

**DEPARTMENT OF PUBLIC PROTECTION  
INTERNAL AFFAIRS**

**Nathan Schneider, Subject Interview  
IA 2012-01-314**

January 18, 2013

Present:

Nathan Schneider, Corrections Officer

Erin Thompson, Attorney at Law

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 January 18<sup>th</sup>, 2013. We're located at the Volusia County Branch Jail and conducting an interview today in relation to Internal Affairs Case Number IA 2013-01-31...4. Let me just double check that number.

Thompson: That's what I show.

Vanis: That's what you have all right 314.

Thompson: Whatever.

Vanis: I just wanted to make sure we had that right.

Thompson: (Laughs)

Vanis: conducting an interview today with Officer Nathan Schneider. Sir, could you state your name, your rank and contact information for me?

Schneider: Senior Correctional Officer Nathan Schneider

Vanis: And ah how long have you been employed with the Division of Corrections?

Schneider: Approximately 11 years.

Vanis: Ok and I see you you have a representative accompanying you today. Ma'am, could you identify yourself?

Thompson: Erin Thompson on behalf of Midas Graham French

Vanis: Ok do you understand this is going to be a sworn statement Sir?

Schneider: Yes, I do.

Vanis: Ok. Would you raise your right hand for me? Do you swear or affirm that the statement you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Schneider: I do.

Vanis: Thank you. All right Sir you are hereby advised that you're being interviewed as part of an official administrative investigation being conducted by the Volusia County Department of Public Protection Internal Affairs Unit. You will be asked questions specifically directed and narrowly related to the performance of your official duties and fitness for continued employment. You are entitled to all the rights and privileges guaranteed by the laws and the Cos guaranteed by the laws and the Constitution of this State and the United States including the right not to be compelled to incriminate yourself. I am further advising you that if you refuse to testify or to answer questions relating to the performance of your official duties or fitness for your continued employment it will be considered an act of insubordination and punishable by up to termination. If you do answer, neither your statements or any information or evidence that is gained by reason of such statements can be used against you in any subsequent criminal proceeding. These statements may be used against you in relation to Divisional disciplinary actions. Be advised that this is an active and open Internal Affairs investigation I'm directing you not to discuss any part of this investigation with anyone other than your representative until this case comes to a close. Do you understand?

Schneider: Yes

Vanis: What I just said...all right Sir ahm in our original interviews when we conducted two interviews together on November 20<sup>th</sup> 2012 in relation to another Internal Affairs case that case number was 2012-11-312 we discussed an incident that happened in the Shift Commanders' office on August 4<sup>th</sup>, 2012. Could you give me your version of what happened? Can you tell me what happened in the Shift Commanders' office on August 4<sup>th</sup>?

Schneider: In our interview?

Thompson: I'm sorry would you ask the question again?

Vanis: Ok. Can you tell me again what you witnessed in the Shift Commanders' office on August 4<sup>th</sup>?

Thompson: (Whispers)

Schneider: Ahm what I saw was Officer Cella in the office he had a pair of crutches he was sittin in the chair ah Capt. Hunter was in the office...ahm...those are the only two I can be certain that I remember being in there ah I remember Cella was filling out paperwork ahm I did see Capt. Hunter at one point attempt to give Officer Cella a wet willie stick her finger in his ear

Vanis: Ok

Schneider: ahm I did I did hear ah Capt. Hunter say that Officer Cella tasted salty I did see and hear her spit into the trashcan...

Vanis: Ok

Schneider: ahm...that's

Vanis: Did you see Capt. Hunter lick Officer Cella Charles Cella's head and/or neck?

Schneider: I did not physically see her lick him or her tongue touch his head or neck...no.

Vanis: Ok...all right if you could do you have ah his interviews

Thompson: Yes

Vanis: in front of you

Schneider: M hm

Vanis: On the follow up interview page 2

Thompson: Did you bring (papers)

Schneider: M hm

Vanis: I asked you the question, "Did you witness her licking him?" Go ahead.

Thompson: (Whispering)

Vanis: And in your answer you began to state that that "I don't remember I think I did I think he was sitting in the chair I don't remember her licking his neck though." And you state right here "I remember her licking his head." (Pause) Do you want me to point it out to you?

Schneider: All right ahm the reason I stated that was earlier you had read me the basic ah part in the in the previous interview about ah you read me the narrative I guess the complaint from Ofc. Cella and you painted the picture for me that stated that you know she had licked him had said that he had tasted salty and that she spit into the trashcan. I vividly remember her saying that he did indeed taste salty. And I remember her spitting into the trashcan. At that point I connected a dot in my own I guess in my own mind because that was all that made sense with her standing behind him and her stating that he tasted salty and her spitting into the trashcan that like I said in my head the only thing that made sense was that she must have licked him and at that point...

Thompson: (Whispers)

Schneider: and that ah my answer to that was that I was certain and even in this report that she said he tasted salty and that she spit she spit into the trashcan

Vanis: M hm

Schneider: but I never said I was a hundred percent sure that I saw her lick him. I put on here that I am pretty sure I do remember her licking him now but I never said I was a hundred percent sure that I saw that.

Vanis: Sir I I think we're reading the same thing but you say "I don't remember her licking his neck I remember her licking

Schneider: Down here.

Vanis: like his head." So do you consider that a truthful statement? "I remember her licking his head"?

Thompson: (Whispers)

Schneider: I remembered ah there's a few a few lines up at the very top of this page

Thompson: (Whispers)

Vanis: Sir, answer the question I just asked. "I remember her licking his head" is that a truthful answer?

Schneider: I do not remember her physically licking his head, no.

Vanis: So is that a truthful answer that you gave in your follow up interview?

Schneider: Mm

Thompson: (Whispers)

Schneider: My answer is what it states in here right now is that

Vanis: This is a yes or no question. Is that a truthful statement? Yes or no?

Thompson: (Whispers)

Schneider: I did not see the physical contact. No.

Vanis: No it no it is not a truthful statement? Or what are you saying? I'm trying to be clear here.

Thompson: (Whispers)

Schneider: Listen I did not I just have to reit I did not physically see her tongue touch his body, no I did not.

Vanis: So your statement "I remember her licking like his head" is not a truthful statement. Yes or no?

Thompson: (Whispers)

Schneider: I'm going to have to say then no but it was based upon an assumption and me putting together the dots...

Vanis: Ok. So the way I understand it no "I remember her licking like his head" is not a truthful statement but you made assumptions to make that statement. Is that correct?

Thompson: (Whispers)

Schneider: Yes, a a reasonable assumption, yes.

Vanis: All right

Thompson: (Whispers)

Schneider: Ah I came to that assumption that it and that I believe that it's a reasonable assumption because it was the story that you had already provided me ahm earlier where you you sat and read to me that ah Officer Cella stated that she licked his his neck and then she spit into the trashcan she said that he was salty...

Vanis: All right you just said that and you're correct in when I read you that that statement that she licked his neck, but you specifically said she licked his head. Where did that come from?

Schneider: You said "head" in there too.

Vanis: All right, that quote is on pages 6 and 7 of the original interview

Thompson: The first question right page 6

Vanis: The very no the very it begins the very last statement my I'm quoted as saying all right I'm gonna read you a little bit of Officer Cel Officer Cella's complaint here at the very bottom of page 6

Thompson: I'd like to - up - the fifth line from the top of page 6.

Vanis: Ok so why didn't and your statement in the in the second interview you specified and it seems like to me that you're specifying that she licked his head.

Thompson: (Whispers)

Schneider: The the the first time you read me the the initial statement and you said that she licked his neck and head I automatically assumed or I'm sorry not assumed but ah I automatically took that as something very sexual. When you lick somebody's neck and head and all that ahm and I know for I'm very adamant that I I did not perceive anything that happened in that office that morning as something sexual

Vanis: Ok

Schneider: which is why I was very - when you when you first asked the question I I was adamant and I said no because I I took it as something very sexual, right? So when I went after the that first interview concluded and I went and I thought about it more and took that those ahm sexual overtones out of it and just replayed the events ah without the sexual overtones things started to come back. Ahm especially with the the like I said the her saying that he tasted salt salty her that she ah that she spit into the trashcan you know and like I said at that point I connected the dots that you know which I find is very reasonable.

Thompson: (Whispers)

Vanis: Ok I'm going to move on. On page 2 of the original interview the first interview (papers)

Schneider: Actually I don't think

Vanis: I I'm saying I'm sorry not page 2, page 6 (papers) 1, 2, 3, 4, 5...fifth question, fifth line down I asked, "Ok did you see Capt. Hunter lick Officer Cella's neck and head?" "No" was your answer.

Schneider: Which was the first time

Vanis: Correct

Schneider: you had asked.

Vanis: Was that a truthful answer?

Schneider: And then...that is a truthful answer because that was when I automatically ah went to thinking of it as a sexual nature. As far as the that goes cause when you the first the first the word that you know and it wasn't did I see Of ah her lick Officer Cella's head it was did you see her lick Officer Cella's neck and head and I I focused th on the neck part as being very sexual and as I've already stated once once I heard that like everything in my head went to the whole encounter being sexual in nature and I know that I did not perceive anything sexual that morning...which is why I was very adamant that no I did not witness it. I I did not witness anything sexual.

Vanis: Ok. So just so we're clear. You you assumed it was a sexual sexual in nature.

Schneider: The way you asked it I assumed the question you were asking was sexual in nature.

Vanis: M hm

Thompson: (Whispers)

Vanis: Ok approximately 30 minutes it was more like it was exactly based on my records 33 minutes after our original interview ended Ms. McClough called me and stated that you wanted to speak to me again about

Schneider: M hm

Vanis: said you remembered some things and needed to add some things to your statement.

Schneider: Yes.

Vanis: What ah what prompted you to remember these things?

Thompson: (Whispers)

Schneider: In the initial interview I was never specifically asked about her making the the salty comment or spitting into the trashcan and as I was sitting in the in our in our chow hall thinkin about the interview I thought it was ah I thought thought it necessary that I come in to make sure that I you know that I told you that I did indeed remember that. But I was never I was never specifically asked those questions.

(Pause)

Thompson: (Whispers)

Vanis: Do you

(Pause)

Vanis: Do you consider the "tasted salty" comment that you're saying Capt. Hunter made to be crude, offensive, sexually explicit or anything like that?

Schneider: Do I?

Vanis: Yes, Sir.



Thompson: (Whispers)

Schneider: No the comment that he tasted salty...(whispers) n no.

Vanis: Ok. After your initial interview in the in the gap between the two interviews did you speak with anybody?

Schneider: Nnno.

Vanis: Did you did you speak to Sgt. West?

Schneider: No

Vanis: Ofc. Cella? Charles Cella?

Schneider: No

Vanis: Did anybody make any attempt to contact you?

Schneider: No.

Thompson: (Whispers)

Schneider: (Whispers)

Vanis: Did you discuss this case with anybody between the two interviews?

Schneider: No.

Vanis: Do you carry a cell phone?

Schneider: Personally?

Vanis: Yes.

Schneider: I do have a cell phone.

Vanis: Did anybody try to send you a text message? Between the two interviews?

Schneider: No.

Vanis: (Pause) All right...ok, back to page 6. First interview. Just so I'm clear...When I asked you did you see Capt. Hunter lick Officer

Cella's neck and head you said no do you believe that's a truthful statement?

Thompson: (Whispers)

Schneider: Wh is it a truthful statement? (Unintelligible) I guess it is a truthful statement.

Vanis: Page 2 of the follow up interview...your statement "I remember her licking like licking like his head" is that a truthful statement?

Schneider: You've already asked me.

Vanis: Right and I'm asking again. Is that a truthful statement? (Pause) Yes or no?

Thompson: (Whispers)

Vanis: That's not the answer I'm looking for I'm looking for a yes or no. Is that a truthful statement? "I remember her licking like his head."

Schneider: I've already stated that -

Vanis: Sir, understand this: I'm giving you a direct order to answer that question yes or no.

Schneider: No.

Vanis: Ok. All right in front of you I gave you copies of the Volusia County Division of Corrections Policy if you all would refer to Policy 102.09c. Officer Schneider, do you believe you're in violation of Policy Volusia County Department of Corrections Policy 102.09 Subsection c?

Thompson: (Whispers)

Schneider: No because the totality of my statement is accurate.

Vanis: All right please refer to Merit Rules and Regulations 86-453 Subsection 12. Knowingly giving false statements to supervisors, other officials of the public. Do you believe you violated that Merit Rule, Sir?

Schneider: No, I do not.

Vanis: All right, Sir, would you like to make a statement or is there anything else you would like to add in regards to your in regards to your case?

Schneider: No, thank you.

Vanis: All right, the time is now 1118 hours. We're going to be off the record this interview is concluded.

(Recording devices off)