

Wednesday, June 26, 2013

FORMER DEPARTMENT OF CORRECTION ASSISTANT CHIEF FOR SECURITY
AND NINE OTHER D-O-C EMPLOYEES INDICTED FOR ALLEGEDLY
ASSAULTING AN INMATE AND ATTEMPTING TO COVER-UP THE ATTACK

Bronx District Attorney Robert T. Johnson and New York City Department of Investigation Commissioner Rose Gill Hearn announced today the arrest and indictment of ten Department of Correction employees in connection with a gang assault of an inmate and subsequent attempt to cover-up the attack at the George R. Vierno Center on Rikers Island.

A 53 count indictment unsealed in Bronx State Supreme Court was the result of an eleven month long joint investigation by the Office of the Bronx District Attorney and the New York City Department of Investigation.

Seven of the ten defendants, including the former DOC Assistant Chief for Security, two Correction Captains, and four Correction Officers were charged with several counts of assault including a top count of Attempted Gang Assault in the first degree, a Class C felony offense punishable by a maximum sentence of up to 15 years imprisonment upon conviction. Those seven defendants and three other Correction Officers have also been charged with various offenses related to the attempted cover-up including Tampering with Physical Evidence, Falsifying Business Records in the first degree, and Offering a False Instrument for Filing in the

first degree. All are Class E felony offenses punishable by a maximum sentence of up to 4 years imprisonment.

The crimes alleged in the indictment occurred between July 11, 2012 and July 23, 2012 beginning with the beating of inmate Jamal Lightfoot. It is alleged that former Assistant Chief for Security Eliseo Perez Jr., 46, and Captain Gerald Vaughn, 46, while overseeing an institutional search of the jail, ordered members of the Emergency Services Unit to assault Lightfoot in the intake area at the George R. Vierno Center. Captain Michael Pollard, 40, and Correction Officers Alfred Rivera, 44, Tobias Parker, 43, Jose Parra, 44, and David Rodriguez, 38, allegedly carried out the order in a small search cell causing Lightfoot to suffer fractures to both of his eye sockets, a broken nose and facial injuries causing his eyes to be swollen shut as well as other injuries.

It is also alleged that in an effort to justify their use of force, the defendants falsified their Use of Force Reports and Use of Force Witness Reports, claiming that the inmate, Lightfoot, had attacked Rivera before force was used to restrain Lightfoot. Rivera later claimed that Lightfoot had slashed him with a sharpened piece of metal. Pollard was charged with Tampering with Physical Evidence for allegedly producing what Correction Officer's attempted to portray as Lightfoot's weapon only after the extent of the inmate's injuries became known. Also charged solely in connection with the alleged cover-up were Correction Officers Harmon Frierson, 38, Dwayne Maynard, 42, and Jeffrey Richard, 28.

The charges in the indictment unsealed today are merely accusations and the defendants

are presumed innocent until and unless proven guilty.

District Attorney Johnson and Commissioner Hearn thanked the members of their staffs for their efforts which resulted in today's indictment and arrests: Maria Mostajo, Chief of Staff for the Department of Investigation; Adam Libove, Counsel to the Inspectors General; Inspectors General Robb Gigante and Jennifer Sculco; Investigators Edward Richards and Jacqueline Maquine; Examining Attorney Katherine Zdrojeski; Captain Vincent Valerio and Correction Officer Investigators Ferdinand Torres, Lashana Taylor, Jerome Corrica, Rhonda Young, Cindy Tsui; Assistant District Attorney Stuart Levy, Chief of the Rackets Bureau; Assistant District Attorney Lawrence Piergrossi, Supervisor, Rackets Bureau; and Assistant District Attorney Daniel Haines, Rackets Bureau.