

**DEPARTMENT OF PUBLIC PROTECTION  
INTERNAL AFFAIRS**

**Charles Cella, Complainant Interview  
IA 2012-11-312**

November 12, 2012

Present:

Charles Cella, Corrections Officer

David Vanis, Captain

Bonita McClough, Transcribing Secretary

Vanis: This is Captain Vanis with the Volusia County Department of Public Protection Internal Affairs Unit. Today's date is November 12, 2012. The time is now 1400 hours. I am at the Corrections Facility with Officer Charles Cella am I pronouncing that right?

Cella: Correct.

Vanis: Ok. Sir, could you restate your name and?

Cella: Charles Cella

Vanis: And a phone number if you would?

Cella: [REDACTED]

Vanis: And a local address?

Cella: [REDACTED]

Vanis: Could you spell that for me, please?

Cella: [REDACTED]

Vanis: All right, Sir. Today we're taking a statement in regards to a report you filed with Warden with the Warden ah last Friday and I'm in receipt of that that complaint report it's on a Volusia County Division of Corrections Incident Report and it was dated 11-9-2012 and today we're just gonna get a a sworn statement from you and if

you'd raise your right hand for me, Sir? Do you solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth?

Cella: Yes, I do.

Vanis: Ok. All right, Sir. Like I previously said I'm in receipt of your report and I'm here to just elaborate on that and get your sworn statement and if you would can we start on August 4<sup>th</sup> the date the alleged date of the incident that is one of the incidents you're talking about here and ah we're gonna try to keep the keep em separated. We'll talk about this incident, then we'll go into the other stuff afterwards, ok?

Cella: Ok

Vanis: So let's start on August 4<sup>th</sup> about about the time when you hurt your knee.

Cella: Ahm somewhere around 5:00 in the morning I'd injured my knee brought it to the attention of my sergeant he took me down to the medical department...

Vanis: Now which sergeant was that?

Cella: Ah Sergeant West

Vanis: Ok

Cella: Took me down to the medical department ahm they had viewed my knee and had seen that it'd swelled up pretty good and I heard something pop so I knew something was wrong and ah they took a look and you know they gestured over to him and just said he's gonna have to go to HMC.

Vanis: By HMC you mean Halifax Medical Center, correct?

Cella: Correct.

Vanis: Ok

Cella: Halifax Medical and ahm then I was helped down to the Shift Commander's office to get the proper paperwork fill the paperwork out before I could go to that ah Halifax

Vanis: Ok and who was that Shift Commander?

Cella: Capt. Hunter

Vanis: Capt. Hunter, ok

Cella: and ah Sgt. West and Sgt. Lowenstein were trying to get the documentation but they were told there was a revised version of it and Capt. Hunter didn't know where to find it. So Sgt. West...

Vanis: How did how did Sgt. Lowenstein become involved in it just helping find the ah the paperwork?

Cella: Sgt. Lowenstein was in I believe the Lt.'s office which is next to the Capt.'s office and he was in there I I would imagine doing his own paperwork

Vanis: Ok

Cella: I I don't know but he helped Sgt. West try and locate this revised ah revised report...ahm Capt. Hunter had come in and just said you know that she didn't know where it was. She didn't have a clue but I needed to fill it out then she she left. So those guys were looking around and ah maybe 10 minutes later she she came back in and sheshe can be goofy at times and act a little corny and she just you know started taunting me.

Vanis: What was she saying?

Cella: Well she came over and she licked her finger and she gave me a wet willie and then ah like a few seconds later she came over and she pushed her rear end up on me and she flagitated

Vanis: Ok

Cella: and you know - that's disgusting. And I'd say within maybe another few seconds - I I was in a lot of pain, too at the time so I mean it's within 10 seconds - she put her tongue on the back of my head and neck area and ran it up my scalp. So I mean I just...I felt the saliva and it was - it was disgusting.

Vanis: Right.

Cella: So ah the Sergeant said you know just leave him alone

Vanis: So Sgt. was that Sgt. West?

Cella: Sgt. West yeah Sgt. Lowenstein was in the other room I still I I would imagine still searching for the paperwork because it hadn't been found yet and ah

Vanis: Was any

Cella: Sgt. West

Vanis: Was anybody else in the office with you then or just Sgt. West and Capt. Hunter?

Cella: Ah Sgt. West, Capt. Hunter, myself and ah Officer Schneider.

Vanis: Ok. What was Officer Schneider doing in there?

Cella: He was standing over the other end of the...the Sgt.'s area and he was just you know looking on.

Vanis: Ok was he ah...did he witness the - what you just talked about?

Cella: He was staring at me; ah looked at me kinda like holy crap you know I can't believe what I just saw. So I would imagine that he saw everything.

Vanis: Ok

Cella: Ahm...

Vanis: All right I I'm sorry I keep cutting you off I'm just

Cella: No that's ok

Vanis: trying to clarify some things

Cella: yeah that's fine

Vanis: ahm I think you stopped at ah...I think she had just you said she had just licked your neck.

Cella: She had done that and like I said Sgt. West had said leave the guy alone. You know he's hurt. Which I was kinda glad he did say that because like I said it was disgusting. When I wiped the saliva off my head it was disgusting! So ah she left the office and those guys the two sergeants they kept looking for the paperwork...and ah I I know that Sgt. Lowenstein found it because he had pulled Sgt. West in and they gave me the paperwork I signed it and filled

everything that I had to fill out and I just basically concentrated on getting...

Vanis: Getting your leg fixed.

Cella: to the hospital because I mean I was...I was in pain...and I mean that's basically the extent of it. Ahm...it was disgusting!

Vanis: Ok had she ever...any other physical contact prior prior to this?

Cella: Never never physical, no.

Vanis: Ok

Cella: There's never been any type of -

Vanis: Have you ever seen her do that to anybody else?

Cella: I've never seen her do it...

Vanis: Ok

Cella: no.

Vanis: Heard of heard of her doin that to anybody else?

Cella: Licking?

Vanis: Any kind of inappropriate contact.

Cella: Yes.

Vanis: Do you know who that might be? Who it might've been to or just in a general sense you you've heard about it

Cella: In a general sense I know that ah...again I I only have heard that Officer Wooten or Woten one or the other

Vanis: Ok

Cella: had filed a complaint because they were punched in their private area. I don't know if it's true if there's documentation of it I just know that it's something I heard and I know that you know she has...had some affairs with some of the guys in there which I'm happily married and would never do anything like that so ahm...along with her current relationship...

Vanis: Ok ahm you gotta have 2 parts to this (unintelligible) All right you also say in your report that sometime starting in May last May she would she would make some comments to you but can you go into a little more detail about that what she would say maybe when, where...

Cella: Sure. Ahm Unit 3 is a 2 officer unit

Vanis: Ok

Cella: and with 2 officers at all times unless you're being properly relieved and after lockdown you know we would sometimes get relieved sometimes we wouldn't sometimes my partner and I wouldn't even want to be relieved. So we used to stay on Unit 3 and

Vanis: Who was who was your partner?

Cella: William Plotz

Vanis: Ok

Cella: and Capt. Hunter would come around at different hours throughout the night I mean it varied and it wasn't like she came on the unit in the middle of May and just started saying things, it was just a gradual process and it led up to you know it just got worse each time that she came to the unit in regards to how hard her relationship was with ah Sgt. Johnson and ahm how he's wrecked her life you know it's kinda when you think about it and when you listen

Vanis: M hm

Cella: at first your heart goes out ahm and then you know she would start talking about his kid being a nuisance and then their child that they share together ah kinda like a little off you know and then she would go back into like sexual things and how much he's ruined her life and and she wants to become a home wrecker now because he's wrecked hers he's beat her and wrecked her life so now it's her turn type of thing and then she'd say certain things like ahm - should I be appropriate and proper right now

Vanis: No

Cella: in my terminology?

Vanis: no speak freely.

Cella: "If it wasn't for Johnson the way he licked my clit, I woulda kicked him out to the curb"...ah you know "the guy doesn't even fuck me right, I need to get fucked right...Cella, would you fuck my ass" you know ah..."you wouldn't just...fuck my pussy but fuck my ass" and...ah...

Vanis: And this this went on comments like this are these just examples of comments or is this

Cella: These are these are examples I mean there is - it happened over you know 5 weeks or so but I mean it it started off with like little things

Vanis: Like what? By little things, what do you mean?

Cella: Ah...just little comments like you know she's not she's not gettin it ahm past relationships with other officers which I didn't want to bring up because you know I don't I don't know you know what truth there is to you know her relationship with another officer I mean Johnson had come home from the service and and she was trying to juggle both relationships and that was a failure and that didn't work and then...you know. Things pertaining to her getting herself off in the shower ah then she would say you know it would go right back I mean I would always try and...you chuckle because you feel kinda like awkward

Vanis: M hm

Cella: especially when you hear a woman saying it

Vanis: right

Cella: so I mean I...it's not like I said Oh, really? Tell me more about this and that and the other thing you're not getting hit right or I'll hit you or anything I mean I ahm like I said I'm happily married but I mean you put yourself in that position it's kinda awkward to hear it so it's not like you tell her don't talk like that plus - she's my boss.

Vanis: Right

Cella: Ah...so I mean I may have chuckled ah then slowly tried to like go into she was in the process of searching for a home it was her and her her boyfriend ah Sgt. Johnson so she says were splitting up and she was moving into another home she was looking for another

home preferably close to her mom and I remember her saying that so I mean I would try and change topics and switch over to you know something pertaining to how's the move? And then that'd drag on and on and as far as the move itself because every time she would come up to the the unit from that day forward that we started discussing the move I mean it was weeks and and ah...you know again a lot of a lot of things just went back to - sex.

Vanis: Did did you feel like she was hitting on you or just -?

Cella: I think that ah once she realized that she couldn't get me so to speak ahm everybody here that knows me well enough knows I'm very very happily married and I adore my wife. So I think once you and I'm only I'm I'm guessing once you think that you can't have something I guess maybe you try harder, I don't know, but that's the perception I kinda got because I mean things would progress and it would be like you know...

Vanis: Did ah did you ever ask her to stop? Talking to you like that?

Cella: No, I didn't.

Vanis: Ok

Cella: No

Vanis: did you ever did you ever pass this on to any of your supervisors?

Cella: I said some things in regards to ah what she had said and how she she talks like this in front of everybody so I mean it's not like...should I have put it on paper? I still don't think that I would have. If she never would've physically touched me, then I probably woulda just put up with the talking you know? And if she ever would've advanced then I woulda told her no...you know but I mean this is just just a whole different ball game.

Vanis: Right.

Cella: It sickened me. It sickened me.

Vanis: Ok

Cella: You know I I hear everything and I've been doing this for a long time you know and you hear everything from inmates, other officers and you can kinda like brush that off. And then a lot of times I



mean it's almost like it's a therapy session because your heart goes out to the girl

Vanis: M hm

Cella: but then you you say you know...well enough's enough!

Vanis: M hm

Cella: For Christmas sakes, get your life in order at home. I mean it's ah...whatever.

Vanis: I understand what you're sayin...ahm this all kinda sounds like it came to fruition on August 4<sup>th</sup>

Cella: I'm sorry

Vanis: that was kinda the ah the breaking point for you August 4<sup>th</sup>?

Cella: When I was sitting in the Shift Commander's office waiting for the paperwork to - I mean the injury and everything and I I'm sitting there and I'm thinking you know how can this happen? Like knee popped and I really didn't even do anything I mean I pivoted on the floor and my knee popped. So I mean I was in pain, I was a little concerned, I was worried and then these things are taking place...and I'm thinking what the frig is she doing?

Vanis: Right.

Cella: And I just thought I didn't understand it I mean and I've heard of her again like you know a wet willie I don't care just don't do it when I'm hurt

Vanis: M hm

Cella: ah farting on me sick I mean I know she farts a lot in front of the guys and whatever and that's fine just don't do it on me but don't - listen, don't put your tongue on me after I know where you where you been and how many people you've been with and I don't want anything to do with it. Don't put your tongue on my on my head. It's disgusting. Just the feel of saliva on my head was disgusting.

Vanis: M hm. Why did you wait 3 months to report it?

Cella: Say it again?

Vanis: Why did you wait 3 months to report it to document the -?

Cella: Well first and foremost is my health. Ah I thought that if I were to say anything, then I'd be fighting with Workmen's Comp, surgery, everything. I mean I wanted to make sure that my health was was first, that my knee was fixed before I even addressed this. So I mean there was no sense in in filing a report on this when I had this to to worry about my health was number one.

Vanis: Right

Cella: I didn't want any snags I didn't want anything preventing me from getting the care that I needed...and I don't know that that would've happened but I wasn't gonna take - I look at it like this the issue at that moment was my health. The problem with Capt. Hunter wasn't going anywhere.

Vanis: Right. Ok and I also saw in the report you said you're gonna resign after this is over.

Cella: Absolutely.

Vanis: Why?

Cella: Because I can't work in an environment like that. I won't subject myself to it. And it's causing some issues with my wife she's even upset that I'm here now. I was ordered to come back and I'm here. I'll never refuse an order.

Vanis: Well would you still resign if you were in no direct contact with Capt. Hunter at any point?

Cella: If I wasn't in any contact with her like if I didn't see her?

Vanis: Right.

Cella: Something I'd have to talk to my wife about.

Vanis: Right. Ok. That was just a

Cella: It leaves

Vanis: a curiosity thing I didn't

Cella: it leaves a ah an awkward taste.

Vanis: All right ahm...I'm not going to talk about this cause this goes on the record but this is for you...

Cella: Ok

Vanis: It's EAP forms so we're not gonna talk about anything if you need any help with anything they're they're available...

Cella: Thank you

Vanis: and like I said at the beginning of this we have opened an Internal Affairs investigation so from this point forward please do not discuss this with anybody that works here, potential witnesses, anybody. That would a violation of a direct order should you do that, ok?

Cella: Yes, Sir.

Vanis: So this is a confidential matter.

Cella: Understood.

Vanis: We're gonna investigate it to the best of our ability.

Cella: Ok

Vanis: All right?

Cella: Yes, Sir.

Vanis: You have anything else you want to add?

Cella: Ah no

Vanis: What would you like to see happen out of this investigation?

Cella: I don't want to see anyone lose their job, I'm not trying to cost anybody their career ah you know...ah I don't want to see somebody else in the position like I was ahm especially if they don't want to be in that position so I mean get a hold of yourself, work as a professional...I mean you know certain people can be reached and some can't. You know you can't tell somebody this is the way you have to act if this is the way they're used to acting. Ah it's just a it's a really really bad ahm it's a bad experience. You know and I kinda wish it didn't happen to me.

Vanis: Ok

Cella: Unfortunately it did.

Vanis: All right I've got one more question and then we're gonna be done.

Cella: Yes, Sir.

Vanis: Are you are you wanting to pursue criminal charges against her for for battery?

Cella: I I can't I can't do that.

Vanis: So you do not want to pursue criminal charges.

Cella: I can't do that.

Vanis: Ok it's up to you, that's your choice.

Cella: That would I can't do that. What's happened happened ah it's disgusting I feel like I was ah you know violated. It's odd for a man to say something like that, but that's how I feel you know I really do ahm do I want to I I don't think I'd be able to lay my head down at night knowing that I filed criminal charges against a woman that's got x amount of years here and clearly has some serious issues.

Vanis: Ok

Cella: You know I I can't do that. I really can't. I'd just as soon resign and be gone. You know I'm...still young enough to work at another jail.

Vanis: Ok. All right well I'm out of questions unless you have something you want to add we're going to get off the record.

Cella: No, Sir.

Vanis: All right the time is now 1423 hours and we're gonna be off the record.

Cella: Yes, Sir.

(Recording devices off)