

WITNESS STATEMENT

TM - Sgt. Tim Morgan

JG – Inv Jim Gabriel

TF – Tony Flounnoy

TM Ok the recorder is on; this will be a taped interview reference to IA case number 09-022. Today's date is January 5th 2010 and the time is 8:30 am. The location of this interview is 1150 North Street in Daytona Beach Florida. Presently being interviewed is Mr. Tony Flounnoy?

TF Flounnoy

TM Flounnoy.

TF Uh huh

TM Also present is Inv. Gabriel with the Volusia County Sheriff's Office Internal Affairs unit. I'm Sgt. Morgan with the Volusia County Sheriff's Office Internal Affairs unit. Mr. Flounnoy, are you aware this interview is being recorded?

TF Yes sir.

TM As a Florida Law Enforcement Officer and a Notary Public of the State of Florida I am empowered to take sworn statements. At this time I'd ask that you to raise your right hand to be sworn please sir. Do you swear that the statement you are about to give is the truth, and nothing but the truth so help you God?

TF Yes

TM Ok you can put your hand down sir thank you. Can you spell your name first and last for the record sir?

TF Tony T-O-N-Y Flounnoy F-L-O-U-N-N-O-Y

TM Thank you sir, can you briefly describe the events as they occurred on November 19th 2009 while you were present during the arrest of I believe it's your ex girlfriend?

TF Yes

TM Ms. Pease...

TF Pease, Allyson Pease

TM ...in Deltona Florida.

TF Not what happened but when the police officer got there?

TM Uh huh.

TF Yeah when they, she was on her way out the door and as she was walking out the door I think it was the Sergeant the one with the thick mustache he stopped her.

TM Ok

TF And she was like I want him to leave, I want him to leave so as he walked in the house he said what's going on, it was over a cup of milk you know? So when he walked in the other officer he pulled me outside.

TM Ok

TF So he started talking to me asking me what happened and you know how it get when you got a white girlfriend and a black guy so I was letting him know look man I done been to jail before nothing happened about a cup of milk you know my sisters on her way to come pick me up and he was like well, I didn't know he was a Sergeant at the time, well officer such and such out there he's good at getting to the bottom of everything. So I'm looking at him I'm like getting to the bottom of it? You know like finding out the truth about what happened. So I'm like man look here man I say don't nobody need to go jail. I said I just called my sister she's on the way to come get me so by this time I seen the Sergeant pull my son out take him on the side of the house talking to him. I knew right then somebody going to go to jail you know or something going to happen.

TM Uh huh

TF So he walked back in and then me and the officer outside, so when I read that police report I knew that was a lie because both officers was never present at the same time and now one had me outside talking to me. While me and him was standing outside talking I started hearing screaming "you a liar, you a liar!" that was the officer so when you heard all the screaming I'm like man what the hell's going on so by this time, he started walking towards the house and I was talking and he's like "no stay here" so I just went in behind him anyways. As soon as we walk in the house I seen him like grab her and start slapping her towards the ground and my son and my children went to hollering' and screaming. Then the other one joined in and they had her head, when they slammed her they had her head up against the wall. She was trying to you know like, and I'm telling her, it seemed like when I talked to her she said she was trying to keep from falling. I know she did because she just had a neck operation.

TM Uh huh

TF And she was trying to keep from hitting her head and they kept you know like pushing her, had her hand behind her back hollering you know and you see it all the time, "get down!, get down!" you know at the same time they standing there they just hurting her, putting her arm back and I'm looking at her with her fingers you know holding, pulling her finger back and my son you know he rushing up trying to help her because he's hollering screaming and crying I'm making him get back I know it done got bad now. I'm making him get back then my, they call him uncle Tony, her adopted daughter she ran in the one with the thick mustache you say the Sergeant he had her down I seen him kick his foot and kick her back.

TM Ok

TF Kick her back and I'm hollering and screaming, every time I get one child back because they don't know what's going on now because things had, you know it just got out of hand.

TM Uh huh

TF So after all that happened he got her, I told Allyson, I said "Allyson just let them to jail, let him take you to jail" and when they got up, when they got her up they took her outside my children you know they running to the door trying to you know see what happened you know see what they doing and I'm trying to...unintelligible...and as they take her out the door I looked, I was going through the door he made me get back in the house "get back in the house!, get back in the house!" so my children they all ran to the...unintelligible...to the window and they looking out the window I seen them take her and just like shove her up against the wall. Then I'm hollering "man what the fuck y'all doing man?" and by the time they came back slammed the door and told us stay inside the house don't come back out. Then my children hollering and screaming and carrying on then the officers came back the Sergeant and he looking at me like you seen what happened right? You seen what happened right? I said "man you know y'all just go ahead on and I made them, you know they left there's two, another officer came back and asked me to, did I want to do a domestic thing and just told him no I don't want to do anything. But yeah it was excessive force, I mean that is, if he would have explained to her what was going on you know I done been to jail a hundred times if you'd have walked in there and said look Ms Pease we here for a domestic we got to place you under arrest she would have understood that. But if you arguing back and forth with somebody and he calling her a liar she said well if I'm such a liar, and you can hear what's going on that what make the other officer go back inside, "if I'm such a liar then take me to jail" and I believe once she said that because he was already kind of pissed off the way he was looking and screaming. When he first walked in the house you know the look on his face I knew somebody was going to jail.

TM Ok now and I'm sorry if I butcher up your name here, Mr Fournoy?

TF Flounnoy

TM Flounnoy let me...

TF Right

JG It's without an R right? F-L-O-U-N-N-O-Y?

TM Yeah they actually have an R in here that's why. How are you related to Ms. Pease?

TF Oh we got two boys together.

TM And you said you followed the deputies in the house and you observed them trying to push her down?

TF Yeah

TM Was she trying to stand back up or what was happening?

TF No she was trying, they wouldn't give her a chance to get down you know? It's like she tried to get down but you know at the same time she falling and if she falls, her head was like at the corner.

TM Ok like at the crease of the...

TF The crease of the wall...

TM I know exactly what you're talking about.

TF And if she fall her head's gonna hit this corner right here, the corner of the wall and I guess she was trying to prevent from hitting her head or falling too hard because you know put her hands, and the way they tried to throw her down you know if her head would have hit that wall and did that sort of thing I could see she would try to prevent from hurting herself. It wasn't like she was trying to get away or not go back or fight them. She wasn't trying to do nothing like that it's just the way they was like "get down, get down" and like you know making a scene like it was more than what it was you know and you know at the same time hurting at the same time.

TM And when you first walked in who was involved in the initial...

TF Just those two.

TM Just those, were they both involved at the same time?

TF No, me and him was outside.

TM Ok

TF And as me and him walked as this start, when we heard the hollering and screaming he started like walking towards the, he started like going towards the door.

TM Right

TF And by the time we got there we seen him grabbing her and slamming her towards the ground and that's when he came in and helped him out.

TM Ok and did you see the deputy that was outside with you, which was Dep. Pardee, did you see what he was doing at that time when he first joined in to...

TF He was the one, I, he was the one with the handcuffs pulling her hand, had her hand trying to pull it back and put the cuffs on her hand.

TM Ok

TF But you know he was holding her hand like eh was hurting her and I see what's going on. Aint nothing I could do about it, you know what I'm saying? If I'd have got involved then both of us end up going to jail you know if I tried to help her or whatever so the only thing I knew to do is get the kids and get them back because they was hollering about, I hate (the little girl) I hate police officers they crying and everybody crying trying to help they mama. It was just the way they did it you know it was too rough for you know the way the slammed her down on the ground and bend her arm back and you know all kind of shit man.

TM Ok and the reason why the deputies are there and you kind of touched on this was over milk?

TF Over milk

TM What occurred that 911 had to be called?

TF She called 911 for me to leave.

TM Oh ok

TF Ok it wasn't no fight or nothing like that and I told her I said well after I called my sister to come get me and the deputy got there and I explained to him look and I said man look it was over milk I said nobody need to go to jail. I mean if he would gone in there and talked to her and find out what happened then nobody fault, nobody with no hits no nothing like that. You know I told her I say well I

said well you threw milk on me I said so if anybody, what I was trying to do was prevent from going to jail because I know nine out of ten I was going to go anyway you know? So I told the deputy I say you know she threw milk on me and it wasn't like she just dashed the milk on me you know we got into an argument about the clothes not being folded or whatever and then when she had the milk she was like get out my fucking room you need to go, you need to go I said no I'm not leaving out the room and she went like that and the milk came out. So you know I knew when the police came I didn't want to be the one to go to jail and I said she threw milk on me but it wasn't about milk being thrown because it was really not you know...unintelligible...on me you know it's just in the movement that the milk got on me and he went in the room and investigate the milk on the wall and he said milk on the wall? No milk on the wall, wasn't no milk on the wall the milk was still in the cup, because when they took her to jail and my son looked up and said dad why they took mom to jail, she didn't throw milk on you and he went in the room and said see the milk is still on the cup. And the milk was still sitting in the cup on the thing.

TM Ok you did tell the deputies that the milk was thrown on you and...

TF Yeah I did tell them that.

TM Ok how big is the cup do you recall?

TF Just a little cup she had because she putting out some cookies, I guess she had some kind of cookies or piece of cake or whatever it was.

TM And so the argument was over you folding clothes, her coming into the room telling you to get out and she did an arm motion which ultimately ended in with milk being spilt on you or thrown towards your direction?

TF Right yes

TM From there she called 911 to have you removed from the house?

TF She called 911 to have me removed from the house.

TM Ok and while you were outside with Dep. Pardee the Sergeant was inside speaking .

TF He was inside talking to her, no he wasn't speaking they were both yelling.

TM Were yelling back and forth ok. Ms Pease, when you walked in was Ms Pease looks like to you in your assessment of the situation was trying to avoid from hitting her head.

TF Avoid from hitting her head and falling so hard because she still go to doctors right now about her neck,

TM Uh huh

TF It wasn't, she wasn't trying to fight back it was just falling and hitting the corner of that wall or hitting that wall because she was about that far from hitting it when she was falling.

TM Ok and your main I guess role in this at this point was to try to keep the children back correct?

TF Yeah

TM And you had mentioned that you witnessed the Sergeant...

TF Unintelligible

TM ...the Sergeant actually...

TF When the little girl ran up there

TM Uh huh

TF He kicked her back

TM Was she and I'm just I'm trying to differentiate at this point, were they still attempting to handcuff Ms Pease when the child was running up behind them and you were trying to, and I understand you were trying to keep everybody back but there's four kids there correct?

TF She was like more screaming and hollering, the only one really tried to you know come and because him and his mama like this here was Tony, she was more like jumping up screaming and hollering but I guess she was too close or something like that because she would never try to run up there and try to pull them she would just scream and holler I hate police and she was screaming from the top of her voice and I guess she was too close and then after I pulled one back she went up there screaming and hollering and he looked back and he just kicked her back with his feet.

TM Ok

JG But it was like a push back or a deliberate kick? That's what...

TF unintelligible...wasn't pushed back it was a kick back because she got the bruise on her leg. I mean it wasn't I aint going to make it seem like he just kicked her but it more like you know get back.

TM Like get back

JG Get behind the rest of them.

TF Yeah get back yeah

TM And you've already mentioned that you did not follow through on charges and you elected to tell them you didn't want to go through with that.

TF Right

TM And have you spoken to Ms Pease since this incident occurred?

TF Yeah we spoke, I gave my kids their Christmas presents. I haven't been down there lately but yeah we speak.

TM Have you spoken to her about this incident at all?

TF No

TM And when you filled out your citizen's complaint form did you, where'd you do this at?

TF Down in Deltona.

TM Ok and this is after the arrest or?

TF This was after the arrest.

TM The day after or the night of or?

TF No I think this happened I think two or three days later, because we called and talked, spoke to someone.

TM Ok

TF And they told us where to go at and we all went down there.

TM Ok and you mentioned that when the deputies were escorting Ms Pease out of the residence what occurred?

TF Yes

TM And what exactly occurred there?

TF When they was taking her out to the car we both, I was walking out the door with him, he made us get back in the house, "get back in the house, get back in the house!" so when we got back to the house my kids automatically ran to the curtain. When they ran to the curtain I went to them I pulled it back and I seen deputy like slamming her up against the wall you know like trying get out to the wall and I ran right to the door and I pulled it and I said "what the fuck y'all doing" and I said that and he's like "get back in the house! Get back in the house!" and they closed the door back. Then I got the kids and I was calming them down I was telling them it going to be alright and then another officer came to the door they knocked and when they said that I didn't go out to the door because I didn't want to go to jail and my kids...unintelligible...so I just calmed them down and I stayed in the house then another officer came and knocked on the door that was a lady. A lady came up and two other officers that wasn't there came up.

TM Ok

TF Then we talked she asked me did I want to fill out a form I said no then I asked them because my kids still crying and carrying on I asked her was there anyway I could let my kids see that she was alright. Then we, this is when the other officer the Sergeant came back with the thick mustache, I said just let my kids see her they crying they want to make sure she's alright, he walked us to the car and let us leave.

TM Ok and you said you seen them push him against the wall and you mentioned in your statement that someone came back in and said did you see what happened?

TF That was the Sergeant.

TM And what was meant by that?

TF I guess he, the way he said it was like because she went to jail there were definitely like you see what happened right, like I was supposed to yeah I seen what happened man yeah you know but no he tried to make it seem like just because she went to jail and I the victim that I was told to say yeah I see what happened.

TM That's the way you understood that?

TF Yeah that's exactly how it was, like I suppose to agree with them I guess. Well no he said like I supposed to agree like yeah I see what happened man but it wasn't, it didn't happen that way, they was wrong when they came at her the way they did.

TM Ok and I'm going to just briefly touch you actually, the things you actually witnessed and you've already mentioned that you witnessed the kick of the daughter.

TF Right

TM But you felt like that was more of a get back I'm attempting to make an arrest here trying to shove her away, it wasn't like an intentional kick.

TF Ok I would say, I'm not gonna, I don't think it was an intentional but it was a you know the whole he kicked and told her to get back like get back.

JG It could have been a reaction maybe rather than...unintelligible

TF Right yeah but it's the part that the expression he had on his face and all this but I don't think he kicked just to be kicking her no I wouldn't say that.

TM And then when they were, when you witnessed the deputies taking Ms Pease to the ground you think she was trying to, not try to fight him but she was trying to avoid striking her head because she had a neck surgery?

TF She was not trying to fight them not at all. She, it's hard to describe because when he did it he did it out of anger and I know he did because he...unintelligible...hell me and her didn't argue like that you know he was like in her face calling "you're a liar!, you're a liar!" and you can I mean it had got real loud in there that why me and the officer went back in the house, ok it wasn't if he had, if he were more angry than anything you know he held her the wrong way, he did I mean if you'd went in there and talked to her and say well mam, you watch cops everyday on TV you know you got to go to jail for domestic violence you know put your hands behind your back it was none of that he just grabbed her and just went to slam her to the ground.

TM In your estimation and I know it was a hectic scene there how long do you think from the time you'd seen them grab her until the time she was handcuffed? How long of a struggle or how long of, how long did that situation take until she was cuffed and secured?

TF It wasn't that long, I mean when you're seeing something like that it looked like five or ten minutes but it couldn't have been no more than like 45 seconds to a minute I don't know it wasn't that, it seemed long but you know because the way it happened but I couldn't tell you exactly how long it was. I know it wasn't over no two or three minutes no.

TM Ok

JG I think we've covered everything.

TM Alright sir is there anything you'd like to add or delete from the statement that you provided here to us today?

TF No

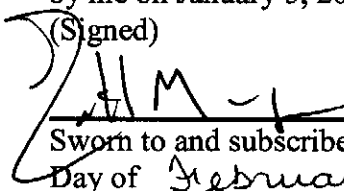
TM Anything that could help us?

TF That's about all it was that's all I seen.

TM Ok well this concludes the statement and I know this was short notice and I appreciate you meeting us so early in the morning. This concludes the interview and the time is 8:45 am.

I, Sgt Tim Morgan, swear that the forgoing
is an accurate transcription of the sworn
recorded statement of Tony Flounnoy taken
by me on January 5, 2010.

(Signed)


Sworn to and subscribed before me this 2nd
Day of February, 2010.


Signature of Notary Public-State of Florida



(Print, type or Stamp Commissioned Name
of Notary Public)

My Commission Expires:

My Commission Number is:

Personally Known ✓

Produced identification

Type of Identification Produced