

MATTHEW SCHNEIDER
[6904-1]

TRANSCRIPT OF SECOND INTERVIEW WITH OFFICER MATTHEW SCHNEIDER
DATE: 11/29/2017

Ofc. Schneider: Officer Matthew Schneider

Sgt. Moody: Sergeant Matt Moody [Interviewer]

Ofc. Zigmont: Officer Wes Zigmont (peer rep)

Audio File: CoG_WHEATCROFT 001759-Schneider Interview with Sergeant Moody-11-29-17

7 Sgt. Moody: All right. Here with Officer Schneider and his peer rep, Officer Zigmont. The
8 date is November 29, 2017, at 13:30 hours. We're at the PSU conference room
9 table. I have some additional questions. They both previously signed the notice
10 of investigation as well as the admonishment and those are on file. If you guys
11 want a copy of them again...

12 Ofc. Schneider: No, I don't.

13 Sgt. Moody: All right. So we're just going to kind of go through the video. And to play it for
14 you, so you can see it.

15 Ofc. Schneider: [Sigh.]

16 Sgt. Moody: So this first one is obviously, it's the Motel 6, okay? And I have it close to the
17 point of where you are delivering uh, leg strikes to Johnny, okay? That's where
18 you kick him in the groin. The first one, first kick is at 19:33 hours and 19
19 seconds, okay? And so, oh, you can't see the time on this one, but I have it here.
20 So where you, let me, I'll back it up a little bit to start. So you can kind of get a
21 feel of where we're at. The time (unintelligible). [Pause.] Okay, so you're
22 familiar with kind of where we're at? The timeline?

23 Ofc. Schneider: Yes.

24 Sgt. Moody: Okay, so I'm just going to play it. There's no audio. And that's as big as I can
25 make it. [Pause.] Okay, so I'm going to stop it.

26 Ofc. Schneider: Okay.

Ofc. Zigmont: Can you, can you back that up? Can I look at it on the computer, Sarge?

Sgt. Moody: Yeah. You guys can even come over here, if it's...

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- 1 Ofc. Zigmont: Yeah, it's just hard to see. So I'm just, I can see, I just can't... [Pause.] Can you
2 just back it up, I'll, I'll watch it. [Pause.] Okay. Can you back up a little bit?
3 (Unintelligible.) [Pause.]
- 4 Sgt. Moody: All right, so there's that, and then here's the (unintelligible) camera.
- 5 Ofc. Zigmont: Okay. [Pause.]
- 6 Playback: *Ofc. Schneider: (Unintelligible.) Mark is hurt. Mark is hurt. He got hit in*
7 *the head by her. We need to get her in handcuffs right now.*
8 *Child: She didn't; mean to. Please don't take my mommy.*
9 *Mr. Wheatcroft: Ow, Ow. [General commotion.] Ow, ow. [General*
10 *commotion.] Please.*
- 11 Sgt. Moody: All right, so let's go back to this Motel 6 video real quick. [Pause.] Okay, so
12 here's the first kick there. Okay, now you go down and it's a drive stun. Then
13 here's the second one. And so the claimant says you kicked him twice in the
14 groin. Um, watching the video with the Motel 6, and then this, I'll back it up.
- 15 Ofc. Zigmont: So that, that first kick just happened, right? So there would be another kick right
16 after this.
- 17 Sgt. Moody: Yes, correct. So I'm going to back this up. Just a little so you can see this.
18 (Unintelligible.)
- 19 Playback: *Ofc. Schneider: He got hit in the head by her. We need to get her in*
20 *handcuffs right now.*
21 *Child: She didn't; mean to. Please don't take my mommy.*
22 *Mr. Wheatcroft: Ow, Ow.*
- 23 Sgt. Moody: There's one.
- 24 Playback: *Mr. Wheatcroft: Ow, ow.*
25 *Male voice: Hey kid. [General commotion.]*
26 *Ofc. Schneider: Stop it.*
- 27 Sgt. Moody: And that's the second one.
- 28 Playback: *[General commotion.]*

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1 *Mr. Wheatcroft: Please.*

2 Sgt. Moody: Okay? All right? So, I... Just seeing that, okay? um, and you told me in the first
3 interview, and we, we didn't go through the video, and I didn't pause it and play
4 it, and point them, each kick out to you individually. Um, you told me that from
5 your recollection that you, you said that you kicked him one time.

6 Ofc. Schneider: Yeah.

7 Sgt. Moody: Um, and so after viewing this, um, why did you deliver the second kick to the
8 groin, and explain it to me.

9 Ofc. Schneider: I don't think that was a kick to the groin. I think the, and even the first kick, it
10 almost looks more like I'm stomping on him from the motel video, which I didn't
11 do. Um, and you can't really tell in the body cam video, I, I can't even tell if
12 that's a kick or not. I know what it looks like on the motel video.

13 Sgt. Moody: Uh huh?

14 Ofc. Schneider: I remember specifically my one strike that I gave him was with my right foot, the
15 tip of my boot.

16 Sgt. Moody: Uh huh?

17 Ofc. Schneider: That, I don't know, I remember when I kicked him. I don't think those were kicks
18 to the groin. I think those were more either me trying to pin his leg down, stop
19 him from kicking. If I kicked him twice, I would have absolutely no issue telling
20 you that, I kicked him twice.

21 Sgt. Moody: Uh huh?

22 Ofc. Schneider: I remember specifically delivering one strike to his groin. I know that's not
23 the preferred area to kick somebody. That's what was in front of me. The video
24 from the motel looks more of like stomping, and I, I honestly, I don't remember
25 stomping on him. I wouldn't, I would say that, and I would be confident saying that
26 that was probably more me trying to deliver weight on him, and, and those weren't
27 actually strikes to him. I know that's what it looked like in the video, but again, if I
28 kicked him twice, I would have no issue saying that.

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1 Sgt. Moody: Okay, so even if you know, it looks like a stomp to you.

2 Ofc. Schneider: Yeah.

3 Sgt. Moody: What actions was he doing at that time?

4 Ofc. Schneider: He's fighting.

5 Sgt. Moody: Why you, why you kicked him?

6 Ofc. Schneider: He's still physically fighting against us.

7 Sgt. Moody: Okay, and explain fighting to me.

8 Ofc. Schneider: Throwing his body around, kicking both of his feet. I mean, you, you can see that

9 in the video. Um, the entire time he was fighting. I mean, he was noncompliant.

10 He dictated what happened, and again, if I, if I kicked him twice, I, I would tell

11 you I kicked him twice.

12 Sgt. Moody: Okay.

13 Ofc. Schneider: I remember delivering one strike to him. And after that, he stopped fighting. He

14 again started later. But after that strike to the groin is when he stopped. I, I'm

15 telling you the truth. I would have no issue at all telling you if I kicked him twice,

16 or if I kicked him three times, or four times, I would tell you. I've got nothing to

17 hide.

18 Sgt. Moody: No, I understand. Um, okay, so let me just summarize, back brief you on what

19 you're telling me so I, so I understand correctly of your statement is that you do

20 remember kicking the first time.

21 Ofc. Schneider: Yeah.

22 Sgt. Moody: The second kick that you see on here, you're not, you don't recall kicking him.

23 Um, it, it looks like you're, you're stomping him or kicking him one of the two,

24 but you don't remember delivering that second strike.

25 Ofc. Schneider: I, I don't think that was a strike.

26 Sgt. Moody: Okay, so you don't think you, you kicked him at all.

27 Ofc. Schneider: That's not what I said. I, I delivered one strike to his groin.

28 Sgt. Moody: Uh huh?

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1 Ofc. Schneider: It was with my right foot, which would have been the first kick on there. The
2 second was with my left foot. I've never kicked anything with my left foot. I
3 don't kick a soccer ball...

4 Sgt. Moody: Uh huh?

5 Ofc. Schneider: ...with my left foot. I'm not going to kick this guy in a fight. If I'm going to end
6 the fight, I'm going to kick him with my right foot. So that second step, what you
7 see, I would be confident saying that was not a strike to his groin. It absolutely
8 was not.

9 Sgt. Moody: Okay.

10 Ofc. Schneider: It looks like me stepping towards him, or stomping on him, which I didn't stomp
11 on him either. So I would, I would say that it was me stepping towards him to try
12 to get him to stop fighting against us. And again, if I kicked him with my left
13 foot, I would tell you.

14 Sgt. Moody: Mmm.

15 Ofc. Schneider: I've got nothing to hide here.

16 Sgt. Moody: All right. Um, that's just what I wanted to, to clarify. Um, did you, do you have
17 anything else to add?

18 Ofc. Schneider: No.

19 Sgt. Moody: Okay.

20 **END OF RECORDING**

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