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TWO NYC DEPARTMENT OF CORRECTION OFFICERS INDICTED IN BEATING OF INMATE AND COVERUP

Bronx District Attorney Darcel D. Clark and New York City Department of Investigation Commissioner Mark G. Peters today announced that two New York City Department of Correction Officers have been indicted for filing false reports to cover up an assault on a Rikers Island inmate by one of the officers.

District Attorney Clark said, “We trust Correction Officers to be the front line of security in the jails, and we will not tolerate any officer who uses excessive force or covers it up. The crimes these officers are accused of only add to the culture of brutality and corruption that we are trying to transform.”

Commissioner Peters said, “DOI and the Bronx District Attorney are arresting Rikers Correction Officers for both breaking the law and lying about it to cover up, according to the indictment. These are the 35th and 36th arrests of DOC staff since DOI started its broad investigation into violence and corruption at Rikers and we will continue until the problem is brought under control.”

District Attorney Clark said the defendants, Sean Smith, 41, a Correction Officer since 2001, and Velma Rogers, 55, a Correction Officer since 2013, were indicted for first-degree Falsifying Business Records, first-degree Offering a False Instrument for Filing and Official Misconduct; Smith also was charged with third-degree Assault and second-degree Harassment.

They were arraigned today, November 22, 2016, before Bronx Supreme Court Justice Steven Barrett. They are due back in court on January 31, 2017. If convicted of the top charge, they could face up to 1 1/3 to four years in prison.

(More)



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According to the investigation, on March 23, 2014, in the Rose M. Singer Center on Rikers Island, inmate Shonda Brown was on suicide watch and had changed into the smock given to such inmates for their safety.

According to the investigation, Brown had removed the smock, put it in a bag, and threw it at Correction Officer Smith. He allegedly grabbed Brown by the hair and punched her repeatedly in the head while Rogers stood nearby watching. Neither Smith nor Rogers filed a Use of Force report during that shift.

When Brown made an allegation that she was assaulted, the Department of Correction investigated the incident and instructed the officers to file an allegation report as part of its investigation. The officers allegedly filed reports that did not mention Smith striking the inmate. Video from a surveillance camera showed Smith pummeling the inmate.

The DOI investigated and referred to the case to the Bronx District Attorney's Office.

The case was investigated and prosecuted by Assistant District Attorney Jennifer Petersen of the Public Integrity Bureau, under the supervision of Omer Wiczynk, Deputy Chief of the Public Integrity Bureau, and Wanda Perez-Maldonado, Chief of the Public Integrity Bureau, under the overall supervision of Stuart Levy, Deputy Chief of the Investigations Division and Jean T. Walsh, Chief of the Investigations Division.

District Attorney Clark thanked DOI's Office of the Inspector General for the New York City Department of Correction for their assistance in the investigation, specifically Inspector General Jennifer Sculco, Assistant Inspector General Whitney Matthews and Investigator Dylan Kress, as well as DOC's Investigations Division.

An indictment is an accusatory instrument and not proof of a defendant's guilt.

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