

HARRIS COUNTY SHERIFF'S DEPARTMENT
VOLUNTARY STATEMENT

OF

NATHAN HARTFIELD

STATE OF TEXAS §
COUNTY OF HARRIS §

CASE # 08-0000921

Before me the undersigned authority in and for the State of Texas, on this the 3rd day of January A. D., 2008 at 2:50pm, personally appeared Nathan Hartfield, who after being duly sworn deposes and says:

My full name is Nathan Hartfield and I am a black male, 36 years of age. I am employed by the Harris County Sheriff's Office and my personal information is on file. My contact numbers are

I have been informed that under the Penal Code of the State of Texas, Section 37.02; A person commits the offense of "Perjury" if, with the intent to deceive, and with the knowledge of a statement's meaning, he makes a false statement under oath or swears to the truth of a false statement previously made, and the statement is required or authorized by the law to be made under oath.

I have been employed with the Harris County Sheriff's Office since 05/29/2006, as a detention officer. I am currently assigned at the 701 San Jacinto Jail. My regular work hours are 6am to 2pm, with Wednesday and Thursday as regular days off. I attended jail school in June of 2006.

On January 01, 2008, I was working in a voluntary over-time slot and was assigned to 701 Jail on the 2nd floor from 2pm to 10pm; I was further assigned to 2E, which is a general population cell.

At about 5:30pm, Inmate Freeman summoned me over the intercom. Inmate Freeman asked me if he could have another food tray. I told inmate Freeman that he had already been fed and asked why did he wait so long to ask about a tray. Inmate Freeman stated that since he cleaned up, he should get a tray. I told Inmate Freeman that he cleaned up on his own and was not getting another tray. Inmate Freeman seemed to understand me at that point. About five minutes later, Inmate Freeman requested that I put him in the 'shitter' cell, which is an isolation cell, so that he could write a grievance. I told inmate Freeman that he could write a grievance from his cell, but inmate Freeman continued to demand a tray and began disrupting the cellblock. At this time, I notified the floor sergeant, Sergeant Harris, of the circumstances. Sgt. Harris advised me to take him to the holdover cell and allow him to write his grievance.

I then escorted inmate Freeman to the holdover cell, which is located to the northwest of the floor control center and southeast of the elevator lobby. While I left 2E pod, Detention Officer Denning

secured the cellblock control center. At the holdover cell, Inmate Freeman commented that he usually gets an extra tray and I advised him that he was not getting one. While inmate Freeman was standing in front of the holdover cell, which is labeled 2Z4, his voice became elevated. I kept ordering inmate Freeman to lower his voice, but he refused and continued to talk loudly and aggressively. Inmate Freeman is larger in stature than me. For my safety and due the size of inmate Freeman, I then ordered inmate Freeman to face the wall; he refused to turn and face the wall and began talking even louder. I ordered inmate Freeman again to face the wall; he refused again and stated, "I ain't worried about your little nigger ass". Inmate Freeman was still facing me at that point. I then grabbed inmate Freeman by the back of his jumpsuit in an attempt to turn him and secure him against the wall. As I grabbed him, inmate Freeman struck me on the right side of my face with his left elbow in his attempt to resist. I then, for my safety, secured my left arm under his neck until his aggression and fighting was no longer a threat. Inmate Freeman fell to the floor as I still had a hold of him. I think from the time that I took a hold of inmate Freeman until he fell to the floor was a total of about 45 seconds.

I then started ordering inmate Freeman to put his hands behind his back. He was refusing to comply and I repeated the order several times. I then noticed Detention Officer Vaughn coming to assist me; I saw him come from around a corner. Detention Officer Vaughn then helped me secure inmate Freeman by placing handcuffs on his wrists. After we secured inmate Freeman, Sergeant Harris responded. Immediately after securing inmate Freeman, I noticed him having difficulty breathing; he appeared to be having labored breathing. He was not making any verbal complaints about his breathing. It was then decided to take inmate Freeman to the clinic. Detention Officer Vaughn escorted inmate Freeman to the clinic; inmate Freeman walked on his own and did not need any assistance walking. I then went to the sergeant's office to initiate a use of force report and an incident report. After briefing Sergeant Harris of the incident, I went to the clinic to seek medical attention for abrasions and scratches to my right arm, which I received during the altercation. At the clinic, I received cleaning and peroxide to my injury. I then returned to my pod and began entering the necessary reports.

I found out later that same day that inmate Freeman had been taken to LBJ hospital.

The following are specific questions that Detective Clopton asked me, and my specific responses to those questions:

- Q. Have you had any contact with inmate Freeman prior to this incident?
R. No, sir. I have worked that same cell before but don't remember ever seeing inmate Freeman.
- Q. Did inmate Freeman ever lose consciousness?
R. No. He was alert; he only seemed to have trouble breathing
- Q. Did you call for assistance or did someone see the incident?
R. While I was ordering inmate Freeman to put his hands behind his back, I was talking loud hoping that someone would hear me. I assumed that is how Officer Vaughn heard me. I don't know if the officer in the floor control center saw or heard the incident. I believe the officer in the floor control center at that time was Detention Officer Holland.

- Q. You stated that inmate Freeman was given the opportunity to make a statement. Did he make a statement and who allowed him to do so?
- R. I don't know who got a statement from inmate Freeman, but I did see that he made a statement, because I saw it and it was written in red ink.
- Q. After inmate Freeman fell to the ground, did he make any other comments?
- R. No, sir.
- Q. Did you notice that the inmate had urinated on himself, or smell any odors on him?
- R. After it was over, it smelled like he crapped on himself. When we picked him up, there was a puddle of urine on the floor.
- Q. Describe what you mean by labored breathing?
- R. Hard and deep breaths.
- Q. Did you notice any blood coming from the mouth of inmate Freeman?
- R. After we secured him and we picked him up, I could see blood on his lips.
- Q. Would you describe the hold that you had on the inmate as a choke hold?
- R. Yes
- Q. Do you have any type of training in choke holds?
- R. No.
- Q. Do you have any military training?
- R. I was in the military, but no specific training on choke holds.
- Q. Have you ever choked someone until they passed out or nearly passed out?
- R. No.
- Q. Can you describe in detail on video exactly how you and the inmate were standing when you had to grab him to secure him?
- R. Yes, sir.

This statement was typewritten by Detective Clopton as I verbally stated what I wanted my statement to contain to him. Detective Clopton gave me the opportunity to read this statement and make any corrections, as I saw fit, so that the contents of this statement state what I meant to convey.

Nathan Hartfield

Sworn and subscribed to before me the undersigned authority while engaged in and related to the performance of my duties as a peace officer in and for the State of Texas on this the 3rd day of January, 2008 at 4:05pm.

Detective C. Clopton, badge#644
Harris County Sheriff's Office
Homicide Division