was going on. That's how it was brought to my attention.
1968
1969 Q: And that was (Divine), right?

1970
1971 A: That was (Divine).
1972
1973 Q: Okay. And then, um, did you ever ask her, hey, what - why didn't you call
1974 me?
1975
1976 A: Um, I know when I discussed my options, uh, I - I believe - I think I did. And
1977 her response was, "It just happened so fast," uh, to that effect. Because I did
1978 give her the options is that you should have stepped back. You should have
1979 called your partners that were right here assigned to processing. Uh, you
1980 should have notified me immediately and I would have come over here to
1981 assist you with this inmate.
1982
1983 Q: Okay. And then Broussard, um, given her - g- given everything you know
1984 now, why do you think Broussard did what she did?
1985
1986 A: I have no idea why she did what she did. Um, I'm still - I don't - all I know is
1987 that collected the information, we collected the facts and reported it. Uh, her
1988 actions why she did what she did it still kind of baffles me as to why would
1989 you even do that.
1990
1991 Q: Okay.
1992
1993 A: You know. You identify an uncooperative inmate. You need to - you need to
1994 find other alternative measures within the use of force policy.
1995
1996 Q: And you've been workin' in jails a long time. If - if you saw that - if that
1997 happened could you think of a legitimate reason why it would happen?
1998
1999 A: There's no legitimate reason why to perceive with the uncooperative inmate.
2000 Um, unless you had their safety...
2001
2002 Q: Mm-hm.
2003
2004 A: ...or security issues present and you had to engage. Then - then you have to.
2005
2006 Q: And this is just your opinion. I'm not asking you to be a lawyer or anything.
2007 Um, what (Rivera) told you Broussard did, everything that you know about
2008 this, do you think Broussard violated policy? Or do you think she violated
2009 policy and also broke the law?
2010

2011 A: Based on what (Rivera) told me, uh, on viewing somethin' like this and it not
2012 being reported to me, she initially broke policy when she failed to contact me.
2013 And she didn't step away from the inmate. And she continued to engage in the
2014 situation where it led to a use of force. The initial use of force was not
2015 reported to me. It was reported to me by a second officer who (unintelligible)
2016 who responded. Um, based on what (Rivera) told me, uh, and what she did
2017 observe and what bothered her I would say, yes, she did break the law.
2018
2019 Q: Okay. What law do you think she broke? Just so that you know...
2020
2021 A: Yeah (unintelligible).
2022
2023 Q: ...I'm gonna use Penal Code. So it's, like...
2024
2025 A: I know she - unnecessary force.
2026
2027 Q: Okay.
2028
2029 A: Unnecessary force, uh, on an inmate.
2030
2031 Q: Okay. So do you think even if she was flailing her arms, um, and, you know,
2032 when we - when we get into ground fights and we're trying...
2033
2034 A: Yes.
2035
2036 Q: ...to get - gain control people go rigid and they tense up and flex.
2037
2038 A: Mm-hm.
2039
2040 Q: But they're not necessarily trying to punch you. Um, even if she's flailing her
2041 arms...
2042
2043 A: Yeah.
2044
2045 Q: ...do you think that the force used would have - was, uh, too much, or was it
2046 just right?
2047
2048 A: No, 'cause you've had officers, uh, control the hands and he ends up on the
2049 floor. Uh, me being a wrestling coach and football coach, um, a lot of fights
2050 end up on the floor. Whether...
2051
2052 Q: (Unintelligible).

2053

2054 A: ...it's a takedown or they tripped. Or the best way to maintain the inmate was
2055 to prone them down and flat on their stomach to gain quadrant control.

2056

2057 Q: So let - let's throw out all the policy violations, right? We're down on the
2058 floor. There's three deputies trying to control an uncooperative inmate. And
2059 she's flailing. The use of force that (Rivera) describes, would that be okay just
2060 to overcome that resistance?

2061

2062 A: No.

2063

2064 Q: That's excess?

2065

2066 A: Uh, not to step on an inmate. Uh, well, (Rivera) said she stepped on the
2067 inmate to hold her down. Uh, absolutely not.

2068

2069 Q: Okay. That's going above and beyond (unintelligible).

2070

2071 A: That's - that's unnecessary force. Uh, quadrant control, hand control, holdin'
2072 the torso, pain compliance. Uh, that would be more appropriate...

2073

2074 Q: Okay.

2075

2076 A: ...than to step on an inmate.

2077

2078 Q: Okay.

2079

2080 Q1: Describe um, structure to me.

2081

2082 A: Uh, she's small. Uh, very petite. Uh, very, uh, I would say in between 120,
2083 125.

2084

2085 Q1: How 'bout Officer Broussard?

2086

2087 A: Uh, she's - she's a bigger officer. Uh, I would say at least 5'10". Uh, kind of a
2088 bigger, um, build woman, larger. Very much larger.

2089

2090 Q1: How 'bout Simpson-Hogan?

2091

2092 A: Oh, very similar. Uh, about 5'10", bigger, uh, very large, uh, officer, like,
2093 bigger.

2094

2095 Q1: And Officer (Rivera)?
2096
2097 A: Uh, yeah, kind of bigger, uh, officer.
2098
2099 Q1: Any of these officers part of the emergency response team?
2100
2101 A: Um, (Rivera) is.
2102
2103 Q1: (Rivera) is?
2104
2105 A: (Rivera) is. She's assistant team leader for the (unintelligible), yes.
2106
2107 Q1: Assistant team leader?
2108
2109 A: Yes.
2110
2111 Q1: Okay. Um, that's all I have.
2112
2113 Q: I'm good. Thank you, sir.
2114
2115 Q1: Sergeant, thank you so much.
2116
2117 A: Oh, (unintelligible).
2118
2119 Q: (Unintelligible). I like...
2120
2121 Q1: We appreciate it.
2122
2123 Q: ...to learn about the jails. How long have you worked there?
2124
2125 A: Sixteen years.
2126
2127 Q: Okay. How many as a sergeant?
2128
2129 A: I just got promoted.
2130
2131 Q: Okay. I saw you had a temporary badge number there.
2132
2133 A: Yeah.
2134
2135 Q: I was, like, you're not...
2136

2137 A: Uh...
2138
2139 Q: ...you're not badge 34.
2140
2141 A: ...matter of fact today is my - or, like, yesterday was my - end of my six
2142 months probation.
2143
2144 Q: Oh, very good.
2145
2146 Q1: Congratulations.
2147
2148 A: Thank you.
2149
2150 Q1: All right. So...
2151
2152 Q: Cool. You enjoying it?
2153
2154 A: Uh, yeah. You know, you learn a lot of stuff, a lot of things you see differently
2155 as a sergeant. A lot of things you (unintelligible) as you could see.
2156
2157 Q: Yeah.
2158
2159 A: You know, this is something difficult. You know...
2160
2161 Q: I can leave this?
2162
2163 A: (Unintelligible) - yeah.
2164
2165 Q: Perfect.
2166
2167 A: So you just gotta go ahead and do the right thing, that's it.
2168
2169 Q1: That's it .That's - that's - that's it, man.
2170
2171 A: These officers know how to do their job, you know?
2172
2173 Q1: All right, (unintelligible).
2174
2175 Q: Thank you, sir.
2176
2177

2178 This transcript has been reviewed with the audio recording submitted and it is an accurate
2179 transcription.
2180 Signed
2181 _____