Sean Jones: Okay, today is November 6th, 2019. We are in Conference Room 2G at the, the sheriff's office. The time is, uh, 9:28 in the morning. We're here on ref, uh, referencing Case No. 19-PP-0019. Present in the room is myself, Sgt. Sean Jones, S-E-A-N J-O-N-E-S, Sgt. Larry Doherty. Could you say and spell your name for the record?

Other Speaker: It's Larry, last name Doherty, D-O-H-E-R-T-Y.

Matt Mann: Correctional Deputy Matt Mann.

Sean Jones: Could you say and spell your name for the record, Matt?

Other Speaker: Absolutely, uh, Matthew, M-A-T-T-H-E-W Mann, M-A-N-N.

Sean Jones: And being represented by his attorney Mr. Mark Wilson. Would you mind saying and spelling your name for the record?

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

Sean Jones: And the date is November 6th, 2019. Um, prior to, uh, starting the tape recorder, you read the, uh, internal affairs administration admonishment, uh, essentially, me ordering you to give a statement and that it be truthful. Do you understand the statement?

Matt Mann: Yes, I do.

Sean Jones: Okay. Uh, and then prior to, uh, starting the interview, you had a chance to review the, uh, module video and your body-worn camera video? Is that correct?

Matt Mann: Yes.

Sean Jones: Okay. So with this, this investigation is reference in, uh, incident that occurred on August 16, 2019 with an inmate named Sergio Espinoza-Villalobos. Do you recall the incident?

Matt Mann: Yes, I do.

Sean Jones: Okay. Prior to gettin' into that incident, let's talk about, uh, some basic stuff. How long you been employed here with the sheriff's office?

Matt Mann: Uh, approximately 3 years.

Sean Jones: And that's all in, in the detention side?

Matt Mann: Did about 2½ years in detention. Um, I spent, uh, a little over 5 months on patrol division and then I, now I'm back in detention division.

Sean Jones: Okay. And, uh, where are you assigned in detention division?

Matt Mann: Um, now I'm assigned to grave shifts at the main detention facility.

Sean Jones: In which module?

Matt Mann: Um, it rotates monthly and honestly daily at this point. Um, at, at the time I was working in mental health module.

Sean Jones: On graves?

Matt Mann: On swing shift.

Sean Jones: Okay. So –

Matt Mann: But, uh, at the time of the incident I was working day shift and because of we, we have a decent amount of overtime, so we usually day shifts and swing shifts a couple times a week. So I was actually, I was assigned to day shift. I was working a swing shift as well that day.

Sean Jones: So you were pullin' a double?

Matt Mann: Yes.

Sean Jones: So what time did you start on the 16th?

Matt Mann: Our briefing was at 7:15 a.m.

Sean Jones: And then what time were you scheduled to go OD?

Matt Mann: Uh, 10:45 p.m.

Sean Jones: And OD, uh, is short for off duty? Um, and you work at and you were in mental health, the mental health module that day? All day?

Matt Mann: Yes, it was actually a, a full double shift in mental health module.

Sean Jones: Okay. And prior to August 16th, had you ever been assigned to mental health module before?

Matt Mann: Yes, many times.

Sean Jones: But it rotated monthly?

Matt Mann: Yes.

Sean Jones: So about how long do you think, how many, how much experience do you have in mental health module?

Matt Mann: During my 3 years with the sheriff's office, I'd say I worked mental health module it, when I was in detention division probably at least two to three times a week.

Sean Jones: Over the course of 2½ years?

Matt Mann: Yes.

Sean Jones: And, um, is there any special training that comes with being assigned to the mental health module?

Matt Mann: At first, you have to apply for it to be on the mental health team, and once the sergeant approves that aft, after you, you're on the team you're, you have the, you're opened up to be able to go to different types of training, so you, uh, crisis negotiation training or so it has just internal trainings, um, just the escalation tactics and things like that.

Sean Jones: And those are, and, and those are specialized for the mental health workers?

Matt Mann: Yes.

Sean Jones: Okay. So de-escalation and, and crisis intervention?

Matt Mann: Yes.

Sean Jones: Okay. And, uh, Mr., uh, Espinoza-Villalobos, he was, uh, a mental health inmate on August 16th?

Matt Mann: Yes.

Sean Jones: And what his is, what's his classification? Do you know?

Matt Mann: I do I, so at the time he was a Level 4, um, administrative segregation inmate. Um, also he was a mental health, had an internal behavior code of Mental Health E which is our, um, highest. So he was the highest level of classification at our facility. Um, I could explain, uh, administrative segregation is a behavioral, behavioral, uh, code for, um, usually main line, uh, general population inmates that don't behave. Uh, Level 4 usually indicates the, the worst of the worst when it comes to behavior and assaults on staff. Uh, the mental health code is a separate code that comes from the mental health, our mental health staff members and they put that code on him, um, there's A, B, D, and E, uh, or, excuse me, A, C, D, and E, and E being the worst and what that means is whatever, you know, internal issues he has **** going on, um, they determine that, that he is one of the most volatile inmates and has an extremely high, um, possibility of using violence against staff.

Sean Jones: Now, has he used violence against staff that you know of?

Matt Mann: Yes, he has.

Sean Jones: And what kind, what exactly has he done?

Matt Mann: The most, the most recent incident, um, that, that comes to mind was when he stabbed a deputy to the food port. Um, and it was with a, I'm not sure exactly what he used. Some type of plastic that he manipulated to make a jail **** weapon out of. And when the deputy opened the food port, um, to, to deal with him whatever, I'm not sure what he was doing at meal service, um, he actually was able to try and slash the deputy.

Sean Jones: Do you know when that was?

Matt Mann: I, I do not recall. I'd like to refer to my report and I could tell you.

Sean Jones: Okay. Um, you, you have this in your report?

Matt Mann: I did, yes.

Sean Jones: Okay. And then so, have, have you ever dealt with him prior to August 16th? I mean, uh, eh –

Matt Mann: I have.

Sean Jones: Him being unruly or, or violent towards you?

Matt Mann: I have. Uh, for, for the most part it's just, his, his behavior has just been completely unacceptable when it comes to, um, fueling other inmates into, you know, causing disturbances and things like that. The most, uh, the most incident and probably the most concerning leading up to this incident was when, uh, so the inmates these like in their cells, and we were, we were having a busy day of maybe the week prior, um, he wanted his music turned on and so we told him, okay, wait a minute, we'll get it for you no problem. Uh, it wasn't fast enough for him, so he became, you know, very, very upset very quickly. Kicking his door and stating, yelling at he was gonna stab us the next chance he got. So, that, that was concerning especially 'cause he just tried to stab a deputy, you know, prior. So that was probably the most recent that I dealt with him.

Sean Jones: And that was directed towards you?

Matt Mann: Yes.

Sean Jones: And, when, so he's yelling through his cell telling you guys to speed up?

Matt Mann: Yes.

Sean Jones: And then ****, uh, how did you handle that? I mean, you just don't let him out of his, uh, out of his cell activities time or?

Matt Mann: I believe that day I was gettin', I was going OD at I think 3:15 and maybe it just wasn't his day to come out or it wasn't his time –

Sean Jones: Okay.

Matt Mann: – to come out of his cell anyways, um, and we just handled it. We tried to, we tried to calm him down as our, that's our tactic. We try and de-escalate them just even if they're not coming out 'cause we don't want them banging on the door and causing more issues especially for our partners comin' on for the next shift. So we tried to calm him down. It wasn't gonna happen, and so we just gave him some time.

Sean Jones: Do you know what his mental health, do you know what his, uh, diagnosis is?

Matt Mann: I do not, no.

Sean Jones: But is it fair to say that he's, uh, has extreme, uh, outbursts?

Matt Mann: Yes.

Sean Jones: And so on August 16th, you were, uh, searching his cell?

Matt Mann: Yes.

Sean Jones: As a normal course of duty?

Matt Mann: Yes.

Sean Jones: Um, and he started, uh, yellin' at you from across the, the, uh, the module?

Matt Mann: Yes.

Sean Jones: Can you go into what he was sayin' to you?

Matt Mann: Yes. He, he was in a separate part. There's, there's three bay rooms. He was in, he was secured in, uh, one of the day rooms that wasn't where his cell was, but he can still me clearly. Um, basically, he just became exactly irate kinda goin' into one of his episodes it seemed like, um, just threatening me. Um, hey, I, I, you know, I know where you guys park. I know where, you know, like I get out this date, um, the, and what was concerning about that just basically threatening to stab me, to kill me, um, things of that nature, um, I deal with that kind of on a regular basis with inmates. They're like, oh, I'm gonna, I'm gonna kill you, I'm gonna beat you up. Okay. Uh, what was concerning was the specific threats. He gave us the specific day when he was gonna get out of custody. He said he'd be ready for us. He knows, you know, he'll be, he's gonna stab me. So very specific threats, so that was, that was definitely concerning. Um, a little more personal than I'm used to hearing in that facility. So that, that's what he was saying.

Sean Jones: Okay. And what, and he's, now, when he's in his out of cell time, he's by himself, correct?

Matt Mann: Correct.

Sean Jones: No other inmates allowed?

Matt Mann: the entire module has to be locked down including civilian staff.

Sean Jones: Okay. And is he, he's in full, uh, waist restraints and ankle restraints?

Matt Mann: Yes.

Sean Jones: Now, regarding those restraints, is there any kind of mobility that he has or, uh, if he does, can you go into what kind of mobility he has? What he's able to do while in those restraints?

Matt Mann: Yes. Uh, so the waist restraints there's a, there's a chain going around the waist and then if there's a lock in the back, so that's secured around the waist, above the hips, and then there's two chains attached to the handcuffs on, on either side. And so, there's about 8 to 10 inches of give. So these, these restraints are, are designed to be able, so they can still use the phone, they just have to lean down a little bit. Um, the, the, the chains are designed to give them, um, enough mobility to function, um, to read and to use the phones and some, um, some inmates even shower with them. Not any more actually. We, we changed that, that policy, but they have enough movement to, to be able to function in the day room, uh, –

Sean Jones: **** –

Matt Mann: – without being completely restricted by, um, the restraints such as handcuffs behind the back or som'm like that.

Sean Jones: Okay. And so based on his behavior, uh, at some point you guys determined it's best for him to go back in his cell. Is that correct?

Matt Mann: Yes.

Sean Jones: Do you, uh, took the, escort the inmates back to the cell or do you just tell them go back in your cell by yourself?

Matt Mann: It, in this case in a mental health module, we typically escort them back. Uh, when we, when we return the inmate to their cell, they need to go, when they're in restraints, we use, uh, what's called the tether restraint. Basically, just a tether, uh, with a carabiner on one end and handcuffs on the other end, and then we'll loop that through the food port. It will take off, we'll have them stand by the door as long as their cooperative. Um, we'll remove their leg restraints. We'll transition them into the tether restraint, then we'll remove the waist restraints and then we'll remove, we'll put them in the cell, close the door and then remove the tether

restraint through the food port. So, uh, there's, there's, um, 100 percent, um, uh, restraint at all times.

Sean Jones: Okay. So it's you, uh, Correctional Deputy Lorman and Correction Deputy Wells in the, in the module, right?

Matt Mann: Yes.

Sean Jones: Okay. So you and Correction Deputy Lorman are escorting, uh, Sergio, uh, back to his cell?

Matt Mann: Yes.

Sean Jones: And at some point it goes south from there.

Matt Mann: Yeah.

Sean Jones: Can you, can you go in, can you just run it have a narrative about what happened?

Matt Mann: Absolutely.

Sean Jones: Okay.

Matt Mann: Um, I determined and I think my partner determined kind of 'cause we give each other the look it was time for him to go back to his cell. That was just due to he, he wasn't able to calm down. So just the threats, the threats kept comin, it kept comin. I explained to him, hey, just we want you to just enjoy your out-of-cell time and just pretend like we're not here. But, you know, if you're gonna keep threatening we are gonna put you back in your cell. This is unacceptable, um, so it's gonna stop. As we escort him back, he kept, he kept threatening, he kept threatening. He, he'd seemed to be kinda focused on me as we were walking him back. Um, he kept lookin' at me and my biggest issue with when inmates turn their heads to me especially in this state, was if he was gonna spit on me. I was worried he was gonna spit or head butt or try and bite. Um, he then started ten, he tensed up and kinda planted his feet and still wouldn't face forward after I asked him to. That's when I made a decision after he tensed and did that to take him to the ground for better control and then, um, once on the ground, he, I felt him kinda, he grabbed towards my duty belt I felt a grab, and I heard my partner say som'm about grabbing, so I delivered three strikes. Um, I see now that they, it looks like they one of 'em might have struck his face or head. Um, my intent, that wasn't my intention. I just, my intention was to, to deliver body blows to get him to stop, uh, grabbing at me. Um, where he was grabbing was my handcuffs and my OC spray. Um, the, it was effective. It, he stopped really quickly. I was able to gain control and, and that was it.

Sean Jones: Okay. So, you took him to the ground utilizing some kind of takedown technique, correct?

Matt Mann: Yes.

Sean Jones: Uh, what is that?

Matt Mann: It was kind of a, eh, I, I guess, it was kind of a modified leg sweep, I guess.

Sean Jones: Okay. And, while and then you, you guys landed on the ground and you land or he landed, uh, uh, on his stomach faced down, correct?

Matt Mann: Yes.

Sean Jones: Okay. And you were on his right side?

Matt Mann: Correct.

Sean Jones: During this process?

Matt Mann: Yes.

Sean Jones: So he's reaching at you with his right hand?

Matt Mann: Yes.

Sean Jones: Towards your belt?

Matt Mann: Yes.

Sean Jones: And, you, and, and what is the fear if he gets ahold of your belt?

Matt Mann: So, if, if he, if he was able to get my handcuffs or my OC spray and deploy that, that would just, that would hinder myself and my partner. He'd be able to launch a better attack on us. Well, basically, after everything that we've from that night and all the history that I know about him, the same with if he had gotten a, a, you know, ahold of my handcuffs and was able to tuck them underneath and then use them as a weapon whether as he, he put his hands through his brass knuckles type or style or wu, whatever the case. That, that was the biggest concern was that he was going to be able to start to maybe deploy OC, um, yeah, and as soon as I felt him grab towards my belt and hand that I wasn't gonna have that happen. So.

Sean Jones: Okay. So you delivered, uh, uh, three knee strikes?

Matt Mann: ****, yes.

Sean Jones: ****.

Matt Mann: Yes.

Sean Jones: Okay. And you intended those to go where?

Matt Mann: Just to his body, his shoulder. I think where I was positioned I through my head I was like if I could just give good blows to his shoulder and get his hand to stop 'cause he was, he, you know, he did have the, the chain and there was enough room, so I figured if I can, if I can give him a couple good blows just to, just so that I could get in control of his hand, that's all we needed. And so.

Sean Jones: Okay. And what, were those inadvertently in your, in your, uh, in your report and what you're telling me today, they just inadvertently hit his head?

Matt Mann: Yes.

Sean Jones: His face area?

Matt Mann: At least maybe, yeah, yes.

Sean Jones: Okay. Um, and why is that? Why did, why did these not, uh, land where you intended them to land?

Matt Mann: I think with how muh, how much he was struggling and how I was involved in the situation, the use, the use of force situation in general is kinda, it was all kind of a blur honestly and ac, actually, I haven't seen the overhead video until just now. Um, I could see why that happened now.

Sean Jones: Could you see –

Matt Mann: Him, him kinda movin' back and forth and the struggle of everything.

Sean Jones: Could you see your target when you were delivering the knee –

Matt Mann: I, no. It was, I was kinda just in the middle of trying to gain control of his hand and I just, I just delivered blows.

Sean Jones: Okay. Uh, and then you said he ceased resistance after those strikes?

Matt Mann: Yes.

Sean Jones: Did you observe Deputy Lorman, uh, use any force?

Matt Mann: I didn't. I, I, I saw him throw some type of strike whether it was a punch or a elbow, um, I honestly don't remember really much of what, what Larman was doing. I was focused on just, on getting control of his right hand.

Sean Jones: And, and when you say he threw a struck, uh, a punch or an elbow, do you know where, eh, those landed?

Matt Mann: I, I don't know.

Sean Jones: And what was Deputy Wells doin' at the time? Do you remember?

Matt Mann: Deputy Wells, so as we started to escort Espinoza back, Wells has just reached back to the desk to grab, uh, what I'm assuming was the, the tether restraint, restraint just so we can put him back safely, and then this, this incident happened and Wells was kind of behind us and ran, uh, ran up and did a shell break by securing, um, Espinoza's feet or legs.

Sean Jones: Okay. Uh, so after, after the knee strikes and whatever Deputy Lorman was doin', uh, you had transitioned your body position which you, I don't know if you saw it on the video or, or paid attention to, but you transitioned up to towards his upper shoulder, his right shoulder area. Um, and then it appears you drop a knee down on his upper right arm.

Matt Mann: **** –

Sean Jones: Did you, did you see that in the video?

Matt Mann: I did, I did.

Sean Jones: Okay. Uh, now, that, that would be a use of force is dropping the knee down on, on the arm. Why, why would you do that or why, why did you do that?

Matt Mann: Just to ensure he couldn't, he couldn't keep, he couldn't push himself up off the ground. I had to just, I had to maintain control of his, of his hand and arm.

Sean Jones: Okay, so you, you put your knee there as a control hold to ensure he doesn't get up. Was he trying to get up at the time?

Matt Mann: He, he was still movin' back and forth, um, yes.

Sean Jones: Okay. Um, so that was your intention of putting your knee, knee on his upper arm, uh. It appears you, you brought it down with a, a level of force that would make it a knee strike, but you're saying it wasn't intended to be a knee strike. It's intended to be a control hold?

Matt Mann: Correct, yes.

Sean Jones: And then you radioed for the cavalry and everybody came in and, and eventually got him secured without any further incident or use of force?

Matt Mann: Yes.

Sean Jones: Sir, you got any, uh, any questions?

Larry Doherty: Sir, can I call you Matt?

Matt Mann: Absolutely, sir.

Larry Doherty: ****.

Matt Mann: Sure.

Larry Doherty: Um, the personal threats. It's a common occurrence in the jail? Do you guys get 'em all the time?

Matt Mann: Ye, yes.

Larry Doherty: From the inmates not from the guys you work with?

Matt Mann: Correct.

Larry Doherty: Um, sometimes we take 'em for granted, but it's part of the job.

Matt Mann: Yeah.

Larry Doherty: But this guy made some personal threats based upon some personal like your car, and those kind of things that, that kinda amped you up like, oh, this guy's makin' some more personal threats actually pointed towards me that's opposed to as, as a group.

Matt Mann: Correct.

Larry Doherty: Now, I was just curious, Matt, did you ever note that in any of the management notes or is it because we hear it all the time we don't think about it and it gets sucked in the back of your ****?

Matt Mann: So the threats from, from that night?

Larry Doherty: Yeah.

Matt Mann: That was, that was just I notated as much as I could remember in my report.

Larry Doherty: Okay. Would and was that the same night when he made those threats in regards to ****, you know, this is the day I get out and I'll get you outside?

Matt Mann: Oh, I see.

Larry Doherty: Yeah.

Matt Mann: That night, yes. Um, um, I think you may be referring to the incident when we didn't turn his music on?

Larry Doherty: Yeah.

Matt Mann: That, that was, um, that, that was documented when there was a trainee in mental health mod that day and he put, he did put notes in. Um, we did document that he was, it was **** more specific threats against us.

Larry Doherty: Yeah.

Matt Mann: Um, but the threats were m, mostly just, hey, um, I'm gonna, I'm gonna stab you the next chance I get and that's, that's what was concerning about that day with the music not being turned on.

Larry Doherty: And you were aware that he had attempted to stab other correctional deputies, too?

Matt Mann: Yes.

Larry Doherty: Okay. Um, Larman's blow, um, did you recall it at the time and when you wrote your report, uh, did you recall what he did after watching it on the video?

Matt Mann: M, mostly after seeing it on the, on the overhead.

Larry Doherty: Okay. 'Cause when you're there in that circumstance, a lot of times you're just focused on –

Matt Mann: **** exactly.

Larry Doherty: You don't get to see what other people are doin' because there's, I mean, did you ever really know what Wells did?

Matt Mann: I, I didn't even know what, yeah, I didn't know what Wells did until I, until everything was done and I saw him on the legs 'cause I faced that way.

Larry Doherty: **** okay.

Matt Mann: ****.

Larry Doherty: Um, and you said you weren't aware. You thought you were throwing knee boots into somewhere on his upper chest or lower chest area?

Matt Mann: Probably the shoulder area.

Larry Doherty: Okay. And you weren't aware until you watched the video that describes you're actually striking his head and/or face?

Matt Mann: I had heard, um, ****, and this is the first time I've seen the video. Um, a supervisor had mentioned, um, maybe a couple days after the incident and like, hey, I think some of your strikes might have hit his head.

Larry Doherty: Okay.

Matt Mann: I said, okay, that's not, that wasn't my intention.

Larry Doherty: Okay, and you told your supervisor that wasn't my intention at that time?

Matt Mann: Yes.

Larry Doherty: Okay. Um, and your concern was mainly because he has a freedom of about a foot and with his hands. Once they're in belly chains and your concerned that he's gonna either grab, um, something off your belt and use it as a weapon?

Matt Mann: Yes.

Larry Doherty: Okay. **** have concern about and I'm asking again about the one that you dropped on his, on his, um, when you dropped a knee bomb on his arm and you're saying that wasn't your intention at the time. It was more so to control it?

Matt Mann: It was more of a control hold. I actually don't, I even, I don't actually even remember –

Larry Doherty: Doing that?

Matt Mann: – intentionally trying to drop a knee on him and I think I was, as I if it's the position that, uh, you mentioned that you're thinking of it, I think I was just trying to transition just to kinda keep my weight on him.

Larry Doherty: Right.

Matt Mann: Um, I think in the, in the heat of the moment with the adrenaline goin' it might have been more a little harder than I anticipated.

Larry Doherty: Okay. And then when you wrote your report, was that an accurate reflection based upon what you had experienced that day?

Matt Mann: Yes.

Larry Doherty: Okay, and did you have an opportunity to watch that prior to doin' that?

Matt Mann: No, sir.

Larry Doherty: Okay. All right. Um, nothing else.

Sean Jones: Mark, you got any questions?

Mark Wilson: No, I was gonna ask questions about the personal threats, but you asked them for me.

Larry Doherty: Okay.

Larry Doherty: Um, Matt, you have an opportunity now, I mean, there's some things that went on that we weren't privy of, um, and obviously, you know, we get to watch the video and then try to make a judgment call later on. Is there anything else that you would like to add that you think is important to this case?

Matt Mann: Nothing that comes to mind off the top of my head. I mean, I just, I just wanna make it clear to your gentlemen that it was, I think, you know, the end of my second 16-hour shift or my third 16-hour shift, I don't remember exactly, um, that's not an excuse obviously for anything, um, so my recollection of a couple things might have been a little skewed that night when I wrote the report, but, uh, I'm 100 percent, uh, confident in what I did. I mean, I, uh, my intentions were to, to ensure that he didn't hurt me or my partner. Um, that's that.

Larry Doherty: So based upon your training and experience and all the, uh, tra, um, things that you've done in the 3 years, um, looking at that video now, do you have any problem with what you did in that video?

Matt Mann: I think, no, I think that it was pretty straightforward for me.

Larry Doherty: Okay.

Matt Mann: Yeah.

Larry Doherty: And that's just based upon - I'm asking that question based on the use of force? Uh, –

Matt Mann: Uh, but the last drop in the knee probably could have been a little lighter I think, um, intended for my bod, to be my body weight applied versus a strike. Other than that.

Larry Doherty: But, eh, okay, then let me ask you this in that light. Um, you said you weren't aware that you dropped that much –

Matt Mann: Right.

Larry Doherty: – when you were doin' it?

Matt Mann: Yeah.

Larry Doherty: Okay. And then did you document that in the report?

Matt Mann: I, no, I don't even –

Larry Doherty: You don't recall it.

Matt Mann: That I didn't, yeah.

Larry Doherty: Okay. Don't have anything else.

Mark Wilson: **** yeah.

Sean Jones: That's it for me.

Sean Jones: Okay. All right. Okay, we're gonna go off the record here. It's, uh, 952 hours.

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Custom Filename: 19-PP-0019Mann
Date: 11/06/2019
Billed Words: 5055