

Analysis of Psychologically Coercive Tactics Used During The Interrogation of Adrian Thomas

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Tactics Used by Officers During the Interrogation of Adrian Thomas and Certain of Mr. Thomas' Responses

Material in **Red** -- Interrogation Tactics used by Officers

1. Psychological Coercion - Foundational and Fully Developed
2. Accident Scenarios Supplied by the Interrogators

Material in **Blue** – Certain Evidence Ploys Used by the Interrogators

Material in **Green** – Certain of Mr. Thomas' Statements

1. Statements Denying Any Wrong Doing
2. Statements Adopting the Accident Scenarios Introduced by the Officers

Pages 32 – 33

SERGEANT MASON: **You know how I said that when you were home and little A.J. got out of the house, that it was your fault but you didn't do it on purpose, all right. Listen, hear me out. Little A.J. got out, all right, it was your fault but you didn't do it on purpose. Somebody hurt your son. I don't know if it's your fault or your wife's fault.**

OFFICER: **Or A.J. or anybody else in that house but they didn't do it on purpose.**

MR. THOMAS: I wasn't there.

OFFICER: We're not saying it's you you're blaming you. Like when we got in there, when we walked in this room the first thing you said to me I know I'm trouble I don't know what I did is that what you said?

SERGEANT MASON: **If you accidentally hurt your son, it's an accident.**¹

MR. THOMAS: No.

SERGEANT MASON: **If your wife accidentally hurt your son, it's an accident, all right.**

OFFICER: **We ain't trying to get anybody in trouble here. We're trying to figure out. Your four month old son somebody owes him an explanation because he's hurting right now.**

MR. THOMAS: I know.

SERGEANT MASON: **If your wife did it and it was an accident then she needs to tell us. If you did it and it was an accident, then you need to tell us. That's all we ain't pointing our fingers, all right. We need to figure out what happened.**

¹ From the Merriam Webster Dictionary

1 a : an unforeseen and unplanned event or circumstance b : lack of intention or necessity : CHANCE <met by accident rather than by design>

2 a : an unfortunate event resulting especially from carelessness or ignorance **b :** an unexpected and medically important bodily event especially when injurious <a cerebrovascular accident> **c : an unexpected happening causing loss or injury which is not due to any fault or misconduct on the part of the person injured but for which legal relief may be sought** **d** —used euphemistically to refer to an involuntary act or instance of urination or defecation

Pages 34 – 35

SERGEANT MASON: **You weight 500 pounds I would have never guessed that. I mean, it would be easy for somebody your size to hurt baby and not realize it or not mean it. Your wife is a big woman, it would be easy for her.**

MR. THOMAS: Yeah, but why would I do that?

SERGEANT MASON: **I don't think you would do it on purpose. I don't think you would. I don't think anybody would hurt a baby on purpose. Who would hurt a baby on purpose?**

MR. THOMAS: That's what I'm saying though.

SERGEANT MASON: **I didn't say you did it on purpose. I didn't say anybody did it on purpose. This is an accident, this is an accident man. This is an accident.**

MR. THOMAS: Yeah, I know it. My son could die.

Pages 46 – 49

SERGEANT MASON: **I'm just saying, this accident was caused by either you or your wife or some adult.**

OFFICER: **She said sometimes you give her the baby when he's crying - - here he won't stop.**

MR. THOMAS: I never did that in my life.

OFFICER: Never, you never did that?

MR. THOMAS: I never did that.

OFFICER: **She's not saying you shake him it's just here, the baby is crying.**

MR. THOMAS: I never did that.

SERGEANT MASON: **You know what, here's what it comes down to man, all right, here's what it comes down to. You know that because we just told you, that an adult caused this injury to this child. An adult, some adult caused this, okay. Whoever that adult is, okay, they might not even realize that they did it. They might in their head not want to realize that they could do something like that to a child. So put it this way, either you or your wife - -**

MR. THOMAS: I got six, seven kids. Why would I do that to a baby, a newborn?

Officer: **You wouldn't do it on purpose.**

SERGEANT MASON: **Whoever did it doesn't want to admit it in their head.**

MR. THOMAS: I didn't do that.

SERGEANT MASON: **But your wife is saying the same thing. She's saying I could never do that to my baby, I love my kid. She's saying the same thing. We know that you love your kids, we know that she loves your kids. But one of you two had an accident with this baby. It was an accident, but one of you two made a**

**mistake and dropped this baby to hard, or shook this baby to hard.
One of you two had an accident.**

MR. THOMAS: I never did that, man. I got kids. I never did this. This is the first time something like this came up.

SERGEANT MASON: **Listen you're a nice guy. I don't think you did it on purpose, I don't think your wife did it on purpose. We don't think somebody - -**

MR. THOMAS: **That's manslaughter man.**

OFFICER: **It's not manslaughter, the baby's alive, we got to keep our fingers crossed and hope this baby lives.**

MR. THOMAS: **That's like manslaughter.**

SERGEANT MASON: **It's not manslaughter, it's an accident man, it's an accident. Don't you know what an accident is; it's an accident.**

MR. THOMAS: Something caused by somebody who was -

OFFICER: **They didn't do it on purpose.**

MR. THOMAS: (Continuing) - - negligently, you know.

Pages 49 – 50

SERGEANT MASON: **Do you think the person that did it meant to do? This is your family, this is your child. Do you think whoever did this meant to do it? Answer that question. Do you think the person that did it meant to do it or do you think it was an accident? Do you think somebody tried to kill your son or do you think however this happened it was an accident?**

MR. THOMAS: **I'm thinking it was an accident.**

SERGEANT MASON: **Of course it was an accident.**

Pages 61 – 63

OFFICER: Do you think she did it then?

MR. THOMAS: I don't think she did it, but what I'm saying is that she's been - -

SERGEANT MASON: **If you didn't do it she had to have done it.**

MR. THOMAS: You might go to jail, da da da ta da, you know what I'm saying?

OFFICER: **Tell me when she could have done this?**

MR. THOMAS: I can't say she did it.

OFFICER: **Give me a reason to go after her. Why is she saying you did it then?**

MR. THOMAS: I didn't do nothing

OFFICER: **But why is she saying you did it and you're saying she didn't do it?**

MR. THOMAS: I'm saying she didn't do it and I know I didn't do it.

OFFICER: **She's saying you were in that room last night and you must have done it. That's what she told us.**

MR. THOMAS: I didn't do nothing man.

OFFICER: **She signed the paperwork.**

MR. THOMAS: I swear to God I didn't do nothing man.

OFFICER: **I'm asking you why would she say that you did it?**

MR. THOMAS: Because - -

SERGEANT MASON: **One of you two did it. One of two - - plain and simple man, you're the only two adults in the house capable of doing it. One of you two did it.**

MR. THOMAS: I swear to God, man.

SERGEANT MASON: **If you didn't do it, who did it? One of you two did it. One of you two did it.**

MR. THOMAS: I didn't do nothing, man.

SERGEANT MASON: **One of you two did it, that's what it comes down to man, one of you**

two did it. You didn't do it right?

MR. THOMAS: Why would I hurt my own son?

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OFFICER: That's right I'm working, I'm doing what I can do.

SERGEANT MASON: **You know what's going to happen? Here's what's going to happen.**

You say you didn't do this on purpose or by accident. Your wife is saying she didn't do this on purpose or by accident.

MR. THOMAS: Why would I do this?

SERGEANT MASON: **I don't know, I don't think you would do it on purpose but what I'm saying is everything points to that this happened in your house and an adult caused it. If you didn't do it and your wife didn't do it, or your both telling us that you didn't do it by accident, somebody is going to look at this, okay. Because listen, when we get done talking tonight and you go home and we get done talking to your wife and she goes home, somebody other than us is going to look at this thing and they're going to say if it wasn't an accident and they're not talking to you about it, somebody is going to say you did it on purpose.**

MR. THOMAS: **I didn't do nothing.**

SERGEANT MASON: **And somebody is going to go after you criminally, all right. Right now we're trying to settle this before it gets to that point. If this was an accident we need to know about it, man.**

MR. THOMAS: **I didn't do nothing man.**

SERGEANT MASON: We're going to tell the same thing to your wife.

OFFICER: **There was mistake. If anything could have happened that you do you**

remember, oh shit, I do remember putting the baby in the bed and his head hit the crib a little bit but I didn't think that was nothing.

SERGEANT MASON: Somebody is going to look at this and think that you intentionally hurt this baby.

MR. THOMAS: How would I do that?

SERGEANT MASON: I don't know how, I'm saying somebody is going to look at this little four month old baby with a fracture on the back of his skull and then look at you and say he didn't tell you that he did it on an accident? They're going to think that you did it on purpose.

MR. THOMAS: Why would I do that?

SERGEANT MASON: I don't know.

OFFICER: We don't know. Why would you?

SERGEANT MASON: Then it must have been an accident. If you wouldn't do it on purpose and your wife wouldn't do it on purpose then one of you did it on an accident but if you don't tell us or your wife don't tell us how this accident happened, somebody is going to think you did it on purpose.

OFFICER: It's the whole feeling of remorse, you ever see it on t.v. they got have remorse, you've got to show that you felt bad and you made a mistake.

MR. THOMAS: **No, but what I'm saying is I didn't do nothing, man.**

SERGEANT MASON: Do you now the difference between you walking and picking up a crying baby and saying I fuckin hate this baby, I want to kill this baby and throwing it on the ground and saying, I'm frustrated, I've got kids crying all day, I haven't worked in seven months, this baby won't stop crying.

OFFICER: I don't feel like the whole man that I should be.

SERGEANT MASON: And accidentally, oh shit, throwing the baby on the bed because the baby won't stop crying?

MR. THOMAS: That sounds like a good court case but I didn't do it.

SERGEANT MASON: But there's a big difference and if you didn't do it maybe that's how it happened with your wife. Did she tell you something about that?

MR. THOMAS: No.

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MR. THOMAS: If you crack the baby's skull, that was intentional, that wasn't an accident.

OFFICER: We gave you the accident scenarios, it could be an accident.

SERGEANT MASON: Most definitely.

MR. THOMAS: No, I don't believe so because I'm saying - -

SERGEANT MASON: So you're saying your wife intentionally tried to kill your baby? If it wasn't you it had to have been her. Are you saying your wife intentionally tried to kill your baby; is that what you're saying? Because if it wasn't you it was her man. That's what it comes down to, all right. If you didn't do it, your wife did it.

SERGEANT MASON: You know where we disagree, we disagree because you think that somebody tried to kill that baby and we think it was an accident.

OFFICER: We absolutely do. You keep bringing up the killing part even though we told you what the doctors think.

SERGEANT MASON: You're convinced in your head that somebody intentionally tried to kill your son we don't believe that to be true. We think it was an accident. We think the person that did it is afraid to tell us because they're afraid of what's going to happen to them if they tell us. You know what we're here to tell you that whoever that person is if they talk to us about it, we are going to work with them to make sure that this doesn't get out of hand, you know. We don't want this to get out of hand. We don't want this thing to go somewhere where it doesn't need to go, you know?

OFFICER: We want to keep this family together.

SERGEANT MASON: That's what we're trying to say. We ain't trying to hurt somebody man. We trying to help your family, your family is in a bad situation.

MR. THOMAS: Why are you guys coming at me like I got a rap sheet man.

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SERGEANT MASON: This is frustrating man, we've got a baby laying in the hospital almost dead.

MR. THOMAS: I know man, I want to be there too. But what I'm saying is I'm down here in jail.

OFFICER: This ain't jail. There's a screen on the window and you're smoking cigarettes.

SERGEANT MASON: This ain't jail man.

MR. THOMAS: This the jailhouse.

OFFICER: **We're on your side.**

SERGEANT MASON: **If we're coming off the wrong way I apologize, we're on your side man. We feel for you.**

MR. THOMAS: **You said murder and slamming the baby and somebody died.**

SERGEANT MASON: **You said you think it's intentional, we think it's an accident.**

MR. THOMAS: **No because you said no the doctors said somebody grabbed the baby - -**

SERGEANT MASON: **That's the doctor's words. That's not our words.**

OFFICER: **I was reading you verbatim what the doctor told me.**

MR. THOMAS Because somebody my size he would have had blood on his mouth, he would have - - eyes popped out.

Pages 86 – 90

SERGEANT MASON: What it comes down to man, is if you didn't accidentally harm your child then your right [WIFE] did.

MR. THOMAS: I'll tell you what, my wife is a good wife, I have a good wife, I'm not going to lie to you. I don't believe my wife did that. I have no idea that my wife did that, you know what I'm saying? But if it comes down to it, I'll take the blame for it because - - listen, I didn't do it, but if it comes down I take the rap for my wife so she won't go to jail.

OFFICER: How are you going to tell us you did that then? How are you going to take the rap for your wife?

MR. THOMAS: Because you know, I don't want my wife to go to jail.

SERGEANT MASON: So what happened then?

OFFICER: What happened, tell me, what happened?

SERGEANT MASON: Tell us what happened.

OFFICER: You tell me Brother, what happened to your son who is laying in a bed half dead.

MR. THOMAS: No, I'm saying I will take the fall for my wife because I got a good wife.

SERGEANT MASON: Take the fall - - you can't just say I'm going to take the fall for my wife you got to tell us what happened.

OFFICER: You got to tell us what happened.

MR. THOMAS: I don't know how it happened.

OFFICER: Then you can't take the fall for your wife. We got to go pick your wife up.

MR. THOMAS: She's my wife.

SERGEANT MASON: And you're a good husband and a good father.

MR. THOMAS: Yeah but why would I - - I didn't do nothing intentionally to harm my kids.

SERGEANT MASON: **We don't think you did. You absolutely did not. Look it man, everything else aside, if you did hurt your son, we don't think it was intentional, get that clear. We don't think it was intentionally, we ain't trying to put nothing intentional on you.**

MR. THOMAS: I got one question.

OFFICER: **I'm going to go grab your wife from the hospital.**

MR. THOMAS: **I got one question. If my son dies what happens?**

SERGEANT MASON: We continue to figure out.

OFFICER: You guys got to do a wake, a funeral and we're still going to - -

MR. THOMAS: What I'm saying, what happens after that?

OFFICER: **We're probably going to scoop your wife out because you're saying you didn't do nothing.**

MR. THOMAS: **I didn't do nothing but what I'm saying is I'm going to take the fall for my wife because I know my wife is a good wife.**

SERGEANT MASON: **Ain't nobody taking a fall.**

MR. THOMAS: I didn't do nothing.

SERGEANT MASON: **Look it we ain't dealing with criminals man, we're dealing with a family who is grieving over an injured child so when you say take the fall you ain't taking a fall for nobody. There ain't nobody falling,**

man. Somebody has got some explaining to do but there ain't no falling.

MR. THOMAS: I really believe my wife didn't do that. I know for fact because I didn't do it. What I'm saying, maybe it could have happened in my care possibly, no lie, that's the God's honest truth. But what I'm saying is I didn't do nothing intentionally to hurt my kid.

SERGEANT MASON: **Of course you didn't.**

OFFICER: **We're not saying there's any intentional, anybody wanting to hurt a baby intentionally? Who would want to hurt a baby intentionally?**

OFFICER: God's looking down right now and he don't want you to hurt no baby intentionally. We want to know how this baby got hurt.

MR. THOMAS: What I'm saying my wife is a good wife and that ain't lie. You know.

OFFICER: She loves those babies.

MR. THOMAS: Like I said she's upset.

OFFICER: What is her life? Is her life those babies, all seven of those kids?

MR. THOMAS: Oh, yeah, kids come first before any man do, you know what I'm saying?

OFFICER: Of course.

MR. THOMAS: My kids come first before me you know.

OFFICER: So what do you say could have happened during your care?

MR. THOMAS: **I'm thinking something could have happened under my care where my son probably was injured under my care, maybe I was in the bathroom, something happened, maybe one of the kids hit him in the back of the head a little. There's a big iron truck inside the room when my son plays with, he could have hit him, walked out of the room,**

whatever, playing, don't know what's going on, you know what I'm saying? My son, I'm not blaming him, I'm not blaming my wife, I'm not blaming nobody. It could have been, probably my care. It's a possibility, I didn't do nothing, you know what I'm saying that's the God's honest truth.

OFFICER: When do you think this could have happened?

MR. THOMAS: I don't know maybe - - like I said my wife she's been having a lot of appointments and most of the time I'm there.

SERGEANT MASON: When was the last time you was home alone with the kids?

OFFICER: We know it happens frequently, we're just trying to think of the last time.

MR. THOMAS: I don't know, you'd have to ask her the last time.

SERGEANT MASON: Has it been the past week or has she been home every day?

MR. THOMAS: Let me see I think she went grocery shopping last week. No because I'm trying to think. I can't really think right now man, you know, but I do know it possibly could have happened in my care. I swear to God I didn't do it.

OFFICER: We understand. Hey listen, - -

OFFICER: We understand. Hey listen, - -

MR. THOMAS: I'm not bull shitting you guys.

OFFICER: Did you go in there and see the baby crying on the ground?

MR. THOMAS: I didn't go in there seeing him crying on the ground. He was crying on the bed.

OFFICER: He was crying on the bed.

MR. THOMAS: He was crying on the bed, I swear to God.

OFFICER: So you think somebody might have picked him up?

MR. THOMAS: No, I'm thinking not picked him up, probably hit him with a toy, one of my kids, one of my kids, I'm not saying which one who did what, maybe one of my kids, hit him with a toy while I was in the bathroom. When I came out he was crying. I don't know

- - I didn't see no bruises, I swear to God, I didn't see no lumps, no marks, no nothing. You know what I'm saying? Malachai was in the crib, no lie. But it could have happened possibly in my care, no lie. You know what I'm saying?

OFFICER: When was this?

MR. THOMAS: Probably like this week, earlier this week.

OFFICER: Monday, Tuesday, Wednesday?

MR. THOMAS: If I was going somewhere, probably to the store or something, I'm not sure. Like I said, probably this week, last week, she was going somewhere. But more than likely it probably happened in my care. You know, I'm very hurtful of that because I know my wife very well. She's not the type who hurt kids, you know, no lie. You know like that. That's all I have say. I swear to God, I didn't do nothing intentionally to my kids.

SERGEANT MASON: We appreciate you trying to be honest and trying to sort through and figure out how this could have happened.

MR. THOMAS: I know for a fact my wife wouldn't do this. She wouldn't take no big kid and throw him down or nothing. I know me, I didn't do no baby like that.

OFFICER: I understand.

MR. THOMAS: I swear to God. If I got to go to jail or whatever.

SERGEANT MASON: That's not what we're here for man.

MR. THOMAS: You know I wouldn't do that to no kid.

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SERGEANT MASON: A metal truck or a plastic truck?

MR. THOMAS: Kind of metal. I'll show guys when you take me back you know like that.

Other than that I would never do that man, I swear to God. I'm not just saying this not to go to jail or whatever.

OFFICER: No.

MR. THOMAS: I swear to God I would never do that.

SERGEANT MASON: **The only problem is that the doctor said that and these are the doctor's words, said that it couldn't have been a child that did this.**

MR. THOMAS: I would never do that.

SERGEANT MASON: **I don't think that you would do it. I'm just saying that's what the doctor said it couldn't have been a child that did it. The doctor said it had to have been an adult that did it.**

MR. THOMAS: That threw a baby down, I would never do that. I swear to God. Like I said, if I have him in my care, but I would never, you know like that.

Pages 92 – 94

SERGEANT MASON: What could you have done accidentally to cause this this you. I'm not saying what did you do, what are things that you could have done - -

OFFICER: That you do regularly.

SERGEANT MASON: - - because it had to been an adult, a strong adult, it couldn't have been a child. Is there something that you could have done, I'm not saying you did it, is there something that you could have done that could have caused this?

MR. THOMAS: I don't know other than just picking him up like this.

SERGEANT THOMAS: That's can't do it.

MR. THOMAS: Bumped his head or something.

SERGEANT MASON: You can't think of anything you could have done?

OFFICER: Did you put him down in the crib, maybe half asleep he whacks his head off the edge of the crib? I'm just throwing a scenario out there. I mean you're putting him down in the crib, there's two of them in the crib so you got to put him on this side, you don't have dead center to go for, you only got half.

MR. THOMAS: Other than that I don't see nothing like - -

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OFFICER: So you're sitting here smoking I'm sitting here oh do I want that so bad right now. So I got to let it go. All right, is there absolutely, positively anything else you can think of that we might have missed? Is there anything accidentally that could have happened? You know what, like I said, you know who you got to prove this to, you've got to prove this to the rest of your family, you got to prove this to God. Your wife, you got 6 other kids to worry about, hopefully seven.

MR. THOMAS: **Yeah, man, it's homicide or something.**

OFFICER: **It's not criminally homicide. Here's our deal. I'm telling you right now you're going home. You're going home within the next hour. You're going home.**

MR. THOMAS: I didn't do nothing.

SERGEANT MASON: **Do you think that you tell us, you know what Officer, last night I did this, but it was an accident that we're going to put handcuffs on you and throw you in jail? Hypothetically is that what you think is going to happen? Is that what your friends are telling you is going to happen? That's not what we're here for. If you tell us that accidentally you caused this injury last night or the night before, we're**

still going to drive you home tonight. We ain't arresting you tonight. We're still going to drive you home. We ain't here to arrest anybody tonight, man. We're here to find out what happened to your son. So if you're afraid to tell us what happened because you think that we're going to arrest you tonight?

OFFICER: **You're wrong.**

SERGEANT MASON: **That's not what we're trying to do here, we're trying to figure out what happened to your son.**

MR. THOMAS: **Yeah to tell you the truth I didn't do nothing.**

SERGEANT MASON: If you didn't do it you didn't do it. I don't want you to tell us that you didn't do. I don't want you taking any rap for anybody else, I want to know the truth and the whole truth and nothing but the truth.

MR. THOMAS: That's what I'm telling you.

SERGEANT MASON: **But what I'm saying do you think that if you accidentally caused this injury that we're going to arrest you? Yes or no?**

MR. THOMAS: **Yes.**

SERGEANT MASON: **I'm telling you that we're not going to.**

OFFICER: **We can't lie to you about something like that. If we lie to you then you can use that against us.**

SERGEANT MASON: **We're not going to arrest you tonight. That's not what we're here to do tonight.**

OFFICER: **My Solomon promise and I haven't lied to you yet tonight. When we're done here we are bringing you home. We might take that metal truck, but we are bringing you home and you're staying, we're leaving.**

MR. THOMAS: No but what I'm saying I believe it happened in my care, I ain't going to lie. There's more likely a chance.

SERGEANT MASON: And that's more than what we knew before.

MR. THOMAS: No but what I'm saying it's more likely a chance is because I'm watching the other ones so they don't get hurt also but my main focus was the babies because I know there's no knives laying around in the living room, there's no scissors hanging around, there's no gun in my house. You know, that's what I'm saying.

SERGEANT MASON: That's step one. We need to keep taking steps and figure out how this could have happened in your care. Because as far as the other son hitting Matthew in the head with the truck the doctor said that couldn't be what happened.

MR. THOMAS: **I could have bumped him going into the crib no lie but it was never out of anger, you know, like I said could have been bumped him in the crib, I ain't going to lie, but it was never like that you know what I'm saying?**

SERGEANT MASON: What you just did there that would have snapped the baby's neck.

MR. THOMAS: That's what I'm saying it was never intentional.

SERGEANT MASON: **Of course not. We don't think anything intentional was done here. We think this entire thing is one big mistake, all right. It was a big accident, that's what we think. The number one goal is to find out how this happened, that's all. To find out how it happened. We're not trying to lock people up tonight. We're not trying to put**

people in jail tonight. We're trying to talk to you and your wife and figure out what happened. That's what we're trying to figure out.

MR. THOMAS: I just feel like you know - -

OFFICER: Nobody is trying to railroad you. We're not trying to put you in jail. Again, you're not going - -

MR. THOMAS: I'm worried about my son. If he do die, there is a chance, since you guys said he could die, you know.

OFFICER: There's a good chance. We're not lying to you. I've been straight up, there's a good chance.

MR. THOMAS: What I'm saying is that's something criminally you know?

OFFICER: Depending on the accident. We have accidents every day. People crash their cars, their accidents, they're not called on purpose. When they're called on purpose, that's when we arrest them. If you tell me you did something on purpose, I'm arresting you.

MR. THOMAS: I never did it on purpose to my kids.

SERGEANT MASON: Like he just said. If you say to us, you know what officer, I tried to kill my son then damn we would have no choice but to arrest you. If you say you know what officer, when he was in my care the other day I did this to him and that's probably what caused this but it was an accident then we are not going to arrest you tonight.

MR. THOMAS: I put him in the crib.

SERGEANT MASON: Put him in the crib when?

MR. THOMAS: I put him in the crib when my wife was gone, and I bumped his head. But I never - -

SERGEANT MASON: Do you think that could have caused this?

MR. THOMAS: I'm not sure.

SERGEANT MASON: I don't think you did it intentionally. I'm saying do you think that accidentally - -

MR. THOMAS: I did put him in the crib when my wife was gone and I'm not bull shitting, you but I never thought anything like this.

OFFICER: Did he gasp a little bit? (Indicating) or did he go whaa?

MR. THOMAS: He was crying.

SERGEANT MASON: Before you put him in the crib or after?

MR. THOMAS: No after I put him in the crib he was crying.

SERGEANT MASON: He started crying?

MR. THOMAS: Yeah.

SERGEANT MASON: Was he crying before you put him in?

MR. THOMAS: No. Like I said he was in the room, I was in the bathroom, he was crying. So after I got him quiet I did bump his head putting him in the crib and at the same time he was crying there so I picked him back up.

SERGEANT MASON: Do you think you bumped his head hard enough to cause an injury?

MR. THOMAS: I might have. I went like this and I went to check on the other kids and then he started crying so I picked him back up and I went inside. Malachai was sleeping.

SERGEANT MASON: In the crib?

MR. THOMAS: He was asleep in the crib and the door was cracked. I go in and check on him periodically so you know SIDS or something like that if you turn him on his face he could die, by being a preemie. Other than that was it. That's why I said I don't know nothing else like - - I said I caught him from falling on the floor but other than that was it. I'm not lying to you guys.

SERGEANT MASON: I guess any of those things may have done it, who knows.

MR. THOMAS: I'm not saying like taking something and just whacking it like a baseball. I would never do that.

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MR. THOMAS: Yeah we can talk about it tomorrow too. I'm not going to skip town or
Nothing

SERGEANT MASON: I hope you ain't, why would you do that you got family here?

MR. THOMAS: **Yeah, but what I'm saying is I didn't do nothing wrong with the baby.**

SERGEANT MASON: **I didn't think you did anything wrong either. I think that if you caused this it was a complete accident and I'm not trying to hit you for that.**

MR. THOMAS: I believe man, this is bad, this is very bad.

Start Day 2 Interrogation

Pages 7 – 8

SERGEANT MASON: **Just like last night. We went over this last night. We're going to say the same thing today, same thing today, same routine. You ain't getting arrested tonight, all right. That ain't what this is about. This is about finding out the truth.** I just want to reiterate, your kid is still alive, okay. So come over here. The same thing I read you last night. Before we ask you any questions you must understand your rights. Do you understand that?

MR. THOMAS: Yeah

Pages 17 – 21

SERGEANT MASON: Adrian, look at me, man.

MR. THOMAS: Everybody coming after me.

SERGEANT MASON: **Look at me man, I ain't coming after you. I'm here to help you Adrian, I'm here to help you, man.**

MR. THOMAS: I can't go see my own baby.

SERGEANT MASON: **It's going to be all right, man. It's going to be all right, man. You need to get this off your chest, all right. I brought you to the hospital last night. I tried to get you some help. I brought you back down here to talk to me, all right. I need you to tell me how everything happened, okay. I need to know the truth in order to get you the help that you need you hear me? You got six other kids to care about, all right. You've got to make sure that nothing like this ever happens again, you hear me Adrian?**

MR. THOMAS: I swear to God.

SERGEANT MASON: I need you to start from the beginning and tell me exactly what happened, you hear me, man? Adrian, look at me. Look me in the eyes, man. I need you to look me in the eyes Adrian. Promise me you're going to tell me the truth right now.

MR. THOMAS: I'll tell you the truth man.

SERGEANT MASON: I want to hear what happened Adrian, go ahead.

MR. THOMAS: My wife was going and I forgot where she went. I know that my kids was in the house with me, my twins. I laid Matthew down on the bed. Malachai was already asleep in the crib. I went to use the bathroom. I left door cracked. I went and used the bathroom, number two and a few minutes later I heard Matthew crying. So I you know, wiped myself and washed my hands. I got up and went to see and I was in the room with him and you know the truck was in the doorway and I picked him up and tried to comfort him and then I went to lay him down in the crib this way facing the doorway. Malachai was facing this way.

SERGEANT MASON: This is the crib right here, show me what you did.

MR. THOMAS: Like this. I picked Matthew up like this and laid him down and one of my other kids screamed and I accidentally bumped his head. Like I said, the back side of his head and I picked him back up and I just comforted him and I went to see what was wrong at the same time. I swear to God, I never told my wife this, I had forgot because of the issues we got going on with the CPS thing and that was already a continuing thing. The landlord told me about the cops come again, you know, and money problems. Like I said there was a lot of stuff going on.

SERGEANT MASON: When did this happen?

MR. THOMAS: **Not this past - - it was just a week before that.**

Pages 23 – 24

SERGEANT MASON: All right. You know that you're being judged by God right now, right?

MR. THOMAS: I know that.

SERGEANT MASON: **You know that ultimately your fate is going to be determined by God. You know that right?**

MR. THOMAS: Yeah.

SERGEANT MASON: **And you told me that since that happened, there have been no other times when you bumped his head and that's the God's honest truth?**

MR. THOMAS: No other times, I bumped his head, no lie.

Pages 38 – 41

MR. THOMAS: Like I said it was real hard for us. I never did tell my wife that I hit him on his head. That will probably be new to her.

SERGEANT MASON: I appreciate you telling me that because that's something important, you know, that there could be a time when not knowing that you accidentally do something like that.

MR. THOMAS: I didn't do that you know, like, you know, intentionally, you know.

SERGEANT MASON: Of course you didn't do it intentionally, I know that.

MR. THOMAS: You know maybe, you know - -

SERGEANT MASON: You feel sorrow and I can tell. I know that you did not do that on purpose, okay.

MR. THOMAS: It's been killing me.

SERGEANT MASON: I've been telling you since the second I meant you that what is going on right now is I truly believe is not something that somebody meant to do. I think it was an accident.

MR. THOMAS: I don't want to - - you know I keep playing in my head if CPS take the kids somebody is going to jail.

SERGEANT MASON: You know what you should be playing in your head is Saturday night when you were sitting in that chair holding your precious little four month old son in your arms, Matthew, before this injury happened you know, hold him in your arms and looking down at his precious little face, you know, his beautiful little four month old baby, innocent, four months old, not exposed to any evils in this world, you know. That's the purest any human being could ever be when they're an infant, you know. The purest they can ever be. They have no idea about the evils of this world, you know. It's a shame kids, once they start growing up and they start being exposed to certain evils of this world, you know, four month old babies, you have no idea, you know. Their entire world was their mother and father and that's what they depend on, you know. That's all they know, mommy and daddy, the greatest things in the world. You know that

Saturday night you're sitting in a chair watching t.v. holding your precious little four month old baby that's the purest moment you could ever imagine, you know. That's what you need to think about right now, all right. That's the memory you keep in your head right now. All right. Just how beautiful that baby was in your arms, you know and how you can make this right. That's what you need to think about.

MR. THOMAS: **I want to make this right.**

SERGEANT MASON: If you want to make it right –

MR. THOMAS: **I don't want my kids divided up.**

SERGEANT MASON: Nobody wants that man. That's not a good thing for these kids. It's not healthy for these kids to be separated. The best thing is for them to be together.

Pages 43 – 44

MR. THOMAS: You.

SERGEANT MASON: **It's me, right? And when I tell you you ain't going to jail tonight, all right, I was straight with you last night, I told you you weren't going to jail. I told you I would go to the hospital and get you some help. I'm straight up with you right now. You ain't going to jail tonight. You know what I'm saying? That's not what we're here for, you know? We're here well, because you're wife is in the hospital and she's in a very very sad state right now. Clearly you're in a sad state too.** But you know what, you keep it together. You keep your emotions inside and keep your emotions inside and keep it together. Right now you'll be the best person to talk to about what could have happened here. Because you're the man of the house you've got to keep it together, you know.

Pages 45 – 46

MR. THOMAS: **I didn't bump his head.**

SERGEANT MASON: Look it, if you did it ten days ago, you told me that yesterday. Did you get in trouble for that? If you did it yesterday morning then I need to know because the doctors are trying to save your son's life, all right, and they need to have time frames, they need to know everything possible about how this injury occurred, when it occurred, and everything is very important I mean minute by minute, by minute everything is important, okay. So if you did something to Matthew's head yesterday, similar to what you did ten days ago, I need to know that so we can let the hospital know so they can try to provide better care for your son. We're trying to keep your son alive right now, all right. Every bit of information is very important right now. We're trying to keep Matthew alive. I told you, before you answer me, think about Saturday night when you were holding your beautiful son in your arms, picture his face, do you ever want to do that again?

MR. THOMAS: You know that.

SERGEANT MASON: Do you ever want to hold your son in your arms again, your beautiful innocent baby and look at him and give him a kiss on his forehead again?

MR. THOMAS: Yeah, I want to.

SERGEANT MASON: You do. So we need to know if this could have happened yesterday morning too, we need to know this so we can let the hospital know so they can try to save your son's life, ma'am.

MR. THOMAS: Okay, let me think back.

Pages 47 – 48

SERGEANT MASON: I got good news for you. Remember yesterday when I told you he had a fracture on the back of his skull? Guess what, that ain't true. He doesn't have a fracture on his skull. His skull is ok. That's good news. There's light at the end of the

tunnel, you hear what I'm saying?

MR. THOMAS: So they don't have to do the surgery on him?

SERGEANT MASON: **I don't know, I'm not a doctor, I'm just letting you know that. Last night they thought he had a fracture on the back of his skull which is a very very serious thing. Today, I talked to the doctor and the doctor said that's not what happened. He does not have a fracture on the back of his skull. So whatever happened to put him in this position, okay, it may not have been as forceful as we originally thought.**

MR. THOMAS: That's what I'm saying I only bumped his head.

SERGEANT MASON: That was ten days ago. All right, now you need to think about yesterday morning, okay? We know something happened yesterday morning and I know that - - you're half way there man.

Pages 49 – 50

MR. THOMAS: No but he was on the bed when she laid him down.

SERGEANT MASON: **You're half way there Adrian. You're half way there man. You know you've got a problem, you know you've got an anger problem, you know that you have a problem feeling insignificant in the house. You know that's been tough on you. You know that the stress has been building up, you know that you may have physically punished or disciplined your kids a little bit too harsh at times. You've admitted to me that you've got problems, man. You're a human being and you got problems, all right, okay? You already told me that ten days ago all right, you put him in the crib too hard and hit his head on the edge of the crib, but you know what - -**

MR. THOMAS: **Yeah, but I didn't do it on purpose.**

SERGEANT MASON: **You know what, I know you didn't do it on purpose man. Who would do that on purpose. I'm not saying that you're a bad guy. You're here talking to me, you know, spilling your heart out to me telling me all these things that happened. You**

know how difficult it is for a man to tell a man that he's got problems? You know, you're doing a good thing right here, man. You should be proud of yourself, you know. Do you know how difficult it is for a man to go to a hospital and admit that he's got problems and talk to somebody and tell them what's going on in their life? You should be proud of yourself, man. You ain't got to hold this in no more.

MR. THOMAS: I'm crazy.

SERGEANT MASON: You ain't crazy, you got a tough life right now, man. You got a tough life. You got no job and seven kids and a wife to support, all right. You got all the stress in the world on your back, all right. Don't think I don't feel for you man because I know you got it tough right now. Now with this what's going on, but you need to think about yesterday morning and what could have happened yesterday morning.

Pages 52 – 54

SERGEANT MASON: You need to tell me. Take a minute and think. It's very important. This is very important. I need to get this information to the doctors in the hospital. This is very important, all right. You ain't got a lot of time, man. You ain't got a lot of time. They trying to save your son's life right now. If there's something that they need to know to try to help save your son's life, you need to tell me so I can get this message to the doctor. I know you want to tell me. I can see it in your eyes Adrian, you want to talk about it man. You ain't got to be nervous any more. I'm here to help you. You ain't got to be nervous. I want to make this better for you man.

MR. THOMAS: Maybe, I'm trying to think. Maybe - - I'm trying to think, maybe I may have grabbed him the wrong way, but I didn't do it on purpose.

SERGEANT MASON: I never said that you did anything on purpose.

MR. THOMAS: You know I'm saying I panicked I might have grabbed him the wrong way. He didn't fall on the floor, but I didn't - - like I said I grabbed him the wrong way which

caused him to jerk, but nothing - -

SERGEANT MASON: When do you think you grabbed him the wrong way?

MR. THOMAS: **When she woke me up and all this stuff was going on. Get up, get up, get up, Ad he ain't responding. I woke up and said what? She said get over here, hurry up to the crib. I said oh, my God, I probably grabbed him real quick and that's when I laid him back down and said let me put some water on his face, that's the only thing that I can think of.**

SERGEANT MASON: Something happened before that Adrian. Something happened before that. Something happened before that. **Did you throw him down inside that crib yesterday morning?**

MR. THOMAS: **No.**

Pages 61 – 62

SERGEANT MASON: **You ain't going to jail tonight you don't have to worry about that, all right? All right? That's not one of our priorities to put you in jail tonight.** All right? Our priority tonight is to find out what happened because right now your son is still alive and we want to give the doctors every bit of information we can to make sure your son stays alive, all right? That's the most important thing. All right? That's the most important thing. We got to go back to yesterday morning and we've got to talk about yesterday morning because you need to try to remember what happened yesterday morning. Maybe you was tired, all right, and you don't remember. What can we do to jog your member and make you remember what happened yesterday morning?

How about this, after you put the baby in the crib and smacked his head up against the side of the crib that's when Wilhemenia took the baby out of the crib, put the baby on the bed and started to CPR and you went into the bathroom.

MR. THOMAS: No, no.

Pages 64 – 68

SERGEANT MASON: How did he get that injury yesterday morning then. You know what the Doctor said, all right? The Doctor said, that injury, all right, was a recent injury. It didn't happen ten days ago, it didn't happen 12 hours ago, it happened a couple hours before. You need to dig deep in your mind. You know what happens some times, - -

MR. THOMAS: She woke me up.

SERGEANT MASON: **Some times people have bad memories in their head and they push them to the back of their head, all right, they try to repress those memories because they don't want to relive that in their head. You know what's going to happen when that memory comes out? That memory is going to come out and it's going to come out with a bang, all right, because it's going to be a very difficult thing for you to retrieve that memory but you got to try to retrieve that memory as to what happened yesterday morning, okay, and it's going to be a very emotional thing and it's going to be very difficult for you but you need to try to retrieve that memory and you need to get it out, all right.**

You need to get that memory out. I promise that you will feel so much better when you get that memory out. You know what, you already told me some stuff that you did with these kids. You already told me that you been too rough with these kids. But what happened yesterday morning I need to know what happened yesterday morning. I don't need you to tell me that you was laying in the bed and you sprinkled some water on the baby's face. I need you to tell me what happened to cause that injury yesterday morning. You've got to find that memory, you got to tell me what happened yesterday morning, all right Adrian? I need to know that. The doctors need to know that. Did he hit his head up against the crib? Did he hit his up against the floor, did you shake him like this before he passed out. Did you shake him, is that what caused it?

MR. THOMAS: No.

SERGEANT MASON: The doctors need to know this. Do you want to save your baby's life, all right? Do want to save your baby's life or do you want your baby to die tonight?

MR. THOMAS: No, I want to save his life.

SERGEANT MASON: Are you sure about that? Because you don't seem like you want to save your baby's life right now. You seem like you're beating around the bush with me.

MR. THOMAS: I'm not lying.

SERGEANT MASON: You better find that memory right now Adrian, you've got to find that memory. This is important for your son's life man. You know what happens when you find that memory? Maybe if we get this information, okay, maybe he's able to save your son's life. Maybe your wife forgives you for what happened. Maybe your family lives happier ever after. But you know what, if you can't find that memory and those doctors can't save your son's life, then what kind of future are you going to have? Where's it going to go? What's going to happen if Matthew dies in that hospital tonight, man? It's a miracle that your baby is alive right now still. They thought he was going to die last night,

and he's still alive and you've got a chance to make peace right now and make things better. You've got a chance to show your wife that you're a man and that you're going to do the right thing because you know what's going to happen, when you tell me what happened and you're honest with me and you tell me how this whole thing happened, all right, we're going to tell your wife you know what Adrian stood up like a man and told me what happened yesterday morning okay, and you ought to be proud of your husband for doing the right thing, all right? Stop sitting here like you don't know what happened, man. You've got to tell me what - - Adrian, please - -

MR. THOMAS: I - -

SERGEANT MASON: Adrian, come on man, I've been straight up with you I need you to be straight up with me. What happened yesterday morning to cause that injury to your son's head? I told you, there ain't no cracked skull no more, that was a mis-diagnoses. He does not have a crack in his skull. He's got some bleeding on the brain and the doctors are trying to save your son's life. I need to know what happened, all right? Think Adrian.

MR. THOMAS: Let me think, okay. She woke me up panicking, she woke me up panicking. I panicked too, okay, I'm not going to lie. That's the God's honest truth. Anybody would panic in a situation like that. I got up, I picked him up.

Pages 69 – 72

SERGEANT MASON: Adrian, you are so close man, you are so close to making this right. It's right in front of your head and you want this to come out and you want to do the right thing.

What's holding you back, Adrian? What's holding you back? You think you're getting in trouble for this? Is that what you think? That ain't what this is about man. I told you, I promise you you're going home tonight man. Look it man, I promise you you're going home tonight man.

MR. THOMAS: She said good night.

SERGEANT MASON: **Look, it, this ain't about criminal charges, all right. This is about finding out the truth to what happened to your son so when you give the information to the doctor we'll try to save your son's life.**

MR. THOMAS: But I'm not lying to you man.

SERGEANT MASON: **But you know what man, maybe you ain't lying but you're repressing those memories. Nobody wants to remember harming their own kid man. If I harmed my kid I would repress that memory too but you know what, ultimately you've got to be a man and this has got to come out. I know it's hard for you.**

MR. THOMAS: Like I said I did bump his head ten days ago.

SERGEANT MASON: I know that man and I appreciate you telling me that, all right. I appreciate you telling me that. But I need to know what happened the morning that he was brought to the hospital, okay? Because his head was bumped that morning too. I need to know how that happened, okay? What's going to happen if my phone rings right now and it's the doctors from Albany Medical Center and they say Sergeant Mason, I've got bad news Matthew did not make it. What's going to happen? **I'm going to say damn we were so close to finding out what happened to this child all right, and you're procrastinating, you're putting it off you're putting it off because you're afraid. You ain't got to be afraid any more man, all right. You ain't got to be afraid. Think about your four month old baby laying in the hospital.**

MR. THOMAS: **It was an accident.**

SERGEANT MASON: **I know it was an accident. Am I talking to you like you're a bad guy?**

MR. THOMAS: Yeah, man.

SERGEANT MASON: You know what, I'm sorry, I don't mean to have you scared. I apologize. Let me tone it down a little bit, all right. This is - - you know how this is hard for you this is an emotional thing for me because you know what I'm passionate about this. I got kids, man. I got kids just like you got kids. This is difficult for people to see a kid injured like this.

MR. THOMAS: **I did bump his head.**

SERGEANT MASON: When?

MR. THOMAS: When I put him to bed.

SERGEANT MASON: When?

MR. THOMAS: That morning.

SERGEANT MASON: Yesterday morning.

MR. THOMAS: Yesterday morning.

Pages 74 – 75

SERGEANT MASON: Do you think maybe before he got to the bottom of the crib, because you was in such a panic you kind of dropped him a little bit?

MR. THOMAS: I think so.

SERGEANT MASON: You think you did?

MR. THOMAS: I think so, but it was by accident man, I swear to God.

SERGEANT MASON: I know it was an accident man. Come here man. Get it out, get it out man. Don't be ashamed to cry man. That's the only way you're going to feel better by getting it out Adrian.

(Defendant sobbing)

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SERGEANT MASON: So when you put him in that crib - -

MR. THOMAS: -- **That's when I put the water in his face, when I picked him up off the bed. I said oh my God, you know, I said oh my God, he's not moving. I said let me put some water on his face like that, I dialed 911 I gave her the phone and I was checking his pulse and I picked him back up like that and that's when I walked over to the crib and you know, he hit his head.**

SERGEANT MASON: **You kind of dropped him a little bit.**

MR. THOMAS: **By accident.**

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SERGEANT MASON: So do you think that when you put him in the crib yesterday morning and you kind of dropped him and hit his head up against the railing, do you think that's what probably caused the injury he has right now?

MR. THOMAS: I think so.

SERGEANT MASON: You think so?

MR. THOMAS: I think so. But it was never on purpose.

SERGEANT MASON: I know it wasn't. You a good man right now, Adrian.

MR. THOMAS: (Defendant sobbing) I feel bad.

Page 80

MR. THOMAS: My baby is in the hospital.

SERGEANT MASON: **Do you think you're responsible for that?**

MR. THOMAS: **Yeah man, I feel bad (crying). My wife will leave me man.**

SERGEANT MASON: It doesn't concern your wife right now, man. It concerns the baby now.

MR. THOMAS: I know. I want to go see him but people are telling me don't come up there, don't come by yourself.

SERGEANT MASON: **Why did you put him down in the crib?**

MR. THOMAS: **I panicked.**

SERGEANT MASON: **You panicked?**

MR. THOMAS: I panicked, he wasn't breathing man.

SERGEANT MASON: Do you think you did something to cause him to stop breathing?

MR. THOMAS: No he was already like in the bed.

SERGEANT MASON: In the bed.

Pages 81 – 82

SERGEANT MASON: **Do you think you did something to cause him to stop breathing during the night when he was sleeping in the bed with you?**

MR. THOMAS: **No.**

SERGEANT MASON: **What do you think caused him to stop breathing?**

MR. THOMAS: No. I don't know man. That's why I know for a fact that she was feeding him and she was holding and I was feeding Malachai, you know. I didn't touch him after that. She said okay, I'll check his temperature out and she laid him down. Then she said okay, his temperature went down he's okay. I said okay and I went to bed.

SERGEANT MASON: **Adrian are you 100 percent sure that when you put him down inside that crib that he was already having problems breathing?**

MR. THOMAS: Yeah. **I swear to God. Because when I picked him up that's when she said oh my God he's not breathing, get up. I said what, he's not responding. She said he's not responding. I said what do you mean he's not responding. That's when I went and got him and picked him up. I said oh my God. I said he's not responding. I laid him back down on the bed and put some water on his face.**

SERGEANT MASON: Were you panicking because you thought you did that to him?

MR. THOMAS: No. I was panicking because it happened in my house and somebody would think something like that would happen and I was real concerned about it, you know, because he was already like haa, like that.

Pages 82 – 3

SERGEANT MASON: **Do you think you like rolled over on top of him and suffocated him while you were sleeping? That happens. You and your wife are big people that could happen you know. If that's what happened you know - -**

MR. THOMAS: **I'm not sure.**

SERGEANT MASON: **If that's something that happened then that's something the doctors need to know because then not only are they dealing with the injury to the head from when you put him in the crib, but not they also dealing with some sort of suffocation type thing and that could make a different type of treatment, you know what I mean? If they got two separate injuries.**

MR. THOMAS: I don't know but that's a strong possibility. I would not rule that out.

Pages 90 – 91

SERGEANT MASON: **Do you think it's possible that while she was sleeping kind of rolled over and covered up his face for a couple minutes and made him have a little bit of trouble breathing?**

MR. THOMAS: I think it's possible.

SERGEANT MASON: I know you love your wife more than anything in this world.

MR. THOMAS: I'm not lying.

SERGEANT MASON: I know that talking to you. I'm just telling you that. In talking to you I know this is difficult with the kids but I notice that it's equally concerned that you are about the kids, you are also concerned about your wife and her leaving you. I'm being very concerned about that and your wife might have made a mistake here, all right, and accidentally suffocated Matthew that would be a very difficult thing for you to deal with also, you now because not only

do you have to worry about the fact that in your head you hurt your son by putting him in the crib but your wife may have hurt your son by rolling over on him. I mean that's got to be a very very difficult thing to deal with.

MR. THOMAS: Yes, it's driving me nuts.

Pages 101 – 102

SERGEANT MASON: She said she don't have nothing to do with this man.

MR. THOMAS: I didn't do that man.

SERGEANT MASON: I didn't want to have to tell you that because I know how much you love your wife and how that must feel knowing that she's telling us that information about you. That's what she said.

MR. THOMAS: I know what's going on.\

SERGEANT MASON: What's going on?

MR. THOMAS: Because her brother saying if he go to jail you're going to jail with him.
You know, like that.

SERGEANT MASON: I told you there wasn't going to be no be jail, man.

Pages 102 – 103

SERGEANT MASON: **Let me ask you a question, all right If Matthew was already having trouble breathing before you slammed his head into that crib and threw him down in that crib all right, why didn't you tell me that in the beginning?**

MR. THOMAS: I felt - - deep down, I felt that the blame thing was my fault. I know for a fact that I didn't do intentionally.

SERGEANT MASON: Of course you didn't do it intentionally.

Pages 105 – 106

SERGEANT MASON: I guess there's a couple different scenarios. One scenario is the truth.

MR. THOMAS: That is the truth.

SERGEANT MASON: **One scenario is the truth that Matthew was fine until you threw him in that crib.**

MR. THOMAS: No, he was already - -

SERGEANT MASON: **I'm saying that was one possibility. I don't know if that's the truth or not, that's what she told me, that's one scenario. Another scenario is what you're saying right now is the truth and she suffocated that baby and she's trying to blame you for it.**

MR. THOMAS: I don't know that she did suffocate the baby.

SERGEANT MASON: I don't know either. We're trying to figure out what happened. These

doctors are pressuring her for information.

MR. THOMAS: I was asleep. That's what I said I was asleep and I was woken up to it you know. I don't know if she rolled over on the baby, I don't know - -

SERGEANT MASON: **So you didn't come out and tell me that information because you think the injury to the head is caused what's going on right now? So do you think that if you didn't throw that baby in that crib and hit his head up against the side of the crib that they would have been able to fix the breathing problem and he'd be okay right now?**

MR. THOMAS: **I think so.**

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MR. THOMAS: It was kind of similar.

SERGEANT MASON: **Similar like. All right. I want to write it down, just to get the specific details as to how it happened. I got to get this information to the doctors at Albany Medical Center, all right. We're going to go over it again, a little bit slower this the details out and I'll write it down.**

MR. THOMAS: **All right, no problem. I know man for a fact I didn't do this intentionally.**

SERGEANT MASON: **I know you didn't. I believe you when you tell me that man.**

Pages 112 – 113

SERGEANT MASON: Anybody would. Anybody would. But we need to get this exactly how it happened, all right. So now you got you in the room your wife in the room and India in the room, okay. Your story what you're telling me is just a little bit different than their stories. **I'm trying to straighten this out already okay and you're telling me it happened the way that you're telling me it happened, you know what, during the conversation we had today, during the conversation we had yesterday there's been a couple of times when you were nervous to tell me something because you don't want to get yourself in trouble and you're thinking about yourself and you want to make sure that you can try to make this look as much as possible as you didn't do this on purpose. You don't have to worry about making it look like you didn't do it on purpose because I know you didn't.**

MR. THOMAS: **I didn't do it on purpose.**

SERGEANT MASON: I already know that. I'm not judging you. God is judging you, I'm not judging you.

MR. THOMAS: **I didn't do it on purpose.**

SERGEANT MASON: **I know you didn't do it on purpose, I know that. So, I'm just letting you know you don't have to worry about in your head trying to make it sound like it didn't happen a certain way because you don't want to make it look like you did it on purpose. I know you didn't do it on purpose. I've been telling you that from day one, all right. Since the first time I met you yesterday I've been telling you that this was an accident and I know that this was an accident, okay. I know that, all right. You don't have to convince me that this was an accident, I know this was an accident, okay. All right. What your wife is saying**

and what your daughter is saying, okay, is that your son was not in the bad condition when you threw him in that crib.

MR. THOMAS: Yes he was because they - - my wife woke me up. India wasn't in the room when I woke up.

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SERGEANT MASON: People don't have seven kids without loving kids. All right, I know you love your kids. I know. I know what you did to Matthew is not intentional, all right. But I need to know if he wasn't having that much trouble breathing before you dropped him in a crib, that's something the hospital needs to know because there's certain things they want to do to your son and if he's got problems breathing, all right, then it's going to change the direction that they take, all right.

MR. THOMAS: I was asleep, my wife woke me up in a panic. I swear to God. I'm not lying to you.

Pages 125 – 127

SERGEANT MASON: An accident it's an accident you know what I'm saying?

MR. THOMAS: Some people say an accident is intentional though.

SERGEANT MASON: I don't say that. Intentional is intentional. Did you throw him in that crib intentional and say I'm going to hurt my son Matthew?

MR. THOMAS: No way man.

SERGEANT MASON: Then that's an accident, all right. That's an accident. But not listen, if Matthew was having a problem breathing, all right you threw him in that crib and hurt the back of his head, all right, you compare that to him not having a problem breathing and you threw him in that crib and hurt the back of his head, either way you threw him in that crib and hurt the back of his head okay. What the doctors need to know, all right, because they're trying to run these tests on your son and they're trying to work on your son and keep him alive, all right. So if he wasn't having problems breathing the doctors need to know that. I need to get back to him because time is very important.

MR. THOMAS: Like I said I was asleep. I was woken up to this. I was woken up to a panic, you know, like you said maybe he was in a deep sleep and you know not responsive like that.

SERGEANT MASON: Even if you're in a deep sleep you're still breathing.

MR. THOMAS: I know for a fact that I threw water on his face and he didn't respond.

SERGEANT MASON: That was after you did something to make him like that?

MR. THOMAS: I didn't do nothing, I swear to God. I was - -

SERGEANT MASON: You put your son in this condition, right, you put him in this condition by accident.

MR. THOMAS: No I put him in the condition by accident because due to putting him in the crib.

SERGEANT MASON: Right.

MR. THOMAS: But not before that.

SERGEANT MASON: What happened before that - -

MR. THOMAS: I was asleep.

Pages 128

SERGEANT MASON: **These doctors are pushing us. These doctors are pushing us. you've got to find out what's going on, you got to get back to me as soon as possible, I need this information to try and save this baby.**

Pages 130 -131

SERGEANT MASON: You're responsible for what happened. You know what happened to Matthew, you know, you did it. You did this to Matthew and you're telling me you did this to Matthew, all right. You're so far to tell me everything about what happened. You're far to tell me one hundred percent of the truth, man. **You know, we just got like ten percent more to go, you know. I've got ten percent more to go so the doctors can know that they got all the information they need and they can try to keep your son alive.**

MR. THOMAS: **I didn't do nothing to him to make him stop breathing.** I didn't tell Kevin nothing. While he stopped breathing and I didn't hold him or nothing. I didn't pick him up and cause him to stop breathing.

Pages 151 – 152

SERGEANT MASON: **Maybe it was like affects from an injury at 9:30 at night and**

maybe he started having the effects the next morning? Do you think something like that is possible? Because if that's something that's possible, then that's something I need to know. The doctors need to know that because then you could be dealing with two separate injuries here and that's something the doctors need to know about because they can't focus on one injury because there's two injuries.

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SERGEANT MASON: You know what you did something. You did something and you caused the injury to your son Matthew and he's lying in bed right now, all right with bleeding on his brain. **So, if you did it the night before I need to know that because that's something the doctors need to know, all right. I know you can't see yourself doing it, but you know what you've been having a tough time at home, all right, stress, you know, caring for babies, getting mouthed by your mother-in-law, you know, it's not an abnormal thing for you to be a little bit careless sometimes you know when your son, it's going to happen, you know. The important thing is that he's alive right now and every bit of information you can tell me about this is going to contribute to keeping him alive. Did something happen that night?**

MR. THOMAS: No.

Pages 152 – 153

SERGEANT MASON: Are you getting ready to tell me the truth? This is what you start doing you start thinking.

MR. THOMAS: No.

SERGEANT MASON: **You're thinking about how can I tell him this and make it sound like I didn't do it on purpose.**

MR. THOMAS: No, no, no.

SERGEANT MASON: **I know you didn't do any of this stuff on purpose man. I know you didn't do any of this stuff on purpose. Believe me, if you intentionally hurt a kid, would I be sitting here talking to you like a man?**

MR. THOMAS: No.

SERGEANT MASON: I'm talking to you like a man because I care about your family, I care about Matthew and I want to make sure the best thing for him - - that he has the best care, all right. That's why I'm here talking to you like a man. **All right, I'm not trying to hurt you right now. I know there's something else you got to tell me. You've got to tell me, it's important for your son's life, man. You got to search inside your head and try to get it out. You want your son to live?**

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SERGEANT MASON: **You don't have to be afraid to tell me that man.**

MR. THOMAS: I just feel bad, man.

SERGEANT MASON: I know you feel bad. But you know what, each time you tell me something that you did by mistake, each time you tell me how you hurt your son Matthew by

mistake, doesn't it feel good to get it out?

Pages 164 – 167

SERGEANT MASON: **I'm going to tell the Court what happened, it was an accident because I don't want them holding that against you, you know. I'll tell that. This is an accident. This man came in to the police station voluntarily, he sat down like a man and talked about what happened, this is a good man. We're going to get him some help, get him some treatment and he's going to be good at life. That's what I'm going to tell the Court. I've got faith in you man.**

MR. THOMAS: **I'll take counseling, anything man.**

SERGEANT MASON: Absolutely.

MR. THOMAS: **I don't want to go to jail.** This is bad. You know, I have a family down south. The kids are taken away from me and stuff. I feel real bad, man.

SERGEANT MASON: **I know you do man. Listen, I want to start writing this down. I want to get this out of the way, right, because I know when we get done you can get out of here tonight you're going to feel like a better person.** All right. I know you can't take back what's already happened, all right, and I know that you feel bad that you can't get to the hospital,

but you know what you're going to feel like a better person because you've taken the right steps to get help from yourself and try to make up for what you've done wrong. We're starting talking about him waking up and him not breathing and what you could have possibly done to put him in that situation, all right, and you started telling me some stuff that you hadn't told me already. **I want you to kind of elaborate on that and tell me a little bit more details and a little bit more information about that, okay, because you're taking the right steps here, okay? If we leave some details out and we find out about it later, we're going to question why you wasn't being 100 percent honest with us.**

MR. THOMAS: No, no.

SERGEANT MASON: **And we gonna question not arresting you tonight, you know. I'm trusting you to be honest with me and this is an accident, all right. I'm choosing not to hold you criminally responsible for this tonight because you're being straight up with me.** I don't want you to leave out any details, all right. I need to know that what you did caused your son to be in the condition he was in in the morning and what you did caused your son to be in the condition that he is in the hospital right now. **I need to right that down. I need to be able to prove to the Court that this was an accident.**

MR. THOMAS: Okay.

SERGEANT MASON: All right. So what you started telling about how you bumped him in the head - -

Pages 169 – 170

MR. THOMAS: I'm going to need some protection man, especially when I go to Court, especially on the steps to the courthouse, I can't walk there myself.

SERGEANT MASON: **When that time comes, we'll talk about that and see what we can do for you and make sure that nobody follows you all right. Now, what do you think you did to cause Matthew to stop breathing in the morning?**

MR. THOMAS: **Like I said I went in the room where he was at and I sit like this on the end of the bed where the bed faces the t.v. the south wall. The bath is you know here and here's the t.v. and he was up here. You know I went back like that and I didn't realize he was that close and I hit my head against his head.**

SERGEANT MASON: I just went in there and I called the doctors again to give them that updated information so hopefully they could use that to try to keep Matthew alive to save his life. What they said was, every time I tell them something, they're giving me their professional opinion. What they said is that could be that the reason he was having the problem in the morning could be because you hit your head against his the night before.

MR. THOMAS: **It wasn't intentional.**

SERGEANT MASON: **I know it wasn't intentional man, I would never ever ever say that. I told them this is all an accident. I said listen, you got to understand doc, Adrian is having a hard time dealing with this, all right, I'm looking at an honorable man who is doing the right thing for his family, all right. He's taking care of business right now, all right. The doctor is like I appreciate it, you know, every bit of information that you can get will help, we need to hear from you, we need to know this so we can work on your son Matthew and get this taken care of.**

But if you hit him in the head at 9:30 at night - - okay.

SERGEANT MASON: **So what am I going to tell the District Attorney to make him believe that you are not going to do this to any other children?**

MR. THOMAS: Because I'm willing to take counseling, any type of help, any type of psychiatric help to - -

SERGEANT MASON: To help you control this.

MR. THOMAS: - - control anger management, the depression and low self esteem. I love my kids.

SERGEANT MASON: How are you able to control this so you never hurt no adults. What stopped you from you know beating up, you know, walking through a market and bumping into somebody. What stops you from beating up other people?

MR. THOMAS: Because I never was a violent type of guy. I never was a violent type of guy.

SERGEANT MASON: So what happened to make you violent toward your son?

MR. THOMAS: He was just in my arms at the time. It just happened. **I never intentionally meant to hurt my kid, I swear to God.** Out of eight years we've been together, I never grabbed them, choked them, nothing. I know that the family telling her not to give me joint custody on supervision rights. I just want supervision, you know to see them and stuff. I love my kids.

SERGEANT MASON: I hear you man. Come over here. First just put your initials right there. That's where we ended it last time right there. Put a circle around your initials. Now put your initials right here. That's where we started the new part you've been telling me, all right. I've got four, five pages here. You already signed the bottom of this one. So, finish reading this page and then read the next four pages and sign the bottom as long as everything is accurate as to how it happened, okay. I'm going to step outside the room for a minute. I'll be right back.