



Department of Justice

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ELEVEN CURRENT AND FORMER FEDERAL CORRECTIONS OFFICERS INDICTED FOR EXCESSIVE FORCE AND FALSE STATEMENTS

Defendants Charged for Their Roles in Beating Inmates at the Metropolitan Detention Center in Brooklyn and Subsequent Cover-up

BROOKLYN, NEW YORK – Eleven defendants, SALVATORE LOPRESTI, SCOTT ROSEBERY, KELLY TASSIO, STEVEN PETERSON, ALFRED SANTANA, ELIZABETH TORRES, GLEN CUMMINGS, JAQUES LAMOUR, JAMIE TORO, FRANK MALDONADO, and ANGEL PEREZ, who are current and former federal corrections officers at the Federal Bureau of Prison’s Metropolitan Detention Center (“MDC”) in Brooklyn, New York, have been indicted for violating the civil rights of two former MDC inmates by engaging in acts of physical violence and excessive force, and with making false statements about these incidents. The charges in the indictment are merely allegations, and the defendants are presumed innocent unless and until proven guilty.

The defendants were arrested earlier today. The defendants who were arrested in New York are scheduled to be arraigned this afternoon before United States Magistrate Judge James Orenstein, at the U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York.

As set forth in court filings, the indictment focuses on physical attacks allegedly carried out by the defendants against two former MDC inmates between 2002 and 2006. At the time of the first attack, LOPRESTI was a captain at the MDC and one of the facility’s highest ranking officers. TASSIO, TORRES, and MALDONADO were lieutenants who had supervisory authority over numerous officers at the prison.

“We will vigorously protect the constitutional right of individuals to be free from the use of unjustified and excessive force by officers whose duty it is to uphold the law,” stated United States Attorney **Roslynn R. Mauskopf**. “Those who attempt to subvert justice and avoid punishment through deceit and obstruction will be held accountable for their crimes.”

Glenn A. Fine, Inspector General for the Department of Justice, stated, “The Office of the Inspector General is committed to vigorously investigating and referring for prosecution any correctional officers who abuse detainees and prisoners under the care of the Department.”

James E. Tomlinson, Special Agent-in-Charge of the Office of the Inspector General's New York Field Office, stated, "The current and former federal correctional officers who were indicted today not only inflicted pain on the inmates they are charged with abusing, they also undermined the integrity and safety of the detention facility, other inmates, and their fellow employees."

As alleged, in November 2002, LOPRESTI, ROSEBERY, TASSIO, PETERSON, and SANTANA participated in a planned attack on a former MDC inmate, identified in the indictment as John Doe #1, in his cell, and the subsequent cover-up. The attack, led by LOPRESTI, was carried out in retaliation for the inmate having "disrespected" LOPRESTI earlier that day by failing to heed LOPRESTI's request to remove a t-shirt that was wrapped around the inmate's head. During the attack, the officers repeatedly struck, kicked and beat the inmate, leaving a pool of blood and clumps of the inmate's dreadlocks on the floor of the cell. The officers allegedly sought to disguise the retaliatory attack by tying the inmate's bedsheet into a noose and wrapping it around the bars of the cell's window in order to make it appear that the inmate had tried to hang himself. In written reports about the incident, the officers falsely claimed that the inmate had become combative as they attempted to prevent the inmate from committing suicide, thereby prompting the officers' use of force against him. During the subsequent investigation conducted by the Department of Justice's Office of the Inspector General ("DOJ/OIG"), TASSIO initially admitted that her written report was false and that the inmate had not tried to kill himself, but later recanted and re-asserted the charged false claim about the attempted suicide.

The other excessive force charges in the indictment stem from an incident in April 2006, during which officers ROSEBERY, TORRES, CUMMINGS, LAMOUR, and TORO allegedly participated in a physical attack on an inmate, identified as John Doe # 2 in the indictment, as they were escorting the inmate to the MDC's Special Housing Unit. The attack, which occurred in an elevator at the facility, was captured on videotape and shows the officers tripping the inmate and then kicking and stomping on him while he is on the ground. This attack was allegedly carried out in retaliation for an altercation between the inmate and another MDC officer inside the inmate's cell. Officers ROSEBERY, TORRES, CUMMINGS, LAMOUR, TORO, MALDONADO, and PEREZ are also charged with submitting false written reports about the incident, claiming that the inmate had become combative while being escorted by the officers, thus prompting their use of force against him.

The indictment separately charges LOPRESTI with obstructing a federal grand jury investigation in April 2004, and making false statements to the DOJ/OIG concerning a memorandum he signed indicating that a particular MDC correctional officer was authorized under New York state law to carry a concealed weapon. The memorandum had been used by the MDC correctional officer, who was arrested by DOJ/OIG on unrelated charges, to obtain an off-duty weapon. During a meeting with DOJ/OIG investigators, LOPRESTI falsely claimed not to have signed the memorandum.

If convicted, the defendants face sentences of up to 10 years for each of the excessive

force charges (18 U.S.C. §§ 241 and 242), and five years for each of the false statement charges (18 U.S.C. § 1001(a)(3)). LOPRESTI additionally faces a maximum sentence of five years for making false statements about the gun memorandum (18 U.S.C. § 1001(a)(2)) and up to 20 years for obstruction of justice (18 U.S.C. § 1512(c)(2)).

The government's case is being prosecuted by Assistant United States Attorney Sarah Coyne.

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