

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a Criminal Investigator with the United States Attorney's Office, Southern District of New York, where I have been employed for approximately four years. I have participated in the investigation of this matter, which has been conducted jointly with the New York State Department of Corrections and Community Supervision Office of Special Investigations ("OSI"). I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents and video and audio recordings, and conversations that I have had with other law enforcement agents and other individuals. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and where the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

3. Based on the sources described herein, there is probable cause to believe that on or about March 10, 2016, JEFFREY GREEN, the defendant, then a correction officer at the Bedford Hills Correctional Facility for Women (the "Bedford Facility"), engaged in abusive sexual contact with Victim-1, a prisoner at the Bedford Facility. Specifically, GREEN licked, bit, kissed, fondled, groped, and restrained Victim-1 against her will, causing bodily injury.

The Scene of the Assault

4. Based on my interview of witnesses, my review of documents and records, including the files maintained by OSI and the New York State Police in connection with the assault on Victim-1, as well as my review of surveillance video and audio recordings, I have learned the following about the location of the assault of Victim-1:

a. The Bedford Facility is a jail complex, located in Bedford Hills, in Westchester County, New York, and is maintained by the New York State Department of Corrections and Community Supervision ("DOCCS").

b. The Bedford Facility contains multiple housing units, including Unit 112 C/D which consists of two adjoined perpendicular hallways ("Hall C" and "Hall D") of individual prison cells, each of which houses a single female inmate. At the end of Hall C, and conjoining Hall C with Hall D, there is a control center for the Unit 112 C/D area, referred to as the "Bubble." The Bubble is a large office area manned by a correction officer referred to as the "First Officer." The bubble area is unenclosed, and has views into the hallways of both Hall C and Hall D. At the entryway of Unit 112 C/D, and across from the Bubble, there is a locked door surrounded by glass- and plexiglass-reinforced windows (the "Access Door").

c. The controls that unlock the Access Door and the doors of the individual cells in Unit 112 C/D are located in the Bubble, and opening any individual cell door or the Access Door requires the manipulation of the controls in the Bubble. Those controls typically are manned by the First Officer.

d. The individual cells in Hall C have solid sliding doors, each of which contains a small rectangular window that looks out into the interior hallway of Hall C, through which inmates may see out and correction officers may see in. The cell doors further allow for visibility and communication through small vertical gaps between the sliding door of the cells and the wall, and through a horizontal gap between the bottom of the cell doors and the floor.

The Sexual Assault of Victim-1

5. Based on my review of surveillance video and audio recordings taken within the Bedford Facility, my review of the investigative file maintained by OSI, and my interviews with relevant witnesses, including Victim-1, I have learned the following, in substance and in part:

a. JEFFREY GREEN, the defendant, was employed by DOCCS as a correction officer in the days leading up to and including on or about March 10, 2016, and was assigned on or about that date to Unit 112 C/D.

b. On or about March 10, 2016, Victim-1 was a prisoner at the Bedford Facility and was housed in Hall C of Unit 112 C/D.

c. On or about the night of March 10, 2016, GREEN and another Bedford Facility correction officer ("Correction Officer-1") were on duty in Unit 112 C/D.

d. At approximately 10:00 p.m., the inmates in Hall C of Unit 112 C/D were required to be in their locked cells for the night "count," a process by which correction officers at the Bedford Facility confirmed that all inmates were present and accounted for in their respective cells. At that time, Victim-1 was locked in her cell.

e. At approximately 10:11 p.m., Correction Officer-1 departed Unit 112 C/D, leaving GREEN as the only correction officer in Unit 112 C/D. Moments after Correction Officer-1 departed Unit 112 C/D, at approximately 10:11 p.m., GREEN opened the door to Victim-1's cell, remotely from the Bubble.

f. After opening the door to Victim-1's cell, GREEN stated, in sum and substance and as audibly recorded on surveillance video, "You ready [unintelligible] me my blow job?" and indicated to Victim-1 that she should approach him at or around the Bubble.

g. Surveillance video footage shows that Victim-1 subsequently approached GREEN as directed, and entered and exited her cell over the course of approximately five minutes, during which time GREEN sporadically conversed with Victim-1. Victim-1 then returned by herself to her cell, the door to which remained unlocked and open. Approximately two minutes later, GREEN entered the cell of Victim-1, unaccompanied by any other correction officer or other Bedford Facility staff.

h. Upon entering Victim-1's cell, GREEN was in an area outside the view of cameras. I have spoken on multiple occasions with Victim-1, who stated, in sum and substance, that shortly after entering her cell, GREEN grabbed Victim-1 by her arms, held her with her back against the wall of her cell, and began to lick, kiss, and bite her neck area, and to fondle her chest. As GREEN continued to assault Victim-1, she pushed him away. After Victim-1 pushed GREEN away following the initial sexual contact by GREEN, he grabbed her, pushed her up against the wall of her cell, and again forced himself on her. GREEN then pulled up the shirt and bra of Victim-1 and bit, licked, and kissed her neck, chest, and breast and nipple areas, causing pain. GREEN also fondled Victim-1's genitals and groin area by placing his hand underneath her shorts, which he also attempted

to pull down. As GREEN continued to assault Victim-1, she pushed him away a second time.

i. Shortly after Victim-1 pushed GREEN away a second time, and while GREEN was still present in Victim-1's cell, another correction officer knocked on the Access Door, as recorded on surveillance video. Immediately thereafter, GREEN exited Victim-1's cell, walked to the Bubble, remotely closed and locked Victim-1's cell door, and buzzed in the correction officer who had knocked. Following this interruption, GREEN did not reenter Victim-1's cell.


j. Early the next morning, on or about March 11, 2016, Victim-1 reported the assault to authorities at the Bedford Facility and was transported to a local hospital to undergo medical treatment and examination.

6. Based on my review of documents maintained by the Westchester County Medical Center ("Westchester Medical") and the Westchester County Department of Laboratories & Research, Division of Forensic Sciences, my review of correspondence regarding medical records and procedures with respect to Victim-1, my conversations with law enforcement officers with knowledge of the medical treatment of Victim-1, and my review of notes and documents reflecting that treatment, I have learned the following:

a. On or about March 11, 2016, Victim-1 was transported to Westchester Medical to undergo a medical examination. The clothes worn by Victim-1 during the assault were secured as evidence.

b. Victim-1 was examined by professionals at Westchester Medical for the presence of medical evidence on her person. Samples taken from Victim-1's neck, left breast, and right breast gave positive results with a presumptive test for saliva. A swab from Victim-1's left breast generated a single-source male profile.

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of JEFFREY GREEN, the defendant, and that he may be arrested and imprisoned or bailed, as the case may be.



ANTOINETTE GUZMAN
Criminal Investigator
United States Attorney's Office,
Southern District of New York

Sworn to before me this
8th day of February 2017

S/James L. Cott

HONORABLE JAMES L. COTT
United States Magistrate Judge
Southern District of New York