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## **EX-MONTCO JAIL GUARD TESTIFIES HE WITNESSED COLLEAGUES ASSAULT INMATE**

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[content/uploads/2019/01/testify.jpg](https://jailtraining.org/wp-content/uploads/2019/01/testify.jpg))NORRISTOWN, PENNSYLVANIA — Telling a jury his “stomach is in knots” as he faced his former colleagues, a onetime correctional officer at the Montgomery County jail testified those colleagues took part in the beating of an inmate and conspired in the cover-up that followed.

Jason Michael Marshall faced five former colleagues who are on trial in connection with the alleged assault of inmate Derrick Houlihan, and testified Houlihan initially was assaulted in his cell on Feb, 14, 2017. Marshall testified Darrin Collins, at the time a lieutenant at the jail, told the correctional officers, before they entered the cell, not to turn on their body cameras.

Houlihan, according to Marshall, was sleeping, sat up and then engaged in a verbal argument with correctional officers, including Alfred Gregory Jr., as they attempted to handcuff him.

“Gregory punched him (Houlihan) in the face,” Marshall told a jury, adding a wrestling match ensued before Houlihan was escorted by guards to the medical unit to be treated for a wound above his eye.

Marshall, who once worked as a Douglass (Mont.) police officer, refuted defense lawyers’ contentions that Houlihan, who wears a prosthetic leg, had stood up in his cell and took up a fighting stance and was the aggressor inside the cell.

Marshall testified during the second day of the joint trial for Collins, 53, of Phoenixville, Chester County; Gregory, 34, of East Coventry, Chester County; Randall Sims, 42, of Norristown; Edwin Negron, 54, of Exton, Chester County, a former captain at the jail; and Anthony Saxby, 32, of Upper Gwynedd.

 English



Each man faces charges of aggravated and simple assault, conspiracy to commit aggravated assault, recklessly endangering another person, hindering apprehension or prosecution, official oppression, and obstructing administration of law in connection with the alleged Feb. 14, 2017, assaults of inmates Houlihan, then 42, of Philadelphia, and Matthew Ruffings, then 18, of Norristown, and the alleged cover-up that followed at the Lower Providence jail.

County Detective Walter Kerr introduced to the jury video surveillance footage that showed correctional officers escorting Houlihan, his shirt bloodstained, from his cell to the medical unit after the initial assault.

Tracey Thompson, a nurse at the jail, testified she treated Houlihan for a laceration over his left eye and that he did not have his prosthetic leg when the officers brought him to the unit for treatment.

"He was very respectful to me, calm," Thompson described Houlihan.

Thompson went on to testify that she overheard Collins say to Houlihan that he was "going to take the handcuffs off him and take him back and beat the (expletive) out of him." Thompson testified she later told two supervisors about the encounter.

Jurors appeared riveted as they viewed video surveillance footage depicting officers escorting Houlihan from the medical unit back to a common area in the K-6 section of the jail where a second alleged assault occurred. First Assistant District Attorney Edward McCann Jr. and co-prosecutor Kelly S. Lloyd maintained video surveillance showed Houlihan did not fight back.

According to testimony, Houlihan was not wearing his prosthetic leg at the time of the alleged second beating.

"He was flailing around on the ground, waving his arms. That's the extent of what I saw," Marshall testified.

While cross-examining Kerr about the video, defense lawyer A. Charles Peruto, who represents Negron, suggested the video depicted Houlihan as being aggressive and fighting with officers.

"I saw him rolling around. I see him getting punched. I see him getting kicked. I see him getting stomped," Kerr responded, referring to Houlihan.



Marshall admitted he too kicked Houlihan once or twice.

Jurors learned that Marshall, 41, of Zionsville, Lehigh County, previously was sentenced to two years' probation after he pleaded guilty to misdemeanor charges of official oppression and obstructing administration of law in connection with the jailhouse incidents.

"I felt I was involved. It clearly shows on the video I was part of it. I wanted to face up to it," Marshall told jurors.

Marshall testified Gregory assisted him in fabricating a report regarding the second alleged assault of Houlihan to depict Houlihan as the aggressor. Marshall testified he filed the false report with jail officials out of fear.

"I was scared. I was employed with a job at that time. I didn't want to create any waves and ripples," Marshall testified.

Lawyers for the five accused correctional officers implied Marshall gave inconsistent statements to authorities and that his testimony could not be trusted.

During the trial before Judge William R. Carpenter, defense lawyers characterized the correctional officers as being dedicated to their jobs and as men of good character who used "reasonable force under the circumstances" as they dealt with unruly inmates.

In addition to suffering a laceration over his eye during the first alleged assault, Houlihan suffered two broken ribs as well as cuts and abrasions to his arms and his natural leg during the second alleged assault.

Prosecutors alleged Ruffings, later on Feb. 14, was assaulted in his cell with punches to his face. Additionally, three officers who were wearing body cameras during that incident did not activate them or took actions to destroy the video that was captured, prosecutors alleged.

Ruffings suffered a broken nose and bruising to his face as a result of the alleged beating, according to court papers.

By: Carl Hessler Jr.

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