

## Internal Investigation

#J-IA-21-009

12/30/2021

**Recorded Yes/No**

On December 30<sup>th</sup> 2020, at approximately 0830 hours, I was requested to perform an investigation in which involved an incident with an inmate identified as [REDACTED] and Deputy Nicholas Summers. The information that was provided is that Deputy Summers went into the female pod (Bull Pen), while [REDACTED] was in the shower. [REDACTED] had been complaining about a rash and Deputy Summers told her to show it to him. The date of this incident is unknown at this time.

This will be investigated as a level I-II investigation at this time under policy number (317), and a letter has been given to the individuals involved by Sheriff, McDonald, Donald.

Through this investigation it was found there were several Deputies that had information about this complaint, and other complaints with Deputy Summers. There were also several female inmates that were interviewed with complaints about Deputy Summers.

Through investigation it was found the individuals possibly involved with this incident are listed as below:

- Deputy Nicholas Summer
- Deputy [REDACTED]
- Deputy [REDACTED]
- Corporal [REDACTED]
- Inmate [REDACTED]
- Inmate [REDACTED]
- Inmate [REDACTED]
- Inmate [REDACTED]
- Civilian [REDACTED]

Sine there is not a specific date of the incident, I was not able to obtain video footage. I was however able to find the date that is believed to be when Deputy Summers had an altercation with inmate [REDACTED]. This appears to have occurred on 12/12/2021 at approximately 1450 hours, inside of bull pen. This footage shows Deputy Summers locking down the female inmates, and he does enter into inmate [REDACTED] cell. Deputy [REDACTED] is shown in the camera going to the cell and putting his left arm inside. Deputy Summers then leaves the cell locking another cell before exiting the pod. Deputy Summers does exit the camera view into the cell for approximately 12 seconds.

When Deputy Summers goes to inmate [REDACTED] cell it appears the door is closed. He opens the cell, closes the door, and then opens it again. He appears to be speaking with inmate [REDACTED], then enters the cell. Deputy [REDACTED] is standing outside behind Deputy Summers. Deputy Summers then exits the cell. Deputy Summers walked towards another cell in the front closest to the showers where he enters and you are only able to see some of his right foot, and then he closes the cell door. Deputy [REDACTED] is seen at the pod door and he walks through the pod. He does not leave camera view during this incident. The incident was documented under case number 21-758, which is attached to this file.

In Deputy [REDACTED] report for the above case, he explains that [REDACTED] was yelling profane language. Deputy Summers and [REDACTED] were then involved in a "heated argument while in Inmate [REDACTED] cell". Inmate [REDACTED] was asking Deputy Summers to leave the cell, which he refused. Deputy [REDACTED] told Deputy Summers to leave the cell and the pod so the inmates would calm down. There is however nothing in Deputy Summers report mentioning that he entered the cell with [REDACTED] nor that he exchanged word with her. The only words that were exchanged by him were about a something plastic in the toilet, which he advised her to get out.

Lt [REDACTED] did give a statement to the training, which has been attached. Deputy Summers was talked to about comments made towards a female inmate, by Lt [REDACTED]. He was also advised not to enter pods by himself anymore. In the statement Lt [REDACTED] does not say he told Deputy Summers he would go to the road after his training, he was advised it was a good place to start.

Deputy [REDACTED] gave a statement, which has been attached. Deputy [REDACTED] admits he was the one that wrote the training form or Deputy Summers in crayon. States it was after Deputy Summers had been joking about MVPD brining in several individuals to be booked. He did advise Deputy Summers the training form was a joke and to read the back of the form. The back of the form told him where his original form was located. Deputy [REDACTED] stated "I didn't want him unduly alarmed, as the act was made in jest and in response to his statement about the incoming Domestic Violence subject the day before". Before Deputy [REDACTED] left he did advise him about the note on the back of the sheet.

Deputy Summers has signed acknowledging he read and understood policy 212 "Employee Confidentiality Agreement". Through the investigation there was no other jail footage that was located dealing with any of these allegations, besides the lockdown footage. All recordings and interviews have been copied to a thumb drive and given with this file. The following is statements from interviews.

Inmate [REDACTED] was interviewed about this situation in which she stated as below:

- [REDACTED] is currently being held in the jail
- [REDACTED] advised Deputy Summers has been messing with them
- He was not getting the reaction he wanted
- [REDACTED] advised she was locked down for being in [REDACTED] room
- [REDACTED] advised she went and shut her door
- Deputy Summers opened her door
- He advised it was just for the day and then told her to throw the plastic not to flush it
- [REDACTED] advised him to shut the door, since he goes on and on
- Deputy Summers entered the cell
- He began to tell her "You wanna get a fucking attitude"
- [REDACTED] explained it caught her off guard
- [REDACTED] advised the shower incident did not happen to her it was another female inmate
- [REDACTED] believed it was with [REDACTED]
- [REDACTED] advised Deputy Summers had made her poke her head out
- [REDACTED] advised nothing inappropriate had happened to her
- [REDACTED] advised she can tell he is a pervert
- [REDACTED] advised it was from how Deputy Summers acts

- █████ advised she believed Deputy Summers wanted to possibly be friend or something
- █████ advised Deputy █████ would not let Deputy Summers deal with her
- █████ advised Deputy Summers had got into her face when he yelled at her
- She said it was right in her face
- █████ advised when it happened, she wanted to talk with someone
- █████ advised she was nervous to talk with someone due to retaliation
- █████ advised she believed she could get him to bring things in, but she isn't like that
- █████ stated she didn't believe anything had happened with in other female inmates
- █████ advised she felt he is "Dirty"
- █████ advised there was an instance where she had told Deputy Summers, she carries guns for guys like him
- She indicated she was meaning for perverts
- Deputy Summers had replied to her that she could pay him as private security and she wouldn't need a gun
- █████ said it threw her off
- █████ advised Deputy Summers wants to talk with them to much
- █████ advised there was an instance where Deputy Summers had put an extra bagel on her tray
- █████ advised in the back of her mind she thought he had done something to it so she threw it away
- █████ advised when Deputy Summers got into her face it reminded her of when she had been abused in the past
- She also believed he was trying to "perv on" her
- █████ advised if she had been asked to show her "tits" she would have made sure everyone knew

I interviewed Inmate, █████ in which she stated as below:

- █████ is currently being held in the jail
- She advised she believes there are essive checks in the female pod
- █████ said she was told to peek her head out
- She advised it feels like the checks are always while someone is in the shower
- She advised she had heard males announce themselves when they come into the pod
- So, if they are using the restroom they aren't exposed

- She advised there is one particular Deputy that does it and it is Deputy Summers
- She then advised she was unsure if any male announces themselves but the girls normally will say someone is in the shower
- If their door is closed, they will say they are using the bathroom
- She advised Deputy Summers always walks in there and into the rooms
- She advised there is a specific inmate it makes feel uncomfortable which is [REDACTED]
- [REDACTED] advised she was unsure if the male inmates are bothered as much as the females
- She advised if Deputy [REDACTED] is on Deputy Summers won't do it
- She stated when Deputy [REDACTED] is on with Deputy Summers, Deputy [REDACTED] will follow him
- She advised she believed Deputy [REDACTED] knows its uncomfortable but doesn't say anything
- [REDACTED] advised [REDACTED] doesn't talk with Deputy Summers
- [REDACTED] advised Deputy Summers completely entered the pod when she was in the shower
- She advised she was standing in the shower for a minute or two
- Deputy Summers told her he needed to see her
- She did poke her head out so he could see her
- She advised when she did get out Deputy Summers had left the pod
- [REDACTED] stated she will not get out with anyone in there
- [REDACTED] advised there are no other jail deputies they had issues with
- She advised she had heard of inappropriate relationships and was unsure if that is what he is looking for
- She advised that type of relationship had not happened in our facility
- She advised Deputy Summers just makes them feel uncomfortable
- She said it bothers them when jailers don't announce themselves
- [REDACTED] said no other deputies bother them as much
- She advised they always walk into [REDACTED] room
- [REDACTED] advised she was only asked to peek her head out
- She advised [REDACTED] was one to talk to since she didn't like Deputy Summers for a reason

I interviewed Inmate, [REDACTED] in which she states as below:

- [REDACTED] is currently being held in the jail

- When asked about inappropriate behavior by the jail staff, [REDACTED] said "Summers"
- She believes Deputy Summers likes [REDACTED]
- She advised there was a female in the shower and Deputy Summers asked to see her face
- She stated other "guy" won't come in until they are done
- She advised in the past male jail staff would not go into the cells alone
- In the past they would not go in if someone was in the shower, unless it was a female deputy
- [REDACTED] advised they just get a bad vibe from Deputy Summers
- She advised Deputy Summers had got into [REDACTED] face and locked them down for no reason
- [REDACTED] said [REDACTED] feels uncomfortable with Deputy Summers because she gets a bad vibe with him
- [REDACTED] advised she also gets the same type of vibe from Deputy Summers when it comes to [REDACTED]
- [REDACTED] advised Deputy Summers was yelling at [REDACTED] but didn't know how close to her face he had got, since she was in her cell
- She advised she feels he checks their pod a lot and stays for awhile
- She advised Deputy Summers will just go in when a female is in the shower
- Other males will come back later, unless there is a female deputy on
- She advised when [REDACTED] was in the shower Deputy Summers had come in and when he had done his pod check he stayed in the pod
- [REDACTED] said he was right in front of the TV
- [REDACTED] said she didn't know why [REDACTED] didn't like Deputy Summers
- She advised [REDACTED] doesn't have the same attitude towards the other jail staff
- [REDACTED] said she didn't remember what was said when Deputy Summers was yelling at [REDACTED]
- She advised Deputy [REDACTED] was in the pod and told Deputy Summers they needed to leave, during the time Deputy Summers was yelling at [REDACTED]
- [REDACTED] said she was outside [REDACTED] door the other day when Deputy Summers came to get the tray
- She advised she had just been talking with [REDACTED]
- [REDACTED] advised [REDACTED] had been threw some things and Deputy Summers made her feel uncomfortable
- [REDACTED] advised Deputy Summers had said some things to [REDACTED] when she was taking her meds but didn't know what
- [REDACTED] said Deputy [REDACTED] had said Deputy Summers had a thing for [REDACTED]
- [REDACTED] explained that she was meaning Deputy Summers was attracted to [REDACTED]

I interviewed Inmate, [REDACTED] in which she stated as listed below:

- [REDACTED] is currently being held in the jail
- [REDACTED] advised she sticks to herself
- [REDACTED] advised she doesn't care for Deputy Summers
- She advised she doesn't respect him, but doesn't go out of her way to disrespect him
- [REDACTED] advised nothing inappropriate was going on in the pod with deputies
- [REDACTED] advised there was a time when [REDACTED] was in the shower
- [REDACTED] advised no male announces when they come into the pod
- She advised Deputy Summers has not done anything to her
- She advised the other girls had gotten locked down for going into each other's rooms
- [REDACTED] advised Deputy Summers likes [REDACTED] and it seemed he made it a priority to mess with her
- She advised she had told the other girls to just not acknowledge him
- She advised he has tried to talk with her and she ignores him
- She advised Deputy Summers had asked if she wanted to move to another unit, since he sink was clogged but she told him no
- [REDACTED] stated there were more jail checks with Deputy Summers and Deputy [REDACTED]
- [REDACTED] said Deputy [REDACTED] seems to just follow Deputy Summers in and doesn't want to go in

I interviewed Deputy, [REDACTED] in which he stated as listed below:

- [REDACTED] is a Jail Deputy within Rio Grande County
- His main jail is the welfare of the inmates
- His general shift for the last month has been 5 am to 5 pm
- He been working with Corporal [REDACTED] and Deputy Summers for this month
- [REDACTED] has heard Deputy Summers make inappropriate comments towards inmates
- [REDACTED] specifically said a comment was made about an inmate's butt
- [REDACTED] has heard Deputy Summers as in inmate to show him a rash they had
- He said he had never observed Deputy Summers do anything inappropriate with an inmate

- One comment ██████ advised about was that Deputy Summers said he wanted to go into the female pod and have sex with an inmate
- Specifically bend the inmate over
- ██████ advised Deputy Summers and him had been in booking
- Deputy Summers pulled up the camera system, which was accessible through the booking computer
- ██████ advised he had not heard Deputy Summers say specifically he liked an inmate; he had only heard him talk about inmate ██████
- ██████ advised ██████ was locked down by Deputy Summers for about 14 days for entering another inmate's cell
- He advised there was a confrontation between Deputy Summer and ██████, when she was locked down
- ██████ stated he was in the process of calming down another inmate
- He advised Deputy Summers entered ██████ cell and was yelling at and in her face
- ██████ advised Deputy Summers was right in ██████ face
- ██████ said ██████ advised Deputy Summers she would except the lockdown
- Deputy Summers was yelling at ██████ about several different things
- ██████ never yelled until after she was being yelled at
- Deputy Summers did not try to de-escalate the situation
- ██████ advised he was not sure which inmate told him about the shower incident
- Pod check is done with starting by announcing they are coming in
- They walk through the pod and insure there are no holes in the cells
- In bull pen since it is a female pod there should be two deputies if they are males
- ██████ walked me through how oranges are given
- He did state they walk out of the pod while they change
- ██████ advised this way there is no confrontation
- ██████ has heard about female inmates being uncomfortable with Deputy Summers and changing out their oranges
- ██████ advised the females stated Deputy Summers would attempt to peak into the pod
- The inmates that brough this forward was ██████, ██████, and ██████
- ██████ advised Deputy Summers monitors the female pod cameras more than the others, from his perspective
- He stated when Deputy Summers watches the female pod, he will make it the full screen, meaning he is watching that specific pod camera

- He advised it appears Deputy Summers pays more attention to the female pod than the male pods
- ██████ said it appears Deputy Summers lingers more in the female pods than the males, he does still linger more than he should in the male pods
- ██████ advised they should generally do a pod check once an hour, depending on how busy they are
- ██████ tries to do at least 7 during his shift
- ██████ advised generally they start from either A pod and working towards C pod, or start at C pod and work towards A pod doing checks
- He said he has observed Deputy Summers at random going to bull pen
- ██████ advised he had been trained on doing pod check and what to look for
- ██████ advised he had observed Deputy Summers take his body camera and leave it laying around
- Deputy Summers had thrown his body camera into a trash can
- ██████ told him to not do that
- Deputy Summers pulled the body camera out of the trash can and there was dirt on it
- ██████ is familiar with policy as well as how to acknowledge them
- ██████ has not observed anyone accessing social media on an agency computer
- He advised Deputy Summers has accessed it on his personal phone
- ██████ advised he has been told they were able to have personal phones on them, in order to text higher ups
- ██████ said there was a set of civil prints
- Deputy Summers had told ██████ he had made a date with the female he had done civil prints on
- Deputy Summers told him he was going to take her on a date to the gun range
- Deputy Summers had stated he talked with a supervisor and was told he was not doing anything wrong
- ██████ could not remember who he was told the supervisor was
- ██████ advised Deputy ██████ had told him, Deputy Summers had gone onto Facebook to find the female he did civil prints on
- ██████ and the female from the civil prints are friends
- Deputy Summers told ██████ he had taken the female on a date to the gun range
- ██████ advised he did not see Deputy Summers write down any information from the civil prints
- ██████ advised he had heard Deputy Summers swear at the inmates specifically telling ██████ not to "fucking" talk back to him

- Deputy Summer had also told them "Fuck" you
- ██████ brought back up the lock down with ██████
- He actually pulled on Deputy Summers to remove him from the pod, when the situation escalated
- ██████ advised he has never been told specifically to help train Deputy Summers
- He advised generally they help each other with all paperwork that is completed
- ██████ advised Deputy Summers has issues with being told how to do paperwork
- Deputy Summers told said since they are not a person of rank, he does not have to listen to them
- Since he is post certified, he is above them
- ██████ said they have asked to help them which Deputy Summers tells them they are not of rank so he doesn't have to help
- ██████ said Deputy Summers has said he was hired for patrol and is upset he is in the jail
- ██████ said he believed Sgt ██████ had told him he would only be in the jail for a small amount of time
- Deputy Summers has stated if he is not put on patrol soon, he will quit
- ██████ advised Deputy Summers and him communicate
- Deputy Summers told him he does not feel like part of the family and that rumors have been started about him
- ██████ stated Deputy Summers takes an excessive number of brakes while on duty
- Deputy Summers will generally go on a brake twice in an hour and will be no less than 15 minutes each time
- He stated those brakes do happen when they are busy
- ██████ advised at first, he did enjoy working with Deputy Summers
- He does not like working with him anymore
- ██████ advised he loves his job but has thought about quitting because of Deputy Summers

I interviewed Deputy, ██████ in which she stated as listed below:

- Deputy ██████ is a jail deputy with Rio Grande County
- ██████ just works in the jail

- [REDACTED] shift in December was 5 am to 5pm
- [REDACTED] advised there was a civil print for CCW
- She performed the first one while Deputy Summers observed
- She was going to let him do the next print
- [REDACTED] assisted with putting the female's information
- [REDACTED] advised it generally takes between 8 and 15 minutes to complete it
- She stated Deputy Summers kept messing up during the printing process
- She advised Deputy Summers was very flirtatious towards the female
- After 10 minutes [REDACTED] took over to complete the prints
- Later during the shift, they went to perform a jail check
- Deputy Summers advised he had gone onto Facebook and requested the female to be friends on Facebook
- [REDACTED] knew the female from working with her at a prior job
- [REDACTED] advised this was kind of creepy
- [REDACTED] advised Deputy Summers grabbed the arm of the male party
- [REDACTED] advised it was rough
- Deputy [REDACTED] did tell him to calm down
- [REDACTED] advised Deputy Summers grabbed and twisted the arm, it made it seem rough
- [REDACTED] advised [REDACTED] [REDACTED] was doing meds
- Deputy Summers was advised to hold off from doing commissary due to the inmates being distracted from taking the meds
- [REDACTED] advised this is not to normal routine
- [REDACTED] advised Deputy Summers gets in too big of a hurry
- [REDACTED] gave an example
- She advised Deputy Summers had been in such a hurry during serving a meal to the inmates
- Deputy Summers took the tea or Kool-Aid and left
- She advised she had to go get more of the drink to fill the cups
- [REDACTED] advised she talked with Deputy Summers and asked him to slow down
- [REDACTED] advised she keeps an eye on all other deputies when doing a jail check for safety
- [REDACTED] advised Deputy Summers takes a smoke brake 2-3 times when they are not busy
- [REDACTED] advised he will go do a perimeter check and that is fine, but he doesn't tell anyone where he is going
- [REDACTED] advised Deputy Summers used to go out the kitchen door and stand in the front
- She advised his brakes could be 8-15 minutes long

- ██████ stated ██████ had she felt Deputy Summers was trying too hard
- ██████ advised ██████ told her she had a rash and she was in the shower
- ██████ advised this was around a time of a lockdown
- She was not sure when ██████ was in the shower if it was around the time, they were locking them down or before
- ██████ felt Deputy Summers was trying to see the rash while she was in the shower
- ██████ advised during the lockdown ██████ was complying with Deputy Summers
- ██████ told ██████ Deputy Summers was trying to flirt with her but when she didn't respond he got upset
- ██████ advised the day after Christmas the female pod asked if they could change out oranges
- ██████ advised the females told her they didn't feel comfortable with changing out with Deputy Summers working
- ██████ stated when she works with other deputies won't go into the pod with her if there is a female in the shower
- If she is on with Deputy Summers he will go into the pod
- ██████ advised if they are going into the female pod, she will generally go first, but was unsure if they did it when she is not on duty
- ██████ stated the thermostat is in the hallway since it is an old facility
- She advised the thermostat is set at 80 degrees so the pods stay somewhat warm
- She advised someone from A pod and Bull Pen complained it was cold
- She noticed the temp was set at 68 degrees
- She advised it had been changed several times and she changed it back
- She approached Deputy Summers and advised him it needed to be set high to keep the pods warm
- Deputy Summers told her he doesn't like being hot
- Deputy Summers also told her it didn't matter if the inmates were cold
- ██████ talked with Captain ██████ about it and the issue was resolved
- ██████ advised there was not an issue after this
- ██████ advised during medication they have to go through Qmap to give meds
- ██████ stated someone that is Qmap certified while someone else handles them
- ██████ advised Deputy Summers has told inmates that he is dealing drugs
- ██████ advised she was unsure if he was joking about it and she advised him not to do that
- She stated she doesn't ask him to do anything because he doesn't listen
- ██████ advised she didn't feel this was something that should be joked about

- [REDACTED] advised she has attempted to show Deputy Summers how to book someone
- She stated there is generally someone that does the training
- She advised one time she tried to show him, Deputy Summers just played on his phone
- [REDACTED] advised when they have a booking he won't generally help with the booking
- When he does help, he does it "half assed"
- [REDACTED] advised again Deputy Summers seems to always be in a hurry
- She advised Deputy Summers is still on training status
- Cpl [REDACTED] is supposed to training him
- [REDACTED] advised if the trainer isn't there, they normally help show they knew person what to do
- [REDACTED] advised Deputy Summers has said he only has to learn the jail so he can go to patrol
- Deputy Summers had told [REDACTED] he was upset that he had to work Christmas eve and Christmas day
- Deputy Summers told her he wasn't going to show up and didn't understand why [REDACTED] got those holidays off
- [REDACTED] attempted to explain it to him
- Deputy Summers implied that [REDACTED] was either sleeping with the person that was making the schedule or she was to buddy buddy with that person
- [REDACTED] explained that she did work thanksgiving and she had to do what she had to, to have a job
- [REDACTED] advised she had observed Deputy Summers leave a body camera attached to the door frame to go into admin
- [REDACTED] advised most jail staff carry their personal cell phones inside the jail
- [REDACTED] advised he is on his cell phone a lot during shift
- [REDACTED] advised Deputy Summers would post Facebook pictures of himself during shift
- [REDACTED] advised the computers have only been used to play music in the background to her knowledge
- [REDACTED] advised she tries to do jail checks once an hour while on shift
- [REDACTED] advised they can access the camera system at the booking desk
- [REDACTED] advised she watches the cameras frequently but Deputy Summers doesn't to her knowledge
- Deputy Summers does do jail checks by him self
- [REDACTED] advised she does as well if she can't find the person
- [REDACTED] advised Deputy Summers does more jail checks in Cpod and bull pen

- If she observes him in bull pen she goes in
- [REDACTED] advised she normally does checks form A-C pod at different times
- She advised she timed Deputy Summers once and he was in Cpod for over 20 minutes
- [REDACTED] advised policy is on the I: drive and explained how to get to the policy portion
- [REDACTED] advised she had shown Deputy Summers where it was
- [REDACTED] advised she doesn't believe Deputy Summers wants to learn
- Deputy Summers took an inmate to the hospital
- When he returned Deputy Summers went and smoked, then to dispatch
- She advised they were pretty busy with a booking, a CCW, and another court ordered print
- [REDACTED] said it always makes it easier to have more people
- [REDACTED] advised the male Deputy Summers grabbed, the male did later complain about the hand cuffs being too tight and his wrist hurting
- [REDACTED] advised the whole cuffing process took place in the booking shower
- [REDACTED] did not observe if proper fit and the hand cuffs where locked
- [REDACTED] advised Deputy Summers has a bad attitude towards the jail and just wants to go to the road
- [REDACTED] stated he will no listen when they try to show him something, since he just wants to go to patrol
- Deputy Summers has said Deputy [REDACTED] and [REDACTED] should not go to the road
- [REDACTED] explained she doesn't trust Deputy Summers
- [REDACTED] advised there were a few occasions where it felt like Deputy Summers would egg the inmates on
- She stated it depends on the day if Deputy Summers does things he shouldn't
- She advised if admin is here, he toes the line
- [REDACTED] advised Deputy Summers was "pissed" when he didn't get the schedule he wanted
- [REDACTED] said when Deputy Summers made the comment, she felt dirty when he implied, she was sleeping with the person who made the schedule
- [REDACTED] advised she was unsure if Deputy Summers searched through his phone or the office computer, since it was a busy day
- [REDACTED] advised the female that was printed has not reached out to her about the incident
- [REDACTED] advised she believed the female might have been caught off guard
- Deputy Summers told her he had a date with the female from the print
- Deputy Summers told [REDACTED] she isn't a Cpl so he doesn't have to listen to her

- ██████ feels like if it's a general deputy asking Deputy Summers to do something he doesn't listen
- ██████ advised she has been trained how to use the body cameras
- ██████ advised she was told not to take the body camera off unless they were in the bathroom
- ██████ advised they activate the body camera during an incident
- ██████ advised during a lockdown the body camera would be activated
- ██████ advised during a pod check she did A-B pod by her self
- Deputy Summers went in to bull pen
- During the check in Cpod Deputy Summers went straight to 101 and stayed there during the whole pod check
- ██████ completed the check for all of C pod
- ██████ stated during a check in the female cells most male deputies will wait for the female to exit the cell before the go into the cell
- If the nurse is in with a female inmate the male deputies will exit the pod if there is a female deputy or exit the pod
- Deputy Summers did tell an inmate he would help him get his CDL and get him a job when he gets out

I interviewed unofficially Corporal, ██████ in which he stated as listed below:

- Trained Deputy Summers for 2-3 weeks straight
- Lt ██████ told Deputy Summers once he finished his training in the jail he could go to patrol
- Cpl ██████ will do a statement and attach
- Training form for Deputy Summers attached
- Written in crayons
- Cpl ██████ advised Deputy Summers must have written on it before he left
- Cpl ██████ has given a written statement

I interviewed Civilian, ██████ by phone (Audio) in which she stated as listed below:

- ██████ was interviewed by phone
- Was the person printed for CCW by Deputy Summers
- Went in for CCW
- Deputy Summers was the one that originally started printing her
- Deputy ██████ was there
- Deputy Summers advised he was learning

- Deputy Summers was not overly flirtatious but was
- ██████ advised he was more flirtatious than what she would expect from someone in that position
- ██████ advised Deputy Summers did reach out to her later that day on Facebook
- She told Deputy Summers through messenger something along the lines of he met her once and now he is reaching out to her on Facebook
- Deputy Summers did it the same day
- Deputy Summers told her he was sorry if it was inappropriate
- ██████ advised they have chatted since then, but it was merry Christmas and happy new year
- Deputy Summers did ask her while she was being printed if she wanted to go shooting
- ██████ advised she didn't feel uncomfortable but he was just more friendly than she would have thought
- ██████ advised he didn't do anything inappropriate with comments or physically
- ██████ didn't feel like she was being pressured to go with him to the gun range
- Deputy Summers did talk with her about guns he preferred when she was there
- ██████ never felt uneasy in anyway

I interviewed Deputy, Summers in which he stated as listed below:

- Summers is a Jail Deputy within Rio Grande County
- Garrity given and signed no questions about it
- Summers advised he has been employed since November 1<sup>st</sup>, 2021
- Main shift in December was 5 am 5 pm
- Summers mostly worked with Cpl ██████ and Deputy ██████
- Cpl ██████ is his trainer but he is always working dispatch
- Spent some time with Cpl ██████ but not much
- Summers is still on training status
- Cpl ██████ has stated his training is documented but has never seen the paperwork
- Summers advised policy is located on the computer
- Does not remember where on the computer policy is located
- Has read some policy
- Does remember if he has signed any policy

- Summers advised sometimes he monitors the cameras
- They are accessed in front of the holding cells (booking area)
- Explained how a jail check is done
- Summers does not perform a pod check in any specific order
- Does pod checks about every hour if they are not busy
- Summers does do checks by himself, and enters the pods by himself
- He has been told he is not to do them by himself by Lt [REDACTED]
- Others do go in by without another jail deputy
- Explained how he performs a check in a pod including cells
- Does talk with inmates while he is doing a check
- Summers has gone in the female pod when a female is in the shower
- Doesn't remember who was with him, but he had another jail deputy with him
- Advised other females with let him know someone is in the shower
- Summers advised he will tell them to stay in the shower, since the know there is someone in the shower
- Has had a female complain of a medical issue
- Summers advised he believed it was a blood sugar issue where the female was transported out
- When doing a pod check he advised time varies on how long he spends in each pod
- Summers advised he tries to build rapport with the inmates but has never crossed the line
- Summers advised he spends more time in C pod since there are more inmates in that pod, along with A pod since he speaks with [REDACTED]
- Has locked down inmates since he has been employed
- He explains why that inmate is being locked down to them
- Has had a verbal argument or altercation with an inmate locking them down
- The inmate was inmate [REDACTED]
- Locked her down for going into other inmates' cells
- [REDACTED] was yelling and swearing to go "fuck" yourself
- [REDACTED] slammed the door in his face, did not hit him
- He advised [REDACTED] she was getting another day for doing that
- Summers advised he did not enter the cell he was right in the doorway
- Summers has not got into an inmate's face and swore at them
- Summers has not heard of anyone doing favors for inmates
- Summers advised he has left camera view when doing a cell check but there is always someone else there
- He believes the other jail staff he works with are good people but a little lazy

- Never made a comment to any jail staff that he doesn't have to listen to them since they don't have rank
- Never stated he is above them since he is post certified
- Summers advised he was promised to go to patrol once he completed his training in the jail
- Lt [REDACTED] told him this and was told it came from the sheriff
- Summers told Lt [REDACTED] if he isn't with a trainer, he can't complete his training
- Summers was issued 3 shirts (2 long, 1 short), badge, Glock, with 3 mags and ammunition
- Body cameras are taken at the beginning of shift
- Summers has not left any equipment laying around or damaged it
- Summers advised he has never tossed his body camera into the trash can
- Has left his body camera on a door frame
- Advised he was messing around with Deputy [REDACTED] saying he would set it up as a hidden camera
- Has altered the thermostat
- Summers advised it was set at 90 degrees
- Advised by Captain [REDACTED] it needed to stay where it was set at
- No other deputy approached him about the thermostat
- Deputy [REDACTED] went to Captain [REDACTED] about it
- Summers was never approached by Deputy [REDACTED] about the thermostat
- Summers has done civil prints
- Done approximately 5 civil prints
- Summers explained how a CWW print would be printed
- Summers advised he had made contact with a female after he had done prints
- Advised he made contact on Facebook with a female
- They talk about once a week
- Talked with the female about guns
- Advised she showed as an acquaintance on Facebook
- He requested her on Facebook
- Was not on duty when he requested her on Facebook
- Advised he has never flirted with her
- Summers advised he had mentioned to Deputy [REDACTED] about the female who she knew
- Assist other staff with booking when he is available
- Explained the booking process to me
- Has only released one person on his shift
- Summers was not sure about how to release someone
- Advised they try to get 2 perimeter checks a shift

- Summers stated he goes for a break maybe once an hour to hour and a half
- Depending on how busy they are
- Carries personal cell phone in the jail
- Summers stated everyone carries their personal cell phone in the jail
- Did not know about policy on cell phones in the jail
- Accesses social median through his phone
- No one that he knows of accesses social media on the computers, everyone uses their phones
- Has not told anyone that they must be sleeping with or is buddy buddy with anyone to get the schedule that helps them
- Deputy ██████ stated it pays to have the right friends
- Summers advised it was messed up
- Has never fraudulently filed out any document
- Summers has been shown by Deputy ██████ somethings that he knows
- Deputy ██████ is the only he could think of at the moment that showed him things
- Summers is excepting to training
- Has never told anyone that he didn't need to do things or learn things
- Summers said the fast he learns everything that faster he gets out of the jail
- Summers advised unless someone is on suicide watch he doesn't watch anyone different
- No camera he monitors more than others
- Does not check the female pod differently than any others
- Does not believe he checks the pods any different than anyone else
- Summers advised no one had brought to him a medical condition such as a rash
- Summers advised sometimes voices get raised but he would raise his voice to tell them to lock down
- He would never swear at them
- Summers knows what de-escalation is
- Used to think he was good at de-escalation
- Summers doesn't remember when his last training on de-escalation was
- Summers advised he has never had to have a deputy put their hands on him to tell him to leave a cell that he knows
- Has a general idea where the cameras hit in each pod
- Summers stated he did not fill out the training docs that he remembers

- Advised Deputy [REDACTED] did file out that document as a joke, he did not take it personally
- Summers did not remember when it was written
- Stated it was approximately about a month prior
- A body camera is picked out
- Advised when they log in it is specific to their name
- Has not received any training on body cameras
- Advised during an incident he would activate the body camera
- During a lock down he would activate his body camera
- They started using body cameras around a week prior to being put on leave
- Summers advised he has never had a conflict with any deputies with procedure besides Deputy [REDACTED]
- Advised Deputy [REDACTED] was upset about a door being propped open
- Summers advised Deputy [REDACTED] that was the way he was trained to do it
- Summers advised he has not walked out on a shift
- Cpl [REDACTED] trained him on this
- Have not had conflict with Cpl [REDACTED]
- Excepting to Cpl [REDACTED] training
- Summers has not had conflict with Nurse [REDACTED]
- Has not made any degrading remarks about an inmate, with a deputy or around another inmate
- Summers advised he has not poked fun about inmates
- Summers advised there was a comment he made about an inmate
- Advised inmate [REDACTED] want 2XL pants and he stated what is she trying to hide
- Summers advised inmates do try to hide things and its easier to hide things in baggier pants
- Advised it was not meant to be sexual
- The comment was made to see what she was trying to hide not sexual anything
- Deputy [REDACTED] laughed about the comment she made about having the right friends
- Summers advised Lt [REDACTED] is good friends with Deputy [REDACTED]
- Summers advised it was a nice schedule since she gets nights off, and weekends with her kids
- Let's other deputies know when he leaves the facility
- Summers advised he has not been in a pod to specifically watch a deputy that is in the pod
- Summers advised he has joked about dealing drugs when he is giving meds out

- Summers advised he always makes that joke “come get your drugs”
- No other deputy has confronted him about that joke
- Has not observed a deputy falsify any documents or times
- Has not done it himself either

Through the interviews it did appear all of the Deputies, knew about a policy. Most deputies did know to find the policies on the I: drive in the computer system. Others knew it was located on the computer.

Possible violations of policies include as listed below:

- Policy number 312 (Rules of Conduct)
  - 12. Respect for Private Citizens “Members will be courteous to the public. Members will control their tempers and not engage in argumentative discussion. They will not use coarse, violent, profane, or insolent language. This also applies within the detention’s areas”
- Policy number 901 (Locker usage and storage):
  - (C) “Property that will no longer be permitted into the controlled facility by detentions employees”
  - (2). Cell phones (assigned duty phones are authorized)”
- Policy number 212 (III. Policy) (Employee Confidentiality Agreement):
  - “All information obtained by the Rio Grande County Sheriff’s Office” “recipient of Rio Grande Sheriff’s Office programs”

- Policy number 301 (Professional Standards, (Code of Conduct):
  - (2) Carelessness “Furthermore, repeated incidents of minor carelessness or a pattern of errors, neglect, and /or inattentiveness to job performance are of an equal serious nature and will not be tolerated”
  - WW. Obtaining and Disseminating Information “Employees will not use for unofficial purpose, information received or acquired during the course or scope of their official duties”
  - ZZ. Truthfulness “Employees are required to be truthful at all times whether under oath or not”

Possible violation of the Rio Grande County Sheriff’s Office, Locker usage and storage by all jail Deputies.

Other individuals listed within this may not have been directly involved within this incident.

Garrity was read and signed by Deputy Summers and is in this report.

01/11/2022

Corporal Investigator Heath Hart

Date