SHERIFF
ADAMS COUNTY
SHERIFF GENE R. CLAPS

To: Division Chief Bill Dunning

From: Commander Jeremy Whytock, Professional Standards Division

Date: March 30, 2023

Re: CC2022-0026 Investigation

On October 17, 2022 I received a Citizen Complaint, CC2022-0026, from the detention facility. Inmate [redacted] filed a complaint against Commander Nanney for reviewing a grievance against Sergeant Europe for allegedly assaulting him on December 6, 2021. Commander Nanney reviewed the grievance and made a citizen complaint entry, CC2022-0001. Commander Nanney reviewed all the evidence and determined an assault did not occur on inmate [redacted] and recommended the complaint be closed at intake. Chief Laws reviewed the findings and concurred. The complaint was closed as Closed at Intake.

The second part of the complaint was against Sergeant Europe for assaulting him on December 6, 2021 and threatening to kill him in front of a whole dorm of inmates on December 13, 2021. The complaint was forwarded to internal affairs to review.

I first reviewed CC2022-0001. I reviewed the surveillance videos. I observed Sergeant Europe walking down the E/F Hallway and a group of inmates behind him walking the same direction. Sergeant Europe stopped and turned around and addressed an inmate. The inmate stopped in the hallway and the other inmates continued down the hallway. I observed a civilian female employee, later identified as [redacted] walking down the hallway. [redacted] stopped and allowed inmates to pass her. At 10:15 in the video, Sergeant Europe pat searched inmate [redacted] down. [redacted] walked towards Sergeant Europe's location in the hallway as he was pat searching inmate [redacted] After the pat search was completed, Sergeant Europe bent down and picked up paperwork from the floor as [redacted] was passing them. The video showed Sergeant Europe talking with inmate [redacted] and Sergeant Europe then dropped the paperwork back on the floor. Inmate [redacted] then bent down and picked up the paperwork and started walking down the hall. Sergeant Europe bent down and picked up something off the floor and walked down the hallway behind inmate [redacted]

On October 20, 2022 at 0922 hours, I interviewed [redacted], over the phone in reference to December 06, 2021. [redacted] said she was working on December 06, 2021. She was walking down E/F hallway. There was a large group of inmates in the hallway returning from court and being escorted by Sergeant Europe. She slowed down so the inmates can get through the hallway. She remembered an inmate, [redacted] not following the rules and Sergeant Europe told inmate [redacted] to be quiet and get back in line. Inmate [redacted] started mouthing off to Segreant Europe. Sergeant Europe told inmate [redacted] to stop, put his items on the ground and turn and face the wall. Sergeant Europe had

the other inmates continue down the hallway. Inmate [redacted] continued to talk back to him and was not doing what he was told arguing that he did not do anything wrong. Sergeant Europe told inmate [redacted] he needed to comply, and he was going to pat him down. [redacted] said she stopped for safety concerns because she did not want to walk past them as Sergeant Europe was attending to the inmate. She said inmate [redacted] finally complied and Sergeant Europe pat searched inmate [redacted] said she then continued down the hallway after it appeared to her that everything, "Seemed to be in hand." I asked [redacted] if she observed Sergeant Europe performing a "pat down" on inmate [redacted] She said she believed so, it had been quite some time since that day. I asked [redacted] if she saw Sergeant Europe striking inmate [redacted] She replied, "I did not." I asked her if She observed Sergeant Europe being angry with or threatening inmate [redacted] She said, "No." I asked her if Sergeant Europe had a big stack of papers in his hand. She said no, any of the paperwork was sitting on the ground and belonged to inmate [redacted]

After reviewing the evidence in this portion of the complaint from December 6, 2021, I did not see any evidence of inmate [redacted] being assaulted by Sergeant Europe. As for the complaint against Commander Nanney, he responded to the grievance and documented a citizen complaint, CC2022-0001, on Sergeant Europe. The complaint went through the chain of command and was closed at intake.

I then investigated the second part of the complaint against Sergeant Europe in reference to December 13, 2021. I had located a incident report from [redacted] on December 13, 2021 involving dorm F1400. The report talked about a note she received by an inmate that stated, "Beware talk over taing guard."

On November 8, 2022 at 1300 hours, I interviewed inmate [redacted] at the detention facility in C Module deputy office. [redacted] translated for inmate [redacted] I asked inmate [redacted] if he was housed in F1400 on December 13, 2021. He said, "Yes." I asked if there was a situation where Sergeant Europe came into the dorm to address the group. He did not recall. I clarified and told him it was about either someone in the dorm or the entire dorm was going to take out a deputy. Inmate [redacted] said he did remember; it was a black sergeant (Sergeant Europe) that came in and threatened them. The sergeant told them that no one was going to threaten his officers and if it was going to happen again, he was going to kill them. Inmate [redacted] said if someone did do it, it was going to be very bad for that person. I asked if Segreant Europe addressed the whole group. He said, "Yes." He mentioned someone in the pod was getting all their names to file a lawsuit against the agency. I asked him if he was aware that someone in the dorm was threatening to hurt a deputy. He said, "no." I asked inmate [redacted] if he remembered what the specific words Sergeant Europe stated to them. He said the sergeant said whoever did anything to his officers or threaten to do anything to his officer were going to pay with death. I asked him if he felt threatened. Inmate [redacted] said, "Yes", the sergeant entered very aggressive. He said after the sergeant left, the inmates were confused and asking each other if they had threatened anyone because no one knew what was going on.

On March 22, 2023 at 0615 hours I interviewed [redacted] has been with the Sheriff's Office for 2 years. She is currently assigned to A Platoon graveyard shift at the detention facility.

On December 13, 2021 [redacted] was working day shift and was assigned to F1400. Her sergeants were Sergeants [redacted], Europe, and [redacted] said she received a Writ back and was getting his property when an inmate (identified in her report as [redacted]) pointed to a note and told her she needed to read it. [redacted] took the note and property out to the hallway. She handed off the property and read the note. The note said, "Beware talk over Taking guard", but taking was spelled wrong "Taing". She showed the control officer the note and saw Sergeant Europe in the surveillance camera walking her way.

[redacted] showed Sergeant Europe the note and he called [redacted] to their location. The three of them talked and she was asked what the note meant to her. She stated it either meant they had something, or they were planning to hurt a deputy. The decision was made to shake the dorm to make sure there were no weapons in the dorm. [redacted] said they shook the dorm, and a deputy found a rope (gesturing the rope to be about two feet long) during the shake. She described the rope as a rope made from clothing or something. I asked [redacted] what the note meant to her. She said it meant that they had something, or they were going to take a deputy hostage. I asked her what she did with the note. She believed she took photographs of the note and she believed she handed off to the sergeant but could not be for sure. I asked [redacted] what the rope could be used for. She stated it could be used to strangle someone.

I asked [redacted] if Sergeant Europe addressed the dorm. She believed he did, and she was there but could not remember if he addressed the inmates before or after the shake. I asked her what Sergeant Europe's demeanor was like after seeing the note. She said he was concerned when something being in the dorm and the safety of his deputies and herself. I asked her if Sergeant Europe addressed a particular inmate of the entire dorm. She said he addressed the entire dorm. I asked [redacted] if Sergeant Europe made any threats that he was going to kill them. She said she didn't believe so but could not remember what was said. I asked her if the dorm needed to be addressed about this situation. She said yes because it involved the safety of the deputies. [redacted] said only one deputy is assigned to a dorm with at the time sixty-four plus inmates inside with no way to lock them down behind doors. I asked her if she believed her safety was at risk when she saw the note. [redacted] said, "Yes." I asked if she remembered having any issues with any inmate that day. She said she could not remember, but there is always a disgruntled inmate.

On March 22, 2023 at 0812 hours, I interviewed Sergeant Europe in reference to this complaint. Sergeant Europe has been with the Sheriff's Office for fifteen years and a sergeant for a year and a half. On December 13, 2021 he was a sergeant on A Platoon at the detention facility.

Sergeant Europe said [redacted] was a new deputy, had recently passed the F.T.O. program and was working by herself. He said [redacted] was working F1400 that day. He said she received a note from an older inmate that stated something about taking a guard. Sergeant Europe said [redacted] was spooked and really freaked out. He asked her what the note meant to her. She felt they were talking about her. He checked with her to see if there was a specific incident that occurred to get this reaction form the dorm or if she was a new female deputy. [redacted] told him that nothing specific happened that day. [redacted] didn't know if it was a scare tactic, or they were going to carry it out.

Sergeant Europe took the note and locked down the facility. He called for deputies to respond to F control so they can shake the dorm. He said Chief Laws (now Commander Laws) heard his radio traffic and came down to see what was happening. He explained to Commander Laws that a note was received talking about taking one of the deputies. Sergeant Europe said he wanted to shake the dorm and send a message to the dorm who ran the facility. He held a briefing with the deputies explaining they were going to take everything not accounted for and a zero tolerance for inmate causing issues. The deputies will take inmates that cause issues out of the dorm and deal with them later. He wanted to show the deputies the agency was there to protect them and to show the inmates that this type of talk or planning was not going to be tolerated.

Sergeant Europe said before the shake happened, he went to the center of the dorm and addressed all the inmates. He said he explained to the inmates that the thought, talk of plan to kidnap or hurt a deputy was not going to be tolerated. He explained to them that if they were to hold a deputy hostage or hurt one of them, he would use all the resources available to get his deputy back to include if needed killing an inmate(s) involved to get his deputy. His hope was to also show the severity of this situation and those inmates not involved would talk to those that were involved to knock it off.

Sergeant Europe said they shook the dorm and found damaged cabinets in the kiosk room where the laminate was pulled off. They found several pieces of laminate that were curved and had sharp edges on them where it would cut you open. The deputies found a braided rope made from the blue blankets. He said it was about twelve feet of braid that made the rope. They also found several inmate coffee cups with the top ring removable that could be used as a weapon. For Sergeant Europe, what they found during the shake "upped the severity of the threat." He said the inmates had the items to take a deputy and edged weapons to enforce their will to cut a deputy. It was imperative to him to send the message to the dorm. He told the inmates after the shake, if taking a deputy took place, it was a good chance that some of them would have died in the process of getting his deputy back. Sergeant Europe explained to me that if someone was taken hostage with deadly weapons, the police are going to respond in a certain way. Sergeant Europe said at no time did he single inmate [redacted] out, he didn't even know he was in that dorm until they shook the dorm.

I asked Sergeant Europe during his statement to the inmates in the dorm, did he make comments like "we'll kill you" or "shoot you" or anything like that. He said he didn't specify how, but more of a general

statement that if they had to kill one or those involved, it would happen to get their deputy back safely. I asked sergeant Europe if he believed his statements to the inmates were unprofessional. He said he cursed during his statement to the inmates, it was his passion for his deputies and the severity of the situation. He did not believe he was unprofessional. I asked if he threatened them or if it was a fact that if the inmates do this, the reaction will be this. He said it was a "guarantee" meaning there was no way getting out of that situation if they proceeded to. I asked Sergeant Europe if he singled out inmate [redacted] and gave him any direct threats. He said, "No." He addressed the entire dorm. We talked about the dorm being medium classification and all the shifts were having a lot of issues with the medium classified inmates in the dorm room setting.

On March 22, 2023 at 1445 hours, I interviewed Commander Chris Laws. Commander Laws has been with the Sheriff's Office for 28 and half years. In 2021, he was the Division Chief for the detention facility. On December 13, 2021, Commander Laws was working that day. He heard radio traffic from Sergeant Europe for deputies to respond to his location. He responded to F Control and talked to Sergeant Europe. He was told a deputy received a note stating a deputy was possibly going to be taken hostage or harmed. At the time they had medium inmates in F module, which was unusual, but they were remodeling other modules with suicide bunks and sewer line replacements.

Sergeant Europe advised him that they were going to shake the dorm down to check for weapons or anything that may hurt a deputy. Commander Laws was aware that the shake found something but didn't remember what it was. He was aware that the dorm was addressed that if the inmates tried anything, they would have the issue, not the cops. I asked Commander Laws if it was unprofessional for a sergeant to address inmates and threaten them if they do something to an officer then this would happen. He said no, it was kind of standard procedure to address a pod "If you do this, we're coming down on you." It is not unusual for a sergeant to address a pod when there is an issue.

I asked Commander Laws if he knew who [redacted] was. He stated he did. I asked if he reviewed a complaint from inmate [redacted] from December 6, 2021 involving inmate [redacted] and Sergeant Europe and the claim that inmate [redacted] was assaulted by Sergeant Europe. He said he reviewed it and concurred with Commander Nanney's findings. The findings from Citizen Complaint 2022-0001 were Closed at Intake.

I Have reviewed Citizen Complaint 2022-0001. I did not see Sergeant Europe assaulting inmate [redacted] in the hallway. I interviewed [redacted] who was in the hallway when Sergeant Europe pat searched inmate [redacted] She too did not see Sergeant Europe assault inmate [redacted]

After conducting my investigation and reviewing evidence, I find the following things to be true:

Deputy [redacted] was working F1400 on December 13, 2021. She was one deputy overseeing the safety and security of sixty plus inmates that day. An inmate gave her a disturbing note that suggests inmates were collaborating to do something to a deputy. Deputy [redacted] being concerned involved her sergeant, Sergeant Europe. Sergeant Europe was concerned for the safety of his staff and all detention

facility staff. He conducted a shake down of the entire dorm area for weapons. Sergeant Europe addressed the entire dorm before the shake. The deputies conducted the shake and found several items that were made into weapons that could have been used to harm a deputy or inmate. Because of the new evidence found, the situation became more severe. Sergeant Europe, who is responsible for the safety and security of the detention facility, the safety of the inmates and all staff, went back into the dorm and again address the entire dorm of inmates and explained to them that if anyone is planning or talking about taking a deputy as a hostage or hurting them, it was going to be met with force. Sergeant Europe stated he explained to the inmates that he would use all resources available to include killing the participants involved if needed to ensure the deputies safety. Law enforcement in a correctional setting is dangerous. The deputies are in charge with maintaining the security and safety order and discipline of the facility and the people in their care. I believe based on the evidence presented, Sergeant Europe was not unprofessional in his address to the entire dorm of inmates. He explained the harsh outcome of the security measures that would be taken if a deputy would be taken as a hostage. Sergeant Europe addressed all the inmates in the dorm and did not single out inmate [redacted] I recommend this complaint be closed at intake.