

**INTERVIEW OF DEPUTY MEL SONG #1269**

CASE NO. A09098

TAKEN: September 17, 2009  
16:01 HOURS

INTERVIEW CONDUCTED BY:

SGT. QUANICO #1429  
AND  
SR. DEP. LUQUIN #1815

--oOo--

SGT. QUANICO:

Okay. We're on. Today is Thursday, September 17th, 2009. Uh, the time of this interview is 1601 hours. Uh, the location of this interview is 25 Van Ness, Room 350 here in San Francisco. Uh, present today, we have, uh, Mr. Harry Stern from, uh, Rains, Lucia and Stern. We have, uh, Deputy Mel Song from County Jail Number 1. I'm Sergeant Quanico. And this is, uh, Senior Deputy Luquin. Uh, Deputy Song, the purpose of this investigation, uh, is to -- is to conduct an interview, uh, regarding the death in custody of [REDACTED] and the series of events, uh, that took place on September 7th that led to his, uh -- to his death. Okay. Uh, this is an administrative investigation, uh, on the -- basically on the, uh -- on the allegations, uh, regarding, uh, possible criminal allegations regarding the death of Mr., uh, [REDACTED] But we are basically looking at the series of events that led to his death on September 7th. Uh, once again, this is an administrative investigation only on these, uh, allegations. Do you understand that?

DEP. SONG:

Yes, I do.

SGT. QUANICO:

However, since the allegation indicated a possible crime may have been committed, I'm advising you that you have the right to remain silent. Anything you say can and will be -- can and will be used against you in a court of law. You have the right to talk to an attorney and to have an attorney present before and during questioning. If you cannot afford an attorney, one will be appointed free of charge to represent you before and during questioning if you desire. Do you understand each of these rights I have explained to you?

DEP. SONG: Yes, I do.

SGT. QUANICO: Having these rights in mind --

DEP. SONG: [clears throat]

SGT. QUANICO: -- do you wish to talk to us now?

DEP. SONG: Yes. No.

SGT. QUANICO: Okay. Do you guys want to talk? W --

MR. STERN: No. That's okay.

SGT. QUANICO: Okay. So is your answer, uh, yes or no?

DEP. SONG: No.

SGT. QUANICO: Okay. Although you have a right to remain silent and not to incriminate yourself, your silence can be deemed insubordination and result in administrative discipline. Since any statement under compulsion of a threat of discipline cannot be used against you in a later criminal proceeding, I am ordering you to answer all my questions. If you do not answer my questions truthfully and fully, a charge of insubordination may be imposed, which could result in discipline up to and including termination. Do you understand this is only an administrative investigation?

DEP. SONG: Yes.

SGT. QUANICO: Do you understand the charges or the allegations?

DEP. SONG: Yes.

SGT. QUANICO: Do you understand that I'm ordering you to answer my questions and that, if you do not answer them truthfully and fully, it could result in disciplinary action up to and including termination?

DEP. SONG: Yes.

SGT. QUANICO: This is an interview regarding case A09098. The San Francisco Police Department incident case number is 090921864. Uh,

present here today is Mr. Stern. And Mr. Stern, can you please spell your last name for the record?

MR. STERN: Sure. It's S-T-E-R-N.

SGT. QUANICO: We also have Deputy, uh, Mel Song. Uh, Deputy Song, can you spell your last name and, uh, give us your first name and your star number?

DEP. SONG: Mel Song, M-E-L; last name Song, S-O-N-G. Star number 1269.

SGT. QUANICO: Deputy Song, you have certain rights under 3303 of the Government Code. We will review pertinent points of 3303. Further, you'll be ordered to answer questions and cooperate with this investigation. This interview is being tape recorded. Once again, I'm Sergeant Quanicco, Q-U-A-N-I-C-O, star number 1429. And this is --

SR. DEP. LUQUIN: Senior Deputy Luquin, L-U-Q-U-I-N, star number 1815.

SGT. QUANICO: We will be the only investigators asking questions. We are from the Investigative Services Unit and acting as Internal Affairs investigators. This is an investigation into an allegation, um, that on September 7th, 2009, which was Labor Day, uh, we are looking into the series of events, uh, that led to the death of Mr. [REDACTED] [REDACTED] and specifically, um, on September 7th, 2009, um, you were on duty and had contact with Mr. [REDACTED] [REDACTED] And subsequently, uh, Mr. [REDACTED] uh, uh, was -- became deceased during a safety cell placement. You will not be subject to s-- to offensive or threatening language, promises or other inducement to answer questions. However, to be clear about this point, you are being ordered to tell the complete truth and cooperate with this investigation. Failure to answer truthfully and refusing to respond may result in a charge of insubordination, which could result in discipline. This interrogation will be limited to a reasonable period of time. We will allow you to take breaks to take care of your physical needs. That's restroom or meal breaks. The department will not release your name to the media without your consent. Either or both sides may record this interrogation. Mr., uh, Stern, are you recording today?

MR. STERN: I am not.

SGT. QUANICO: Uh, we are -- this is only on audio on our side. You are entitled to a copy of the tape if further proceedings are contemplated and

before subsequent interrogation. In the event of further proceedings, the department will provide all documents relevant to the investigation except those deemed confidential. You have a right to have a representative present during any interrogation. Mr. Harry Stern is here from Rains, Lucia and Stern. For the record, there is no intention for a criminal charge at this time. Deputy Song, can you tell us how long you've been with the Sheriff's Department?

DEP. SONG: Almost 15 years.

SGT. QUANICO: Okay. And how long have you been at your current assignment, which is County Jail Number 1, swings?

DEP. SONG: Fifteen years.

SGT. QUANICO: That was 15 years?

DEP. SONG: Yes. Almost 15.

SGT. QUANICO: And that was all on the 1500 to 2300 watch?

DEP. SONG: Yes.

SGT. QUANICO: When was your, uh, anniversary date if you remember, Mel?

DEP. SONG: I think it's February 13th.

SGT. QUANICO: Okay. So 2/13 -- I want to say --

DEP. SONG: '95.

SGT. QUANICO: '95. Okay. Great. Did you write an incident report for this?

DEP. SONG: No, I didn't.

SGT. QUANICO: Okay. Were you able to review any of the incident reports prior to coming in today?

DEP. SONG: No.

SGT. QUANICO: Okay. Were you on duty on September 7th, 2009?

DEP. SONG: Yes, I was.

SGT. QUANICO: And that was Labor Day. So I take it you were working overtime?

DEP. SONG: Yes.

SGT. QUANICO: All right. What was your assignment that day?

DEP. SONG: Post 10.

SGT. QUANICO: And who was your partner? I know there's usually two --

DEP. SONG: Uh --

SGT. QUANICO: -- at Post 10.

DEP. SONG: -- Gutierrez.

SGT. QUANICO: Great. Why don't you go ahead and give me a narrative of what took place that evening? And basically, I want you to start where you had your first contact with Mr. [REDACTED]

DEP. SONG: Uh, Post 11 called for Deputy Gutierrez to come, uh, escort Mr. [REDACTED] to King 2 Tank. And, uh, I was standing by and, uh, had the gate open. When they brought him down, he entered K tank. And he looked around and said, uh, "Uh, I'm not going in there." And, uh, he was yelling about, "Put me in the safety cell. I'm not going in here." So, um, when he was getting upset, they escorted him out. And I grabbed his, uh, property bag, which had his mattress and laundry and personal property. And when I took it outside, he was pretty upset. And, uh, Deputy Gutierrez and Deputy [Guitron] and I had a hold of him. And, uh, Senior Deputy Wong said, uh, "I guess he's going to the box," which is the safety cell. So, um, they took him, uh -- walked him backwards. And I held on to his head. And he got real upset. So they, uh, took him down to the ground. And Senior Deputy Matt Wong, uh, said, "Get a pair of leg shackles." So I went back to Post 10, grabbed a pair of leg shackle. And, uh, I don't remember who I hand it to. They put it on him. And they walked him down to the safety cell.

SGT. QUANICO: What happened next?

DEP. SONG: Uh, he's just walking down the hall yelling. Uh, I stayed at Post 10.

SGT. QUANICO: Did you help out with the safety cell placement at all?

DEP. SONG: No, I didn't.

SGT. QUANICO: What else did you do?

DEP. SONG: Uh, that was it. I just stayed back at Post 10.

SGT. QUANICO: Okay. I'm going to ask some follow-up questions here. If you know, do you know what exactly [REDACTED] did in, uh -- at Post 11, specifically, uh, Dorm 13 --

DEP. SONG: No, I don't.

SGT. QUANICO: -- that warranted the, uh, ad/seg placement?

DEP. SONG: No.

SGT. QUANICO: Do you know inmate [REDACTED] [REDACTED]

DEP. SONG: Yes, I do.

SGT. QUANICO: And that's from past incarcerations?

DEP. SONG: Uh, I don't know about the past. I just work Post 11 sometimes. I remember him there.

SGT. QUANICO: How would you describe your, uh, relationship with him, meaning deputy to inmate?

DEP. SONG: Uh, we talked. I never had problems with him.

SGT. QUANICO: Can you give me a description of him at this time?

DEP. SONG: Uh, I guess he's about 30, uh, dark complexion, maybe about 6 --

SGT. QUANICO: [Meaning] --

DEP. SONG: A pretty-pretty good size, uh --

SGT. QUANICO: Meaning 6-feet?

DEP. SONG: Yeah, 6-foot. Uh, probably about 300 [pounds] plus.

SGT. QUANICO: And that's pounds?

DEP. SONG: Yes. [laughs]

SGT. QUANICO: Okay. When exactly did you become aware that he was en route to K tank?

DEP. SONG: Uh, when Deputy [Smith-Alghani], uh, called and asked, uh, Deputy Gutierrez to give him a hand.

SGT. QUANICO: Do you know why they called Gutierrez?

DEP. SONG: Uh, Gutierrez said he has a good demeanor with him.

SGT. QUANICO: Okay. And who -- when did you find that out?

DEP. SONG: Uh, right when she called before he went to Post 11.

SGT. QUANICO: Okay. And, uh, Smith-Alghani didn't explain why?

DEP. SONG: No.

SGT. QUANICO: Why he had to be transferred?

DEP. SONG: No.

SGT. QUANICO: Okay. Did you know that the initial plan was to tell [REDACTED] that he was going to the mainline rather than ad/seg --

DEP. SONG: Uh --

SGT. QUANICO: -- prior to arriving?

DEP. SONG: No. I just heard him saying, "She lied to me. She told me I was going to mainline." So I don't know who "she" was.

SGT. QUANICO: Who said that?

DEP. SONG: [REDACTED] did.

SGT. QUANICO: When did he tell you that? Or when did you hear him say that?

DEP. SONG: Either at K tank or right outside K tank.

SGT. QUANICO: In front of K2 or just in front of K tank?

DEP. SONG: I think in front of K2.

SGT. QUANICO: And you didn't know who "she" was referred to --

DEP. SONG: No, sir.

SGT. QUANICO: -- or was referring to?

DEP. SONG: He-he just said "she."

SGT. QUANICO: And that was from [REDACTED] correct?

DEP. SONG: Yes.

SGT. QUANICO: Did it appear that Senior Deputy Wong, uh, was aware of the tactic that was used to, uh, lure Mr. [REDACTED] to, uh, the mainline?

DEP. SONG: I don't know.

SGT. QUANICO: Okay. And you didn't know, correct?

DEP. SONG: No.

SGT. QUANICO: Do you know who approved the ad/seg placement?

DEP. SONG: No, I don't.

SGT. QUANICO: Was Lieutenant Casey present?

DEP. SONG: I-I saw him down on the line. Uh, he's about maybe by Dorm 1 or Dorm 2.

SGT. QUANICO: Was he the supervisor that was, uh, basically observing what was going on in this transfer?



DEP. SONG: Uh, no. He was doing something else I think.

SGT. QUANICO: Was Senior Deputy Wong in charge?

DEP. SONG: Yes. He walked, uh, [REDACTED] down.

SGT. QUANICO: Okay. Okay. So I want you to describe how Mr. [REDACTED] was being escorted down the mainline to K tank.

DEP. SONG: He walked on his own.

SGT. QUANICO: Okay. Was he handcuffed?

DEP. SONG: Yes.

SGT. QUANICO: Where was he handcuffed? Front or back?

DEP. SONG: The back. And, uh, he was dragging his, uh, property bag, I think.

SGT. QUANICO: So he wasn't being held or escorted?

DEP. SONG: No.

SGT. QUANICO: Who was walking behind him?

DEP. SONG: Uh, Deputy Gutierrez and Guitron and Senior Deputy Wong.

SGT. QUANICO: Was he already in ad/seg clothes?

DEP. SONG: I don't remember.

SGT. QUANICO: Okay.

DEP. SONG: I don't -- I don't know.

SGT. QUANICO: Okay. [REDACTED] is now in front of K tank. What happens?

DEP. SONG: Uh, he walked in.

SGT. QUANICO: Were you already in K tank?

DEP. SONG: Yes.

SGT. QUANICO: So you were literally waiting at the door inside his cell --

DEP. SONG: Yes.

SGT. QUANICO: -- near his cell? And what cell was he going into?

DEP. SONG: Uh, King 2.

SGT. QUANICO: So that was K2?

DEP. SONG: Yes.

SGT. QUANICO: Was it occupied?

DEP. SONG: No. [It's] --

SGT. QUANICO: So it -- he would have been housed alone?

DEP. SONG: Yes.

SGT. QUANICO: Okay. Okay. Tell me exactly what happens here. So [REDACTED] comes in first?

DEP. SONG: Uh, I had the gate open. I went in first.

SGT. QUANICO: Okay.

DEP. SONG: And --

SGT. QUANICO: And who had the keys?

DEP. SONG: I had the keys.

SGT. QUANICO: To the outer gate?

DEP. SONG: Yes.

SGT. QUANICO: As well as the gate leading into K2?

DEP. SONG: There's only one, uh --

SGT. QUANICO: It's the same key, right?

DEP. SONG: Same key.

SGT. QUANICO: Okay.

DEP. SONG: The lockbox is open already.

SGT. QUANICO: Okay.

DEP. SONG: We expected him.

SGT. QUANICO: All right. So who goes in first, you or [REDACTED]

DEP. SONG: I think I did, maybe.

SGT. QUANICO: Okay. And then where did you go?

DEP. SONG: I was standing in front of, uh, King 1.

SGT. QUANICO: Okay. Which would have been directly across --

DEP. SONG: Right.

SGT. QUANICO: -- from K2.

DEP. SONG: Yes.

SGT. QUANICO: So you're away from K2?

DEP. SONG: Yes.

SGT. QUANICO: And --

DEP. SONG: Right -- I'm right across.

SGT. QUANICO: So you're directly across.

DEP. SONG: Yes.

SGT. QUANICO: Okay. What happens next?

DEP. SONG: Uh, [clears throat] that's when he start to, uh -- to get upset.

SGT. QUANICO: What did he say?

DEP. SONG: He says, uh, "I'm not going in here. Uh, put me in, uh -- in the hole."

SGT. QUANICO: Okay. So he said, "Put me in the hole"?

DEP. SONG: Yes, the hole.

SGT. QUANICO: What happened next?

DEP. SONG: Uh, I got behind him and I took his property bag away from him.

SGT. QUANICO: Okay. So he was still holding it?

DEP. SONG: Yes.

SGT. QUANICO: And then, what happened?

DEP. SONG: And they, uh, escorted him outside.

SGT. QUANICO: So now, we're outside of, uh --

DEP. SONG: In front of --

SGT. QUANICO: -- [crosstalk] the hallway now?

DEP. SONG: Yeah. The, uh, mainline.

SGT. QUANICO: Okay. Now, I want to go back. When -- where was Guitron and Gutierrez when you're -- when you're --

DEP. SONG: I think they're right at --

SGT. QUANICO: -- at K2?

DEP. SONG: -- I think they're right in front of King tank main gate, the-the gate leading into King tank.

SGT. QUANICO: So they didn't go inside to the general -- um, the general area?

DEP. SONG: I think they were in. But they were on, uh, the inside of the gate part.

SGT. QUANICO: Okay. What happened next?

DEP. SONG: And, uh, Deputy Guitron and Gutierrez, uh, escorted him out.

SGT. QUANICO: Okay. Do you remember who on -- who was on whose side or what side of, uh, Mr., um, [REDACTED]

DEP. SONG: No.

SGT. QUANICO: Okay. So you have his bag?

DEP. SONG: Yes.

SGT. QUANICO: You're holding it?

DEP. SONG: Yes.

SGT. QUANICO: Gutierrez and Guitron have an arm possibly, but you just don't know which arm they had?

DEP. SONG: Uh, yeah. I think so.

SGT. QUANICO: Okay. And is he leg-shackled at this time?

DEP. SONG: No.

SGT. QUANICO: Okay. So he just has hand --

DEP. SONG: Just handcuffs.

SGT. QUANICO: Do you know if he had one pair or two?

DEP. SONG: I s-- he -- I think [I saw] two pairs on him.

SGT. QUANICO: Okay. And there were no inmates out in the general area, correct?

DEP. SONG: No.

SGT. QUANICO: Okay. Was that -- was K tank occupied, like fully occupied?

DEP. SONG: Uh, I think it was.

SGT. QUANICO: So K2 was the only one that was open?

DEP. SONG: Yes.

SGT. QUANICO: Did you have to make arrangements and move somebody out for --

DEP. SONG: No. It was already, uh, empty.

SGT. QUANICO: Was classification notified that it was going to be used? Or was classification even on duty?

DEP. SONG: I don't know.

SGT. QUANICO: Okay. So Guitron -- are you outside of the mainline already?

DEP. SONG: No.

SGT. QUANICO: You're still inside?

DEP. SONG: I'm still inside, uh, dragging his bag out.

SGT. QUANICO: Okay. So Guitron, Gutierrez escort [REDACTED] outside.

DEP. SONG: Yes.

SGT. QUANICO: Where is Senior Deputy Wong at this time?

DEP. SONG: Uh, he was right outside in front of, uh, K tank.

SGT. QUANICO: Was he giving verbal orders?

DEP. SONG: Uh, he was talking to [REDACTED]

SGT. QUANICO: What was he telling him?

DEP. SONG: Uh, something about the safety cell. That's all I remember.

SGT. QUANICO: Okay. All right. Prior to Senior Deputy Wong saying something about the safety cell, what happened?

DEP. SONG: Uh, [REDACTED] was just upset.

SGT. QUANICO: Uh, can you describe exactly what do you mean by "upset"?

DEP. SONG: He keeps saying, "She lied to me; told me I'm going to the mainline."

SGT. QUANICO: Is there a possibility she was talking about someone from JPS?

DEP. SONG: Uh, I don't know. I don't know what-what went on be-before we got there.

SGT. QUANICO: Okay. At this -- at the -- first of all, when you're in K tank with him when he refused to go in, did he display the criteria to go to the safety cell? Was he a danger to himself or to others at that time?

DEP. SONG: Uh, no. He was just upset.

SGT. QUANICO: Okay.

DEP. SONG: He was requesting to go, I guess.

SGT. QUANICO: Did he -- did he say he was suicidal?

DEP. SONG: No.

SGT. QUANICO: Okay. So he just requested to go into the safety cell?

DEP. SONG: Yes. He says, "Hey, put me in the safety cell, "The hole."

SGT. QUANICO: But he displayed no actions that would, uh, warrant the criteria of being danger to others at that time?

DEP. SONG: No.

SGT. QUANICO: And he did not specifically say, "I want to kill myself," or, "I want to hurt myself"?

DEP. SONG: No.

SGT. QUANICO: So now, we're outside, outside of the mainline. According to Deputy Gutierrez's incident report, he said that Senior Deputy Wong gave him the ultimatum, "Well, it's either K tank or the safety cell." Do you recall that?

DEP. SONG: No. I didn't hear that.

SGT. QUANICO: Okay. So you did not hear that?

DEP. SONG: No.

SGT. QUANICO: Okay. I'm going to show you the incident report now.  
[Unintelligible].

SR. DEP. LUQUIN: Which one do you need? I've got it here.

SGT. QUANICO: Yeah. Can you give him a copy of, uh, Deputy, uh, Gutierrez's incident report?

SR. DEP. LUQUIN: Okay.

SGT. QUANICO: And I'll read along with mine. If you look at, uh, the second paragraph, maybe the fifth sentence down, "He did not -- he did not want to be ad/seged. Senior Deputy Wong gave [REDACTED] an option of K tank or safety cell. [REDACTED] picked the safety cell. Once we got on the mainline, [REDACTED] started to resist, cuss and was not following orders to go with the program." Is that an accurate recolle--recollection for you? I mean, did you recall seeing that?

DEP. SONG: I-I saw the part where he started to resist and, uh, started to get angry.

SGT. QUANICO: Okay. But how about this: "Once we got to K tank, [REDACTED] said he was not going to go in there, and he did not want to be ad/seged." You said that -- "I want to go to the hole" -- he said, "I want to go to the hole."



DEP. SONG: Right. He was in K tank.

SGT. QUANICO: No. No. I'm -- well, my question is, it said he -- [REDACTED] said he did not want to go in there, meaning K2. Are you following me?

DEP. SONG: Which, uh, sentence are you at?

SGT. QUANICO: I want you to look at the fifth sentence down, second paragraph.

DEP. SONG: Okay.

SGT. QUANICO: "Once we got to K tank, [REDACTED] said he was not going in there." Next sentence. "He did not want to be ad/seged." Now, you said that [REDACTED] said, "Take me to the hole." Correct?

DEP. SONG: Yes.

SGT. QUANICO: Okay. So "the hole," meaning safety cell, right?

DEP. SONG: Safety cell. Yes.

SGT. QUANICO: Now, at that point, it's accurate. Is that what you r-- is that what you recall?

DEP. SONG: He did step inside K tank, but he did not step inside K2 cell.

SGT. QUANICO: Okay. Then he said, "Take me to the hole." Right?

DEP. SONG: Yes.

SGT. QUANICO: But here, it says, "Senior Deputy Wong gave [REDACTED] an option: K tank or safety cell." Do you recall that?

DEP. SONG: No, I don't.

SGT. QUANICO: Is it -- [I mean] --

DEP. SONG: They were talking outside while I was still carrying his, uh, property bag. So they -- I don't know what they said outside.

SGT. QUANICO: And then, the next sentence says, "[REDACTED] picked the safety cell." So you don't recall the choice or the --

DEP. SONG: No, I don't.

SGT. QUANICO: -- ultimatum?

DEP. SONG: I thought he requested already --

SGT. QUANICO: Okay.

DEP. SONG: Because he-he told us, "Take me to the hole."

SGT. QUANICO: All right. And "us" meaning who?

DEP. SONG: Uh, the deputies.

SGT. QUANICO: Okay.

DEP. SONG: Yeah.

SGT. QUANICO: Now, you're outside of K tank, and you said you do recall him resisting. How was he resisting?

DEP. SONG: He was pushing around, uh, just wiggling side to side.

SGT. QUANICO: Are you holding his head at this time? Because you mentioned that you were holding his head.

DEP. SONG: Yes.

SGT. QUANICO: Okay. So where did you put his property?

DEP. SONG: Uh, I dropped it in front of, uh, Dorm 4, which is right across.

SGT. QUANICO: Okay. And can you describe exactly how you were holding his head?

DEP. SONG: Uh, just in the back, back of his head.

SGT. QUANICO: Okay. And you were in front of him?

DEP. SONG: Yes.

SGT. QUANICO: Okay. And then, now at this time, do you recall who -- which deputies were on which side of him?

DEP. SONG: No, I don't know.

SGT. QUANICO: Now, what happened next? You're holding his head. The deputy -- Guitron and Gut -- it was Guitron and Gutierrez though, correct?

DEP. SONG: Yes.

SGT. QUANICO: That were on his side?

DEP. SONG: Yes.

SGT. QUANICO: What happened next?

DEP. SONG: Um, they took him down to the ground.

SGT. QUANICO: Okay. Who did?

DEP. SONG: Uh, Gutierrez and Guitron.

SGT. QUANICO: Did you take -- did you help with the takedown?

DEP. SONG: I held onto his head, and he just dropped in front of me.

SGT. QUANICO: How did he land?

DEP. SONG: Uh, on his, uh, stomach.

SGT. QUANICO: Is there a possibility he landed on his face?

DEP. SONG: I don't think so. No. Because he was still, uh, still talking or yelling.

SGT. QUANICO: Okay. I mean, e-even if you land on your face, you could still talk, and you could still say something. I mean, did you actually see him fall on his stomach?

DEP. SONG: Uh, I don't recall. I just remember him falling in front of me.

SGT. QUANICO: Okay. Now you had a hold of his head still?

DEP. SONG: [Coughs] Excuse me. I think I let go of his head, uh, when he went down.

SGT. QUANICO: Was he handcuffed?

DEP. SONG: Yes.

SGT. QUANICO: And why was he taken to the ground?

DEP. SONG: Uh, um, started to resist.

SGT. QUANICO: And he's just handcuffed, right?

DEP. SONG: Yes.

SGT. QUANICO: And this is when you said he was wiggling side to side?

DEP. SONG: Yes.

SGT. QUANICO: Were you guys -- meaning you, Gutierrez and Guitron ordered to take him down to the ground? In other words --

DEP. SONG: I'm not -- I'm not sure, but I think I heard, "Take him down."

SGT. QUANICO: Do you remember who said that?

DEP. SONG: No, I don't.

SGT. QUANICO: Was it Senior Deputy Wong?

DEP. SONG: Don't remember.

SGT. QUANICO: Okay. Did you say that?

DEP. SONG: No.

SGT. QUANICO: Did Gutierrez say it?

DEP. SONG: I don't know.

SGT. QUANICO: And how about Guitron?

DEP. SONG: I don't know.

SGT. QUANICO: So you just don't know who said it?

DEP. SONG: No.

SGT. QUANICO: What kind of a takedown was used? Leg sweep, um, hair-pull -- hair-pull takedown? What kind of a takedown was used?

DEP. SONG: It was just -- they had him controlled by the arms and just too him down.

SGT. QUANICO: Okay. On a scale of one to five, one just gently placing him down; five, he's resisting so you got to slam him down as hard as you can, how would you rate how he fell or how he was taken down?

DEP. SONG: Probably about a -- probably about 2 or 3.

SGT. QUANICO: Okay. When he fell to the ground, did you, uh, did you hear him say anything?

DEP. SONG: Um, no. He just -- he was just-just-just yelling.

SGT. QUANICO: What was he yelling?

DEP. SONG: Just-just, "She lied, she lied."

SGT. QUANICO: Did you hear Inmate [REDACTED] say, "I can't breathe"?

DEP. SONG: No.

SGT. QUANICO: Did you ever hear him say on the way out when you bent him over, "I can't bend over like that. I can't breathe, I can't breathe"?

DEP. SONG: No.

SGT. QUANICO: Did he display any discomfort at all when he was taken out of K tank and was started being escorted, you holding his head, deputies had him on both arms -- did he display any discomfort at all?

DEP. SONG: No.

SGT. QUANICO: Did he complain about anything?

DEP. SONG: No, just about going to the K tank.

SGT. QUANICO: Okay. And when he was taken down to the ground, did he complain of any injuries?

DEP. SONG: No.

SGT. QUANICO: Did he sustain any injuries?

DEP. SONG: Not that I know of.

SGT. QUANICO: Okay. Did he show any discomfort while he was on the ground?

DEP. SONG: No.

SGT. QUANICO: Okay. Did you see any blood on his face?

DEP. SONG: No, I didn't.

SGT. QUANICO: Did you see any blood on the floor?

DEP. SONG: No.

SGT. QUANICO: When the deputies took him down the mainline, did you see any blood on the floor?

DEP. SONG: No.

SGT. QUANICO: Did you see any injuries on his forehead or temple as he was being escorted backwards down towards the safety cell?

DEP. SONG: No.

SGT. QUANICO: Okay. At this time, were all the inmates in 1 and 4 watching what was going on?

DEP. SONG: Some came to the window.

SGT. QUANICO: Wh-- did you give them any orders to get away from the window or to go back to their bunks?

DEP. SONG: Yes, I did.

SGT. QUANICO: Okay. Did they comply?

DEP. SONG: Yes.

SGT. QUANICO: [REDACTED] is on the floor now. Did he remain in the prone position or face-down when he was -- when he was taken down to the ground?

DEP. SONG: Yes.

SGT. QUANICO: What happened next?

DEP. SONG: Uh, Senior Deputy Wong says, uh, "Get a pair of leg shackles."

SGT. QUANICO: Who placed them on? Well, first of all, you said in your narrative that you got the leg shackles.

DEP. SONG: Yeah.

SGT. QUANICO: Where were they located?

DEP. SONG: Post 10 Office.

SGT. QUANICO: Okay. So you got the leg shackles. Do you remember who you handed them to?

DEP. SONG: No, I don't. I just hand to somebody and --

SGT. QUANICO: Okay.

DEP. SONG: I think there was backup already called, because some deputies in front came up, or came back there.

SGT. QUANICO: Okay. If you look at Deputy Gutierrez's incident report, can you look at the third paragraph? "Deputy Guitron and I took down to the ground" -- meaning Gutierrez and Guitron. "Deputy K. [Lomba]

and Deputy D. White quickly responded." Do you remember a call for assistance?

DEP. SONG: Um . . . not really [unintelligible].

SGT. QUANICO: Did you call for assistance at all?

DEP. SONG: I don't think so.

SGT. QUANICO: Okay. Do you recall Lomba and White responding?

DEP. SONG: Yes, I th-- I think they did.

SGT. QUANICO: Okay. "They quickly responded and applied leg shackles on [REDACTED] Now did you hand the leg shackles to possibly Lomba or White?

DEP. SONG: Yes, I hand to one of the deputies.

SGT. QUANICO: Okay. Go ahead and look at, uh, Deputy White's, uh, incident report. Take a look-look, and I'll give you a copy. Let's read the second paragraph. "When I arrived at K tank, Inmate [REDACTED] was handcuffed and in the prone position, physically resisting and verbally cursing at us. I assisted with controlling [REDACTED] left arm" And this is Da-- this is Deputy White -- "while Deputy Lomba placed s-- the leg shackles on him to control his legs from kicking. We then helped [REDACTED] to his feet and began walking him to the safety cell. Do you recall that?"

DEP. SONG: Uh, yes.

SGT. QUANICO: Okay. Now when you got the leg shackles and you -- and-and you handed them to either Lomba or White, what did you do next?

DEP. SONG: I just stood up and stood there.

SGT. QUANICO: Did you help at all?

DEP. SONG: No.

SGT. QUANICO: So you didn't help hold him down or --



DEP. SONG: No.

SGT. QUANICO: -- uh, help out with the leg shackles, or help -- do you know if they placed him in a Figure 4 on a mainline?

DEP. SONG: Uh, no, I don't remember.

SGT. QUANICO: Okay. Did you see-see Deputy Lewis in the area?

DEP. SONG: Uh, no, I didn't.

SGT. QUANICO: How about Deputy [Bui]?

DEP. SONG: Uh, no.

SGT. QUANICO: How about Deputy [Ho]?

DEP. SONG: Uh, no.

SGT. QUANICO: So when you had the -- Mr. [REDACTED] by the head, when you heard "take him down," did you -- did you push him down at all?

DEP. SONG: No, I didn't.

SGT. QUANICO: So you just basically were holding his head. Guitron and I guess Gutierrez --

DEP. SONG: [Gutierrez].

SGT. QUANICO: -- did the -- basically did the takedown, or --

DEP. SONG: Yes.

SGT. QUANICO: -- performed the takedown move?

DEP. SONG: Yes.

SGT. QUANICO: And handcuffs remained on him, correct?

DEP. SONG: Yes.

SGT. QUANICO: And then the leg shackles were then placed on him.

DEP. SONG: Yes, [unintelligible].

SGT. QUANICO: How long do you think he was in the prone position, um, in front of K tank before he was taken back up?

DEP. SONG: Uh, actually pretty quick. Less than a minute.

SGT. QUANICO: Okay. Do you recall while he was on the ground -- and I asked you prior did he say, "I have problems breathing"? -- um, did you hear him say, "I can't breathe," or, "I'm -- I-I have problems breathing," while he was in the prone position?

DEP. SONG: I didn't hear it.

SGT. QUANICO: Okay. What were the inmates saying as you -- as the deputies were walking away? Were the inmates saying anything like in 1 and 4 K?

DEP. SONG: They were all back to their bunks already.

SGT. QUANICO: Okay. Do you remember who placed the leg shackles on?

DEP. SONG: No, I don't.

SGT. QUANICO: Okay. So when do you first believe the decision was made that [REDACTED] was going to the safety cell?

DEP. SQNG: Uh, when he start to resist and, uh, Deputy Gutierrez and Guitron had him by the arms.

SGT. QUANICO: Okay. Now you said when you were in K, [REDACTED] said, "Take me to the box."

DEP. SONG: Yes.

SGT. QUANICO: And then he was basically already being escorted out. If he was being escorted out of K, was there a decision prior to the safety cell where he was going?

DEP. SONG: No, I don't think so.

SGT. QUANICO: Do you know if he was en route to [Toper] --

DEP. SONG: No.

SGT. QUANICO: -- before he started resisting?

DEP. SONG: No.

SGT. QUANICO: Okay. And once you got on the mainline, prior to him resisting, you never heard Senior Deputy Wong say "K tank" or "safety cell"?

DEP. SONG: No.

SGT. QUANICO: Okay. But you did hear Senior Deputy Wong say "safety cell" eventually?

DEP. SONG: Yes.

SGT. QUANICO: And when was that exactly?

DEP. SONG: When he start to resist.

SGT. QUANICO: Okay. And is that before he went to the ground?

DEP. SONG: Yes.

SGT. QUANICO: Okay. At that time, did you display -- when he started moving around, did he display the criteria of being dangerous to others?

DEP. SONG: Yes.

SGT. QUANICO: Was he kicking at the deputies at all --

DEP. SONG: [No].

SGT. QUANICO: -- when he was on the ground in front of K?

DEP. SONG: Um, I don't think so.

SGT. QUANICO: Okay.

DEP. SONG: Uh, when they took him down, I-I was ordered to get the leg shackles.

SGT. QUANICO: Okay. And you didn't see any injuries on [REDACTED] at all during your contact with him --

DEP. SONG: No.

SGT. QUANICO: -- in front of K? At any times -- at any time, Senior -- um, Deputy, uh, Song, did you strike, kick, punch [REDACTED] in K tank?

DEP. SONG: No.

SGT. QUANICO: Or in front of K tank?

DEP. SONG: No.

SGT. QUANICO: Did you observe any of your coworkers, uh, punch, kick, knee, or strike [REDACTED]

DEP. SONG: No.

SGT. QUANICO: Okay. All right. At-at this time, uh, Deputy Song, can you write a diagram -- I know you-you told us [unintelligible] in K tank. I want you to draw K tank. Show me where K2 is and where K1 was, and exactly where you were when the deputies attempted to take him into K2. Okay?

DEP. SONG: Okay.

SGT. QUANICO: Are they the very last cells in that --

DEP. SONG: No. They're at the beginning, right at the beginning.

SGT. QUANICO: Okay. Okay.

DEP. SONG: This is the mainline here. This is, uh . . .

SGT. QUANICO: Can you indicate where the Post 10 Office is?

DEP. SONG: Let's see. [Unintelligible].

SGT. QUANICO: So if you were going -- walking down the mainline towards Post 10, is K -- just-just for the purpose of this diagram and this investigation, would K be on the left or the right on the mainline, if you were walking towards Post 10 from, uh, Post 5?

DEP. SONG: It'd be on the right.

SGT. QUANICO: Okay. So it's on the right side.

DEP. SONG: Yeah.

SGT. QUANICO: Okay.

DEP. SONG: So this would be, uh, uh, 7th Street here.

SGT. QUANICO: Okay.

DEP. SONG: This is 6th Street.

SGT. QUANICO: Okay. Can you write a stick figure of where [REDACTED] was standing, um, when -- once you took his, uh -- once -- when he was still holding his bag and he's standing in front of K2?

DEP. SONG: Okay. [Unintelligible] --

SGT. QUANICO: Is that the benches?

DEP. SONG: Yeah.

SGT. QUANICO: Okay.

DEP. SONG: That's a table.

SGT. QUANICO: Okay. And you said that basically that was -- K tank was full, correct?

DEP. SONG: Yes.

SGT. QUANICO: Except for K2?

DEP. SONG: Yes. He was standing right about here.

SGT. QUANICO: Okay. And, um, and where were you?

DEP. SONG: Me, right here.

SGT. QUANICO: Can you put "[REDACTED]" right there next to that? Okay. That's fine. You can just put "Me." All right. Where was Guitron and, uh, Gutierrez? Were they inside or outside?

DEP. SONG: They were standing inside the tank, I think, right about here --

SGT. QUANICO: Okay.

DEP. SONG: -- and here.

SGT. QUANICO: Okay. Can you put, um -- for Guitron, could you put "J.G."?

DEP. SONG: J.G.

SGT. QUANICO: And for, um -- E.G. for Gutierrez, which is Edward Gutierrez, right?

DEP. SONG: E.G. [Unintelligible] --

SGT. QUANICO: That wa-- that's --

DEP. SONG: I think he was standing here.

SGT. QUANICO: Okay.

DEP. SONG: I think, uh, Guit -- I think Guitron was standing across from me.

SGT. QUANICO: Okay. And where is Senior Deputy Wong?

DEP. SONG: I don't recall where he was. He might have been just right out here. But, uh, I don't really recall.

SGT. QUANICO: Okay. You-you don't know if he was inside or outside?

DEP. SONG: No, [crosstalk].

SGT. QUANICO: Okay. Why don't you do this? Why don't you go ahead and put "Senior Deputy Wong" over here, and just put a question mark, uh, next to his name? Okay. Okay. So at any time, did you put hands on [REDACTED] while he was in the general area?

DEP. SONG: Uh, I took the bag away from him.

SGT. QUANICO: But did you ever put hands on him?

DEP. SONG: No.

SGT. QUANICO: Did you ever grab an arm?

DEP. SONG: I don't think so, no. Uh, they-they took him out, and I walked out with his property.

SGT. QUANICO: Who's "they"?

DEP. SONG: Uh, Gutierrez and Guitron.

SGT. QUANICO: Okay. At any time was [REDACTED] physically forced to go into K2?

DEP. SONG: No.

SGT. QUANICO: Like pushed in?

DEP. SONG: No.

SGT. QUANICO: You don't recall?

DEP. SONG: No, he never went in.

SGT. QUANICO: So you never saw that?

DEP. SONG: No.

SGT. QUANICO: So if witnesses say he was -- uh, they attempted to force him into K2 but he resisted, that would be false?

DEP. SONG: Yes.

SGT. QUANICO: So that never happened?

DEP. SONG: He never went inside.

SGT. QUANICO: Okay. And he never resisted in this area, correct? Inside the general area?

DEP. SONG: No, no.

SGT. QUANICO: He didn't resist until he got outside?

DEP. SONG: Yeah.

SGT. QUANICO: Okay. And you said that [REDACTED] made it clear, "Take me to the box," when he was inside here.

DEP. SONG: Yes.

SGT. QUANICO: And that's when you started walking out --

DEP. SONG: Yes.

SGT. QUANICO: -- with him?

DEP. SONG: No. They took him out and I grabbed the bag --

SGT. QUANICO: Okay.

DEP. SONG: -- and followed them.

SGT. QUANICO: So basically they were -- they took [REDACTED] word that, "Okay, you're going to the safety cell then," meaning -- is that -- is that your indication [crosstalk]?

DEP. SONG: [Crosstalk] by their own request. They can be put in by their own request.

SGT. QUANICO: What did Senior Deputy Wong say, or what was he doing at that time? Once he said, "I want to go to the box," did he follow up with anything? Did he say anything?



DEP. SONG: He said something to him, uh, but I couldn't really hear it.

SGT. QUANICO: Okay. Why don't you go ahead and initial and date that? Today is the 17th. During that evening, when did you first see Deputy Buey?

DEP. SONG: Uh, gee, I don't remember.

SGT. QUANICO: And I understand he was working the gym. But do you remember him showing up at any time during the incident in front of K?

DEP. SONG: I don't think so.

SGT. QUANICO: And how about Kingman Ho?

DEP. SONG: I think they were both gym deputies. I-I don't think I saw them.

SGT. QUANICO: When did you see Casey during this incident right here?

DEP. SONG: [Uh], outside.

SGT. QUANICO: So he was here?

DEP. SONG: He was down by here, uh, by --

SGT. QUANICO: Why don't you go ahead and indicate where he was? Is that Post 9?

DEP. SONG: No, uh, this the Post 10.

SGT. QUANICO: Okay.

DEP. SONG: Uh . . . I think he's by --

SGT. QUANICO: Is that J or --

DEP. SONG: H or J tank. It might be J tank.

SGT. QUANICO: Okay. And [REDACTED] was walked backwards to the safety cell, correct?

DEP. SONG: Yes.

SGT. QUANICO: And you were not part of the safety cell placement?

DEP. SONG: No.

SGT. QUANICO: Were you about to?

DEP. SONG: No.

SGT. QUANICO: You automatically remained?

DEP. SONG: I was the only deputy back there.

SGT. QUANICO: Okay. What was [REDACTED] saying on the way down the mainline? Do you remember what he was yelling and screaming?

DEP. SONG: No, not really.

SGT. QUANICO: At any time on the way down the hallway did you hear him say, "I'm having problems breathing"?

DEP. SONG: I couldn't really hear what he was saying.

SGT. QUANICO: Okay. Was he taken down to the ground, or did he fall to the ground further down, closer to Post 9?

DEP. SONG: Uh, I don't remember.

SGT. QUANICO: Okay. When you were at Post 10, [REDACTED] was, I take it, in a safety cell. Did you hear him yelling or screaming from Post 10?

DEP. SONG: Uh, no. It-it was pretty noisy at Post 10.

SGT. QUANICO: Now you s-- according to you, you had his head on the way out of K. Correct?

DEP. SONG: No, no. I had his head when he was already on the mainline.

SGT. QUANICO: Okay. So on the mainline -- well, did you hold it down as he was coming out of K?

DEP. SONG: No. He walked out on his own.

SGT. QUANICO: Okay. But then you-you held his head down?

DEP. SONG: Uh, yes.

SGT. QUANICO: Uh, and why did you s-- why did you place your hands on his head at that time?

DEP. SONG: He started to resist the two deputies.

SGT. QUANICO: Okay.

DEP. SONG: And I think somebody said, "He's going to the safety cell."

SGT. QUANICO: All right. And that's when you heard someone say "safety cell."

DEP. SONG: Yeah. Yeah.

SGT. QUANICO: Okay. And you possibly heard, or you definitely heard someone say, "Take him down"? In your narrative you said you did.

DEP. SONG: I think -- yeah. I think I did.

MR. STERN: That -- I don't think that's accurate.

SGT. QUANICO: I believe the transcript will let us know, Harry.

MR. STERN: Sure.

SGT. QUANICO: But I think and I believe Deputy Song said, "I heard someone say, 'Take him down.'"

MR. STERN: Okay. He -- when -- my memory -- notes reflect that when, um -- I think it wasn't during his narrative. It was actually when you were asking him questions, he said he might have heard that.

SGT. QUANICO: Okay.

MR. STERN: So I don't know.

SGT. QUANICO: All right. So I want to ask you now. Do you remember someone say, "Take him down"?

DEP. SONG: Uh, I might have.

SGT. QUANICO: Okay. But you don't know who said that?

DEP. SONG: No.

SGT. QUANICO: Okay. He's taken down to the ground, he's legs shackled, and then he placed them back up. Do you remember who took care -- who held his head on the way down the mainline?

DEP. SONG: Uh, no, I don't.

SGT. QUANICO: Okay. Senior Deputy Luquin, what do you got?

SR. DEP. LUQUIN: Um, Deputy Song, prior to this -- we're talking September 7th -- have you had a history with, uh, Inmate [REDACTED]

DEP. SONG: No.

SR. DEP. LUQUIN: Not at all?

DEP. SONG: No.

SR. DEP. LUQUIN: Okay. Before Inmate [REDACTED] shows up to K tank, did you notice any resisting whatsoever?

DEP. SONG: No.

SR. DEP. LUQUIN: Again, the yelling that Inmate [REDACTED] was talking about in K tank [was again] -- what was that? Wha-- he -- what was he yelling?

DEP. SONG: He says, "I'm not going in here. Uh, she lied to me."

SR. DEP. LUQUIN: Anything else?

DEP. SONG: He says, "I'm supposed to be on the mainline." I think -- I think that's what he said.

SR. DEP. LUQUIN: That was it?

DEP. SONG: Yeah.

SR. DEP. LUQUIN: Now that was -- he yelled or was that in a low-toned voice, or --

DEP. SONG: That was yelling, yeah.

SR. DEP. LUQUIN: [Unintelligible] -- tell me his appearance? How did he appear?

DEP. SONG: He-he looked mad. Just --

SR. DEP. LUQUIN: What did he --

DEP. SONG: He has a dark complexion already, anyways, so it's hard to see if he was flush. Uh --

SR. DEP. LUQUIN: Was he sweating? Was he just shaking agitated? I mean --

DEP. SONG: He was, uh, moving around.

SR. DEP. LUQUIN: Okay.

DEP. SONG: I mean, not physically walking, but his body movement.

SR. DEP. LUQUIN: Did he look exerted at any point?

DEP. SONG: He looked pissed.

SR. DEP. LUQUIN: Pissed? Okay. Okay. Now would this be a correct statement if, uh, other deputies said you initiated the safety cell, that you said "safety cell"?

DEP. SONG: No.

SR. DEP. LUQUIN: That's not correct?

DEP. SONG: No.

SR. DEP. LUQUIN: There's no chance you could have said anything like that?

DEP. SONG: No.

SR. DEP, LUQUIN: Okay. Did you get into a verbal altercation with [REDACTED] in K?

DEP. SONG: No, no.

SR. DEP, LUQUIN: So witnesses say that you instigated [REDACTED] getting upset. Would that be a-a true statement?

DEP. SONG: No.

SR. DEP, LUQUIN: If the inmates said that you took down Inmate [REDACTED] on the mainline, would that be a true statement?

DEP. SONG: No.

SR. DEP. LUQUIN: Okay.

DEP. SONG: Well, I held his head.

SR. DEP. LUQUIN: Okay.

DEP. SONG: [Crosstalk].

SR. DEP. LUQUIN: But you didn't recall putting any force --

DEP. SONG: No.

SR. DEP, LUQUIN: -- on him to take him down to the ground? To clarify, at no point did you hear Inmate [REDACTED] say, "I can't breathe"?

DEP. SONG: No, I didn't hear him say that.

SR. DEP, LUQUIN: Okay. Now if others said they actually saw Inmate [REDACTED] hit the wall or hit the metal box before hitting the floor, is that correct or not?

DEP. SONG: I don't think [he did].

SR. DEP. LUQUIN: I mean, you're there at the head.

DEP. SONG: No. I stepped back, because I don't want him to fall on me. But I-I don't think he hit his head.

SR. DEP. LUQUIN: Were you -- what-what proximity were you to the -- to the wall when-when he was taken down?

DEP. SONG: [Crosstalk] was right-right in front of the gate.

SR. DEP. LUQUIN: So nowhere near the wall or the box?

DEP. SONG: No. [Unintelligible] the box, uh, right here --

SR. DEP. LUQUIN: Okay.

DEP. SONG: -- and right here. We were right-right about here.

SR. DEP. LUQUIN: In other words, can I say that you're saying that's an incorrect statement, hitting the wall?

DEP. SONG: Yes. [It] was right in front of, uh, Dorm 4 in King tank, right in front of the gate.

SERGEANT QUANICO: Where would the box be --

DEP. SONG: On the side, uh --

SR. DEP. LUQUIN: -- for K tank?

DEP. SONG: Uh, the-the gate's right about here.

SR. DEP. LUQUIN: Okay.

DEP. SONG: And this is about maybe, uh, 5, 6 feet away, 5 feet maybe.

SR. DEP. LUQUIN: Okay. Once again, uh, did at any time any deputies, yourself, use any [dice] -- any distractions, [strike] any type of control hold, or anything of that sort to drop him down?

DEP. SONG: No, no.

SR. DEP. LUQUIN: Department -- whether it's department or some kind of other --

DEP. SONG: [Unintelligible].

SR. DEP. LUQUIN: Okay. You said, uh, you -- Inmate [REDACTED] was here, right?

DEP. SONG: Yes.

SR. DEP. LUQUIN: Correct? And he had his, uh, property bag?

DEP. SONG: Yes.

SR. DEP. LUQUIN: At what point did you actually get the property bag?

DEP. SONG: When he said, "I'm not going in there."

SR. DEP. LUQUIN: So then you grabbed it from him, or did you grab it from the floor?

DEP. SONG: No, I grabbed from him.

SR. DEP. LUQUIN: And then he was walked out?

DEP. SONG: Yes.

SR. DEP. LUQUIN: Okay. You carried the bag out, and then --

DEP. SONG: Yes.

SR. DEP. LUQUIN: -- that's when you placed it down here somewhere, and then --

DEP. SONG: No, no. I placed it actually against the wall right here by Dorm 4.

SR. DEP. LUQUIN: And then what happened next from here?

DEP. SONG: And, um, that's when they -- he start to struggle already.

SR. DEP. LUQUIN: And you did what?

DEP. SONG: And I grabbed the head.

SR. DEP. LUQUIN: Okay. Were your hands anywhere near the neck?



DEP. SONG: No.

SR. DEP. LUQUIN: Any kind of pressure points? Any --

DEP. SONG: No.

SR. DEP. LUQUIN: -- any-any technique that you might have used?

DEP. SONG: No.

SR. DEP. LUQUIN: Was there any other deputies inside K tank other than -- other than the ones mentioned here?

DEP. SONG: No.

SR. DEP. LUQUIN: Lieutenant Casey. He's here.

DEP. SONG: Yes.

SR. DEP. LUQUIN: Was he [onviewing] the incident?

DEP. SONG: I think he was.

SR. DEP. LUQUIN: So he would definitely have a clear view of what-what was going on?

DEP. SONG: I think so.

SR. DEP. LUQUIN: Okay.

SGT. QUANICO: Was Inmate [REDACTED] um, on the ground directly in front of the gate, or was he a little offset, um, further down towards Post 9?

DEP. SONG: No. More-more towards Post 10.

SR. DEP. LUQUIN: So he was more over here?

SGT. QUANICO: Yeah, is this -- is this the right ar-- is this -- X indicate where he was?

DEP. SONG: No, that was supposed to be SD Wong.

SGT. QUANICO: Okay. Where-would have [REDACTED] been? Why don't you put a dotted line?

DEP. SONG: [Let's see].

SGT. QUANICO: Okay. So that was pretty close to the -- to the box.

DEP. SONG: It's pretty close.

SGT. QUANICO: Okay.

DEP. SONG: But it started, uh, right here, where it was. And he was taken down -- I think he landed right here.

SGT. QUANICO: Okay. And you're-you're pretty positive that he didn't hit the wall or the floor on the way down?

DEP. SONG: I'm pretty sure.

SGT. QUANICO: Okay. Did he -- did he hit your knee at all possibly on the way down?

DEP. SONG: No, no.

SGT. QUANICO: Okay. And you did not see any blood or any-any, uh, injuries to [REDACTED] in front of K?

DEP. SONG: No.

SGT. QUANICO: Okay.

SR. DEP. LUQUIN: Once he was taken down, he's lifted up or assisted back up?

DEP. SONG: [Unintelligible].

SR. DEP. LUQUIN: Anything unusual that you notice about Inmate [REDACTED]

DEP. SONG: No, no. He's still upset.

SR. DEP. LUQUIN: Okay. And you got his -- you-you got [unintelligible] with him, right --

DEP. SONG: Yes.

SR. DEP. LUQUIN: -- since you're at the head? Lieutenant Casey, did he make any orders at this time? Did he take charge or anything?

DEP. SONG: No, he didn't.

SR. DEP. LUQUIN: Not at all?

DEP. SONG: No.

SR. DEP. LUQUIN: Okay. Did Inmate [REDACTED] at any point say, uh, "I'm tired"? Do you recall anything of that sort?

DEP. SONG: [No]. No.

SR. DEP. LUQUIN: Okay.

SGT. QUANICO: Now-now Deputy Song, um, there are three incident reports that memorialize this incident, and all three of the incident reports do not mention you at any time. Is there a reason for that?

DEP. SONG: I have no idea.

SGT. QUANICO: Were -- did any of the deputies that wrote incident reports -- Deputy White, Deputy Gutierrez, or Senior Deputy Wong ask you what was your, uh, contact with [REDACTED] or what did you do, or, "What did you do, Mel, during this [whole deal]?" Or did any of them ask you --

DEP. SONG: No.

SGT. QUANICO: -- that they-they wanted to put you in their incident report?

DEP. SONG: No.

SGT. QUANICO: Okay. At any time did you say you didn't want to be in the incident report?

DEP. SONG: No.

SGT. QUANICO: Do you believe that you should've been in the incident report?

DEP. SONG: Yes.

SGT. QUANICO: Who was the on-scene commander during this? Was it Senior Deputy Wong, or was it Lieutenant Casey?

DEP. SONG: Uh, Senior Deputy Wong's the one that actually walked him down, so I figured he was in control of it.

SGT. QUANICO: Okay. Did you help out at all for the safety cell placement? And I know you weren't actually part of it, but were you asked to do anything, um, in a safety cell area?

DEP. SONG: No.

SGT. QUANICO: Were you asked to get ready for a hospital run?

DEP. SONG: No.

SGT. QUANICO: Were you asked to preserve, uh, the crime scene in the safety cell at all?

DEP. SONG: No.

SGT. QUANICO: Were you asked at any time if there was a crime scene in front of K or inside K?

DEP. SONG: No.

SGT. QUANICO: Were you a-- did an-- at any time, did you order a trustee to clean anything up in K tank or in mainline?

DEP. SONG: No.

SGT. QUANICO: Did you see any trustees clean-clean up in that area?

DEP. SONG: It was locked down.

SGT. QUANICO: Okay. And there--there was no blood or no liquids or, uh, there was nothing in terms of-of mess in front of K or inside K tank that you would have a-a trustee clean up for any reason?

DEP. SONG: No.

SGT. QUANICO: Like did anything spill on the ground?

DEP. SONG: No.

SGT. QUANICO: Okay. At any time, did it look like the deputies fell off-balance and fell down in front of K rather than a takedown?

DEP. SONG: I don't think so.

SGT. QUANICO: It was more of a planned takedown?

DEP. SONG: Uh, I think it was, yeah.

SGT. QUANICO: Okay. When did you find out that, uh, that, uh, Inmate [REDACTED] uh, was deceased or-or-or 408 was en route, or the paramedics? When did you find out that there was, um, a medical emergency?

DEP. SONG: Uh, on the radio [unintelligible] was a 408, and then it got cancelled. And . . . somebody said, uh, the guy passed away in the safety cell.

SGT. QUANICO: Okay. At any time did any of the inmates housed in 1M4 near K tank, uh, directly blame you for [REDACTED] being deceased? Did they say anything to you like that, or, "Song, we know what you did," or, "You-you-you hurt that guy"?

DEP. SONG: No.

SGT. QUANICO: Did -- have they made any comments like that to you at all?

DEP. SONG: No.

SGT. QUANICO: Have you -- have you heard them make any comments at all regarding deputized staff in terms of what they did to Mr. [REDACTED]

DEP. SONG: Uh, when Homicide came down to K tank.

SGT. QUANICO: What did they say?

DEP. SONG: Uh, somebody in Dorm 4 yelled, "They killed that guy."

SGT. QUANICO: Okay. Do you recall if the inmates were able to watch the news that night?

DEP. SONG: Uh, no, the TV was off that whole night.

SGT. QUANICO: So the TV was off the whole night?

DEP. SONG: Yeah.

SGT. QUANICO: Okay. How about the phones? Were they on or off?

DEP. SONG: I think they were off, too.

SGT. QUANICO: Okay. Senior Deputy, you have anything else that you want to clarify?

SR. DEP. LUQUIN: Two more questions. Um, did anyone tell you to stay back at Post 10? Were you ordered to remain at Post 10?

DEP. SONG: Uh, [unintelligible]. No. Usually s-- Deputy [Has] to stay back there.

SR. DEP. LUQUIN: Were you ordered?

DEP. SONG: No.

SR. DEP. LUQUIN: You just took it upon yourself to stay back there?

DEP. SONG: Yes, because I was the only one back there.

SR. DEP. LUQUIN: Here?

DEP. SONG: No, no.

SR. DEP. LUQUIN: Act-- uh, yeah. I'm sorry. My second question here, did you make eye contact with Deputy Guitron?

DEP. SONG: Uh, yeah. I think I looked at him.

SR. DEP. LUQUIN: Okay. What [did] -- what happened then?

DEP. SONG: Like he's getting upset.

SR. DEP. LUQUIN: And [crosstalk]?

DEP. SONG: That's when -- that's when [unintelligible], you know, [unintelligible] walked out of K tank.

SR. DEP. LUQUIN: So once-again, before here, did you have any physical contact with, uh, Inmate [REDACTED]

DEP. SONG: No.

SR. DEP. LUQUIN: Okay. So it was when you came out?

DEP. SONG: Yes.

SR. DEP. LUQUIN: Did you make any eye contact with Deputy Guitron at all, um, inside K tank?

DEP. SONG: Yes, when, uh, [REDACTED] start to get upset, uh, I look at, uh, Guitron. He looked at me. And, uh, it was a kind of indication, "Get him out of here."

SR. DEP. LUQUIN: Okay. That there was a problem?

DEP. SONG: Yeah.

SR. DEP. LUQUIN: Okay. Did you have any eye contact with Guitron on the takedown?

DEP. SONG: No.

SR. DEP. LUQUIN: Do you remember his glasses flying off?

DEP. SONG: No.

SR. DEP. LUQUIN: Okay. When do you recall exactly when Lomba and White arrived?

DEP. SONG: I think I went to get the leg shackles and came-back. They were there already.

SR. DEP. LUQUIN: Okay, okay.

SGT. QUANICO: [Unintelligible] questions here. Senior Deputy, you got anything else?

SR. DEP. LUQUIN: [No].

SGT. QUANICO: Okay. Did Medical come down at all to check on [REDACTED] when he was on the ground?

DEP. SONG: No.

SGT. QUANICO: Okay. So Medical wasn't called at that time?

DEP. SONG: No.

SGT. QUANICO: Okay. Did [REDACTED] request Medical at all at that time?

DEP. SONG: [I did not hear that].

SGT. QUANICO: Okay. Did he mention anything about that he needed to take his meds or anything like that?

DEP. SONG: No.

SGT. QUANICO: Okay. Did, um, Senior Deputy Wong or Lieutenant Casey, uh, uh, ask you any specific questions after-after the incident for their incident reports or for Casey's verbal report?

DEP. SONG: No.

SGT. QUANICO: Okay. At any time were you upset, Deputy Song, at-at Inmate [REDACTED] when he was in K?

DEP. SONG: No.

SGT. QUANICO: Did you become like upset?

DEP. SONG: Uh, no.



SGT. QUANICO: Like frustrated that he wasn't going to go into K2 or anything like that?

DEP. SONG: No.

SGT. QUANICO: Okay. Got anything else, Harry?

SR. DEP. LUQUIN: [Crosstalk] last question. Is there any cha-- I mean, was there inmates onviewing this incident?

DEP. SONG: Yes.

SR. DEP. LUQUIN: There was?

DEP. SONG: Yes.

SR. DEP. LUQUIN: Okay.

SGT. QUANICO: Harry, anything you want to clarify?

MR. STERN: No, [crosstalk].

SGT. QUANICO: Okay. Um, Deputy Song, this is an ongoing investigation. Um, first of all, since the incident, have you spoke freely with anyone other than Mr. Stern about this incident? Have you talked to anyone?

DEP. SONG: People [on] watch talk about it.

SGT. QUANICO: Okay. Do you remember specifically what you talked about?

DEP. SONG: No. They just asked, uh, is -- that's what happened [unintelligible].

SGT. QUANICO: Uh, what -- that's what what happened?

DEP. SONG: Uh, what happened with this guy.

SGT. QUANICO: People asked you that, or --

DEP. SONG: [Crosstalk].

SGT. QUANICO: And what did you tell them?

DEP. SONG: I said, "He supposed to be placed in, and he refuse. Went down to safety cell, and something happened down there." [Unintelligible].

SGT. QUANICO: Okay. All right. Well, um, once again, I'm-I'm giving you a direct order not to talk to anyone, except you can talk to Mr. Stern. Okay? Um, nothing else. Uh, the time is 1701 hours. Uh, this will conclude our interview with, uh, Deputy Mel Song. Thank you, Song.

DEP. SONG: Okay, thanks.

[End of recorded material]