



The City of New York  
Department of Investigation

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**FOR IMMEDIATE RELEASE**  
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**SEPARATE DOI INVESTIGATIONS RESULT IN CHARGES AGAINST FORMER CORRECTION CAPTAIN AND  
FOUR CORRECTION OFFICERS IN CONNECTION WITH INMATE ASSAULT COVER UPS**

ROSE GILL HEARN, Commissioner of the New York City Department of Investigation ("DOI"), announced the arrest today of a former Captain in the City Department of Correction ("DOC") on false filing, assault, and official misconduct charges in connection with hitting an inmate housed at the George R. Vierno Center and the submission of a falsified use of force report indicating the inmate was aggressive when, in fact, the inmate is seen on the jail's video recording attempting to back away from the confrontation. Today's arrest caps three separate DOI probes into the cover up of inmate assaults by DOC uniformed officers, which resulted in the previous arrests of four Correction Officers. DOI began these investigations after DOC reported that the defendants submitted falsified use of force reports in connection with these separate incidents and were observed on DOC video surveillance assaulting inmates without provocation. The defendants were charged by indictments obtained by the office of Bronx County District Attorney Robert T. Johnson, which is prosecuting the cases.

DOI Commissioner Gill Hearn said, "These defendants betrayed their oaths of office by inciting inmate assaults and then trying to conceal them with falsified reports, according to the indictments. The City has no tolerance for correctional staff who hold their duty in such contempt that they provoke violence rather than stop it. This criminal conduct does not reflect the demanding and dedicated work of the many men and women who serve in our City's jails every day. DOI continues to work with the Bronx District Attorney and the City Correction Department to expose and stop this type of illegal and disturbing conduct."

DANIEL DIPIERRI, 35, of Seaford, N.Y., was charged today with four counts of Falsifying Business Records in the First Degree and one count of Offering a False Instrument for Filing in the First Degree, both class E felonies; and one count each of Assault in the Third Degree and Official Misconduct, class A misdemeanors. Upon conviction, a class E felony is punishable by up to four years in prison and a class A misdemeanor by up to a year's incarceration.

According to DOI's investigation and the charges outlined in the indictment, DIPIERRI was seen on DOC video surveillance escorting an inmate into the housing area at the George R. Vierno Center on January 7, 2012. The defendant is later seen grabbing, kicking, and striking the inmate, even though the inmate did not retaliate. The defendant submitted a use of force report that falsely indicated the inmate had swung at the defendant with a balled up fist.

DIPIERRI has been employed by DOC since November 2006, was a probationary Captain, and was demoted this month to the title of Correction Officer. He was receiving a base salary of approximately \$77,471 and upon arrest was suspended.

On May 2, 2012, Correction Officers KEVIN GILKES, 48, of Brooklyn, N.Y., and LOUIS PINTO JR., 30, of Hicksville, N.Y., were arrested and charged with Falsifying Business Records in the First Degree, and Offering a False Instrument for Filing in the First Degree, both class E felonies; Official Misconduct, a class A misdemeanor; and related offenses. GILKES was also charged with Assault in the Third Degree, a class A misdemeanor. If convicted, a class E felony is punishable by up to four years in prison, and a class A misdemeanor is punishable by up to a year's incarceration. The defendants' next court dates are in August 2012 in Bronx Supreme Court.

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According to DOI's investigation and the charges outlined in the indictment, the defendants escorted an inmate in Otis Bantum Correctional Center on December 3, 2011 and later submitted falsified use of force reports indicating the inmate stepped toward GILKES in an aggressive manner and GILKES defended himself and that GILKES and PINTO then guided the inmate to the floor. However, the videotape showed GILKES slamming the inmate into the wall and later hitting the inmate, while PINTO watched. The inmate stumbled and later fell to the floor.

GILKES has been employed with DOC since February 1997 and was receiving a base annual salary of approximately \$76,488. PINTO has been employed with DOC since November 2006 and was receiving a base annual salary of approximately \$76,488. Both have been suspended.

In March 2012, ROY RODNEY, 37, of Brentwood, N.Y., and WINSTON GILLON, 30, of Queens, N.Y., were charged with assault and false filing offenses, include Falsifying Business Records in the First Degree, a class E felony, and Assault in the Third Degree, a class A misdemeanor. GILLON was also charged with Assault in the Second Degree, a class D felony. If convicted, a class D felony is punishable by up to seven years in prison. The defendants' next court dates are in July 2012 in Bronx Supreme Court.

According to DOI's investigation and the charges outlined in the indictment, the defendants submitted falsified use of force reports indicating the inmate initiated the incident by spitting on GILLON and was noncompliant. However, GILLON was observed on video surveillance hitting an inmate in the Robert N. Davoren Complex on November 24, 2011, then struggling with the inmate while RODNEY observed. GILLON is also seen on the video lifting the inmate upside-down and dropping him head first onto a bare metal bed frame while RODNEY backed away. RODNEY is later seen punching the inmate, placing the inmate in a choke hold, and escorting him out of the housing area with his hands around the inmate's neck.

RODNEY, who is suspended, has been employed with DOC since June 2008 and was receiving a base annual salary of approximately \$53,270. GILLON was employed with DOC from February 2008 to March 2012, when he resigned. At the time of his resignation he was receiving a base annual salary of approximately \$56,609.

DOI Commissioner Gill Hearn thanked Bronx County District Attorney Robert T. Johnson and DOC Commissioner Dora Schiro, and their staffs, for their assistance in the investigation.

The investigation was conducted by DOI's Office of the Inspector General for DOC.

Assistant District Attorneys Vladimir Kocheulov, Jason P. Petri, and Ann Lee of the Bronx District Attorney's Rackets Bureau were assigned to the prosecution of these cases, under the supervision of Chief of the Rackets Bureau, Assistant District Attorney Stuart Levy, and Chief of the Investigations Divisions Thomas Leahy.

Indictments are accusations. Defendants are presumed innocent until proven guilty.

*DOI is one of the oldest law-enforcement agencies in the country. The agency investigates and refers for prosecution City employees and contractors engaged in corrupt or fraudulent activities or unethical conduct. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City.*

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