Sgt. Sean Jones: Okay, today is October 8, 2019. We are in a, uh, conference room of the sheriff's office, 2, uh, Conference Room 2G. The time is 0806 hours. Present in the room, uh, with me is, uh, Sergeant Larry Doherty, uh, I am Sergeant Sean Jones, and we've got, uh, Corrections Deputy Steve Larman. Steve, uh, for the record could you say and spell your name please.

Steve Larman: Uh, first name Steven, S-T-E-V-E-N, last name Larman, L-A-R-M-A-N.

Sgt. Sean Jones: And his representative, uh, Mark Wilson. Mark, could you, uh, say and spell your name for the record.

Other Speaker: Mark Wilson, M-A-R-K W-I-L-S-O-N.

Sgt. Sean Jones: Thank you. Uh, so today we're here, um, oh, I'm sorry, before we started the tape, uh, you read an, uh, an administrative admonishment form, uh, basically, uh, uh, states that I'm all ready to give a statement and that it be truthful. Do you understand this administrative admonishment form?

Steve Larman: Yes.

Sgt. Sean Jones: Okay. And you signed the bottom of it. So we're here today talking about an incident that happened on, uh, August 16th, 2019, uh, with an inmate, Sergio Espinoza-Villalobos. Do you recall, uh, uh, that, an incident that occurred on that date with that, with that inmate?

Steve Larman: Yes.

Sgt. Sean Jones: Okay. Um, **** before we get in, uh, actually, before we get in that, how long have you, uh, worked with the sheriff's office?

Steve Larman: Uh, I have worked with the sheriff's office almost 4 years now.

Sgt. Sean Jones: Okay. And on August 16th, what shift were you working?

Steve Larman: I was assigned to swing shift, um, at that time.

Sgt. Sean Jones: And what, what are swing shift hours?

Steve Larman: Swing shift hours are from 2:45, uh, p.m. 'til 10:45 p.m.

Sgt. Sean Jones: Okay.

Steve Larman: On that day I had been assigned, uh, to come in at 0715, so I worked day shift through swing shift, a double.

Sgt. Sean Jones: So you worked 7:15 to 10:45 p.m. on that day?

Steve Larman: Uh, well, I didn't make it that far 'cause –

Sgt. Sean Jones: Okay.

Steve Larman: – I ended up going out, but that was what I was assigned to work that day.

Sgt. Sean Jones: Got it. And on that day, what module were you working in?

Steve Larman: The mental health module.

Sgt. Sean Jones: And that is where, uh, Sergio is an inmate, in mental health, or that's where he's, uh, –

Steve Larman: Housed.

Sgt. Sean Jones: – housed, mental health?

Steve Larman: Yes. Correct.

Sgt. Sean Jones: And does he have any particular classification?

Steve Larman: Yes. Um, Espinoza carries our highest level of both administrative segregation of an Ad Seg Level 4 as well as our highest designation of, uh, mental health internal behavior code of, uh, E Edward.

Sgt. Sean Jones: Okay, so, because I'm not familiar with what it takes to be a Level 4 or an E Edward, could you go into that?

Steve Larman: Um, so our IBCs are handled from our mental health department. Um, the E Edward classification is our most acute inmates. Generally speaking it's going to be the most volatile, um, uh, noncompliant most unpredictable inmates assigned by, um, our mental health desk. Um, our administrative staff handles the administrative segregation code and in order for somebody to be a Level 4, they usually have to have previous attempts of violence on staff or something, in which case, um, that is what led Espinoza to become a Level 4 was he had previously stabbed a deputy.

Sgt. Sean Jones: Okay, so Level 4 is, is designated by, um, uh, –

Steve Larman: Custody.

Sgt. Sean Jones: – correction employees. But the E Edward status is medical professionals do that?

Steve Larman: M, mental health. Yes.

Sgt. Sean Jones: Okay. And do you have any prior history with Espinoza?

Steve Larman: I do.

Sgt. Sean Jones: Uh, could you go into that a little bit?

Steve Larman: Uh, I work in the mental health module regularly. I've been on the team for almost the entirety of being off the program, so 3-1/2 years, and he's come in and out of our custody, been housed in the mental health module, so I deal with him directly regularly.

Sgt. Sean Jones: Okay. And, and prior to August 16th, any, um, uh, physical issues or has he, has, has he ever displayed behavior like that before?

Steve Larman: Directly towards me or in general?

Sgt. Sean Jones: Towards you.

Steve Larman: Towards me, no.

Sgt. Sean Jones: Okay. And so on August 16th, uh, um, Correctional Deputy Mann was searching Espinoza's cell, correct?

Steve Larman: Correct.

Sgt. Sean Jones: And during that time, uh, were you in a vicinity to hear what Espinoza was saying to Correctional Deputy Mann?

Steve Larman: Yes I was.

Sgt. Sean Jones: Okay, and, uh, what was he saying?

Steve Larman: He was, um, threatening him. Um, yelling to him to stop searching his cell and, um, something in essence to the fact of this is why I assault you guys. This is why if I see you, if I get a chance to, then I'm going to, and a lot more **** things that he was going to do. I'm, I'm gonna find you in the parking lot, I'm gonna kill you. Um, if I get chance to, I'm gonna fuck you up. Those type of things.

Sgt. Sean Jones: Was he directing all of those statements to, uh, Deputy Mann?

Steve Larman: Correct.

Sgt. Sean Jones: Okay. And where were you at at that time?

Steve Larman: Uh, during the time where Deputy Mann was searching his cell I was at the deputy station, um, which is in a separate area.

Sgt. Sean Jones: **** –

Steve Larman: It's, it's in the same module, but it's, uh, partitioned off by, uh, a 5 foot tall wall or 4 foot tall wall.

Sgt. Sean Jones: And did you have any, uh, verbal contact with Espinoza during that time or, or was he just, uh, making these statements with nobody responding back to him?

Steve Larman: Um, he, I did not have any verbal contact at the time. Deputy Mann had responded multiple times to him.

Sgt. Sean Jones: Okay. And did you hear what Deputy Mann was telling him?

Steve Larman: Uh, Deputy Mann was simply telling him what he was doing – hey, I'm searching your cell, this is my job, I have to do it, that type of thing.

Sgt. Sean Jones: And at some point, uh, the determination was made to, uh, put him back in his cell. Was that, was that you guys asking for him to go back or was that hi, uh, his request?

Steve Larman: Um, he had ha, a conversation with Deputy Mann after Mann had searched his cell. Um, this was back at the deputy station. Deputy Mann had explained to him, hey, this is what happened, I searched your cell, going forward you can continue to act this way and we're gonna put you back and your time's gonna be done on your out of cell activity. When Deputy Mann had presented that option to him, Espinoza had said fine, put me back then, I'll, I'll just go back to my cell or something to that effect. Um, in which case we took him back to his cell.

Sgt. Sean Jones: Okay. So let's get into that. So, uh, can you go into the process of taking him back to his cell and what occurred?

Steve Larman: Uh, yeah. We entered the day room. Um, he did not seem resistive at the time, did not display any volatile furtive movements towards us or anything like that, just said fine I'll go back to my cell. I took control of his left arm. Deputy Mann took control of his right arm, and, um, Deputy Wells had grabbed what we call a tethered restraint which we use to secure high level inmates into their cells. So he was in the general area, but behind us, um, and we began to escort Espinoza to his cell.

Sgt. Sean Jones: Now he's in, in waist, uh, waist restraints and ankle restraints at the time, correct?

Steve Larman: Correct.

Sgt. Sean Jones: Okay. So you're walking him back to the cell, uh, and then did, why don't you just go into what, what happened.

Steve Larman: Uh, walking him back to his cell he becomes resistive. I feel his body tense. I feel him kind of plant a foot, um, turn in the direction of Deputy Mann. Deputy Mann takes him

to the ground. On his way to the ground I, um, kinda lose control of, uh, my grip on him and he began reaching at me. Um, Deputy Mann gives him some commands. We go to the ground. He's continuing to resist, turning his body, grabbing. I deliver, um, multiple body strikes. When he stops resisting, we stop using force, I stop using force. Um, additional staff comes in. I received an injury to my hand and I get pulled out by the sergeant.

Sgt. Sean Jones: Okay, so, when, you said when Deputy Mann took him down you were on his left arm, right?

Steve Larman: Correct.

Sgt. Sean Jones: Okay, so at some point you lost control of that left arm during the takedown process?

Steve Larman: Correct.

Sgt. Sean Jones: And you say he was reaching at you. Uh, reaching where?

Steve Larman: Um, just reaching in my direction. I felt his hand grabbing at my hand, um, and I hear, uh, Deputy Mann give him commands to stop reaching at him, so I feel he's reaching in our direction for potentially tools on our belts, on my vest or to gain control of us.

Sgt. Sean Jones: Um, so in your, um, I have your incident report here. You authored an incident report on this. Um, you, you stated in your incident report "I was fearful Espinoza was attempting to assault Mann, Wells or myself or grab items off our persons such as our department-issued **** spray, uh, TASER, keys or mental state or other items that could be used as a weapon." You guys, do you guys receive any, uh, any kinda training to where, uh, you're told to protect items on your belt that could be used as a, as a weapon against you?

Steve Larman: Absolutely, yes. We do.

Sgt. Sean Jones: Have you ever experienced any kinda, any inmate, uh, grabbing items off your belt or other deputy's belt? Have you heard of any kinda things like that?

Steve Larman: I, I have never experienced anybody being able to grab **** off my belt.

Sgt. Sean Jones: Okay. But is it – so somebody in waist restraints, is it possible that they could do that?

Steve Larman: Absolutely.

Sgt. Sean Jones: And why is that?

Steve Larman: Uh, they, we put them in waist restraints and not secured handcuffs so they have extra mobility, so they can grab things, so they have some movement and are able to function,

um, and the, the waist restraints are, are designed to limit, but not get rid of, all mobility so they, they still have a significant amount of mobility.

Sgt. Sean Jones: And how much, how much, if you would estimate, how much mobility do they have in moving their arm?

Steve Larman: Mm, a foot per arm maybe.

Sgt. Sean Jones: Okay.

Steve Larman: **** I would say.

Sgt. Sean Jones: Okay.

Steve Larman: Rough guess.

Sgt. Sean Jones: So you say you delivered, uh, you, I think you just said multiple, do you remember how many, um, uh, strikes to the, to the body you delivered?

Steve Larman: I do not remember exactly. I, I remember multiple strikes the body until he stopped resisting. Once he stopped attempting I stopped **** strikes.

Sgt. Sean Jones: Okay. Did you get a chance to review your incident report before the interview?

Steve Larman: Uh, yes I did.

Sgt. Sean Jones: Okay. In your incident report you, you wrote, uh, two to three strikes. Does that sound accurate?

Steve Larman: Um, it sounds approximately accurate, yeah.

Sgt. Sean Jones: Okay.

Steve Larman: I wouldn't say specifically just two or three, but it, at the time, when it happened, when I wrote the report, two to three –

Sgt. Sean Jones: Okay.

Steve Larman: – times was about ****.

Sgt. Sean Jones: And then prior to this interview, uh, you got a chance to review the, uh, the footage from the surveillance camera in the module.

Steve Larman: Yes.

Sgt. Sean Jones: Were you able to tell based on the video footage how many strikes that you delivered?

Steve Larman: It looks like more than two to three.

Sgt. Sean Jones: Okay.

Steve Larman: Uh, I, I did not count the amount of strikes on the video.

Sgt. Sean Jones: Um, well maybe we should go back and see the video then. **** think that would be helpful?

Steve Larman: ****.

Sgt. Sean Jones: Okay. So after the, the, uh, the strikes to the midsection, there was a, appears to be an elbow strike to the head, um, that you don't reference in your incident report. Um, do your recall doing that?

Steve Larman: Uh, at the time that I wrote the report I don't. Um, watching the video, um, I guess, for lack of better term, jogged my memory and I do remember controlling his head, shoulders, um, in fear that he was going to try to turn and get up. Um, I don't remember it being a strike. I just remember controlling his upper body with my, my elbow and forearm.

Sgt. Sean Jones: And that was an effort because you feared that he was gonna get up?

Steve Larman: Correct.

Sgt. Sean Jones: Uh, –

Steve Larman: So I, when he was on the ground face down he was still tensing his body and he was turning in the direction of Deputy Mann, which was away from me. Um, after I had delivered strikes, I posted my body weight on him and he was tensing and turning. I controlled his upper torso, um, with in the video it looks like a strike; I don't remember it being a strike, but I do remember putting the entirety of my weight on his shoulders and head to keep him on the ground.

Sgt. Sean Jones: Okay, so he, after your strikes to the body, he didn't cease all resisting. Is that correct?

Steve Larman: Um, correct.

Sgt. Sean Jones: Okay. So after the elbow, uh, strike or, um, pressure to the back of his head neck area with your elbow, was there any other resistance after that?

Steve Larman: I remember him, his resistance stopping and all use of force end on my end stopped, um, in which case that's when I stood up. In the video you can see me sit up, post up

and just maintain control of his body on the ground. Um, during it it was a extremely rapidly evolving event and I remember throwing strikes and doing my best to keep him on the ground to keep him off of my partner. Um, I don't remember it being an elbow strike, but I do remember struggling to keep him from turning and keep him from getting up.

Sgt. Sean Jones: Was, uh, Deputy Mann, uh, verbalizing anything during this to you?

Steve Larman: Uh, he wasn't verbalizing it specific to me, but he was verbalizing in general "stop resisting", um, "stop grabbing", something to that effect.

Sgt. Sean Jones: Okay. And so you, you heard Deputy Mann telling Espinoza stop grabbing –

Steve Larman: Mm hmm.

Sgt. Sean Jones: – prior to delivering any strikes or during the –

Steve Larman: Um, I –

Sgt. Sean Jones: – **** that down?

Steve Larman: – wouldn't say it was prior to. It was, I mean, the whole thing took place in the matter of a couple seconds. It was while he was going down on the ground. There was multiple commands of stop resisting, stop grabbing. When I felt him grabbing at me and attempting to turn his hand towards me or grab at me I gave him, um, commands to stop grabbing at me.

Sgt. Sean Jones: And then he was booked in, he was housed in the cell without any further incident after that, correct?

Steve Larman: Correct.

Sgt. Sean Jones: Uh, but you at some point, um, broke free from the, uh, altercation to deal with your injury.

Steve Larman: Correct. The sergeant that came in and responded, um, Sergeant Morolly had told me, um, deputy's gonna take over for you, um, go seek medical attention.

Sgt. Sean Jones: Okay.

Steve Larman: ****.

Sgt. Sean Jones: Um, Larry you have any other **** questions?

Larry Doherty: When you did the elbow strike to the head that you watched in the film, was, um, having watched it on the film, were you surprised that you did that? And what I'm asking is – 'cause you didn't write it in your report –

Steve Larman: Uh huh.

Larry Doherty: – you saw it on film then you were ****, uh, force on him –

Steve Larman: Mm hmm.

Larry Doherty: – **** try to keep him down. Were you surprised that you used an elbow strike?

Steve Larman: Uh, yes.

Larry Doherty: Looking back now.

Steve Larman: Yes.

Larry Doherty: Okay. Um, you've talked about your 4 years of experience –

Steve Larman: Mm hmm.

Larry Doherty: – and told us **** in the mental health mod. Uh, does that include additional training? Or is that all in-house training? So they didn't send you outside **** mental health inmates, you actually do this in-house training, I guess, every once in awhile.

Steve Larman: **** we do in-house training –

Larry Doherty: Yeah.

Steve Larman: – but our in-house training has sent us to critical incident training and things like that that's handled in house but also outside. We tour facilities. We talk to other people. That type of stuff.

Larry Doherty: Okay. 'Cause these mental health inmates are a little bit more unstable than normal inmates.

Steve Larman: Yes. **** –

Larry Doherty: Okay. And so when you're in the mental health mod, if this guy acted like that in another mod, he would've gone to mental special, but these, these guys don't go to mental special. They stay in the mental health mod. Is that not correct?

Steve Larman: Correct.

Larry Doherty: Okay.

Steve Larman: And, um, all, all Level 4 inmates are in mental health even if they're not mental health designated.

Larry Doherty: And that Level 4, um, is more of a movement thing. You need four deputies when he needs movement, right? Not so much when he housed in the mod.

Steve Larman: Um, no. In, in the module, um, the way we handle a Level 4 –

Larry Doherty: Yes.

Steve Larman: – would be, unless they're operational order dictates otherwise, it would be three deputies present and one of them must have a TASER on, on them.

Larry Doherty: Okay.

Steve Larman: Um, in which case that Level 4 can then be out with no other staff. So, like, support staff is one they did and things like that.

Larry Doherty: But it's still required that he's, uh, **** the way he is.

Steve Larman: Correct.

Larry Doherty: And when you say he's got limited mobility, this is so he can go to the bathroom and stuff and you guys don't have to **** –

Steve Larman: Yeah. Or use the phone or read a book or –

Larry Doherty: So that's his access.

Steve Larman: Correct.

Larry Doherty: Okay. But it doesn't restrict him like cuffs do.

Steve Larman: ****, no, not at all.

Larry Doherty: You still can move about. Um, you referenced him having stabbed. Did that occur here?

Steve Larman: That occurred in –

Larry Doherty: Okay.

Steve Larman: – in our custody.

Larry Doherty: Are you aware of other incidents, uh, where this inmate has been **** to staff?

Steve Larman: Um, I couldn't cite any now and I'm not 100 percent sure of this time in custody if he's assaulted other staff, but he regularly threatens to do so.

Larry Doherty: Okay.

Steve Larman: He's al, additionally, um, what we quantify as a mandatory cert call out, meaning that if he gets any issues, um, only cert is supposed to deal with him. So if he has a problem in in his cell or something like that, only cert is supposed to deal with him, so –

Larry Doherty: Okay. Do you know why he got an E rating?

Steve Larman: Uh, 'cause of his mental health instability **** –

Larry Doherty: Okay. And do you know what that means? What it, what ****, is he, you know, like, is he bipolar or anything like that?

Steve Larman: I –

Larry Doherty: Do you know that?

Steve Larman: – I don't know what he's –

Larry Doherty: Okay.

Steve Larman: – diagnosed as, no.

Larry Doherty: Okay. Um, you said you have 4 years of experience here. Did you have prior experience somewhere else?

Steve Larman: I did not.

Larry Doherty: Okay. **** just want to clarify that. Um, when you guys are walking after, uh, you decided that he's going back to the cell, is he shifting at you?

Steve Larman: Not at me, at Deputy Mann.

Larry Doherty: Okay. And do you know any specifics that he's stating other than him being upset about his cell being searched?

Steve Larman: I don't recall.

Larry Doherty: Okay. You said you felt him tense up. Um, were you aware that he turned towards Deputy Mann?

Steve Larman: I was.

Larry Doherty: Okay. And did Deputy Mann give him some statements in regards to him turning?

Steve Larman: Um, I don't remember what the statements were as he turned. I remember as we were walking him he turned his head and Deputy Mann had, uh, given him instructions and orders multiple times to face forward.

Larry Doherty: Okay, and then, that's a common practice. We have them face forward for reasons or does **** –

Steve Larman: Uh, so they don't spit on us, um, for better control so they can't fight us –

Larry Doherty: Okay.

Steve Larman: – um, things like that.

Larry Doherty: Okay. All right. So, unbeknownst to you, Mann takes him to the ground **** he breaks free from you. And then so he's, you're getting the impression he's physically trying to reach back and grab something.

Steve Larman: Uh, I, I felt, as he was going down I felt him grabbing in my direction with his left hand. So he was grabbing towards me with his left hand, um, as he went to the ground, and then as he went to the ground he was, he did tuck his hands under, he pushed his hands out and was, um, I guess you could it, like, kneading or something.

Larry Doherty: Okay.

Steve Larman: Um, I, I just feel the fingers moving toward, towards my **** –

Larry Doherty: Okay. And so, you delivered some blows.

Steve Larman: Correct.

Larry Doherty: Um, some strikes.

Steve Larman: Yes sir.

Larry Doherty: And those are useful why?

Steve Larman: Uh, distraction in order for us to gain control, um, **** compliance.

Larry Doherty: Okay. All right. And then the one to the head you didn't res, call doing it, but now that you've watched the video you know you did do it. Um, we do give elbow strikes, um, when necessary. Uh, are we discouraged from striking the head with an elbow strike?

Steve Larman: Um, not if, if that's what's going to be able to gain his compliance and his control.

Larry Doherty: Okay. Um, do you recall him saying anything when he was on the ground?

Steve Larman: Uh, no. I, I recall him making, um, I guess you call it, like, a tensing noise. Like what, what you would do if you were tensing or lifting weights or something like that. But no verbalization of ****.

Larry Doherty: Okay. Um, did you ever think about just popping off **** 'cause he's on the ground on his belly in restraints?

Steve Larman: Negative. Never.

Larry Doherty: All right. All right. You don't want him to what?

Steve Larman: To be able to assault us and gain control of, uh, anything, uh, weapons in the unit or gain control of my partner. Just because he's in restraints doesn't mean he's limited.

Larry Doherty: So, we're taught to take 'em to the ground.

Steve Larman: Uh, correct.

Larry Doherty: Okay. We don't wanna back off because then he becomes ****.

Steve Larman: Yes.

Larry Doherty: Okay. Um, I don't have anything else. ****.

Sgt. Sean Jones: So other than the questions that you were asked and the statements, do you have any other, uh, information you'd like to relay that you feel is pertinent to this investigation?

Steve Larman: Negative.

Sgt. Sean Jones: Okay. Um, and Mark do you have any questions?

Other Speaker: No.

Sgt. Sean Jones: Okay. So then we're gonna end the interview now. It's, uh, 830 hours. Thank you.

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