Internal Affairs Investigation
19-IA-0001
Deputy Jesus Morfin's Statement

Larry Doherty: The following will be a recorded interview conducted by myself, Sergeant Larry Doherty of the Sonoma County Sheriff's Office, Internal Affairs Bureau. The date is February 13, 2019. The time now, by my watch, is 1148 hours. I am presently in one of the conference rooms of the sheriff's office with Deputy Jesus Morfin. Jesus, uh, can you do me a favor? Say and spell your last name.

Jesus Morfin: Morfin, M-O-R-F-I-N.

Larry Doherty: Okay. Is it all right if I call you Jesus?

Jesus Morfin: Yes.

Larry Doherty: Please call me Larry. Okay, and you're represented by Attorney Greg Thoming. Greg, um, could you say and spell your last name for the record?

Other Speaker: Greg Thoming, T-H-O-M-I-N-G.

Larry Doherty: Um, is it all right if I call you Greg?

Other Speaker: Absolutely.

Larry Doherty: And please call me Larry. We're here today in regards to Case No. 19-1A-0001. Um, prior to going on tape, I provided, uh, Jesus, you with two forms. One's called administrative admonishment. One's called a disciplinary interview advisement of rights. You signed both of these documents. Is that correct?

Jesus Morfin: Correct.

Larry Doherty: And then, Greg, you witnessed them?

Other Speaker: Yes.

Larry Doherty: Okay. Do you have any questions in regards to those?

Jesus Morfin: No.

Larry Doherty: Do you understand that I am a designee of the sheriff?

Jesus Morfin: Yes.

Larry Doherty: Okay, and that, um, you said that you understood two, um, policies in regard to insubordination and truthfulness. Uh, do you have any questions in regards to those?

Jesus Morfin: I do not.

Larry Doherty: Okay, I'm gonna order you to answer all questions honestly and truthfully and that a failure to do so could lead up to disciplinary action. Do you understand that?

Jesus Morfin: I understand.

Larry Doherty: Okay. Um, again, please don't discuss this investigation other than with the rep or who we, um, uh, mentioned in the form. If you have a significant other, I have no problems with you talking to your significant other 'cause there's no way you can keep this stuff secret, okay? Understand that?

Jesus Morfin: Understood.

Larry Doherty: Okay.

Other Speaker: You understand this is a compelled statement, correct?

Larry Doherty: I'm ordering, I'm ordering you to answer all questions honestly and truthfully.

Jesus Morfin: I understand.

Larry Doherty: Understand that? Okay.

Other Speaker: Okay.

Larry Doherty: All right. Um, how long you been at the sheriff's office now?

Jesus Morfin: For about, uh, 2 years, 3 months.

Larry Doherty: Two years, 3 months.

Jesus Morfin: Since May of 2016.

Larry Doherty: Congratulations.

Jesus Morfin: Thank you.

Larry Doherty: Do you have any specialties?

Jesus Morfin: Um, not at the moment. I'm on –

Larry Doherty: You're, like, mental health or booking or anything like that?

Jesus Morfin: Uh, I'm on the booking team.

Larry Doherty: Okay.

Jesus Morfin: Uh, I'm on a –

Larry Doherty: Booking core?

Jesus Morfin: Yeah, Booking core

Larry Doherty: Uh huh.

Jesus Morfin: – male special team.

Larry Doherty: Good. Um, what is your current assignment and, what I mean by, like, shift, MADF –

Jesus Morfin: MADF, uh, day shift –

Larry Doherty: Okay.

Jesus Morfin : – with, uh, Tuesdays and Wednesdays off.

Larry Doherty: Get it when you get 'em off, right?

Jesus Morfin: Yeah.

Larry Doherty: On, uh, January the 11th, which was a Friday, Sergeant [redacted] did a search, arranged for a search in D mod. Were you working that day?

Jesus Morfin: Yes, I was.

Larry Doherty: Okay. Did you take part in that search?

Jesus Morfin: Yes.

Larry Doherty: Okay. Um, how many other people do you think were assigned? Just a rough number like five, ten, 15, 20.

Jesus Morfin: For the search?

Larry Doherty: Yeah.

Jesus Morfin: Uh, I would say about 15 to 20 deputies –

Larry Doherty: Okay.

Jesus Morfin: – approximately.

Larry Doherty: Um, and this took place about what time?

Jesus Morfin: About, uh, 7:00, I believe, once count cleared.

Larry Doherty: In the, in the evening?

Jesus Morfin: Correct.

Larry Doherty: Okay, because, uh, of the shift you guys work. Um, D module, what kind of module is that?

Jesus Morfin: It's a maximum security unit, medium and maximum housing.

Larry Doherty: So just a little bit below ad seg?

Jesus Morfin: Correct.

Larry Doherty: Okay. Sorry, A-D S-E-G, two words. Um, so you said minimum and what?

Jesus Morfin: Med –

Larry Doherty: Max?

Jesus Morfin: – medium and maximum.

Larry Doherty: And so who's in D module?

Jesus Morfin: The, like –

Larry Doherty: Like gangs?

Jesus Morfin: What types of inmates?

Larry Doherty: Yeah.

Jesus Morfin: Um, it's, uh, Nortanoes –

Larry Doherty: Okay.

Jesus Morfin: – gang members, um, white inmates, black inmates and Hispanic inmates and Asian, as well.

Larry Doherty: Okay, but these guys are one step below, um, ad seg?

Jesus Morfin: Correct.

Larry Doherty: Okay. Now, when you guys got together with Sergeant [redacted], did he give you any instructions prior to you guys going on these searches?

Jesus Morfin: He did.

Larry Doherty: Okay, and did that include, uh, telling you why he wanted to do the search?

Jesus Morfin: Uh, he didn't specifically mention it then. Uh, we had spoken about it, um, in briefing because of an incident that occurred the day before.

Larry Doherty: Okay, and what was that?

Jesus Morfin: Um, the inmates were activating their, uh, sensory alarms, uh, to their cell doors while the, while the, uh, housing, or unit deputy was out to lunch, um, as well as just recent, like, behavior issues in general throughout the module.

Larry Doherty: And when you say they're activating their doors, you're talking about they're kicking it or bouncing it to, so it would send a signal down to the station?

Jesus Morfin: Correct, so –

Larry Doherty: Okay –

Jesus Morfin: – what, what –

Larry Doherty: – the deputy station.

Jesus Morfin: – what they usually do is, is kick the door, um, as hard as they can, of what we call mule kicking.

Larry Doherty: Mm hmm.

Jesus Morfin: Um, and that, even though it doesn't open, it still, if you do it hard enough, it activates the alarm.

Larry Doherty: Okay, um, and he's at lunch? So, 'cause you guys actually, it's **** the monitor. There's one deputy to come monitor both?

Jesus Morfin: Correct.

Larry Doherty: Two different modules?

Jesus Morfin: Correct.

Larry Doherty: Okay. What's the other module that they monitor?

Jesus Morfin: C mod.

Larry Doherty: C mod. Okay.

Jesus Morfin: Right.

Larry Doherty: So, and when you say, is that a daytime thing, swing shifting, or a nighttime or is it all the time, one guy's doing both?

Jesus Morfin: Um, I, I know that on, uh, days and, on days and swings, um, it's one deputy in C mod, one deputy in D mod, so –

Larry Doherty: Okay.

Jesus Morfin: – the reason why the deputy wasn't in there was 'cause they were on their lunch break. Um, while one's on their lunch break, the other one will cover both units. So if there's, like, a dis, an, an E-call alert –

Larry Doherty: Yeah.

Jesus Morfin: – the C-mod deputy will go check on D mod while that other person's out to lunch.

Larry Doherty: Okay. Did they mention anything about arcing?

Jesus Morfin: Um, I don't recall.

Larry Doherty: Okay, and you know what I mean by when I say arcing?

Jesus Morfin: I do.

Larry Doherty: Okay. Um –

Other Speaker: Can we just have him explain that so the records –

Larry Doherty: Okay.

Other Speaker: What's arcing?

Jesus Morfin: Uh, arcing is when, uh, somebody takes, like, a piece of paper and sometimes, like, uh, inmates will use lead from a pencil and, uh, they'll cause, like, a spark in the light switch in order to, uh, light a fire or light a wick.

Larry Doherty: But you didn't recall Sergeant [redacted] mentioning that?

Jesus Morfin: Not specifically.

Larry Doherty: Okay.

Jesus Morfin: No.

Larry Doherty: Um, and you were day shift?

Jesus Morfin: Correct.

Larry Doherty: And you were there still at 1900?

Jesus Morfin: Correct.

Larry Doherty: Okay, and why was that?

Jesus Morfin: Because we have a lot of overtime.

Larry Doherty: Yes, you do. Okay. Um, hence why I was kidding you about having Tuesday and Wednesday off –

Jesus Morfin: Yeah.

Larry Doherty: – 'cause you don't really get Tuesday and Wednesdays off. All right, so is there, uh, how many inmates are in D mod?

Jesus Morfin: Uh, I would say somewhere between 75 and 80, I believe –

Larry Doherty: Okay.

Jesus Morfin: – if I'm not mistaken.

Larry Doherty: So unlike in the past, I understand that it was raining outside so you couldn't use the yard. Is that correct?

Jesus Morfin: That specific day?

Larry Doherty: Yes.

Jesus Morfin: I do not recall if it was raining or not.

Larry Doherty: Okay. Do you remember taking any inmates out to the yard that day?

Jesus Morfin: Uh, no.

Larry Doherty: Okay. Um, I understand they broke it up into quadrants so you guys did sections at a time –

Jesus Morfin: Cor –

Larry Doherty: – you didn't do all of them.

Jesus Morfin: Correct.

Larry Doherty: 'Cause that would've been 70, 80 inmates out –

Jesus Morfin: Yeah.

Larry Doherty: – and, uh, that would be a pretty significant number considering the classification of these inmates?

Jesus Morfin: Correct.

Larry Doherty: Okay. Do you remember what your role was initially?

Jesus Morfin: As far as the search?

Larry Doherty: Yeah.

Jesus Morfin: Um, we don't really get specific assignments. It's just kind of, um, you know, that specific, for that specific search, Deputy [redacted], or Sergeant [redacted], um, had everybody, um, go to, uh, Sam Two's office, which is, uh, which was the office he was using at the time, um, so once we all congregated there, um, we all, you know, just, he gave those general instructions as you mentioned, that we were gonna do it in quadrants, um, and that was pretty much it. Um, those were really the only instructions he gave, just because we've done so many of them, or most of us that have been there for some time, uh, we know that, you know, you pair up with somebody, you know, you never open a door by yourself, um, you know, if there's more than one inmate in there, things like that, um, so I wasn't necessarily given a specific role.

Larry Doherty: Okay. Then does D mod have both, uh, single-man cells and two-man cells?

Jesus Morfin: Correct.

Larry Doherty: Okay, so hence – and it alternates. You don't know if one time you're gonna be with a single guy or two guys.

Jesus Morfin: Correct.

Larry Doherty: So what was the routine as far as getting the inmates to get handcuffed?

Jesus Morfin: Uh, generally you'd approach the cell door. Um, again, if it's just one person, um, you'll instruct them before you even open it, step up to the door, turn around, place your hands behind your back, and, uh, once they do that, you open the door, you handcuff them, you double lock them, obviously check for tightness, and then you – uh, we had them seated, uh, in the center part of the day room where, uh, the steps were. There's, there's, like, some steps that lead up to the desk and some tables.

Larry Doherty: Okay, so that was the routine at the time? You get, so once you did one, uh, you guys go back and search the cell?

Jesus Morfin: Correct. So we would remove them. Once they're, once they were seated in the center of the day room, uh, they were supervised, uh, by the unit deputy, um, just keeping an eye on them and then once, whether it was a single or a double, once the inmates were removed, then we'd go in there and we'd search and then once the search was complete, then we'd have them, we'd have the deputy supervising them send them back to us and then we'd have them stand at the threshold of the door, we'd remove the cuffs and close the door.

Larry Doherty: Okay. I understand that sometimes Sergeant [redacted] actually left. Were you aware of that?

Jesus Morfin: I was not.

Larry Doherty: Okay. Um, as far as instructions to the inmate, was there some deputy that was doing that, or was it done every time you went to the door? In other words, was there some guy standing out in the middle of the day room hey, on your bunks or anything like that that you recall?

Jesus Morfin: No, I don't.

Larry Doherty: Okay.

Jesus Morfin: I don't recall someone specifically being assigned to doing that.

Larry Doherty: Okay, so then my question is, okay, you got 70, 80 inmates, do I have some of them mauling at the windows? Do I have some of them sitting on their bunks? Are, do they understand that when a search is being done, do they have a specific place they're supposed to be? They being the inmates.

Jesus Morfin: Yes, they do. Um, you know, generally, we make announcements when we walk in. You know, if we see people on their windows, whether it's upstairs or downstairs, we tell them to stay off the window –

Larry Doherty: Okay.

Jesus Morfin: – or to stay on their bunk or whatever it may be, but our priority is to get them to stay off the, the window.

Larry Doherty: Okay, while you're doing the search?

Jesus Morfin: Correct.

Larry Doherty: Okay, 'cause they're curious.

Jesus Morfin: Right.

Larry Doherty: Okay, and at the same time, we have specific instructions that we give them that we expect them to follow.

Jesus Morfin: Correct.

Larry Doherty: Okay. All right, um, so were you handcuffing and/or doing searches, or do you recall, or was it both?

Jesus Morfin: I was doing both. I was searching as well as handcuffing.

Larry Doherty: Okay. It just depended on how it folded out.

Jesus Morfin: Just how, yeah, how it, just kind of how it flowed. I mean, I, there were, there were times where, um, I was helping handcuff more than search and vice versa.

Larry Doherty: Okay. Um, since you've been here, how many bloc trainings have you gone to? B-L-O-C.

Jesus Morfin: Bloc trainings? Uh, I would say approximately ten –

Larry Doherty: Okay.

Jesus Morfin: – or so.

Larry Doherty: And we learn different things, communications, we learn defensive tactics, um, we learn Article 15, um, policies. During those bloc trainings, is there any other things that you can think of that we'd get taught during bloc trainings?

Jesus Morfin: Um, we do, uh, first aid, uh, just general safety and, um, like, sanitation, uh, mental health. Uh, we focus a lot on that –

Larry Doherty: Okay.

Jesus Morfin: Um, defensive tactics. Um, we've had some small blocs on, like gang training, uh, things like that, intercommunication skills.

Larry Doherty: And then I understand that you went to the police academy.

Jesus Morfin: Correct.

Larry Doherty: And then did you go to the correctional academy, too?

Jesus Morfin: I did not.

Larry Doherty: Okay. Um, I think the police one now is, what, 20 weeks?

Jesus Morfin: Correct.

Larry Doherty: And then the, the correction's only, like, 3 or 4?

Jesus Morfin: I actually don't know how long –

Larry Doherty: Okay.

Jesus Morfin: – it is.

Larry Doherty: Yeah. I think it's, like, 3 or 4, but you don't know. Um, when you were, went to the academy and during bloc training, have they talked to you about the use of force?

Jesus Morfin: Yes.

Larry Doherty: And there's specific instructions that we follow?

Jesus Morfin: Yes.

Larry Doherty: And, um, are you aware the use-of-force policy that we, the sheriff's office currently has and had back on January the 11th hasn't changed?

Jesus Morfin: Yes.

Larry Doherty: Okay. Um, did something draw your attention to Cell D41?

Jesus Morfin: Yes.

Larry Doherty: And what was that?

Jesus Morfin: The –

Larry Doherty: Just go ahead and tell me.

Jesus Morfin: – the sound of my partner's voice.

Larry Doherty: My partner being?

Jesus Morfin: Uh, Deputy [redacted]

Larry Doherty: Okay, and what did he say?

Jesus Morfin: He was, he was yelling up to the inmate in D41, uh –

Larry Doherty: And when you say up, 'cause he's on the second tier?

Jesus Morfin: Correct.

Larry Doherty: Okay.

Jesus Morfin: Yeah. Uh, he was giving him specific instructions to get on his bunk and stay off the window, um, and he just kept repeating that over and over again.

Larry Doherty: Could you hear what the inmate was saying?

Jesus Morfin: Yeah, he was telling him to fuck off and naw, I ain't fucking moving, fuck you, just general –

Larry Doherty: Do you know who that inmate was?

Jesus Morfin: Yes.

Larry Doherty: Did you know of – okay, I'm just gonna say his name, [redacted] –

Jesus Morfin: Mm hmm.

Larry Doherty: Did you know of him before?

Jesus Morfin: I did.

Larry Doherty: Okay. Um, what kind of inmate is he?

Jesus Morfin: Um, can you be more specific?

Larry Doherty: Um, is he a problem child?

Jesus Morfin: Uh, yes, he's pretty, he's pretty, uh, loud –

Larry Doherty: Yeah, he's vocal.

Jesus Morfin: – sometimes, vocal.

Larry Doherty: He's, he shoots his mouth off.

Jesus Morfin: Yes.

Larry Doherty: Okay. Um, no physical, just, he's a mouth?

Jesus Morfin: Uh, not as far as I know.

Larry Doherty: Okay.

Jesus Morfin: I don't, I don't know about other times that he's been in custody, but –

Larry Doherty: Okay.

Jesus Morfin: – yeah.

Larry Doherty: But from your understanding or experience with [redacted] um – common spelling – he is vocal?

Jesus Morfin: Yes, he's –

Larry Doherty: And disrespectful to staff?

Jesus Morfin: Correct.

Larry Doherty: Okay. Uh, hence the verbiage that he was using.

Jesus Morfin: Correct.

Larry Doherty: Um, fuck you, I'm not gonna respond, uh, I'm not doing what you want me to do. Did Deputy [redacted] say something after that brought your attention even more so, um, as to why you guys went up to his cell? Being [redacted]?

Jesus Morfin: Uh, he specifically asked for somebody, um, to accompany him up to the cell to remove him from unit.

Larry Doherty: And, and when you say remove him from the unit, what is the reason we do that?

Jesus Morfin: Uh, the reason we do that is, um, if somebody's being disruptive, um, during a search or is blatantly, like, uncompliant for whatever reason, uh, we remove them from the unit, and we take them down to a, usually a holding cell in booking or sometimes court holding if booking's too busy.

Larry Doherty: Okay. Um, so you went up there along with Deputy [redacted] – common spelling – and did somebody else go with you?

Jesus Morfin: Not initially.

Larry Doherty: Okay. So what happened when you got up to Deputy [redacted], I'm sorry, Inmate [redacted], uh, door?

Jesus Morfin: Well, when we got up there, um, I keyed to open the door and, uh –

Larry Doherty: Where was he at that time when you keyed open the door?

Jesus Morfin: [redacted]?

Larry Doherty: Yes.

Jesus Morfin: He was at the back of the cell.

Larry Doherty: Okay, by his bunk?

Jesus Morfin: Correct.

Larry Doherty: Was he standing or seated?

Jesus Morfin: He was standing.

Larry Doherty: And was he still, uh, being vocal?

Jesus Morfin: Yes, he was.

Larry Doherty: And what was he saying?

Jesus Morfin: He was stating generally the same things that, uh, because as soon as I opened the door, Deputy [redacted] immediately gave him instructions, uh, to stand up and turn around so that we could cuff him, and he was saying the same things, you know, fuck you, I ain't fucking cuffing, I didn't do anything wrong, I didn't do shit, I don't need to fuck, I don't need to leave.

Larry Doherty: Okay, um, and, and at that point, is there a rules violation?

Jesus Morfin: Correct.

Larry Doherty: Okay, and you say you're gonna take him out of the module. When you say take him out of the module, what does that infer?

Jesus Morfin: So that would be handcuffing him, um, double locking, checking for tightness on the cuffs –

Larry Doherty: Yes.

Jesus Morfin : – and then escorting him, um, out of the module and taking him down to booking.

Larry Doherty: Booking and we –

Jesus Morfin: Yeah.

Larry Doherty: – call that a, a cool off?

Jesus Morfin: Correct.

Larry Doherty: Okay, so it's because he's being disruptive. You guys are there, there's, what, ten, 15 or already 20 of you, whatever it was, but there's 90 inmates, and you guys are trying to search cells, so this cool off is because one, he's being disruptive, and two, we don't want him enticing or antagonizing the other inmates to be disruptive like him. Is that what our goal is?

Jesus Morfin: Correct.

Larry Doherty: Okay, so, um, did you get a chance by, I know you wrote a report afterwards –

Jesus Morfin: Yes, I did.

Larry Doherty: – have you had a chance to review that?

Jesus Morfin: I have.

Larry Doherty: Okay. Um, was it an accurate reflection of what took place that day?

Jesus Morfin: Yes.

Larry Doherty: Okay. Um, so you went over there, you keyed the door, [redacted] is standing towards his back, towards his bunk. This is a single-man cell.

Jesus Morfin: Correct.

Larry Doherty: So desk on the right, uh, I don't know if you'd want to call it a protection, but it just kind of hides the toilet –

Jesus Morfin: The privacy wall.

Larry Doherty: The privacy wall, um, and then the bunk.

Jesus Morfin: Correct.

Larry Doherty: So he's in the back in the bunk?

Jesus Morfin: Correct.

Larry Doherty: And, and this is a pretty small, uh, cell –

Jesus Morfin: Yes.

Larry Doherty: – 'cause it's single man.

Jesus Morfin: Correct.

Larry Doherty: Okay, so you said eventually somebody else comes up. Who was that?

Jesus Morfin: Uh, I believe it was, uh, Deputy [redacted]

Larry Doherty: Okay, and prior to that, um, do you remember seeing another deputy there?

Jesus Morfin: No, not prior to that.

Larry Doherty: Okay, so you, are you aware that Deputy [redacted] had a trainee?

Jesus Morfin: Uh, I don't remember, to be honest –

Larry Doherty: Okay.

Jesus Morfin: – if he had a trainee or not.

Larry Doherty: That's okay. Um, do you remember Deputy [redacted] – and I'm gonna spell it, [redacted] – and his name's [redacted]. Do you remember [redacted] being there?

Jesus Morfin: I don't.

Larry Doherty: Okay, so as far as you recall, when you first go and open the door, it's you and Deputy [redacted].

Jesus Morfin: Correct.

Larry Doherty: Okay. What happened then?

Jesus Morfin: Um, as I previously mentioned, uh, Deputy [redacted] was giving, uh, [redacted] instructions to turn around. He was saying he wasn't going to, uh, wasn't going to comply. Uh, at this point we were standing, uh, right around the privacy wall area, and, uh, then I, I approached him, Deputy [redacted], I approached him and –

Larry Doherty: Inmate [redacted].

Jesus Morfin: Or, sorry.

Larry Doherty: It's okay.

Jesus Morfin: In, Inmate –

Larry Doherty: You just gave him a promotion.

Jesus Morfin: Inmate [redacted]. I approached him, uh, again gave him clear instructions to turn around, put his hands behind his back because he was going to be removed –

Larry Doherty: Okay.

Jesus Morfin: – from the unit. Um, he continued to refuse. Um, at this point, I took it upon myself to grab his right arm –

Larry Doherty: Mm hmm.

Jesus Morfin: – to try, to try to handcuff him, and that's when he leaned back and he raised his left arm with a closed fist.

Larry Doherty: Okay, so then I take it he raised his left arm with a closed fist, so he pulls back – you're on his right side or his left side?

Jesus Morfin: I'm on his right side.

Larry Doherty: Okay, so you're on his right side, you try to grab his right wrist, he pulls that away while, at the same time, he now lifts up his left fist?

Jesus Morfin: Correct, his left fist.

Larry Doherty: And, and, and what did you feel like at that time when you saw his left fist get, uh, raised?

Jesus Morfin: Uh, at that point, we were, I would say, at, like, arm's close, a little bit closer than arm's length –

Larry Doherty: Okay.

Jesus Morfin: – um, because I did have a hold of his right arm. Um, so at that point, I immediately felt threatened, um, because he raised his left, his left fist, and it wasn't like he swung it back, like, to get away. It was clearly a closed fist –

Larry Doherty: Okay.

Jesus Morfin: – um, in an attempt to, what I felt like was an attempt to strike me.

Larry Doherty: Okay. Um, so right now, as far as you know, it's just you and Deputy [redacted] –

Jesus Morfin: Correct.

Larry Doherty: In the cell.

Jesus Morfin: Right.

Larry Doherty: Um, and you're, got the toilet behind you then, basically?

Jesus Morfin: Uh, the toilet, yeah, it's just behind me, and then, uh, the desk was immediately to my right.

Larry Doherty: Okay. Um, did you hear [redacted] making any commands at that time, or do you recall?

Jesus Morfin: I don't recall. I mean –

Larry Doherty: Okay.

Jesus Morfin: – it's –

Larry Doherty: What were you, were you still trying to communicate with [redacted]?

Jesus Morfin: Correct.

Larry Doherty: Okay. Um, go ahead and tell me what happened next. Sorry.

Jesus Morfin: Uh, so then as soon as I saw that he had his left arm up in a, with his, uh, fist closed, um, I –

Larry Doherty: You felt threatened.

Jesus Morfin: – I felt threatened. Uh, to, to me, I was certain that if, that if I let him continue to, you know, continue that behavior, that he was gonna strike me, uh, so I was, I, I don't recall whether I was still holding onto his arm or not, um, but I know that I kind of jolted back a little bit, and then I attempted to strike him with my right elbow, um, with an elbow strike kind of, like, across this way, and I missed.

Larry Doherty: Okay. I'm just, the thing doesn't have eyes, so I'm gonna try to describe it. Um, what it looks like you're doing is you're actually just throwing an elbow strike almost with your arm parallel to the ground –

Jesus Morfin: Correct.

Larry Doherty: – and you're using your right arm.

Jesus Morfin: Correct, my right arm, swinging it across my body.

Larry Doherty: Okay, and so, and you're saying that, that strike, using your elbow, missed –

Jesus Morfin: Correct.

Larry Doherty: – and then what happened?

Jesus Morfin: And as soon as I missed that strike, uh, I immediately just kind of went to a clo, a normal closed-fist strike with my right, my right arm, right hand, um, and struck him approximately five times, um, on the right side of his face and just kind of on his forehead, around the face area.

Larry Doherty: Okay. Um, are you both still standing at that point?

Jesus Morfin: Uh, we were standing, but we were somewhat teeter tottering, sort of, kind of –

Larry Doherty: Off balance.

Jesus Morfin: – sort of off balance, sort of not.

Larry Doherty: So, like, you were almost falling backwards, and he's almost falling backwards?

Jesus Morfin: Uh, I wasn't falling backwards. I was, I was kind of coming forward –

Larry Doherty: Okay.

Jesus Morfin: – a little bit. Um –

Larry Doherty: So is it his weight? Is he starting to lean backwards? I mean –

Jesus Morfin: He's start, yeah, he was starting to lean back a little bit.

Larry Doherty: Okay. Do you think that's in response, not to the commands, but to the strikes?

Jesus Morfin: Uh, I believe it was a combination of the strikes as well as the bed, or the bunk being –

Larry Doherty: The position of the bunk.

Jesus Morfin: – being up at the backs of his knees –

Larry Doherty: Okay.

Jesus Morfin: – 'cause it's not too high off the ground.

Larry Doherty: Okay, so you deliver four to five fist strikes in the right side of his face and forehead. Um, are you giving him any other commands at that time?

Jesus Morfin: I am.

Larry Doherty: And those are?

Jesus Morfin: I'm telling him to stop resisting, um, to put his hands behind his back, to get on the, you know, get on his stomach because the bunk was behind him, so –

Larry Doherty: Yeah.

Jesus Morfin: – to get on his stomach, get on the ground, uh, just generally commands like that –

Larry Doherty: Okay.

Jesus Morfin: – to get him to comply.

Larry Doherty: Um, you sa, when you were striking him, um, where was his right hand?

Jesus Morfin: I don't recall where his –

Larry Doherty: Okay.

Jesus Morfin: – right hand was.

Larry Doherty: How about his left hand?

Jesus Morfin: His left hand was swinging around, flailing. He was, you know, trying to swing his arms around.

Larry Doherty: Okay, and, and you're pushing it towards your right so that, I impress, I'm getting the impression that's 'cause you were standing there –

Jesus Morfin: Correct.

Larry Doherty: – to his right. Okay. Um, after the five strikes, do you know if all of them connected?

Jesus Morfin: I don't know if all of them connected.

Larry Doherty: Okay. Do you remember [redacted] ever saying anything?

Jesus Morfin: Um, I remember yelling and commotion. I mean, I, in all honesty, once, once he, once I threw the first strike, um, I don't really recall –

Larry Doherty: Okay.

Jesus Morfin: – anything from anyone else. It was –

Larry Doherty: So it was just you and him?

Jesus Morfin: – kind of, kind of blurry, yeah.

Larry Doherty: Um, you mention, well, let's just let you go on. So after the five strikes are given, then what happens in relationship to you and [redacted] positioning?

Jesus Morfin: So as far as our positioning, we're still standing up –

Larry Doherty: Okay.

Jesus Morfin: – um, he's, he's, like, slightly off balance still because of the bunk, as I mentioned –

Larry Doherty: Yes.

Jesus Morfin: – um, and he's, you know, throwing his arms at me and, and pushing me, um, and refusing to get onto the, even though he was getting off balance, he was still refusing to, like, either sit or lay down or do whatever it took to get onto the ground as we were, as, as I was instructing, instructing him to do, um, and then that was when, um, he fell to the, to the bunk, um, because my partner, Deputy [redacted], uh, which at that point had entered the cell, um, he grabbed a hold of his leg and pulled it out from under him –

Larry Doherty: Okay.

Jesus Morfin: – and then he, that's, that was when he fell onto the, onto the ground.

Larry Doherty: Okay. Were you guys ever on the bunk together?

Jesus Morfin: I don't think we were on the bunk, no.

Larry Doherty: Okay. Um, after the fist strikes, between the last one and [redacted] pulling out his feet –

Jesus Morfin: Mm hmm.

Larry Doherty: – did you deliver any other blows?

Jesus Morfin: No.

Larry Doherty: Okay, so then you go from delivering five strikes and then the next thing you know, he's on the ground –

Jesus Morfin: Correct.

Larry Doherty: – he being [redacted] because [redacted] pulled it out.

Jesus Morfin: Correct.

Larry Doherty: You don't remember, uh, uh, [redacted] being there?

Jesus Morfin: I do not.

Larry Doherty: Okay. Um, where'd you end up in relationship to [redacted] once he goes to the ground?

Jesus Morfin: So once he, as he, once he went to the ground, um, he kind of landed with his head in between the bunk and the desk, uh, hence being the reason why I had mentioned in the report that, as he went down, he hit himself on the bunk, on the bottom right corner, if you're facing the bunk –

Larry Doherty: Yeah.

Jesus Morfin: – um, hit himself right around that area and then –

Larry Doherty: Uh, hit himself where?

Jesus Morfin: – on the, he hit his forehead on the –

Larry Doherty: Okay.

Jesus Morfin: – on the bunk.

Larry Doherty: And you figured, you noticed it right away?

Jesus Morfin: Correct. Yeah, I mean, you could hear it because there was no, the mattress wasn't laid out.

Larry Doherty: Okay.

Jesus Morfin: It was just the metal bunk.

Larry Doherty: Okay, so on the way down, do you remember what side of the head he hit?

Jesus Morfin: I don't.

Larry Doherty: Okay. You just could hear the, the, uh, sound of a head hitting the bunk?

Jesus Morfin: Correct.

Larry Doherty: Okay, and, and, and it kind of was together based upon the location of his head and where he ended up falling to.

Jesus Morfin: Correct.

Larry Doherty: Okay, so does he say anything after he goes to the ground, he being [redacted]?

Jesus Morfin: He was still just continually using foul language and, you know, fuck you guys, fuck this, fuck that, and he wasn't, he wasn't really saying anything else. He was kind of just, I guess, like, exclaiming.

Larry Doherty: Okay. Ex, ex, doing what?

Jesus Morfin: Like, making exclamations like –

Larry Doherty: Oh, okay.

Jesus Morfin: – fuck, fuck you guys –

Larry Doherty: Okay.

Jesus Morfin: – or whatever, things like that.

Larry Doherty: Okay. Um, once you're on the ground, are you still trying to get him handcuffed?

Jesus Morfin: Yes, we are.

Larry Doherty: Okay, and is he still resisting that attempt?

Jesus Morfin: Yes, he is.

Larry Doherty: Okay, and is he on his stomach and/or side?

Jesus Morfin: When he, when he landed, he landed on his stomach –

Larry Doherty: Okay.

Jesus Morfin: – and because he was still resisting, um, and refusing to be cuffed, he was sort of, like, squirming his body, wiggling his body until he actually managed to get onto his, onto his side and then eventually on, back onto his back.

Larry Doherty: Okay, so when he gets onto his side, is he facing you or facing away?

Jesus Morfin: Uh, he's facing, like, the wall –

Larry Doherty: Okay, and then –

Jesus Morfin: – on the right side.

Larry Doherty: – eventually goes to his back.

Jesus Morfin: And then goes to his back, correct.

Larry Doherty: Okay, and so now he's on his back and so you guys are at phys, um, um, physically both looking at each other –

Jesus Morfin: Correct.

Larry Doherty: – including the deputies.

Jesus Morfin: Right.

Larry Doherty: You still don't remember [redacted] stating anything at this time?

Jesus Morfin: No.

Larry Doherty: Okay. Did, was [redacted] giving any commands?

Jesus Morfin: Uh, I mean, ev, everybody was generally giving commands, but I just don't remember specifically what they were saying.

Larry Doherty: Okay, and, and I'm sorry if I haven't spelled it, [redacted] is [redacted]. Once he's on his back, what happens?

Jesus Morfin: Once he was on his back, um, Deputy [redacted] was to my left, um, and he was trying to grab a, grab a hold of his right arm. Um, he eventually, like, was able to sort of grab it, kind of, like, from the upper arm area –

Larry Doherty: Yeah.

Jesus Morfin: – um, and [redacted], I mean, he's a pretty big guy –

Larry Doherty: Yeah, he's a big boy.

Jesus Morfin: – He's, like 6-3, 6-4.

Larry Doherty: Yeah.

Jesus Morfin: Um, he was to my right, but that's immediately where the desk was.

Larry Doherty: Right.

Jesus Morfin: Um, he wasn't able to, like –

Larry Doherty: Turn him?

Jesus Morfin: – to, yeah, or, like, crouch under the desk or anything. I mean, that would, that would require him having to put his face, you know, go in face first into [redacted], you know, flailing left arm.

Larry Doherty: Yeah.

Jesus Morfin: Um, so he wasn't able to get in over there. He was, at that point, he was just kind of giving orders and, you know, trying to grab, like, his legs or whatever he could grab, any part of his body, to try and pin him down, um, and I was right in the center of them, and that's when I attempted to grab his left arm 'cause I had kind of had a, not a clear shot, but the best, um, I guess you could say, like, open space to try to grab his, his left arm, uh, to at least pin him down, even though he was on his back, um, and that's when he started, that's when he started swinging his left arm in a closed fist towards me.

Larry Doherty: Okay. So he's on his back, he starts throw, uh, fist strikes at you.

Jesus Morfin: Correct.

Larry Doherty: Did any of 'em hit you?

Jesus Morfin: No.

Larry Doherty: How many times do you think he threw one?

Jesus Morfin: Uh, he, they were pretty rapid and there were several of 'em, I would say anywhere between, maybe like seven to ten.

Larry Doherty: Okay. What'd you do in response to that?

Jesus Morfin: I responded with, uh, closed fist strikes.

Larry Doherty: Okay.

Jesus Morfin: With my right hand.

Larry Doherty: Towards -

Jesus Morfin: Towards [redacted] face.

Larry Doherty: Did you strike him on those occasions?

Jesus Morfin: I did.

Larry Doherty: Okay. Um, how, you say five to seven. How many of 'em do you think actually connected?

Jesus Morfin: Um, most of 'em connected, yeah, including about two elbow strikes, as well.

Larry Doherty: Okay, so you threw potentially five to seven fist strikes, two elbow strikes, um, directed towards his head. Um, how did he respond, he bein' [redacted]?

Jesus Morfin: He was still, he was still swinging his arm.

Larry Doherty: Okay.

Jesus Morfin: Um, so we were, essentially we were both throwin' closed fist strikes, um, I landed, I would say, most of my strikes. Um, he wasn't able to connect any of his.

Larry Doherty: Okay. Um, then what happened?

Jesus Morfin: Um, then once it got to the point where, um, my, my strikes, whether they were, you know, the closed fist and the elbow strikes, became, I guess you could say like overwhelming for a him or whatever the case may have been. Um, he retreated his left arm and then kinda turned, turned his head a little bit like this, and then like clearly in a defensive position, -

Larry Doherty: Okay.

Jesus Morfin: - uh -

Larry Doherty: What you describin' is he's takin', uh, left arm and essentially coverin' up, uh, the left side of his face with his hand and/or elbow, um, and go ahead.

Jesus Morfin: And then as soon as it was clear that he was in a defensive position and no longer actively trying to strike me, um, I stopped tryin' to hit him, um, and that's when we gained control of his arm, um, we, we told him to turn onto his stomach and at that point, at that point he was pretty much -

Larry Doherty: Passive?

Jesus Morfin: - I would say completely passive, but he, you know, he turned on, he turned onto his stomach, um, he still kinda had like his arms under him.

Larry Doherty: Uh-huh.

Jesus Morfin: Um, but he, he did follow that specific instruction to turn onto his stomach. Um, he was still, he was holding his arms, uh, across on his chest, uh, you know, with his arms being between the floor and his chest. Um -

Larry Doherty: Um, were you guys, okay, so he's on his side, he's kinda protectin' himself. You guys ever turn him onto his stomach?

Jesus Morfin: Well, we didn't, we didn't physically turn him ourselves. We were given, we were givin' him instructions, you know, turn onto your stomach, turn onto your stomach. Um, and that's when he started, you know, squirming his body, or turning his body, um, to comply essentially with that order.

Larry Doherty: Okay.

Jesus Morfin: With that specific instruction.

Larry Doherty: After that, did you deliver any more strikes?

Jesus Morfin: I did not.

Larry Doherty: Okay, did [redacted] ever deliver any strikes that you are aware of?

Jesus Morfin: I don't know that he did.

Larry Doherty: Did [redacted] ever deliver any strikes that you were aware of?

Jesus Morfin: Not that I'm aware of.

Larry Doherty: Okay, and you know about [redacted], 'cause you don't even know if he was there.

Jesus Morfin: No.

Larry Doherty: Okay. Um, you able to handcuff him then?

Jesus Morfin: Yes.

Larry Doherty: And once you handcuffed him, did you apply any more strikes?

Jesus Morfin: No.

Larry Doherty: Um, what's you do once you handcuffed him?

Jesus Morfin: Once I handcuffed him I double locked the, the handcuffs.

Larry Doherty: Yeah.

Jesus Morfin: Um, checked for tightness and then we stood him up.

Larry Doherty: Okay. Stood him up, um, and what'd you guys do with him?

Jesus Morfin: We escort him, we escorted him out of the, of the cell -

Larry Doherty: Okay.

Jesus Morfin: - and then walked him downstairs to the first floor of the, of the housing module.

Larry Doherty: Right.

Jesus Morfin: And then we escorted him out of the unit down to booking.

Larry Doherty: And when you say we, who's we?

Jesus Morfin: Um, it was Deputy, uh, [redacted], and it was Sergeant, uh, [redacted]

Larry Doherty: Okay. [redacted] and [redacted]. Um, could it have been Deputy [redacted] that helped you, or do you recall those two guys for sure?

Jesus Morfin: Uh, that's, I recall, uh, Deputy [redacted] and uh, Sergeant [redacted] being there for sure.

Larry Doherty: Okay.

Jesus Morfin: Um, and if there was anyone else, I, I don't recall.

Larry Doherty: Okay. Um, any more strikes or blows necessary to get him down to bookin'?

Jesus Morfin: No.

Larry Doherty: Okay. Um, did you guys have a little bit of a verbal exchange?

Jesus Morfin: I wouldn't say it was a verbal exchange. He was, uh, you know, I was escorting him.

Larry Doherty: Yeah.

Jesus Morfin: Um, I was on his left side, um, just kind of, not squeezing or necessarily like tryin' to control his left arm, but gently holding onto it, um, which is normal procedure for us when we're escorting an inmate. Um, and the Deputy Gonce was on his right side and, this was immediate from the point where we stood him up, uh, when we stood him up in the cell, as soon as he turned and saw me, it was just non-stop from that point on 'til we got to booking. He just was, uh, mother fucking me and I'm gonna fuckin' find you. Don't worry. I get out when, I forget what date he said he gets out, but I guess he's getting out sometime this year, according to him. And you know, don't worry, I'm from Santa Rosa, too, um, which I don't know how he found out that I'm from Santa Rosa, but, um, you know, I'm from Santa Rosa too, don't worry, I'll fuckin' find you, uh, you know, you're a bitch ass Morfin, you hit like a bitch. If it was one-on-one in a cell I'd fuck you up. It's like I'm gonna fuck you up every chance I get. Um, you know, just wait 'til you come back to fuckin' D mod or just thing, bunch a things like that, and it just was nonstop from the second we were in the cell, um, and we again walked out of the unit, walked down the second floor hallway, down the elevator to the first floor, um, into the booking area, sat him down in a stationary chair in the booking lobby, and it just continued and continued until Sergeant [redacted], uh, approached me and, uh, kind of sort of like whispered, hey, I'd like, you know, go hang out in my office because he's just gonna keep chippin' away at you.

Larry Doherty: Okay.

Jesus Morfin: Um, and then I went and sat in Sergeant [redacted] office.

Larry Doherty: Okay. Did you ever tell, um, Sergeant [redacted], Sergeant [redacted], or Sergeant [redacted] um, about what transpired?

Jesus Morfin: In regards to -

Larry Doherty: To the incident.

Jesus Morfin: Just everything?

Larry Doherty: Yeah.

Jesus Morfin: Um, -

Larry Doherty: Did you have a conversation with them afterwards?

Jesus Morfin: I, I did when I was in the, when I was in the office.

Larry Doherty: Sam One's office?

Jesus Morfin: Correct, Sam One's office.

Larry Doherty: All right. And then did Sam One mention something about don't forget to write a report?

Jesus Morfin: Uh, I don't recall him saying those specific words.

Larry Doherty: Okay. Did you write a report?

Jesus Morfin: I did write a report.

Larry Doherty: Okay. Um, did you write the complete report that night or the next day?

Jesus Morfin: No, it was not that night. I did a, what we call a face page.

Larry Doherty: Yes.

Jesus Morfin: And saved it -

Larry Doherty: Okay.

Jesus Morfin: - and then, um, and then went and continued with the search.

Larry Doherty: Okay. Um, and then you went back to work potentially on the, uh, 16th, a Wednesday.

Jesus Morfin: Mm hmm.

Larry Doherty: Okay. Did anybody mention anything about the incident to you prior to you gettin' noticed?

Jesus Morfin: Uh, no, I was, um, I went to, I was walking towards the, the secured admin entrance to go up to my locker to get ready for work.

Larry Doherty: Okay.

Jesus Morfin: And that would have been, that would have been a Thursday actually, not a Wednesday. Um, and as soon as I opened the door I was approached by, um, Lieutenant [redacted], -

Larry Doherty: Okay.

Jesus Morfin: - and that's when I got the notice.

Larry Doherty: Okay.

Jesus Morfin: So, I haven't been back to work since.

Larry Doherty: All right. The questions I'm gonna ask you now, is not stuff I make up, okay. I want you to know this what other guys may have witnessed and/or observed, or believe they observed, okay?

Jesus Morfin: Understand.

Larry Doherty: I just want you to understand when I'm asking you these things.

Jesus Morfin: Okay.

Larry Doherty: Um, you said basically the same thing that your report says, and you said it's an accurate reflection, um, based upon what you recall.

Jesus Morfin: Right.

Larry Doherty: Um, when you, CD [redacted] and maybe, uh, um, [redacted] went in the cell, you opened the cell door.

Jesus Morfin: Correct.

Larry Doherty: Okay. And you went up there and approached him, okay? What, what's our, what are we just tryin' to do, you tryin' to handcuff the dude?

Jesus Morfin: Correct.

Larry Doherty: Okay. Um, you said that he, uh, pulled away and then raised his left fist.

Jesus Morfin: Correct.

Larry Doherty: Um, would it seem weird that nobody else saw the left fist come up?

Jesus Morfin: Uh, yes, it would seem weird.

Larry Doherty: Okay.

Jesus Morfin: Seen.

Larry Doherty: And why do you say that?

Jesus Morfin: Because of the pro, the small size of the cell.

Larry Doherty: You think they would see that.

Jesus Morfin: Correct.

Larry Doherty: Him raising his hand up and stuff.

Jesus Morfin: Correct.

Larry Doherty: Okay. Do you ever remember, um, CD [redacted] yelling Taser, Taser, Taser three times?

Jesus Morfin: No.

Larry Doherty: Okay. Um, you don't remember ever falling to the bunk?

Jesus Morfin: No, not myself.

Larry Doherty: Okay. Is it possible that it happened so fast that you went to the bunk and then you got yanked out by [redacted]?

Jesus Morfin: It's possible.

Larry Doherty: Okay. Um, did you ever use any knee strikes?

Jesus Morfin: No.

Larry Doherty: Don't remember any knee strikes at all.

Jesus Morfin: I don't remember knee strikes.

Larry Doherty: Okay. Do you ever remember, um, standing up and kicking him in the head shoulder area?

Jesus Morfin: I don't.

Larry Doherty: Okay. Is, you don't recall or you don't remember it happening or it didn't happen?

Jesus Morfin: It did not happen.

Larry Doherty: Okay. Um, do you recall a deputy specifically telling you to stop it and I got this, back away?

Jesus Morfin: I do not.

Larry Doherty: You don't remember that at all? Okay. Because we're just tryin' to handcuff this guy, right?

Jesus Morfin: Correct.

Larry Doherty: So, anything above perhaps, uh, you were potentially protecting yourself from being struck.

Jesus Morfin: Correct.

Larry Doherty: By [redacted], okay, that was the initial blows, but you just wanna handcuff this guy and take him down for a cool off.

Jesus Morfin: Correct.

Larry Doherty: Okay. Um, see, 'cause we have look at stuff that's reasonable versus unreasonable, and initially what you're tellin' me I think is reasonable, but, um, if somebody's talking to me about knee strikes and somebody was talking to me about strikes with boots towards the head or shoulder area, um, can you understand it if an inmate would claim that was, uh, gettin' struck and that he was just puttin' his hands up 'cause he was tired a gettin' struck?

Jesus Morfin: Can I understand that?

Larry Doherty: Yeah, if an inmate said that based upon his relationship to you?

Jesus Morfin: Uh, in that specific statement, yeah, I would understand that.

Larry Doherty: Okay. Um, go ahead Greg. I know you got questions.

Other Speaker: Sure. Um, when you were in the cell with [redacted], um, you didn't notice, uh, [redacted] and is it [redacted], uh -

Jesus Morfin: [redacted].

Other Speaker: - because they were behind you, correct?

Jesus Morfin: Correct.

Other Speaker: Okay.

Jesus Morfin: I don't, I don't recall [redacted] bein' there as much ****.

Other Speaker: Okay, okay. But I mean, you woulda been looking forward and you're looking toward [redacted] correct?

Jesus Morfin: Correct. I was –

Other Speaker: Okay. That's where your focus is?

Jesus Morfin: Yeah.

Other Speaker: And -

Larry Doherty: Can I ask one more thing in regards to that?

Other Speaker: Sure, sure.

Larry Doherty: You, you wouldn't even know that Deputy [redacted] was there. Do you even know who Deputy [redacted] is?

Jesus Morfin: I know who she is -

Larry Doherty: Okay. You don't even know if she was there too?

Jesus Morfin: I don't.

Larry Doherty: Okay. And it's [redacted]

Other Speaker: Sorry. No, that's okay.

Larry Doherty: I just wanted to add one more person too.

Other Speaker: That's fine. And the reason for that is because you're focused on [redacted] right?

Jesus Morfin: Correct.

Other Speaker: Okay. So, you, there are two instances where you, uh, are usin' strikes, correct?

Jesus Morfin: Correct.

Other Speaker: Okay, and in both these instances you felt that [redacted] was a threat to your safety?

Jesus Morfin: Correct.

Other Speaker: Okay, and in both these instances, uh, [redacted] was continuing to fail to comply with commands?

Jesus Morfin: Correct.

Other Speaker: Okay, so you're trying to neutralize the threats yourself, correct?

Jesus Morfin: Correct.

Other Speaker: And you're also trying to get him to comply so you can take him out of the cell, correct?

Jesus Morfin: Correct.

Other Speaker: Okay, and Larry just asked you some questions, you know, what is this happened, what if someone said this, you know, various scenarios. You don't have any personal knowledge in any of that stuff that he was going with you in those last few questions actually occurred, right?

Jesus Morfin: Correct.

Other Speaker: Okay. That's it.

Larry Doherty: Okay. So, based upon your experience, um, and we're just tryin' to hin, handcuff an inmate for a cool off, would you consider a knee strike unreasonable?

Jesus Morfin: To remove somebody for a cool off?

Larry Doherty: Yeah.

Other Speaker: May call for a legal conclusion, but you can answer that.

Jesus Morfin: Yeah, uh, I wouldn't be able to answer that question, it's pretty vague. I mean to remove somebody for a cool off, knee strikes are specific to certain situations depending on whatever altercation's ensuing.

Larry Doherty: Yeah. I mean there's a lot of, um, options that we have.

Jesus Morfin: Correct.

Larry Doherty: Okay. Um, have you ever in all your training, ever been taught to kick a guy in the head?

Jesus Morfin: No.

Larry Doherty: Okay. Go ahead.

Other Speaker: And you've talked about, uh, the punches that you rendered in this instance, -

Jesus Morfin: Correct.

Other Speaker: - correct. And just so the record is clear, uh, did you kick this guy?

Jesus Morfin: No.

Other Speaker: Okay. And we're talkin' about inmate [redacted].

Jesus Morfin: Correct.

Other Speaker: Okay. And did you, uh, give him a knee?

Jesus Morfin: No.

Larry Doherty: Okay. Towards the head, did you ever kick him and/or knee strike him in the shoulder area?

Jesus Morfin: No.

Larry Doherty: Okay. Neither in no both instances?

Jesus Morfin: Both instances.

Other Speaker: Knee and ****.

Larry Doherty: Okay. I have nothing else Greg.

Other Speaker: That's it.

Larry Doherty: I will go ahead and stop the interview. The time by my watch is 1220, 1235 hours. Thank you.

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