

**WHITE PLAINS**

# Green Haven sergeant acquitted of covering up inmate beating

**Jonathan Bandler**

Rockland/Westchester Journal News

Published 5:01 p.m. ET Dec. 21, 2023 | Updated 8:47 p.m. ET Dec. 21, 2023

A sergeant at Green Haven Correctional Facility was acquitted Thursday of federal charges accusing her of trying to cover up the beating of an inmate by a corrections officer.

A jury in U.S. District Court in White Plains found Rosita Rossy not guilty of falsifying records, conspiracy to falsify records and witness tampering related to the 2020 incident at the state prison in Dutchess County.

Defense lawyer Howard Tanner called the case an “outrageous, unfair prosecution” that should never have been brought.

“The jury quickly recognized that this was an unfair prosecution based upon the testimony of three unreliable witnesses who were immunized by the government,” Tanner said.

“Justice has prevailed and her reputation is restored.”

On May 28, 2020, as inmate Eion Thom walked out of a room at Green Haven, Officer Taj Everly punched him in the head and tackled him to the floor. Everly then filed a use of force report claiming falsely that Thom hit him first. Thom was not seriously injured. He was paroled and later killed in a shooting in Brooklyn.

Prosecutors alleged Rossy was aware that Everly’s report was false but still repeated his claim in her own report and directed other corrections officers to file similar false reports.

Everly acknowledged what actually happened and resigned after he was confronted with video of the incident. He was indicted in October 2020 on a false reporting charge. A second indictment three months later charged him with deprivation of constitutional rights under color of law and leveled the false records and tampering charges against Rossy.

Everly pleaded guilty and was sentenced in September to three months in federal prison, which is scheduled to begin in early January.

Tanner challenged the credibility of the correction officers who testified for the prosecution, including one who acknowledged manipulating her body worn camera so it wouldn't show that she witnessed what had happened. He said they lied then lied to prosecutors and under oath to cover up their own misconduct.

He said Everly testified for the defense that he had lied to Rossy about the incident so she wouldn't have known his report was false.

Rossy, a 50-year-old mother of three from Monticello, has been suspended without pay since her arrest a year ago. Tanner said she had an unblemished record and will seek restoration to her position and back pay.

A spokesman for the state Department of Corrections and Community Supervision said only that the agency "intends to continue with the disciplinary process" but did not elaborate or answer whether that also referenced the correction officers who testified.