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**DOI'S ONGOING RIKERS INVESTIGATION RESULTS IN CORRECTION CAPTAIN AND TWO CORRECTION OFFICERS CHARGED WITH ASSAULTING INMATE WITH BATON AND COVERING IT UP**

MARK G. PETERS, Commissioner of the New York City Department of Investigation ("DOI"), announced today that DOI arrested a City Department of Correction ("DOC") Captain and two Correction Officers for their role in the cover-up of an inmate assault at Rikers Island. DOI worked in partnership with DOC on this investigation. These arrests are part of DOI's ongoing investigation into violence, drug and contraband smuggling, and evidence tampering on Rikers Island. The three defendants are some of the more than dozen individuals referred to the Bronx County District Attorney's Office for allegations involving wrongdoing on Rikers Island. More arrests are expected. The Captain and two Correction Officers surrendered today, were arraigned in Bronx County Supreme Court, and have been indicted.

DOI Commissioner Mark G. Peters said, "The victims here were not simply the injured inmate but the justice system itself, which cannot properly function when sworn law enforcement officers falsify documents to cover-up crimes. This case is part of DOI's larger investigation into a pattern of lawless conduct at Rikers that must be brought under control."

MOISES SIMANCAS, 43, of Staten Island, N.Y., APRIL JACKSON, 34, of Brooklyn, N.Y., and TYRONE WINT, 28, of Brentwood, N.Y. were each arrested on charges of Attempted Assault in the First Degree, a class C felony, and Falsifying Business Records in the First Degree, a class E felony. Upon conviction, a class C felony is punishable by up to 15 years in prison and a class E felony is punishable by up to four years in prison.

The investigation found that on October 30, 2012, after an inmate was verbally abusive to one of the defendants, SIMANCAS and WINT led the restrained inmate, who was rear-cuffed, out of the housing area and view of other inmates, and into a stairwell, where the inmate was brought to the ground. Each of the defendants hit the inmate multiple times about the head, neck and torso. The investigation determined the inmate was also hit multiple times about the body with a baton, and that these blows were inflicted while the inmate was restrained. The investigation determined that the inmate received multiple injuries to his head, torso and extremities, and notably had multiple contusions that were patterned in a manner consistent with the imprint of a DOC-issued baton. Correction Officers patrolling general population areas do not regularly carry batons. The investigation further found that each of the defendants, to cover up the beating, submitted use-of-force reports with DOC that omitted any mention of the use of a baton, and were inconsistent with both the assault of the inmate and the injuries he sustained.

SIMANCAS has been employed with the DOC since October 1997 and receives an annual base salary of approximately \$78,683. JACKSON has been employed with DOC since August 2008 and WINT has been employed with DOC since June 2008 and each receive an annual base salary of approximately

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\$76,488. Each of the defendants were removed from inmate contact after the incident and each were suspended after their arrests today.

DOI Commissioner Mark G. Peters thanked Bronx County District Attorney Robert T. Johnson, and his staff, especially Assistant District Attorney L. Newton Mendys of the Rackets Bureau, who obtained an indictment of these defendants. He also thanked DOC Commissioner Joseph Ponte, and his staff at DOC, especially Deputy Commissioner Florence Finkle and DOC Investigations Division Investigator Alexandria Maldonado, and the Investigations Division, for their assistance in this investigation.

The investigation was conducted by DOI's Office of the Inspector General for DOC under the supervision of Inspector General Jennifer Sculco.

An indictment, investigation, and arrest charges, are accusations. Defendants are presumed innocent until proven guilty.

*DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.*

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