

Administrative Investigation

2014-0326

MARICOPA COUNTY SHERIFF'S OFFICE*Memorandum*

Joseph M. Arpaio, Sheriff

To: Brian Jakowinicz
Lieutenant
Special Investigations Division

From: Fred Aldorasi #8751
Captain
Special Investigations Division

Subject: Property and Evidence issue at the Roeser building

Date: June 19, 2014

On June 18, 2014 at approximately 1600 hours while inspecting the Roeser building, I discovered what appeared to be many items of evidence or found property in a closet within Sergeant Hamill's office that raises concerns.

During this time, the VCU Detectives were in their squad area processing items of evidence pursuant to the Armendariz case. I walked into Sergeant Hamill's office and observed an open closet door within. This was later described to me as a "temporary evidence closet". Upon entering I noticed several property room boxes on the floor with marked evidence bags within. I was able to determine these were items relative to the Armendariz case. However, there were several other items throughout the room that were not packaged, marked or tagged at all. These items were just placed on the table or floor inside the closet. Sergeant Hamill was not in the building to ask any questions at this time so I requested that Lieutenant Stutsman step in to this closet to possibly explain what was kept in there and why. Lieutenant Stutsman was only able to account for the Armendariz evidence, which he was overseeing. This

concluded my visit at Roeser.

On June 19th at approximately 0830 hours I responded back to the Roeser building to inquire with Sergeant Hamill about my discovery, but he was not on site. Sergeant Hamill's office door was open and the light was on and the "temporary evidence closet" was secure. I requested the key from one of the VCU detectives, entered and observed the room in similar fashion as the evening prior on June 18. The only obvious change was that there appeared to be additional items on the floor associated with the Armendariz case. I took several photographs with my county cell phone to document the state in which I found the items of concern (see attached disc) that were not associated with the Armendariz case and raised concern for me.

I observed and documented several items that had already been secured in P&E bags and appeared to be in a waiting status for drop off at P&E. These items are listed below with associated MCSO report numbers as reflected on the evidence bags. *Some of them already a month old.*

- 2014 - 011646
- 2014 - 011117
- 2014 - 010564

In addition to the above items, the below listed items were located with no evidentiary markings, labels, or paperwork. These items were also noted and photographed (see attached disc).

- (1) small dark colored zip up case, containing a small scale and (2) hypodermic needles, one of which contained a yellow liquid
- (1) Small caliber live round with silver casing

- (1) Unmarked MCSO evidence bag with no markings that contained a partially smoked marijuana cigarette and a (1) small plastic container, which had small amount of marijuana inside.
- (1) Clear plastic garbage bag containing a large manila envelope which had written on it "458434 Arias, 1B4" This envelope contained misc. paper documents and items.
- (1) Large black residential size trash container with 2 wheels, completely full of loose marijuana.

As I was securing the "temporary evidence closet", I ran into Sgt. Hamill and asked if I could speak with him in his office. I advised him that I was in the closet inside his office and observed several items that concerned me and requested he explain them to me. He referred to this as the "temporary evidence closet".

The first item I mentioned to him was the small dark colored zip up case, containing a small scale and (2) hypodermic needles, one of which contained a yellow liquid. Sgt. Hamill advised that he believed that was Detective Honea or Pierce. He advised that he had previously observed it on one of their desk, but didn't know why it was in there or where it came from. I then asked about the small caliber, live round with silver casing. Sgt. Hamill had no knowledge of its significance if any or who it belonged to. I asked why all the items for case #14-011117 was dated 05/15/14 and was still sitting in here, he stated he didn't know, but acknowledged that it should have been impounded at P&E. I asked the same questions of the clear plastic garbage bag containing a large manila envelope which had written on it "458434 Arias, 1B4" This envelope contained misc. paper documents and items. Sgt. Hamill explained that it was not evidence, but thought it had already impounded. The last item I asked about was the large black residential size trash container with 2 wheels, completely full of loose marijuana. Sgt. Hamill stated that it was "found property". I asked who's it was, to which Sgt. Hamill advised it was Det. Pierce's and when I inquired how long it had been in this closet, he advised "a couple of weeks". Sgt. Hamill then made a direct reference to the above mentioned case #14-011117 dated 5/15/14 and advised it was about the same time frame, maybe the same day. I reminded Sgt. Hamill that DR14-011117 was marked 5/15/14 which was over one month ago, not a couple of weeks. I asked Sgt. Hamill when the last time he was in this "temporary evidence closet" and his response was a couple of weeks ago.

I expressed my concern and disappointment with my findings the lack of supervision that he was apparently providing. I reminded Sgt. Hamill that he is the supervisor and it is his responsibility to maintain and to ensure it is operating inside of MSCSO policy. I instructed him to get everything in order and transported to the Property & Evidence facility immediately.

I believe that this incident warrants the need for an Administrative Investigation immediately for possible MCSO Policy violations pertaining to (GE-3), Property and Evidence Management as well (GB-2), Command Responsibilities.

MARICOPA COUNTY SHERIFF'S OFFICE
Professional Standards Bureau
IA # 2014-0326

FINDINGS

Principal: **Sgt. Barry Hamill #1372**

Allegation 1

Command Responsibility GB-2.7.A.1/ 2 and 8.A

7. Supervisory staff at all levels shall provide proper direction, coordination, and control of subordinate personnel. Supervisors shall direct their efforts toward the intelligent and efficient performance of the functions of the Office, and shall require their subordinates to do the same. Supervisors shall be held accountable for the performance of subordinates under their immediate control.

A. To ensure effective accountability, a supervisor shall do the following:

1. Actively direct and supervise employees of lesser rank to ensure that they perform assigned duties efficiently.
2. Monitor situations in which subordinates are involved, and ensure that proper actions are taken. (04-19-96)

8. Supervisors shall conduct inspections of the facilities, equipment, and property under their control, and ensure that their subordinate personnel accomplish the tasks assigned to them, in an acceptable manner.

A. Supervisors at all levels shall conduct inspections. Appropriate corrective action shall be initiated when deficiencies are discovered. Corrective action may consist of oral and written instructions, or a suggestion for improvement.

Allegation 2

Property Management GE-3.2 A.1/2/3 and B/C

2. Sheriff's Office employees are responsible for properly reporting, documenting, and securing any evidence, found property, or property held for safekeeping, which comes into their possession in the course of their duties, prior to the end of shift in which it was seized or recovered.

A. Property shall be packaged in an Office-approved container, labeled, and recorded on a Property Invoice. Containers that have been approved for use by the Property

MARICOPA COUNTY SHERIFF'S OFFICE
Professional Standards Bureau
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Custodian Supervisor shall be made available through the Sheriff's Supply Warehouse Section.

1. The Property Invoice shall be filled out properly and as completely as possible. Addresses, including zip codes, shall be supplied for all victims, owners, and suspects.
2. Each item listed on the Property invoice shall be packaged separately. The incident Report (DR) number and item number shall be written on each package. Multiple small envelopes may be placed into one (1) letter size manila envelope or the smallest box possible.
3. Items of evidence needing analysis shall be placed together in a separate container.

B. The property Invoice shall be assigned a DR number, or incorporated into another existing DR. A copy of the invoice shall be sent to the Records and ID Division (Records).

C. All property shall be secured in lockers or storerooms established for that purpose. Property not held as evidence may be released to the rightful owner. Property not released to the owner shall be forwarded to Property and Evidence as provided in this Policy. Personnel responsible for forwarding such property are responsible for obtaining proper receipts, and ensuring the chain of custody.

Analysis:

Each of the detectives and Sgt. Hamill himself have stated that he did not get involved in the processing, coordination, or direction of subordinate personnel when dealing with property and evidence.

- In Sgt. Hamill's interview he stated, *"Um, like I said I've never set guidelines for them and I've never followed the prior to the end of shift or, uh, the SID SOP for 48 hours. We've gone beyond that, you know, several times if not numerous times, uh, you know, waiting past a weekend if we did a search warrant the week before"*.
- When asked what role Sgt. Hamill played in investigations Detective Parra said, *"He didn't play a role in investigations. He did not- he did not give any input into the investigation nor did he give any supervisor direction like hey, you know what?"*.

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- Detective Osborn spoke of the lack the communication that he feels from Sgt. Hamill. The detectives were left to do things on their own without a supervisor who would play a role in organizing and managing day to day operations.
- Of the items found in the Roeser building temporary property and evidence room, all of it had been in there from 1-3 months, well outside of the MCSO policy and the SID SOP.
- Never before a June 12th, 2014 email had Sgt. Hamill given any direction to get the items found in the temporary holding room to the MCSO Property and Evidence room. The email came about because of a squad move to another building.
- Neither Sgt. Hamill nor anybody in VCU had ever conducted an audit or tracked items in the temporary property room.
- On 6-19-14 while speaking with Captain Aldorasi about the items that were found in the room, Sgt. Hamill could not explain why they were there or who they belonged to.
- Sgt. Hamill left all aspects of property and evidence handling up to the case agents.
- Sgt. Hamill failed to properly pickup and enter into property items from DR#14-006471, often referred to as the Jodi Arias case as he was instructed to do so by Lieutenant Seagraves on 3-20-14.

Conclusion:

- Sufficient evidence exists to find the allegation of violation of policies GB-2.7.1 and 2 is **sustained.**
- Sufficient evidence exists to find the allegation of violation of policy GB-2.8.A is **sustained.**
- Sufficient evidence exists to find the allegation of violation of policies GE-3.2.A.1/2/3/ and B and C to find him **sustained.**

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Professional Standards Bureau

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Mitigations:

None

I have reviewed this investigation report and find sufficient evidence to proceed with a Pre-Determination Hearing for the stated Policy.

SUSTAINED [Signature] 7-22-14
Preliminary Finding Captain Fred Aldorasi Date

After giving due consideration to the information received from this investigation report and, if applicable, the information provided during the Pre-Determination Hearing process, I have made the following Finding regarding the stated Policy violation:

SUSTAINED [Signature] 7/29/14
Final Finding Deputy Chief Pat Lopez Date

MARICOPA COUNTY SHERIFF'S OFFICE

Written Reprimand

Name of Employee Sergeant Barry Hamill Serial Number 1372

Bureau Investigations Division Special Investigations Date of Report 7-30-14

On June 18th, 2014 at approximately 1600 hours, while inspecting the Roeser building, Captain Fred Aldorasi #875 discovered many items of evidence in the Roeser Property and Evidence room that had not been properly packaged, marked, and accounted for. This room was used by only your squad and you were unable to account for many of these items. A subsequent Administrative Investigation revealed that the items discovered had been in the room for a period of 1 to 3 months and involved eight cases, all of which were assigned to your squad, the Violent Crimes Unit (VCU). Items discovered ranged from indicia to an outlaw motorcycle gang that was taken as a result of a criminal search warrant to a large black roll away garbage bin full of marijuana stalks. One group of items that were found contained jail contraband that you were told to pick up and enter into property by Lt. Seagraves. These items were picked up by you and never processed and taken to MCSO property as you were told to do. This investigation revealed that you did not provide proper direction, coordination, and control of your subordinates to ensure that items of evidence were being processed correctly. It has also been determined that you never conducted an inspection of the temporary Property and Evidence room in the Roeser building.

This investigation has found that you violated the following Maricopa County Sheriff's Office policies:

Command Responsibility GB-2.7.A.1/ 2 and 8.A

7. Supervisory staff at all levels shall provide proper direction, coordination, and control of subordinate personnel. Supervisors shall direct their efforts toward the intelligent and efficient performance of the functions of the

Office, and shall require their subordinates to do the same. Supervisors shall be held accountable for the performance of subordinates under their immediate control.

A. To ensure effective accountability, a supervisor shall do the following:

1. Actively direct and supervise employees of lesser rank to ensure that they perform assigned duties efficiently.
2. Monitor situations in which subordinates are involved, and ensure that proper actions are taken. (04-19-96)

8. Supervisors shall conduct inspections of the facilities, equipment, and property under their control, and ensure that their subordinate personnel accomplish the tasks assigned to them, in an acceptable manner.

A. Supervisors at all levels shall conduct inspections. Appropriate corrective action shall be initiated when deficiencies are discovered. Corrective action may consist of oral and written instructions, or a suggestion for improvement.

Property Management GE-3.2 A.1/2/3 and B/C

2. Sheriff's Office employees are responsible for properly reporting, documenting, and securing any evidence, found property, or property held for safekeeping, which comes into their possession in the course of their duties, prior to the end of shift in which it was seized or recovered.

A. Property shall be packaged in an Office-approved container, labeled, and recorded on a Property Invoice. Containers that have been approved for use by the Property Custodian Supervisor shall be made available through the Sheriff's Supply Warehouse Section.

1. The Property Invoice shall be filled out properly and as completely as possible. Addresses, including zip codes, shall be supplied for all victims, owners, and suspects.
2. Each item listed on the Property invoice shall be packaged separately. The incident Report (DR) number and item number shall be written on each package. Multiple small envelopes may be placed into one (1) letter size manila envelope or the smallest box possible.

3. Items of evidence needing analysis shall be placed together in a separate container.
- B. The property Invoice shall be assigned a DR number, or incorporated into another existing DR. A copy of the invoice shall be sent to the Records and ID Division (Records).
- C. All property shall be secured in lockers or storerooms established for that purpose. Property not held as evidence may be released to the rightful owner. Property not released to the owner shall be forwarded to Property and Evidence as provided in this Policy. Personnel responsible for forwarding such property are responsible for obtaining proper receipts, and ensuring the chain of custody.

Future Violations will result in further discipline, up to and including termination.

*[Signature]*¹⁰¹⁸
Supervisor

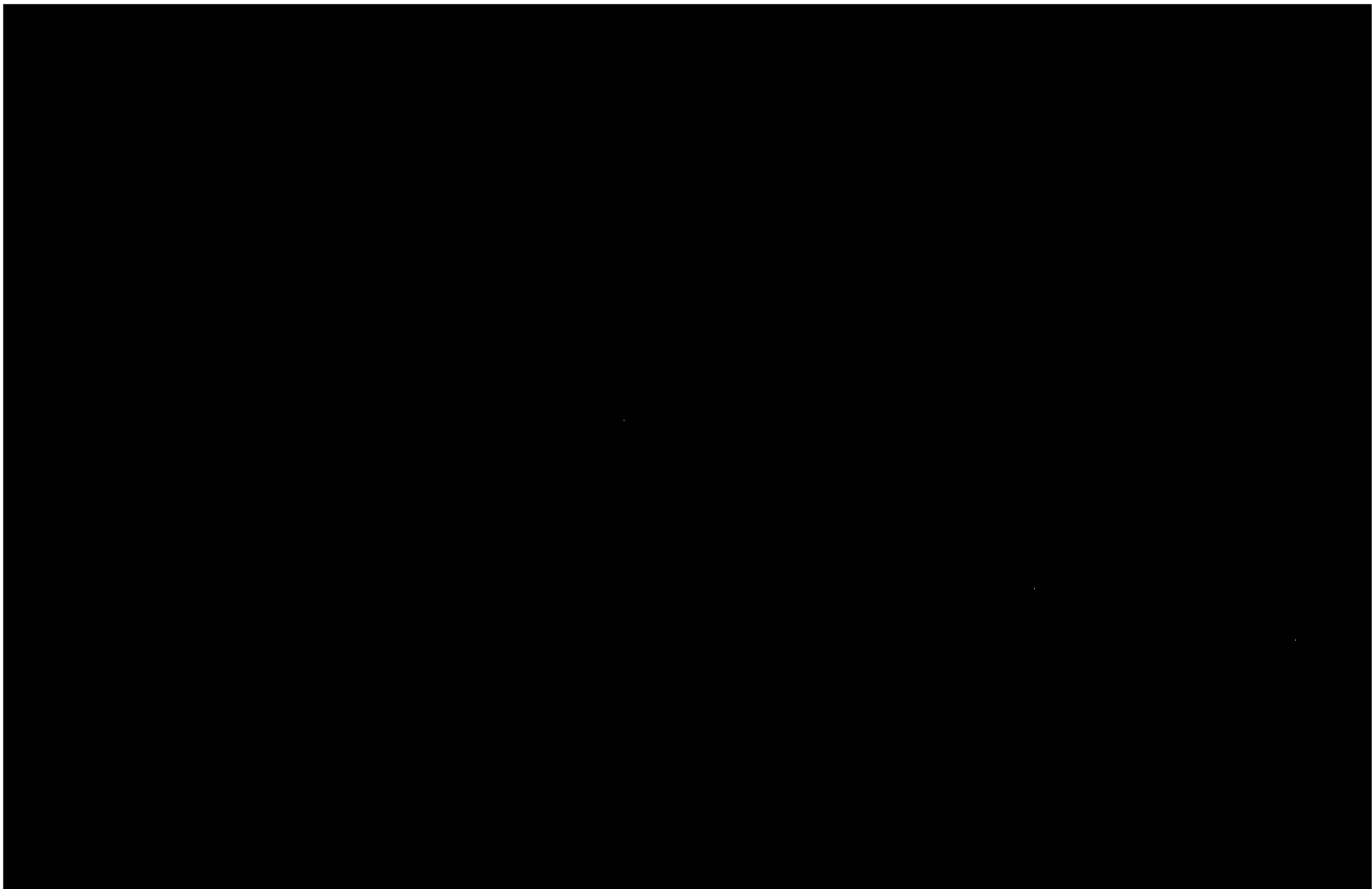
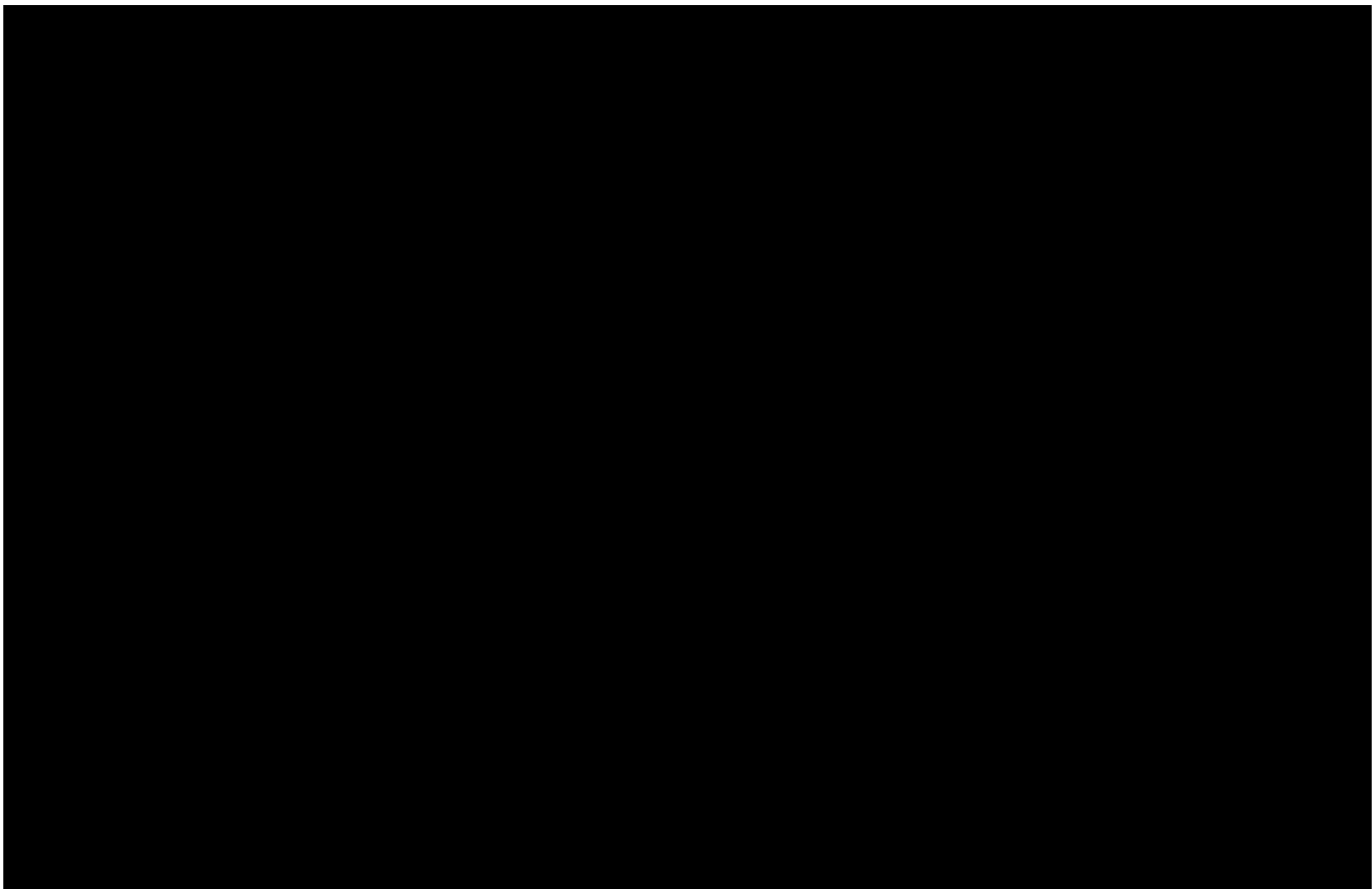
[Signature]
District or Division Commander

[Signature] 9660
Bureau Commander

I acknowledge receipt of this written reprimand and understand that it will be placed in my Personnel File.

[Signature]
Employee's signature

8/6/14
Date



MARICOPA COUNTY SHERIFF'S OFFICE
Professional Standards Bureau
IA # 2014-0326

FINDINGS

Principal: **Detective Greg Honea #1336**

Allegation 1

Property Management GE-3.2 A.1/2/3 and B/C

2. Sheriff's Office employees are responsible for properly reporting, documenting, and securing any evidence, found property, or property held for safekeeping, which comes into their possession in the course of their duties, prior to the end of shift in which it was seized or recovered.

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Analysis:

- Detective Honea was the case agent in two of eight cases found to have property in the temporary property and evidence room in the MCSO Roeser building.
- The items from Detective Honea's case (14-011117) still in the Roeser building were 33 items related to a murder for hire case. These items were already processed and packaged and ready to be transported to the MCSO property and evidence room.
- Items were taken to Roeser on 5-15-14 and entered into MCSO Property and Evidence on 6-19-14 after Captain Aldorasi's discovery of the items.
- Detectives Parra and Pearce transported a garbage barrel full of marijuana stalks and stems from a West Phoenix neighborhood to the MCSO Roeser building on 5-12-14 where it remained until 6-19-14. A DR was never pulled for this item because case assignment was never made clear to VCU detectives by Sgt. Hamill who directed the pickup (14-014109). Not until 6-19-14 did Detective Honea know anything about this item when he was told by Sgt. Hamill to process and transport all items found in the MCSO Roeser building.
- Detective Honea pulled a DR and transported the barrel full of marijuana remnants but had no further involvement in the case.

Conclusion:

Sufficient evidence exists to find the allegation of violation of policies GE-3.2.A.1/2/3/ and B and C to be **sustained** for items that pertain to DR 14-011117 only.

Detective Honea cannot be held responsible for the item pertaining to DR 14-014109.

Mitigations:

- In speaking with Detectives Osborn and Honea, the method of holding property in a secure location for periods of time outside of MCSO policy or the SID SOP is common practice in working very large, very complex cases within MCSO detective components. VCU cases are often very large and complex. These cases could have and should have been followed up on and processed accordingly when the case slowed down though.
- Detective Honea was truthful and open the entire time and owned up to any mistakes that he made. He took responsibility for his actions and did not try to shift blame.

MARICOPA COUNTY SHERIFF'S OFFICE

Professional Standards Bureau

IA# 2014-0326

The Items found to belong to Detective Honea had been processed and packaged properly; the just needed to be transported.

I have reviewed this investigation report and find sufficient evidence to proceed with a Pre-Determination Hearing for the stated Policy.

SUSTAINED [Signature] 7-22-14
Preliminary Finding Captain Fred Aldorasi Date

After giving due consideration to the information received from this investigation report and, if applicable, the information provided during the Pre-Determination Hearing process, I have made the following Finding regarding the stated Policy violation:

SUSTAINED [Signature] 7/29/14
Final Finding Deputy Chief Pat Lopez Date

MARICOPA COUNTY SHERIFF'S OFFICE

Written Reprimand

Name of Employee Detective Gregory Honea Serial Number 1336

Bureau Investigations Division Special Investigations Date of Report 7-30-14

On June 18th, 2014 at approximately 1600 hours, while inspecting the Roeser building, Captain Fred Aldorasi #875 discovered many items of evidence in the Roeser Property and Evidence room that had not been properly packaged, marked, and accounted for. This room was used by only your squad, the Violent Crimes Unit (VCU). A subsequent Administrative Investigation revealed that the items discovered had been in the room for a period of 1 to 3 months and involved eight cases, two of which listed you as the case agent. One of those reports, 14-011117, contained 33 items related to a murder for hire case. You are the responsible party for the items found related to 14-011117, as these items were taken as evidence thorough a search warrant on 5-15-14.

This investigation has revealed that you have violated Maricopa County Sheriff's Office policy:

Property Management GE-3.2 A.1/2/3 and B/C

2. Sheriff's Office employees are responsible for properly reporting, documenting, and securing any evidence, found property, or property held for safekeeping, which comes into their possession in the course of their duties, prior to the end of shift in which it was seized or recovered.

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3. Items of evidence needing analysis shall be placed together in a separate container.

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Future Violations will result in further discipline, up to and including termination.

A. K. Beagraw 1018
Supervisor

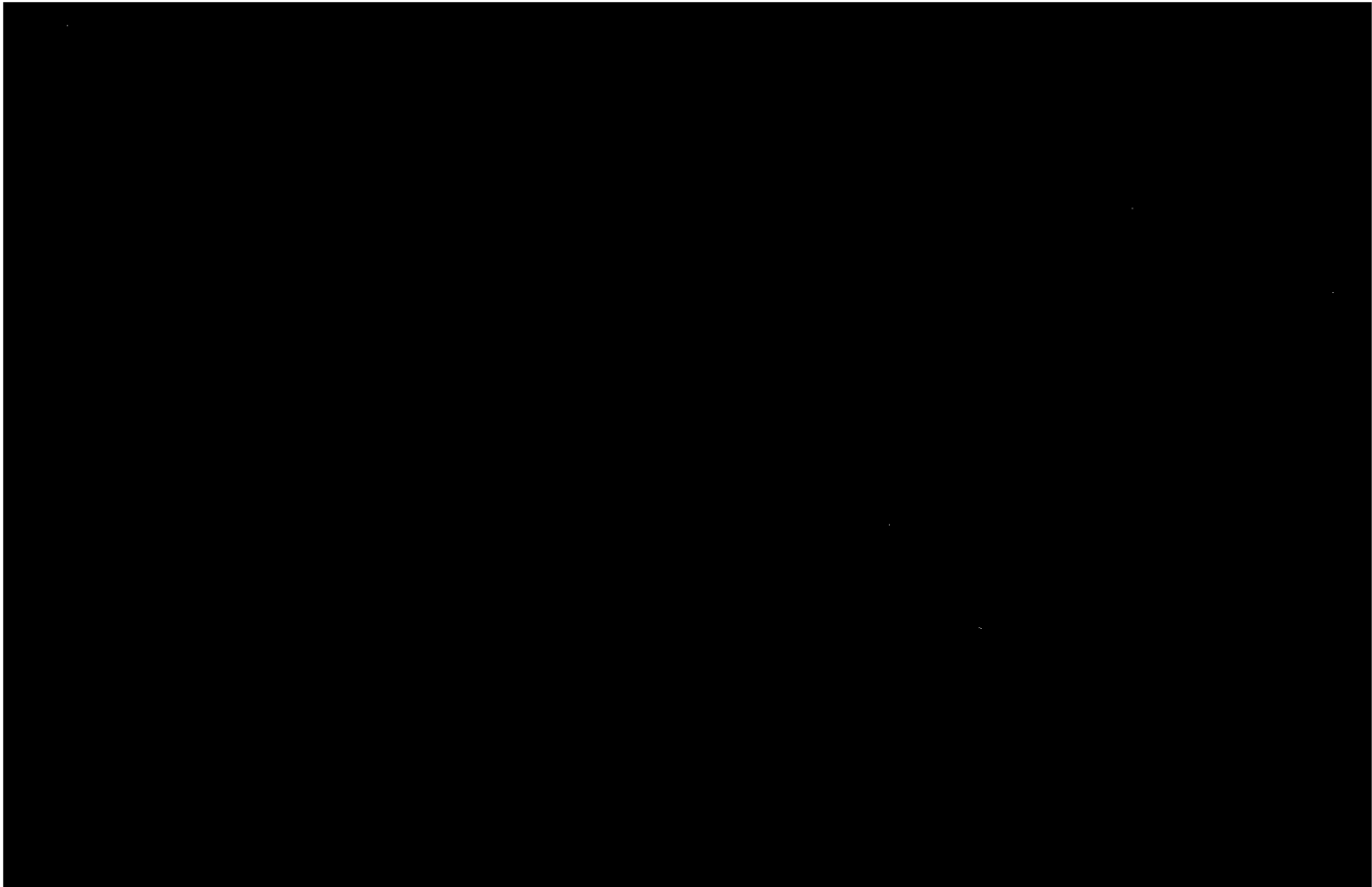
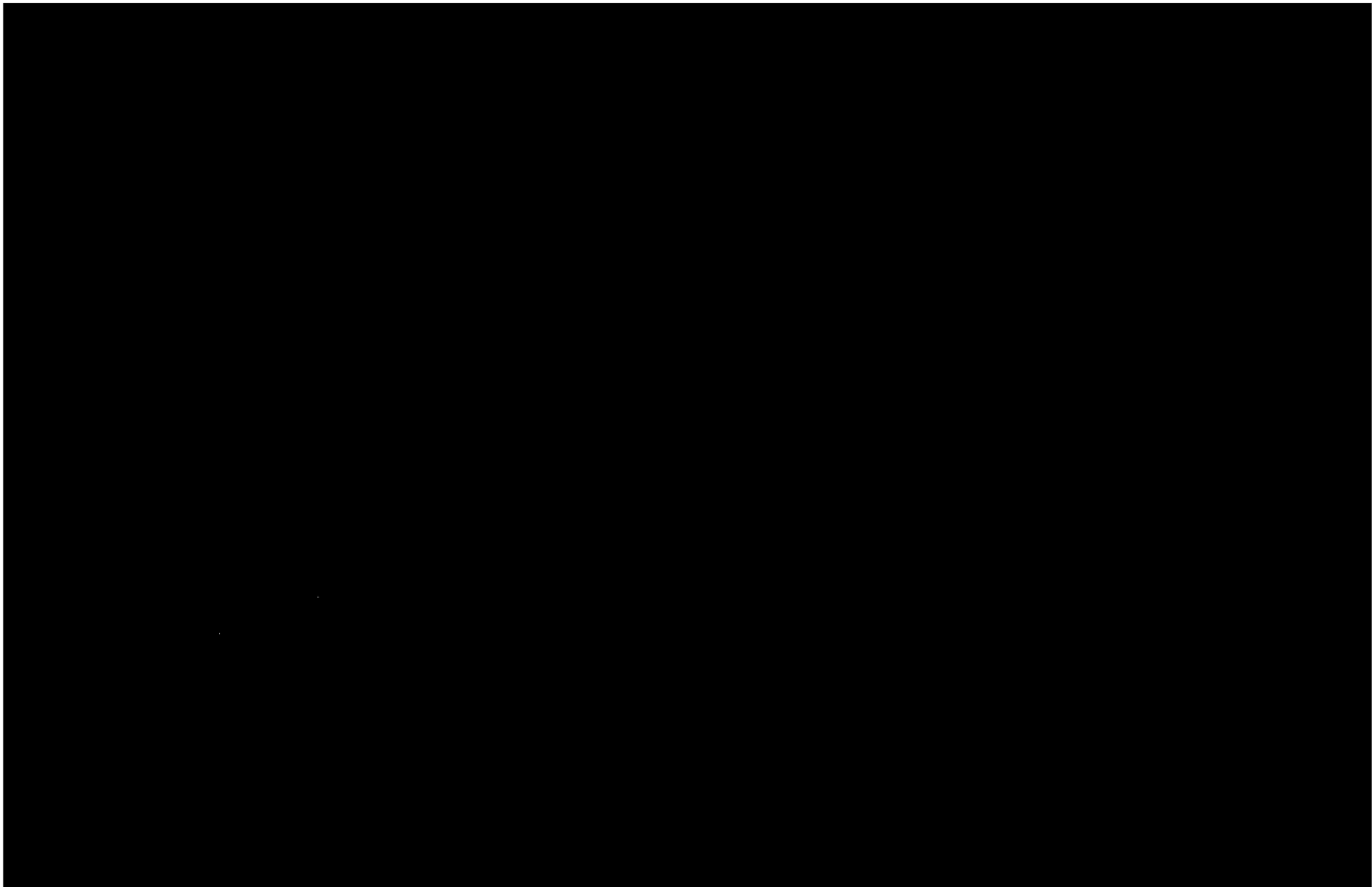
Carl J. Aldorasi
District or Division Commander

OP/CP 9060
Bureau Commander

I acknowledge receipt of this written reprimand and understand that it will be placed in my Personnel File.

Gregory W. Honea #1336
Employee's signature

8/6/14
Date



MARICOPA COUNTY SHERIFF'S OFFICE
Professional Standards Bureau
IA # 2014-0326

FINDINGS

Principal: **Detective Sean Pearce #1016**

Allegation 1

Property Management GE-3.2 A.1/2/3 and B/C

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Analysis:

- Detective Pearce was the case agent in three of eight cases found to have property in the temporary property and evidence room in the MCSO Roeser building.
- The items from Detective Pearce's cases included; one marijuana cigarette, a marijuana "roach", a bullet, a small zip up container containing two syringes (one containing heroin).
- All items were in the Roeser property and Evidence room for over a month before they were entered into MCSO Property and Evidence on 6-19-14 after Captain Aldorasi's discovery of the items.
- Detective Pearce did not know about the small zip up container containing two syringes. He was the detective to complete a tow sheet and the DR was assigned to him. Nobody advised him of the items found in the vehicle he did the tow sheet for.

Conclusion:

Sufficient evidence exists to find the allegation of violation of policies GE-3 2 A 1/2/3/ and B and C to be **sustained**.

Mitigations:

- In speaking with Detectives Osborn and Honea, the method of holding property in a secure location for periods of time outside of MCSO policy or the SID SOP is common practice in working very large, very complex cases within MCSO detective components. VCU cases are often very large and complex. These cases could have and should have been followed up on and processed accordingly when the case slowed down though.
- Detective Pearce was truthful and open the entire time and owned up to any mistakes that he made. He took responsibility for his actions and did not try to shift blame.
- Detective Pearce filled out a tow sheet during a man hunt with his squad and became the assigned case agent. He was never advised that heroin was found in the car. Sgt. Hamill did not organize the aspects of that scene leaving Detective Pearce to appear to be in error when he was not.

MARICOPA COUNTY SHERIFF'S OFFICE

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IA# 2014-0326

I have reviewed this investigation report and find sufficient evidence to proceed with a Pre-Determination Hearing for the stated Policy.

SUSTAINED [Signature] 7-22-14
Preliminary Finding Captain Fred Aldorasi Date

After giving due consideration to the information received from this investigation report and, if applicable, the information provided during the Pre-Determination Hearing process, I have made the following Finding regarding the stated Policy violation:

SUSTAINED [Signature] 7/29/14
Final Finding Deputy Chief Pat Lopez Date

MARICOPA COUNTY SHERIFF'S OFFICE

Written Reprimand

Name of Employee Detective Sean Pearce Serial Number 1016

Bureau Investigations Division Special Investigations Date of Report 7-30-14

On June 18th, 2014 at approximately 1600 hours, while inspecting the Roeser building, Captain Fred Aldorasi #875 discovered many items of evidence in the Roeser Property and Evidence room that had not been properly packaged, marked, and accounted for. This room was used by only your squad, the Violent Crimes Unit (VCU). A subsequent Administrative Investigation revealed that the items discovered had been in the room for a period of 1 to 3 months and involved eight cases, three of which listed you as the case agent. Two of these DRs were found to be your responsibility. DR 14-014108 involved a partial marijuana cigarette and a small plastic container, containing a small amount of marijuana taken on 3-6-14 in a case exceptionally cleared. DR 14-011646 was pulled on 5-21-14 and contained a partial marijuana cigarette to be entered into property for destruction.

This investigation has revealed that you have violated Maricopa County Sheriff's Office policy:

Property Management GE-3.2 A.1/2/3 and B/C

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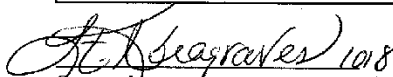
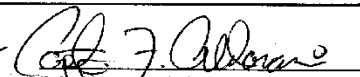
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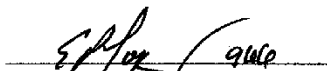
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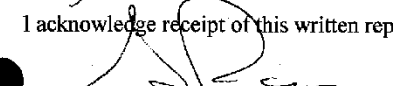
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Future Violations will result in further discipline, up to and including termination.

 1018 
Supervisor District or Division Commander


Bureau Commander

I acknowledge receipt of this written reprimand and understand that it will be placed in my Personnel File.


Employee's signature

8/21/14
Date

MARICOPA COUNTY SHERIFF'S OFFICE

Written Reprimand

Name of Employee Detective Sean Pearce Serial Number 1016

Bureau Investigations Division Special Investigations Date of Report 7-30-14

On June 18th, 2014 at approximately 1600 hours, while inspecting the Roeser building, Captain Fred Aldorasi #875 discovered many items of evidence in the Roeser Property and Evidence room that had not been properly packaged, marked, and accounted for. This room was used by only your squad, the Violent Crimes Unit (VCU). A subsequent Administrative Investigation revealed that the items discovered had been in the room for a period of 1 to 3 months and involved eight cases, three of which listed you as the case agent. Two of these DRs were found to be your responsibility. DR 14-014108 involved a partial marijuana cigarette and a small plastic container, containing a small amount of marijuana taken on 3-6-14 in a case exceptionally cleared. DR 14-011646 was pulled on 5-21-14 and contained a partial marijuana cigarette to be entered into property for destruction.

This investigation has revealed that you have violated Maricopa County Sheriff's Office policy:

Property Management GE-3.2 A.1/2/3 and B/C

2. Sheriff's Office employees are responsible for properly reporting, documenting, and securing any evidence, found property, or property held for safekeeping, which comes into their possession in the course of their duties, prior to the end of shift in which it was seized or recovered.

A. Property shall be packaged in an Office-approved container, labeled, and recorded on a Property Invoice.

Containers that have been approved for use by the Property Custodian Supervisor shall be made available through the Sheriff's Supply Warehouse Section.

1. The Property Invoice shall be filled out properly and as completely as possible. Addresses, including zip codes, shall be supplied for all victims, owners, and suspects.

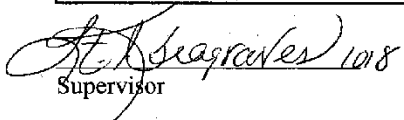
2. Each item listed on the Property invoice shall be packaged separately. The incident Report (DR) number and item number shall be written on each package. Multiple small envelopes may be placed into one (1) letter size manila envelope or the smallest box possible.

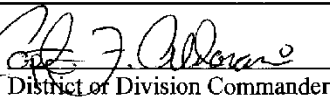
3. Items of evidence needing analysis shall be placed together in a separate container.

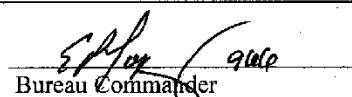
B. The property Invoice shall be assigned a DR number, or incorporated into another existing DR. A copy of the invoice shall be sent to the Records and ID Division (Records).

C. All property shall be secured in lockers or storerooms established for that purpose. Property not held as evidence may be released to the rightful owner. Property not released to the owner shall be forwarded to Property and Evidence as provided in this Policy. Personnel responsible for forwarding such property are responsible for obtaining proper receipts, and ensuring the chain of custody.

Future Violations will result in further discipline, up to and including termination.


Supervisor

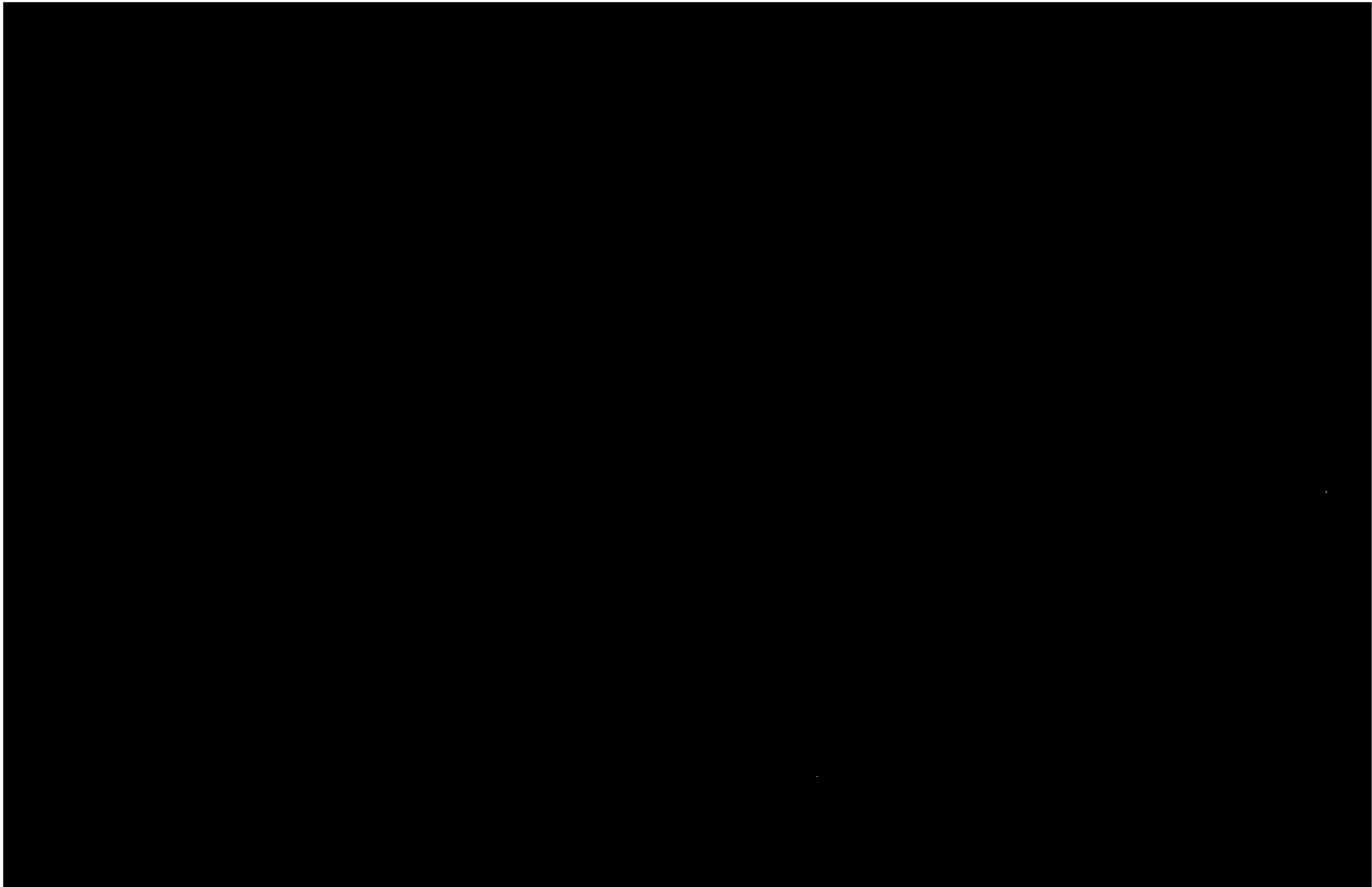
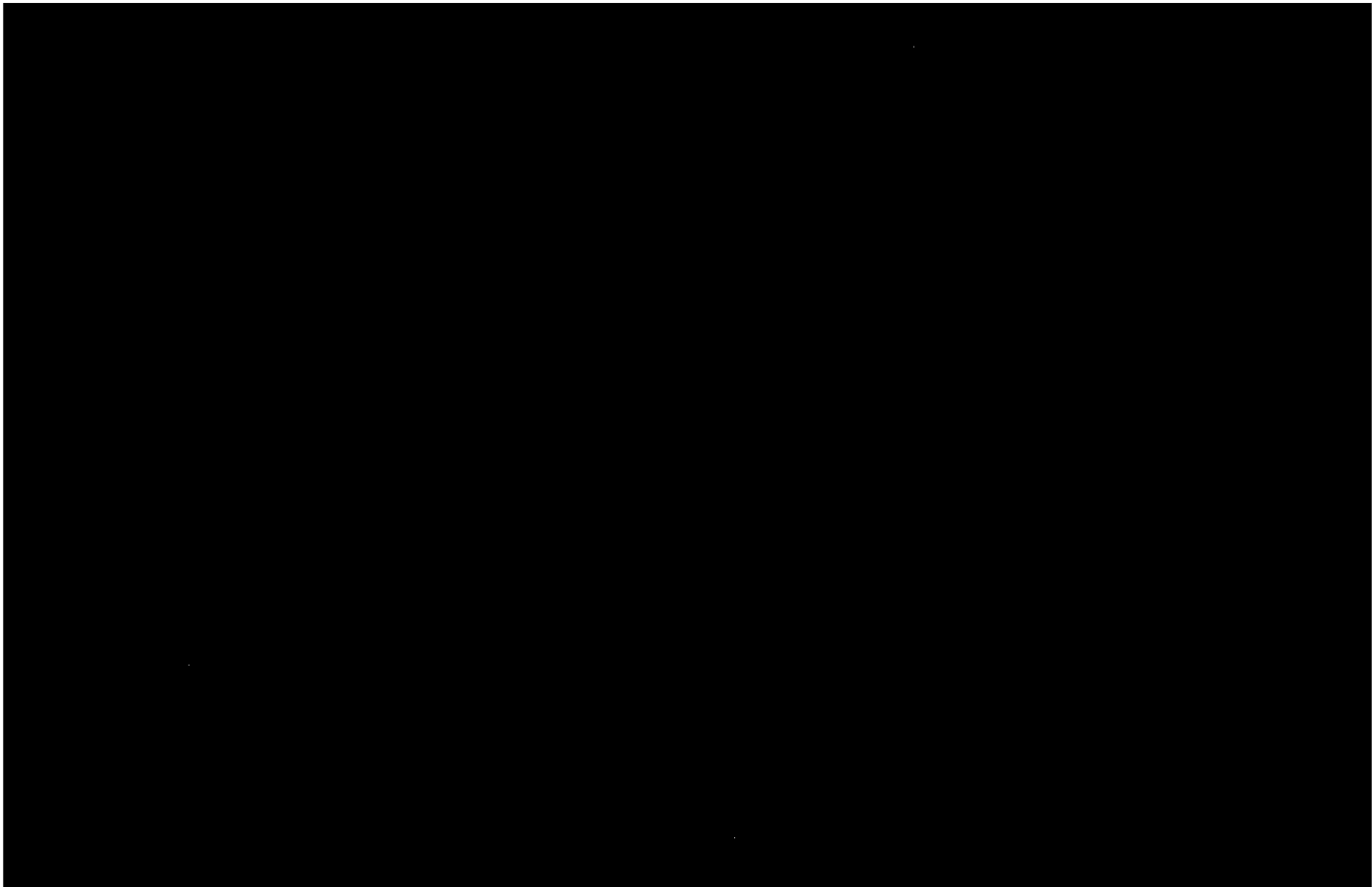

District or Division Commander


Bureau Commander

I acknowledge receipt of this written reprimand and understand that it will be placed in my Personnel File.

Employee's signature

Date



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Professional Standards Bureau
IA # 2014-0326

FINDINGS

Principal: Detective David Parra #1188

Allegation 1

Property Management GE-3.2 A.1/2/3 and B/C

2. Sheriff's Office employees are responsible for properly reporting, documenting, and securing any evidence, found property, or property held for safekeeping, which comes into their possession in the course of their duties, prior to the end of shift in which it was seized or recovered.

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Analysis:

- Detective Parra was the case agent in one of eight cases found to have property in the temporary property and evidence room in the MCSO Roeser building.
- Detective Parra's case came about because he saw the need for an additional search warrant while conducting a search at a search warrant for a murder for hire (14-011117).
- The items from Detective Parra's case (14-011132) still in the Roeser building were a .45 pistol, magazines, ammunition, methamphetamine, and an Arizona driver license.
- Items were taken to Roeser on 5-15-14 and entered into MCSO Property and Evidence on 6-19-14 after Captain Aldorasi's discovery of the items.
- Detective Parra did transport a garbage barrel full of marijuana stalks and stems from a West Phoenix neighborhood to the MCSO Roeser building on 5-12-14 where it remained until 6-19-14. A DR was never pulled for this item because case assignment was never made clear to VCU detectives by Sgt. Hamill who directed the pickup (14-014109). Detective Parra believed he was merely the courier as he was the only one with a pickup truck at the time.

Conclusion:

Sufficient evidence exists to find the allegation of violation of policies GE-3.2.A.1/2/3/ and B and C to be sustained.

Mitigations:

- In speaking with Detectives Osborn and Honea, the method of holding property in a secure location for periods of time outside of MCSO policy or the SID SOP is common practice in working very large, very complex cases within MCSO detective components. VCU cases are often very large and complex. These cases could have and should have been followed up on and processed accordingly when the case slowed down though.
- Detective Parra was truthful and open the entire time and owned up to any mistakes that he made. He took responsibility for his actions and did not try to shift blame.
- Detective Parra's attentiveness and initiative lead to him becoming a case agent.

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I have reviewed this investigation report and find sufficient evidence to proceed with a Pre-Determination Hearing for the stated Policy.

SUSTAINED Cap. Fred Aldorasi 7-22-14
Preliminary Finding Captain Fred Aldorasi Date

After giving due consideration to the information received from this investigation report and, if applicable, the information provided during the Pre-Determination Hearing process, I have made the following Finding regarding the stated Policy violation:

SUSTAINED Pat Lopez 7/29/14
Final Finding Deputy Chief Pat Lopez Date

MARICOPA COUNTY SHERIFF'S OFFICE

Written Reprimand

Name of Employee Detective David Parra Serial Number 1188

Bureau Investigations Division Special Investigations Date of Report 7-30-14

On June 18th, 2014 at approximately 1600 hours, while inspecting the Roeser building, Captain Fred Aldorasi #875 discovered many items of evidence in the Roeser Property and Evidence room that had not been properly packaged, marked, and accounted for. This room was used by only your squad, the Violent Crimes Unit (VCU). A subsequent Administrative Investigation revealed that the items discovered had been in the room for a period of 1 to 3 months and involved eight cases, one of which listed you as the case agent. Departmental Report 14-011132 lists you as the case agent. Items found in the temporary property and evidence room related to your case are; a .45 caliber pistol, magazines, ammunition, methamphetamine, and an Arizona driver's license. These items were taken on 5-15-14 as a result of a criminal search warrant that was conducted.

This investigation has revealed that you have violated Maricopa County Sheriff's Office policy:

Property Management GE-3.2 A.1/2/3 and B/C

2. Sheriff's Office employees are responsible for properly reporting, documenting, and securing any evidence, found property, or property held for safekeeping, which comes into their possession in the course of their duties, prior to the end of shift in which it was seized or recovered.

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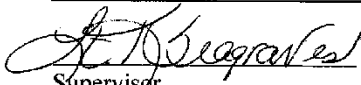
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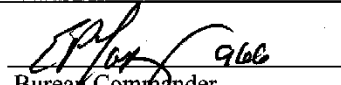
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Future Violations will result in further discipline, up to and including termination.


Supervisor


District or Division Commander


Bureau Commander

I acknowledge receipt of this written reprimand and understand that it will be placed in my Personnel File.


Employee's signature

#1188

08/06/2014
Date

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Summary

On 6-18-14 at about 2000 hours, I was contacted by Captain Fred Aldorasi #875 regarding an incident that he had discovered at about 1600 hours at the Roeser building. Captain Aldorasi made me aware that he had been conducting an inspection of the building and came across a short term property and evidence room off of Sergeant Barry Hamill's office that contained many pieces of evidence that had not been properly marked or packaged. The majority of the evidence was taken over a month prior to today's date. *Please see Captain Aldorasi's June 19th, 2014 attached memo for full details.* Captain Aldorasi advised that he felt an Administrative Investigation was warranted and asked that I conduct the investigation as I had very recently been named as the Violent Crimes Unit (VCU) Lieutenant. Sgt. Barry Hamill is the supervisor for the VCU which consists of five detectives all of which work out of the MCSO Roeser building. The room that the property was found in is a temporary property and evidence room utilized by VCU personnel only.

****All interviews were audio recorded, transcribed, and included in this report****

Seagraves (Investigative lead)

On 6-25-14 at 1050 hours, I spoke with Lt. Kim Seagraves in my office in the Roeser building. Kim conveyed the following during our conversation: She came to Special Investigations (SID) on September 12, 2013 and has been responsible for the VCU up until she was recently temporarily transferred to the Professional Standards Bureau to help out with a large scale investigation stemming from the suicide of Deputy Charley Armendariz. She was unaware of the property and evidence room even existing in the Roeser building. Nobody had made her aware of the room prior to his investigation. She became aware of it through a phone call that Captain Aldorasi had made to her recently asking her if any special permissions were granted for the existence of the items found in the room. No special permission was granted. She did some checking and spoke with Captain Bailey the SID Captain up until June 9th, 2014 and found out that he had approved the room to be used as a temporary property and evidence room.

I provided a color copy print out of the photographs that Captain Aldorasi had taken. Each photo was numbered in the upper right hand corner 1 through 25 and I asked Kim to take a look at them. One such item that seemed to stand out to Kim was picture #15. It is a manila colored envelope with "458434", "ARIAS", "1B4" handwritten in black marker. That particular case was a very lengthy investigation that led to several discoveries of security issues involving

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mitigation specialists bringing in and removing jail contraband. Kim provided me an email dated March 20, 2014 at 10:17 am that was sent to both Detective Connie Davison and Sergeant Barry Hamill. In the second paragraph the email reads,

Barry- call back the jail and tell them if a DR has not been pulled yet that WE would pull it- go get the stuff and put into P&E. Its too late to write the inmate up since there is no chain of custody on the items or documentation what actually happened or where it came from. I am more concerned about getting items and putting them into evidence. Just do it on our end. That contraband needs to be impounded asap before it is thrown away, as what you reported.

Kim was surprised to see that the property picked up from the jail still was not in property as she had told Sgt. Hamill to do.

Kim stated that she had recently heard from a conversation with Sgt John Davison that members of VCU had not been happy with the job performance of Sgt. Hamill but they felt uncomfortable bringing it up to her because everybody knew he was friends with Chief Deputy Jerry Sheridan and his wife. They didn't know how it would be received if they brought it up so they chose to keep quiet.

She next spoke of a car crash that Deputy Sean Pearce had been involved in that resulted in the death of the other driver. After the crash occurred, Sgt. Hamill didn't call and make Kim aware of the incident as the first person in his chain of command. It was at that time that Kim spoke with Captain Steve Bailey about some issues she had been having with Sgt. Hamill and wanted to know that if she began an investigation that involved Hamills actions, would he have her back and support her investigation and findings. Captain Bailey stated that he would support her if the need arose in the future.

When reviewing photographs 1, 5, and 6 a large black roll away trash can with marijuana stalks is shown. Kim remembered that can was taken from a greenbelt area after a neighbor came forward and made MCSO aware of it. She gave no special permission for that item to not be put into the main Property and Evidence impound. Kim stated that Sgt. Hamill never asked for additional training or guidance concerning. She stated that the expectations were he knew everything well.

Kim went on to state that Sgt. Hamill was not working "*We Tips*" that were given to his squad. *We Tips* are tips from the public on narcotics or other illegal activity. She believes that some of his administrative duties were being given to Deputy Chris Osborn to do and that he had issues with getting yearly evaluations done on time for his squad. She stated that she has a

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number of emails that may prove relevant to this case and she would forward them to me. They are included in this report.

Davison (Investigative lead)

On 6-27-14 at about 1300 hours, I spoke with Detective Connie Davison #1198 in my office of the MCSO Roeser building. Also present was her employee observer, Sgt. John Davison #1038. Connie conveyed the following: She came to VCU about 2.5 years ago at the Roeser building and Sgt. Barry Hamill has always been her Sergeant. The property room was not always a property room but she doesn't recall exactly when it became used as such. There is one key to the property room which is kept in her desk for VCU members to use to access the room. All of the VCU offices are keyed the same so they can all get into each other's offices to access things that way. She has never done or heard of anybody else doing audits of the property room. Deputy Chris Osborn has made comments to Sgt. Hamill about the items in the property room not getting taken care of properly. Connie provided several emails which are included in this report. One such email from Barry Hamill to Sean Pearce, Connie Davison, David Parra, and Gregroy Honea dated Thursday, June 12, 2014 12:10 pm reads,

"We will be moving over to HIDTA possibly as soon as the end of the next week. We need to have the property room completely cleaned out ASAP. If you have any property in there please complete it and get it down to property."

Connie states this is the only time she remembers Sgt. Hamill discussing anything regarding the property room. Connie feels like too much of the administrative burdens of VCU have been placed on her by Sgt. Hamill.

Honea (Principal)

On 6-30-14 at about 1027 hours, I spoke with Detective Greg Honea #1336 in my office of the MCSO Roeser building. Greg conveyed the following: He came to VCU in September or October 2013 and Sgt. Hamill has been his supervisor the entire time. Sgt. Hamill showed him the property room that VCU uses but never discussed uses or timeframes. There is only one key to the room and it is kept in Connie's office. They all have access to her office because all of the VCU offices are keyed the same. He has not done or heard of anybody else ever doing an audit of the property room. After reviewing pictures from the room to review the items found in there, I advised him that two of the eight cases in that room were assigned to him. One was a complex murder for hire case and other was a large black roll away trash can bin with marijuana stalks in

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it. He explained the murder for hire case (DR14-011117) were items taken as a result of a couple search warrants involving Hells Angels gang members. 33 items from that case were found in the property room on June 18, but the search warrant was conducted May 15th. When I asked is there was any reason for the extended time frame. Greg stated that VCU had a lot going on and gave the example of the current Internal Affairs Investigations involving Charley Armendariz and another murder for hire case that they had been working. He did not try to excuse the delay in getting the property handled though, he stated that he should have got it done and that he takes responsibility for it.

When I asked about DR14-014109 taken on 6-19-14, he explained that he didn't know anything about the item to be impounded. The item was the large black roll away trash can. He was instructed by Sgt. Hamill to impound the item into property and evidence even though he was not a part of the seizure. Greg then showed me a string of text messages between himself and Sgt. Hamill which are included in this report. The text messages read,

Hamill:

"if there is no dr for the garbage can pull a found property"

Honea:

"Can you leave me some receipts from the UC fund receipt book on my desk? I need to go pay for more time at the extended stay for Vanessa and disburse door funds to her as we'll?"

"What item number do we use for the arias garbage that you picked up? Connie said to ask you"

Hamill:

"I have mO IDEa use whatever u want there is nothing but that with the dr"

Honea:

"When and where was the trash can of weed found so I can pull a dr? Have no info on it and knew nothing about it"

Hamill:

"is Sean with you he was there to pick it up"

"give me a second I will locate it"

"May 12 at 2130 at pecey rd and milkweed circle in phx"

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Greg went on to mention the email from Sgt. Hamill on June 12th that is referenced earlier is this report during Davison's interview. He stated that the email is the only time he remembers Sgt. Hamill mentioning the property room at Roeser.

Pearce: (Principal)

On 6-30-14 at about 1215 hours, I spoke with Detective Sean Pearce #1016 in my office at the MCSO Roeser building. Sean conveyed the following: He came to VCU in October 2012 and has always been working for Sgt. Barry Hamill in the Roeser building. He has never done or heard of anybody else doing an audit of the property room. Sean is the case agent for three departmental reports (DRs) with property found in the property room on June 19th. DR #14-010878 pulled on 5-12-14 on a warrant had a bullet and a small zip up attaché type case containing two hypodermic needles, one containing heroine and a small scale commonly used to weight small amounts of narcotics. The items are featured in photographs #2, 11, 12, 13, and 14. The incident took place back on 03-21-14 when VCU was attempting to locate and arrest a subject on an out of state felony warrant. They located the suspect in his vehicle and he fled in his vehicle through a neighborhood before bailing from the vehicle and taking off. Sean caught him and took him into custody without issue and came back to the vehicle where he began a tow sheet. The members of the squad began speaking with the suspect and his female passenger at the scene. While Sean was starting the tow sheet he remembers other members of VCU conducting an inventory of the vehicle. He never knew anything from the vehicle was ever taken from it. The vehicle was towed without a DR number assigned to the tow sheet and the property was taken back to the Roeser building by somebody on VCU. On 5-12-14 one of the SID admin staff was entering reports into RMS and found that the tow sheet was missing a DR number and contacted Sean. Sean was unaware that a DR was assigned to the call and pulled another DR to the tow sheet in his name. The original was assigned to Sgt. Hamill by MCSO radio. A short time later Sgt. Hamill learns that he is on the missing DR list because of this DR and tells Sean to do a DR in error for the one he pulled for the tow sheet and to use the DR number that was assigned to him. Sean explains that it would easier to do a DR in error on the one assigned to Sgt. Hamill but is told to do it anyway by Sgt. Hamill. Sean then provides me with copies of the tow sheet with both DRs assigned to it. On 6-19-14 Sean and Detective Greg Honea are told by Sgt. Hamill to come to the Roeser building and put all of the contents into the MCSO property and evidence building properly. On 6-19-14 at 12:42 hours Sean impounds the items taken from the vehicle into property under DR #14-010878 which he pulled on 5-12-14. So currently the vehicle has been towed under DR#14-006628.

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Sean spoke about DR#14-014109 the large trash barrel containing marijuana stalks and explained that he was riding with Detective Parra when VCU was assisting HIDTA with a search warrant. They were notified by Sgt. Hamill to meet up with Canine Deputy J.P. Garcia to pick up a barrel of marijuana stalks that J. P. was advised of by neighbors. Sean believes they were asked to go transport the marijuana because they were in Det. Parras truck and it is the only pickup truck in VCU. Sean and Det. Parra then picked up the barrel and transported it back to Roeser without stopping anywhere along the way. They did not pull a DR number because they did not find the barrel and felt like they were asked to transport it only. They were not advised to take disposition of the barrel; they were to serve as a courier only. So when Honea pulled a DR on 6-19-14 he would not have known about the barrel before that time. Neither Honea nor Hamill were ever on scene of the pickup of the barrel.

When I asked Sean about DR#14-014108 pulled in his name on 6-19-14 he advised that he was working a case with Det. Parra on 3-06-14 when they found an unclaimed marijuana cigarette and a small plastic container containing a small amount of marijuana in a vehicle. Sean provided a copy of the report and it is included in this report. The report includes a complete field interview of two suspects and was exceptionally cleared. He also provided JWI print outs dated 3-7-14 showing the investigative leads. Sean states that the items were taken to the Roeser property room that same day but had no reason as to why a DR was never pulled. These items are shown in photos 7-10.

When I asked about DR#14-011646 pulled on 5-21-14 in his name in which a partial marijuana cigarette, commonly referred to as a "roach" was placed into property and evidence on 6-19-14 he remembered discovering it in a house while investigating a case and nobody claimed it. When VCU was leaving the house they took the roach to be put in for destruction. Photo #18 shows the completed property and evidence clear envelope. When interviewing Det. Davison she stated that in this photo she recognized her writing on the portion that says, "S. Pearce #1016". She didn't remember why she filled that portion out though. Sean stated that it would have been taken back to the Roeser property room that same day but did not have a reason it didn't get transported to the main property and evidence building.

In speaking with Sean he was clear to take responsibility for the issues that we discussed and never attempted to deflect or place blame on others.

Osborn: (Investigative Lead)

On 6-30-14 at about 1402 hours, I spoke with Detective Chris Osborn in my office at the MCSO Roeser building. In my discussion with Chris he conveyed the following: He has been assigned to the VCU for approximately two years. I entire time Sgt. Barry Hamill has been his supervisor

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and they have been located in the Roeser building. He came to know of the Roeser property and evidence room through informal discussions with Sgt. Hamill and other squad mates. He didn't recall any written directives or formal meetings to discuss the proper use of the room or timelines associated with its use. He didn't have any documentation to support it but does remember making Sgt. Hamill aware of the property sitting in the property room too long once or twice. He stated that the squad was left to police themselves and that Sgt. Hamill didn't get involved in the handling of property during an investigation. He stated that timelines concerning were never discussed. Chris stated that he has been a detective in several units within the office to include, District Three, El Mirage, Homicide, Criminal Internal Affairs, and the Violent Crimes Unit. He explained that it is generally accepted in the Office to place property in a temporary property and evidence room until it can be properly cataloged and documented by the case agent. A reason for this temporary property room would be to allow detectives to keep running down active leads in a case. When the leads run dry the case agent would come back to the property and process them accordingly. This methodology works very well when case agents and supervisors remember to come back and finish the property. With VCU, Sgt. Hamill didn't set any time limits to get the property completed and what was found is a byproduct of that.

Chris stated that Sgt. Hamill is very good person but he has become very frustrated with him because he feels there is a lack of direction given and the communication is poor. He states that when he would speak to Sgt. Hamill he felt like he was speaking to a, "used car salesman" or a, "politician", often times leaving the conversation feeling like he was questioning himself and confused. Chris feels like too much of the work is dumped on Detective Davison and Detective Parra and gave the Arias investigation as an example.

Parra: (Principal)

On 07-01-14 at about 1502 hours, I spoke with Detective David Parra in my office at the MCSO Roeser building. In my discussion with David he conveyed the following: He started with VCU back in 2011 when the unit began. VCU was the result the Guadalupe Gang Unit that he was a part of beginning in 2009. Sgt. Hamill became the VCU Sergeant in 2010. When VCU was moved under SID they moved from District One Patrol to the Roeser building. When they first moved into the building, the office that Sgt. Hamill has used as his office was used by ACTIC personnel. Sometime in 2012 Sgt. Hamill moved into that office. A short time later the room currently used as the temporary property room came to be used by VCU members. He did not have a date. The use of the room was never briefed and timeframes were never discussed. Audits were never performed either.

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After reviewing the photographs, David explained that #24 was a box that had been in the room for over 2 years and contained camera equipment turned in by Det. Sean Edwards when he left SID. David stated that Sgt. Hamill wasn't involved in any aspect of the property processing process, he left it up to the case agent. He stated that Sgt. Hamill wouldn't get involved in delineating who does what when it comes to investigations either. Generally the bulk of the work would be left to himself and Detective Davison to handle.

When asked about the trash barrel containing marijuana stalks (DR#14-014109) he remembered being told to go meet Deputy J.P. Garcia at a dead end street by a greenbelt to transport the barrel back to Roeser. He had Detective Pearce in his vehicle that day and they were asked to transport the item because they were the only ones with a pickup truck that could accommodate such a large item. They loaded the barrel up and brought it back to the Roeser property room that same day without stopping anywhere along the way. He was never instructed to pull a DR or anything beyond picking up the barrel and bringing it back. After it was in the property room he remembers Sgt. Hamill asking how much marijuana was in the barrel. David believed this was for adding it to the unit's monthly stats, but after checking it was never captured in any stats for the month. David stated that Detective Honea should not be held responsible for the DR in this case as he had no involvement in the pickup. David stated that he was more responsible for the barrel not being processed than Detective Honea.

David presented the June 12th email from Sgt. Hamill to all of the squad members that states;

"We will be moving over to HIDTA possibly as soon as the end of the next week. We need to have the property room completely cleaned out ASAP. If you have any property in there please complete it and get it down to property."

David stated that this was the first and only time he had received any direction regarding the property room in the Roeser building. The squad did not have regular briefing to discuss what was going on. Instead the case agent would call everybody to the table in the common area of their offices and discuss the case with everybody. When I asked what role the Sergeant would play David replied, "He didn't play a role in investigations".

After reading through DR#14-011117, the murder for hire case assigned to Detective Honea, it became clear that DR#14-011132 pulled on the same day of 5-15-14 was assigned to Detective Parra as a result of a discovery outside of the search warrant they were serving. David noticed that the articles found were not included in the search warrant and requested Detective Honea to obtain another search warrant for items not included in the first one. Detective Honea did another search warrant and David took responsibility for the subsequent DR and items that

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were found, which were a handgun, magazines, ammunition, methamphetamine, and an Arizona driver license. David took responsibility for the items and the fact that they did not get entered into the property and evidence room over a month later.

David remembered signing for the SID Standard operating Procedures (SOP) back in 2012 and stated that new people into the unit since then were never briefed on its contents.

When given the opportunity to touch on anything that we may have missed David stated that working with Sgt. Hamill has, "been a problem since 2010". He feels Sgt. Hamill is a good person, but not a good supervisor. Back when he was working in District One, Deputy Gary Kaplan was transferred from the squad because he didn't like working with Sgt. Hamill. He also spoke of an incident over a year ago when Sgt. Hamill told him he was walking a thin line and if he did one more thing he would transfer him from the VCU. David did not want to be transferred and decided to keep his mouth quiet about things he didn't agree with to be able to stay in SID. He stated that other VCU members took the same approach because they knew of his friendship with Chief Deputy Jerry Sheridan and they did not want to draw attention to themselves so they never advised Lieutenant Seagraves of any of this.

Hamill: (Principal)

On 7-7-14 at about 1630 hours, I spoke with Sgt. Barry Hamill in my office in the MCSO Roeser building. Barry conveyed the following: He has been working in his current capacity as a supervisor for the Guadalupe Gang Unit then Violent Crimes Unit (VCU) for about four years. The Guadalupe Gang Unit started and was run out of the District One Patrol and grew into what is currently VCU and housed out of the Roeser building. He has been the only VCU Sergeant since its inception. His supervisor in this time have been; Lt. Todd Bates, Deputy Chief Frank Munnell, Lt. Travis Anglin, Lt. Steve Bailey, Lt. Kim Seagraves and currently myself. VCU has been in the Roeser building for 2 to 2 and half years. When VCU moved into Roeser he reported directly to Deputy Chief Frank Munnell. When VCU moved into the Roeser building the office that he currently uses as his office was being used by some of Lt. John Baileys staff (Homeland Security). After 2- 5 months after being in the building Barry took that office for himself. It was some time after that that the temporary property room was approved by then Lt. Steve Bailey. Barry didn't have a date or any documentation to support a date. Barry is not aware of anybody conducting any audits of the room and knew that he had never done one himself.

When we discussed the DR in error case (DR#14-010878) assigned to Detective Pearce on 5-12-14 on a warrant, Barry explained that the computer system in radio had made the error. When I explained the specifics of how it was a confusing mess and where it stands today, Barry stated that he didn't know about that.

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When we discussed the Jodi Arias case (14-006471) in which he had picked up jail contraband from the jail he states that he gave it to Detective Davison but did not consider anything more than garbage. I asked if he had completed a supplement for what he had done and he advised me that he had written a supplement last week but not turned it in yet because he had some questions to clarify with Detective Davison first.

When we discussed the large black trash barrel full of marijuana stalks Barry explained that he had no idea why it was there so long. When I asked how often he would go in the room and look at things he exclaimed, "Not often enough". I asked Why Detective Honea would be the detective assigned to pull a DR on a case he was not a part of, he stated that he didn't know why either. He had simply told Detectives Pearce and Honea to come take care of the property. He assumed that Detective Pearce would have handled that particular item because he was on scene when it was taken.

Barry stated that he, "never set guidelines" for his VCU detectives regarding the processing of property, he would leave it up to them to handle it on their own. When I asked him if what was found in the room was out of the ordinary he responded, "I believe so".

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IA # 2014-0326

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INTERVIEW WITH SGT. BARRY HAMILL
Q=Lt. Brian Jakowicz
A=Sgt. Barry Hamill

Q: Okay. We're recording. Today is June 23, 2014, at approximately 1153 hours in the morning. Um, I am Lieutenant Brian Jakowicz. I'm with, uh, Sergeant Barry Hamill. Uh, what's your serial number?

A: 1372.

Q: Um, notifying you of, um, notice of investigation. Uh, let's see. This memorandum is to form - inform you that the official - an official administrative investigation has been initiated which you have been named as a principal. The investigation stems from allegations of violation of sheriff's office policy GB-2, Command Responsibility. This is an official administrative investigation as defined by office policy GH-2, Internal Affairs. Um, making you aware that the, uh, investigation is - is gonna be ongoing within the next few weeks. Um, you are not permitted to talk to anybody about the property and evidence handling of, uh, VCU, uh, particularly the stuff that was found in there last weekend.

A: Okay.

Q: Uh, ongoing cases if it's something that you have to deal with right now, um, that - that would be fine. Just let me know what's going on. Um, particularly the - the items that were, um, taken to property last Friday.

A: Okay.

Q: Those things. Um, do you have any questions?

A: No.

Q: Okay. That's it.

This transcript has been reviewed with the audio recording submitted and it is an accurate transcription.

46 Signed _____

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INTERVIEW WITH BARRY HAMILL
Q=Brian Jakowinicz
A=Barry Hamill

Q: 6/23/14, 1155 hours. I'm still here with, uh, Sergeant Barry Hamill. Uh, spell your last name please.

A: H-A-M-I-L-L.

Q: Um, also wanted to let you know that you are entitled to have a, uh - an - an observer when - when I do talk to you, hopefully that won't take too long. Uh, this week or the following if you wanted to bring an observer.

A: All right.

This transcript has been reviewed with the audio recording submitted and it is an accurate transcription.

Signed _____

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INTERVIEW WITH BARRY HAMILL

Q= Lt. Jakowicz

A=Barry Hamill

Q: Okay. Today is July 7, 2014 at 4:18 pm. This is Lieutenant Brian Jakowicz. Serial 1237. In my office is?

A: Sergeant Barry Hamill, serial number 1372.

Q: Okay. Barry. Um, thanks for coming in today. Ah, we're gonna talk about a few things. The first thing I want to -- want to have you do is look over, um, there's a series of photographs in front of you.

A: Mm-hm.

Q: Twenty-five pictures. Um, take your time, go through them, um, and then I'll explain why I'm having you take a look at that. They're all numbered in the upper right hand corner.

A: Okay.

Q: Ah, one through 25 so we can refer back to them if we need to as well.

A: Okay.

Q: Okay. All right. Before we get into too much, ah, let's go over the Garrity warnings real quick.

A: Okay.

Q: I see you've already and signed it. There's a couple of parts here. It says, "Do you understand the content of this memorandum?" And, "Do you understand -- do you have any questions regarding the content of this memorandum?"

A: I do understand it.

Q: Okay. Could you -- could you, ah, write yes or no and then initial for me o there, please?

46

47 A: Just initial next to it?

48

49 Q: Yeah, please. Okay. Um, and then the other one – and then, let me just go
50 over the Garrity warning. Ah, obviously, you've worked in Internal Affairs.
51 You understand what Garrity warning is. It's just a – you're just compelled to
52 answer truthfully.

53

54 A: Yeah.

55

56 Q: So I just want to remind you to – to answer truthfully. Um, the other one is
57 the Employer's – or, Employee's Choice to Proceed Without Internal – With
58 the Internal Interview Without an Employee Observer. Um you've already
59 read this and signed this. Um, has anything changed? Are you still good to...

60

61 A: Yeah, I'm fine.

62

63 Q: To proceed without anybody else?

64

65 A: No, I'm good.

66

67 Q: Okay. All right. Um, the reason we're here today is to speak about the – the
68 photographs I just had you take a look at.

69

70 A: Okay.

71

72 Q: Um, on the 18th of June, Captain, ah, Aldorasi noticed that these – these items
73 were in the property room that are adjacent to your office. Actually, the only
74 way you can get to the property room in the (Rojer) Building is through your
75 office. It's a small room, ah, located off there. It's maintained by lock and
76 key.

77

78 A: Mm-hm.

79

80 Q: Um, he was in there and he saw these items in there. Um, some stuff was
81 marked. Some stuff was not marked. Um, in a state of, ah, varying, um,
82 varying states of readiness to go the property and evidence room downtown.

83

84 A: Okay.

85

86 Q: That's where this stems from when he noticed that. Um, I've already spoken
87 with the members of your squad.

88

89 A: Mm-hm.

90

91 Q: To everybody. And I've already got a lot of the -- the stories from them. So I
92 think I have a lot of the information. I just need to speak with you to maybe
93 clarify a few things and to -- and I've got a few questions regarding some of
94 these things.

95
96 A: Okay.

97
98 Q: Okay? Ah, let's start with the basics.

99
100 A: Okay.

101
102 Q: Um, you are the supervisor for VCU. Um, how have you be with VCU?

103
104 A: Well, about four years with some name changes or whatever. But with the
105 unit, about four.

106
107 Q: Four years?

108
109 A: Mm-hm.

110
111 Q: Okay. Since, um, VCU began, um, have there been any other sergeants?

112
113 A: No.

114
115 Q: You the only sergeant?

116
117 A: Yes.

118
119 Q: Okay. Who have been your supervisors since you been in VCU?

120
121 A: Ah, at one time Lieutenant Todd Bates And then for a long period of time I
122 reported directly to Chief Frank Munnell. And then for a short period of time,
123 Travis Anglin was a lieutenant assigned to us. And then, ah, Lieutenant Steve
124 Bailey. And then Lieutenant Kim (Segrace).

125
126 Q: Okay.

127
128 A: And currently you as -- under the current situation with the -- some people
129 being used elsewhere and currently reporting to you.

130
131 Q: The last few weeks here?

132
133 A: Yes.

134
135 Q: Okay. In that time, how long has VCU been in this building?

136
137 A: Gosh. I don't really know. Two years? Two and a half years.
138
139 Q: Two, two and a half years?
140
141 A: Yeah, somewhere in there.
142
143 Q: Okay. Um, when you came to this building, who was the supervisor when
144 you first moved into this building?
145
146 A: Chief Frank Munnell.
147
148 Q: Munnell?
149
150 A: Yes.
151
152 Q: Okay. So he was who you – you reported directly to Chief Munnell when you
153 moved to this building?
154
155 A: Yes.
156
157 Q: Okay.
158
159 A: But I think that was – almost at the exact time I moved here is when Travis
160 Anglin was assigned as my supervisor. So I don't know if there was any lag
161 time. I'd been reporting to Chief Munnell. And then about the time I moved
162 in here is when Travis came. So I don't know if it was exactly when I moved
163 in or whatever. But, if not, it was real shortly after we moved in I started
164 reporting to Travis Anglin.
165
166 Q: Okay. Um, the room that's being used as a temporary property room...
167
168 A: Right.
169
170 Q: ...when did that go into effect here at the (Rojer) building. When – do you –
171 was there a specific date that stands out or a time or how did that come about?
172 That that became used as the property...
173
174 A: Ah, the office was being used by one of Lieutenant John Bailey's people from
175 the (Actic).
176
177 Q: Okay.
178
179 A: At some point after we were here for months...
180

181 Q: Your office?

182

183 A: Right.

184

185 Q: Was being used by...

186

187 A: Correct. And I was in a – in a separate office. After being here for, I don't
188 know, two to five months or something like that, those people moved.

189

190 Q: Okay.

191

192 A: When they did move out of there, I took that office which had that locking
193 room that we then made our property room.

194

195 Q: Okay. So you – you were reporting to Munnell at the time?

196

197 A: No, at that time I would have been already reporting to Steve Bailey. Travis
198 had been here and gone. And I would have been reporting to Steve Bailey as
199 my lieutenant at the time.

200

201 Q: Okay. So was it Steve that gave permission for that room to be used as a – as
202 a property room?

203

204 A: Um, again, I don't – I don't recall. I don't recall how it came about. I just
205 know that it was a locking property room and I know I was reporting to Bailey
206 at the time, so, ah, Lieutenant Steve Bailey. So I would assume, but I – I can't
207 recall a – a conversation where that happened. I – I don't – I can't give you an
208 example time, date or...

209

210 Q: Okay.

211

212 A: ...even that the conversation happened.

213

214 Q: Okay. So it – was there ever a day where there was a conversation that said,
215 hey, you guys can start using it as property and evidence, or did it just kind of
216 start happening and...

217

218 A: I think it just started happening. Um...

219

220 Q: Was it already a lock and key room when you got the – the office?

221

222 A: Yes.

223

224 Q: Somebody else had...

225

226 A: Yes.
227
228 Q: ...had already placed the lock on there? So you didn't make it – you didn't put
229 the lock on there, it was already there?
230
231 A: No, we, ah, if I remember right, we actually made – we made our own in the
232 hallway where we reversed and took some deadbolts off. Or, ah, doorknobs
233 off. And we were in the process of putting the deadbolt on. But we never
234 used it as a property room. We used it for some inventory and – and stuff like
235 that. And right after we got that room done is when they moved and – and we
236 went into that office and used that as our property room.
237
238 Q: Okay. All right. Um, I just want to go back. The – you were here in 2012
239 obviously, right?
240
241 A: Yes.
242
243 Q: Yeah. Did you ever get a copy of the – a Sunday SOP?
244
245 A: Yes.
246
247 Q: Right here, the 2012? Um, in here it says that off sites locations can be used
248 for evidence for up to 48 hours.
249
250 A: Okay.
251
252 Q: Um, the stuff that was found in – in here was over 48 hours. And there was
253 some...
254
255 A: Yes.
256
257 Q: ...stuff over a month. I think a lot of the stuff was over a month. Um, that's –
258 that's the reason for this whole proceeding right here. It's been a long time...
259
260 A: I got you.
261
262 Q: ...of why it's been going on. So, um, the property and evidence, um, policy,
263 which is right here, in 1996 was the last time it was reviewed.
264
265 A: Okay.
266
267 Q: Um, it says, "Prior to end of shift," um, "in which it was seized or recovered."
268 So, by both of those, end of shift and by this, it's outside of...
269
270 A: Okay.

271
272 Q: Outside of standards. Um, what I want to know is why? Essentially, is why
273 some of these things happened. Um, let me tell you a few – a few things I've
274 already heard. Um, the timeframe, one the room is – there's one key to the
275 room.
276
277 A: Okay.
278
279 Q: Is that true? One key?
280
281 A: Yes.
282
283 Q: One key to the room. It's maintained in Detective Davison's office?
284
285 A: Correct.
286
287 Q: In her desk?
288
289 A: Correct.
290
291 Q: Ah, locked – that room is – is keyed the same as everybody else's desks – or,
292 offices in that area, so y'all can get into each other's offices so if somebody
293 needed to get that key they could get to that key?
294
295 A: That's correct.
296
297 Q: Okay. Um, so far I've – I've asked everybody and everybody said there's
298 never been audit of the stuff that's been in there. Have you ever done an audit
299 or if anybody else has ever done an audit?
300
301 A: No. No.
302
303 Q: No audits have ever been done? Okay. I guess – I guess typ-, we can go
304 through some of the stuff and you can tell me a little bit more of – of why the
305 stuff is in there.
306
307 A: Okay.
308
309 Q: Um, just – I guess if we want to go through, you know, picture by picture real
310 quick.
311
312 A: Okay.
313
314 Q: If you recognize things in here. If you kind of have an idea of what they are.
315 Picture number one is an overall, obviously.

316

317 A: Okay.

318

319 Q: Okay. Picture two, ah, do you recognize picture two?

320

321 A: I do.

322

323 Q: Okay. Ah, what is picture two to you?

324

325 A: I'm not sure what it is. The only reason I recognize it is, ah, either the, ah, I'm
326 not sure what date you mention that Captain Aldorasi went through, but the
327 next morning I walked through with you.

328

329 Q: That was the – the 18th is when he noticed it.

330

331 A: So it would have been the...

332

333 Q: So it was the 19th?

334

335 A: ...19th, I'm assuming. He – he pointed this out and asked me. And I told him
336 I did not know the, ah – the history of this. But I believed that, um, prior to

337

this, I had sent out an e-mail, ah, either an e-mail or a text. I haven't been able
338 to retrieve it, ah, to my squad. Because I noticed there was property in there
339 to get down and get all the property moved and put away. In that, somebody,
340 ah, at some point Dave Parra told me he had a black case that belonged to one
341 of Sean's cases. Unfound property that needed to get put away. So the day I
342 was in there, I did not notice this. I'm not saying it wasn't there, but it didn't
343 stick out to me. The day I walked through with the captain, he pointed it out
344 and I told him that's what I believe this to be.

345

346 Q: Okay. So you – that was a part of one of Parra's cases?

347

348 A: I – well, no. I believe it was one of Sean's cases, but – but I think Dave Parra
349 is the one who mentioned this to me. Dave Parra told me he had a black case,
350 and I think he said bullet, that belonged to one of Sean's cases. I didn't see it
351 the day I walked through and I text everybody to come get all their property,
352 or e-mailed, but I did see it the day that the captain pointed it out to me. So,
353 again, I'm not saying it wasn't there the day I walked through on the 12th or
354 13th or whatever day I sent that e-mail.

355

356 Q: Right. And I've seen that e-mail that you sent.

357

358 A: Okay. Good, 'cause I don't have a copy of it.

359

360 Q: It was sent on the 12th.

361
362 A: Okay. When I sent that on the 12th, what...
363
364 Q: Do you remember what was in that e-mail?
365
366 A: I think it was...
367
368 Q: Just to make sure it's the same one?
369
370 A: Yeah, I believe it was just a quick e-mail for everybody to make sure they get
371 all their stuff out of the property room and get it down to property. Um, I
372 think I was – it was just one sentence.
373
374 Q: Okay. That's basically the one I was thinking.
375
376 A: And it...
377
378 Q: It says something like that because we're moving to (HIDTA) soon?
379
380 A: Yeah.
381
382 Q: Um, get the stuff out of there, something to that effect. I can produce it if you
383 need...
384
385 A: That's – that's the – that's the e-mail.
386
387 Q: Okay.
388
389 A: So, again, I didn't mention this in there and this didn't stick out to me at the
390 time. So I don't know whether it was in the room or was not in the room. I
391 can't – I can't say. I know it was the room the day I walked through with the
392 captain.
393
394 Q: Okay. Let me see if I can find that, ah – here it is. Was this the e-mail? Right
395 here?
396
397 A: Yes.
398
399 Q: Okay. That's the e-mail you're talking about?
400
401 A: Correct.
402
403 Q: That's, ah, dated Thursday, June 12, 2014 at 10:12, ah, p.m. You sent it to
404 Sean Pearce, Bonnie Davidson, Dave Parra, Greg Honea. And it's, ah, subject
405 office move?

406

407 A:

Yeah.

408

409 Q:

Okay. Okay. So you sent that – that e-mail out on the 12th. Um, the 18th the captain ends up walking and seeing everything and you're talking to him and you do the walk through. This comes up?

410

411

412

413 A:

Yes. He asked – he asked me a similar question. What's this, there's no, ah, it wasn't sealed. It wasn't in a property bag. So he questioned me about it. Um, and I – I didn't have the answer at the time.

414

415

416

417 Q:

Okay. Do you know where it is now after...

418

419 A:

No, I...

420

421 Q:

You still don't know after...

422

423 A:

I was put under an (unintelligible). I couldn't question anybody. So I just...

424

425 Q:

Okay.

426

427 A:

...let it go until – I figured you'd find out.

428

429 Q:

Okay. What I – what I found is that DR number comes back to Sean Pearce?

430

431 A:

Correct.

432

433 Q:

Um, and it's from the 12th of May on a 250.

434

435 A:

Okay.

436

437 Q:

This is a day, ah, inside of it's, ah, there's more pictures if you want to go further into them that identify what's inside there. Um...

438

439

440 A:

I saw them earlier. It looked like a syringe, I believe. Was that the one?

441

442 Q:

Yeah, one of them's loaded with heroin. Ah, it looks like page 13, 12, 13.

443

444 A:

Eleven.

445

446 Q:

No, it's 11 it starts?

447

448 A:

Yeah, I see two syringes. One looks like it's...

449

450 Q:

Yeah., there's some duplicate stuff.

451
452 A: Okay.
453
454 Q: Eleven, 12, 13 – even 14 shows a scale.
455
456 A: Okay.
457
458 Q: From that – from that item. Um, and I'll try and refresh your memory from
459 what I've been told already. Um, you were over helping out, I believe it was
460 (HIDTA)? Y'all were – you were helping somebody out trying to, um, I don't
461 know if this was (HIDTA). I think this is actually a felony warrant is what it
462 was. And...
463
464 A: This is a vehicle? A little pursuit. It was under the house and tree?
465
466 Q: Yeah, vehicle took off, exactly.
467
468 A: Okay.
469
470 Q: It took off on you...
471
472 A: I recall the case.
473
474 Q: Um, ended up taking the driver, a male driver into – into custody. The female
475 stayed in the car. Um, you ended up kicking her...
476
477 A: She got – she was released. Okay. I recall.
478
479 Q: Um, in that vehicle this was found.
480
481 A: Okay.
482
483 Q: Parra was part of this – one of the people that was searching the vehicle, that's
484 how it came back to be Parra's name. You know, you were – you were
485 somebody that handled that.
486
487 A: Okay.
488
489 Q: Um, in that case, there's a couple of issues that we've – that – that I've come
490 across.
491
492 A: Okay.
493
494 Q: When you keyed up the mike, the DR was put into your name.
495

496 A: Mm-hm.
497
498 Q: Unbeknownst to you guys it sounds like.
499
500 A: Right.
501
502 Q: Um, the car was stopped. Everybody came – reconvened. The bad guy was
503 caught. Everybody started chipping in, taking whatever they can. Sean does a
504 DR – or does a tow sheet.
505
506 A: Correct.
507
508 Q: The vehicle gets towed without a DR number. Um...
509
510 A: Okay. The vehicle gets towed without a DR number on the two sheet?
511
512 Q: On the two sheet, yes.
513
514 A: But it has a DR assigned to it?
515
516 Q: Right.
517
518 A: Okay.
519
520 Q: Assigned to you.
521
522 A: Oh, to me?
523
524 Q: The DR is assigned to you.
525
526 A: Okay.
527
528 Q: Right. The DR is entered – because you keyed up on the mike, it
529 automatically generated an IR and assigned it to you.
530
531 A: Okay. I was unaware of that.
532
533 Q: Okay. Um, the DR went into your name. The vehicle got towed without a
534 DR on the – on the sheet.
535
536 A: Okay.
537
538 Q: Sometime later, five weeks later or so, when it's time to enter it in there, it gets
539 picked up, hey, there's no DR on there.
540

541 A: Right.
542
543 Q: Um, Sean does a check, realizes, oh, oh, he pulls the DR.
544
545 A: Right. That came to me.
546
547 Q: Okay.
548
549 A: The paperwork without the DR came to me. I took it..
550
551 Q: Okay. So..
552
553 A: ...to Sean. The – I didn't realize, really what it was. I only had a tow sheet
554 and it had a scribbly note on it and a lot of it was hard to read. It was
555 obviously from somebody outside the division. It said something about the
556 DR number is not written on here and then, I – I don't recall exactly what it
557 was. Whatever it was, it was really confusing. So I took it to Sean, had him
558 call Radio to figure it out. He called Radio. I checked with him a half hour
559 later and then I had to call Radio. There was some debacle. There was
560 already a DR assigned to it. But the – Radio issued Sean a new DR on
561 accident. So he had to scribble out the old DR and cancel it. All I know is
562 that eventually Sean called Radio, got it all handled, wrote the correct DR
563 number and put the paperwork through. But there was some debacle with
564 Radio and the DR and the MA – and the, ah, the MC number. I do know that
565 during that period that day, ah, he – he got it solved and fixed and put the
566 paperwork back through.
567
568 Q: Okay. Well, it's not fixed even right now.
569
570 A: Okay
571
572 Q: There' a couple of issues. The vehicle that got towed didn't have a tow sh-, a
573 DR number on it.
574
575 A: Okay.
576
577 Q: It got towed, Sean pulled a DR number because he didn't – he thought there
578 was no DR that was pulled. He pulled the DR number, re-did this, well, that
579 item right there, number two, ends up getting put into property. Well, it ends
580 up going to property eventually. It ends up being put in here.
581
582 A: Right.
583
584 Q: It gets entered in under the original DR. The one that was originally sent to
585 you. So we've got two different DRs. The original, that was under your

586 name, and then the one that Sean pulls for himself because he – he doesn't
587 know that there's one there. That item gets put into property under the DR
588 that was assigned to you. The car gets towed under the DR originally for Sean
589 Pearce. Does that make sense?
590

591 A: Yes.

592
593 Q: The DRs got messed up.

594
595 A: Okay.

596
597 Q: He got – so basically – and then Sean said that in discussing it with you to try
598 to straighten it out, he said, hey, why don't you do a DR in error, meaning,
599 Sergeant, why don't – why don't you do the – the DR in error and then
600 everything will go under the DR that I pulled. And he said that you said, no, it
601 all has to go under the DR that got pulled in my name.
602

603 A: Yeah, I – that's confusing. I never knew the DR was pulled in my name.
604 That's – that was a different – different issue. That doesn't make sense. I'm
605 the one that called Radio that day.
606

607 Q: They assigned the DR to you when you keyed up on the – on the radio I guess.
608 So when you came up missing on the – you came up on the missing DR list...
609

610 A: Yeah, but that wasn't for this DR. This was – this wasn't – that – the DR they
611 assigned to me was not the DR number at the traffic – at the accident.
612

613 Q: Oh, okay.

614
615 A: The DR they assigned to me was from the original traffic stop when we
616 stopped him.
617

618 Q: Was there a – a...
619

620 A: There was a traffic stop. Then he took off from us. We followed him and he
621 wrecked.
622

623 Q: Okay.

624
625 A: So there was a DR assigned to the 910, which is the traffic...
626

627 Q: So did...
628

629 A: ...stop.
630

631 Q: So did you do a DR on that?

632

633 A: No, I didn't do a DR. The DR missing. DR in error or anything because
634 Radio went in and checked and said you shouldn't be on the missing DR list
635 because it was cleared at number five. So it's some kind of, ah,
636 communication error. There should have never been a DR because there's – it
637 was a five. So she was in the system checking it. This was all going on at the
638 same time as this deal with Sean, although there were two separate issues.
639 The DR issued to me was not the same DR number as the – as Sean's tow
640 sheet. And the DR issued to me did not, according to Radio, require a DR
641 taken in error. There should have – because there shouldn't be a DR. There
642 was no – it wasn't cleared as a – as a crime. So she couldn't explain it. She
643 said it's happened like five or six times. I since had a conversation with
644 Lieutenant John Bailey, just because this came up and it happened to a couple
645 of them. But this one didn't require anything because there was no – although
646 there was a DR, it was really just the MC number, I guess. Because there was
647 no – there was no crime or anything associated. There was really no DR
648 should have ever been assigned to that traffic stop. So it was – she – she left.
649 She hung up. She went and talked to a supervisor. Called me back. I talked
650 to the supervisor. Supervisor – I didn't talk to the supervisor. She talks the
651 supervisor. She called me back. The supervisor said, "We're not sure what's

652 going on. There should not have been a DR issued because there was no –
653 this was cleared a number five. We don't know how the system did that."
654 They were looking into it. They were gonna fix it and...

655

656 Q: Was this all done by phone?

657

658 A: Oh, yeah.

659

660 Q: Do you have e-mails or anything like that?

661

662 A: No, this was all by phone. Um, I don't recall the, ah, girl I spoke to. But she'll
663 remember the conversation. It was a long conversation. And Sean will
664 remember her because Sean knows here. But I do know that it was –
665 according to her, it was a separate DR. It wasn't the DR that was assigned to
666 the two sheet or should have been. That was – that was a completely separate
667 issue than the missing DR number on the two sheet.

668

669 Q: Okay. Well right now we've got a vehicle that was towed under one DR and
670 property from that vehicle entered into property on another DR.

671

672 A: Okay.

673

674 Q: So that's obviously incorrect.

675

676 A: Obviously.
677
678 Q: That needs to be corrected.
679
680 A: Got you.
681
682 Q: Um, it sounds like this was a -- it sounds like it was good work that y'all did
683 out there, but I think the, ah, the DR thing just got away from everybody.
684
685 A: Obviously.
686
687 Q: All right. So, um, with that item, so -- were you on scene for this?
688
689 A: Yes.
690
691 Q: You were on scene?
692
693 A: Yes.
694
695 Q: Oh, I thought you weren't on scene.
696
697 A: No, I was on scene.
698
699 Q: Okay. You were on scene for this. Um, what role did you play in this?
700
701 A: At this point it was just supervising. Just a support role. Just...
702
703 Q: Okay.
704
705 A: We had, ah, you know, people running from the vehicle. So I assisted in
706 looking for the guy that ran through the desert until we found him and, ah,
707 just, ah, a supervisor support role.
708
709 Q: Okay. When -- did you see this in the -- in the vehicle at all?
710
711 A: I -- I don't recall ever seeing this until that day.
712
713 Q: Okay. Did you know property was taken from that car?
714
715 A: No.
716
717 Q: You didn't know?
718
719 A: Well, if -- if I did, I wouldn't have -- I don't remember knowing. I didn't know
720 until...

721
722 Q: Okay.
723
724 A: ...much later.
725
726 Q: Sure.
727
728 A: I – I do know that I knew that we didn't take anything we were charging with
729 him.
730
731 Q: It was a felony warrant.
732
733 A: Because I think we were looking – I think – I...
734
735 Q: Was it an out of state felony warrant?
736
737 A: No – yeah, it was a, ah, it came through a (HIDTA) group in Tennessee or
738 Nashville, Tennessee somewhere, that had a – charges on this guy for
739 trafficking in large amounts of cocaine. And the only reason I remember that
740 is because, um, that nothing was found is because I didn't – we were expecting
741 to find maybe a large amount of cocaine or, um, meth in the car.
742
743 Q: Mm-hm.
744
745 A: You know, pounds or something. So, I – I do remember that we didn't catch
746 anything that we were gonna report back or book him on or anything like that,
747 ah, in the way of large amounts of – of meth.
748
749 Q: Um, obviously if property is taken from – from a vehicle taken to a property,
750 it's got to be packaged. That's not packaged. Is there any reason why that
751 would – shouldn't – that wouldn't be packaged though?
752
753 A: There's no reason it shouldn't be, no.
754
755 Q: Okay. Um, let's move on to number three. Do you recognize any of that?
756
757 A: No.
758
759 Q: How about number four?
760
761 A: No.
762
763 Q: Number four, to jog your memory a little bit, this is the (Jody) area stuff.
764
765 A: Okay.

766

767 Q: From what I've – I've learned, you went to one of the jails...

768

769 A: Mm-hm.

770

771 Q: ...to pick this up, um, from a detention lieutenant, I believe it was.

772

773 A: It was supposed to be, but I end up getting it from, ah, a DO of some...

774

775 Q: Somebody else?

776

777 A: Somebody else handed it to me, yes.

778

779 Q: Okay. And from what I've – what I've heard is, we had an issue. We, as in
780 VCU had an issue of jail staff taking this stuff and treating it as evidence. It
781 was – it was something that they were gonna throw away. Um, we had – and,
782 we had, ah an interest in it, obviously.

783

784 A: Mm-hm.

785

786 Q: Um, there was an investigation going on. Um, you went over there to pick it
787 up, and, I guess you tell me, how – how it got to where...

788

789 A: I don't remember what I went to pick up. I went to pick up a bunch of stuff
790 from the (Jody) areas, thing. Some of it, I believe was packaged evidence. I
791 don't really recall and then this stuff was in a brown paper bag that they were
792 gonna throw away.

793

794 Q: Okay. And if – if you look, there's other pages here too. I think it's towards
795 the back. There's another photograph of that. Take a look at the back.

796

797 A: Yeah, right here, 15.

798

799 Q: Fifteen is evidence? Yeah, that's – that's one of the items that was contained
800 in there.

801

802 A: Okay.

803

804 Q: Do you recognize that or?

805

806 A: Yeah, I think that's the bag it as in.

807

808 Q: Okay. Now when you picked it up, was it in this big trash bag or...

809

810 A: Mm-hm.

811

812 Q: ..was it just this one item that you picked up on 15?

813

814 A: I believe it was in the trash bag, but I won't swear to it.

815

816 Q: Okay. So, to the best of your knowledge...

817

818 A: To the best of my knowledge, I think I picked it up just in the – in the...

819

820 Q: Just like that?

821

822 A: In a plastic bag.

823

824 Q: Like that – like number four?

825

826 A: I believe so.

827

828 Q: Okay. When you picked it up, um, walk me through it. Did it – did it stay in
829 your car for a while, did it come straight to here? What was that?

830

831 A: I walked it in. I believe I put it in (Connie)'s office and gave it to (Connie).

832

833 Um, we were in the process of trying to figure out what we were gonna do.
834 We knew it wasn't evidence. Part of it in there, apparently, through
835 conversations with (Connie) prior to picking it up, um, they were gonna throw
836 it away because there was no – that's what they do.

836

837 Q: Right.

838

839 A: They take contraband and they throw it away. There was nothing, ah, there
840 was nothing in here of, ah, monetary value or of property value even for an
841 inmate. It was, ah, apparently, if I remember the conversation that (Connie)
842 had, I was there when she was talking with Lieutenant (Segrace), it was
843 actually sitting in an office and had been being used as a garbage. In either
844 the sergeant's office or a administrative office of some kind at the jail. They
845 picked through and threw away what they believed to be garbage and left
846 some stuff in there that were pieces of papers that they believed was taken
847 either from (Jody) areas or her mitigation specialist.

848

849 Q: Okay. When you brought it back, you gave it to – you picked it up, brought it
850 over to (Connie)?

851

852 A: Yes.

853

854 Q: Did you write a supplement on that?

855

856 A: I have written a supplement on it, but I haven't turned it in yet. Um, I didn't
857 realize that, ah, until a little that there was no supplement on it. (Connie) had
858 sent me an e-mail reminding me she needed a supplement. I have the
859 supplement, but until (Connie) gets back – I have a couple of questions. Um,
860 I don't know when we took it if we planned on keeping it or if we were still
861 making the determination. I was under the impression it was garbage and we
862 were just going to throw it away. But, (Connie) still wanted to look through it
863 to see if there was anything. At some point, I believe it was Lieutenant
864 (Segrace) that said – and (Connie) may be able to confirm this in an e-mail,
865 that we got it, let's just – let's just keep it even though we can't do anything
866 with it. There's...

867

868 Q: Yeah.

869

870 A: ...no chain of custody. There's no whatever. And at some point, and I believe
871 that was it's – at some point I was notified of that and we decided to keep it.
872

873 Q: Okay. Again, I've got – no, I think it's the same thing. Um, when you brought
874 it to (Connie), you gave it to (Connie), where was she at? In her office you
875 gave it to her?
876

877 A: I don't remember.

878

879 Q: Somewhere in the building?

880

881 A: She – oh, it was in this building, yeah.

882

883 Q: Okay. Was...

884

885 A: I assume...

886

887 Q: ...it the same day that you picked it up?

888

889 A: Oh, yeah, absolutely.

890

891 Q: Same day? It never stayed in your – in your car or?

892

893 A: No, I went to – well, did we go out? Hm.

894

895 Q: I have nothing to indicate that it was in your car for a period of time?

896

897 A: I just – I can't remember. I can't swear by it. I would assume because I went
898 during the day to grab it. I would assume that I – and, again, I don't
899 remember. I was just – everybody's busy, so I was just doing (Connie) a favor
900 and going and picking something up real quick. That's all it was. I didn't – I –

901 I don't remember. I do know at some point I gave this to (Connie). And I
902 assume we would have been in the building when I did it, but I can't – I can't
903 tell you when or where or even swear by it. I just know at some point
904 (Connie) got it to go through it.
905

906 Q: All right. Um, you mentioned that you wrote a supplement. When did you
907 write that supplement?
908

909 A: Just last week or the week before. I've got it on my computer. Um, there was
910 some question in (Connie)'s reports that we had as to how much detail we
911 were gonna go into about this kind of stuff. And, um, again, I just ran, picked
912 the stuff up. I assume brought it back, handed it to her. So I've got a few
913 questions before I finish off the supplement to give it to her. But she's
914 obviously been busy with the IA stuff. So I've got it on my computer waiting
915 for a few questions before I – I give it to her.
916

917 Q: All right. This was picked on the 12th – picked up on the 12th of May.
918

919 A: Okay.
920

921 Q: It was still here on – on, um, the 19th of June.
922

923 A: Okay.
924

925 Q: Any reason anything like that should be here that long?
926

927 A: No, unless we weren't gonna use it. The – the – again, I know there's a chain
928 of custody, evidence and all that kind of stuff. I, personally, wasn't treating
929 this as evidence. Maybe I should have, maybe I wasn't. As far as I was
930 concerned, I – I didn't even – I didn't even want this stuff. There was no
931 criminal, there was no chain of custody. There was no reason to even keep it.
932 Um, I would have, at this point, told the jail just to throw it away with the
933 other garbage. They couldn't decipher what was garbage and what wasn't.
934 Their practice is when they take this stuff to throw it away. I – I would have
935 been okay with them throwing it away and not giving us to it. We weren't –
936 we aren't using it.
937

938 Q: Why did – what was the reason that you guys picked it up then?
939

940 A: Um, I think, again, (Connie) will have to confirm, I think (Connie) wanted to
941 compare – to be honest with you, I think (Connie) just wanted to see what was
942 in it and see if she could use it in her case, I guess. That would be the – the
943 most likely thing.
944

945 Q: Okay.

946
947 A: Um, we knew that there was no chain of custody. We knew this had been
948 sitting around for two years in an office and being used as a garbage bag.
949
950 Q: It had been in there for two years?
951
952 A: That's – that's how long they had been collecting this stuff. It had been sitting
953 in the sergeant's office, I think (Connie) said two years, while they collected
954 stuff, that they normally threw away and they just threw it in this bag and it
955 just sat in the office and got used as garbage. Normally this stuff would have
956 already been thrown away. So I don't know if we took it necessarily for
957 evidentiary purposes. We – I think we took it out of curiosity and at this point
958 I think (Connie) was still trying to build a criminal case. But, again, we knew
959 that there was no – there was no chain of custody. This had never been
960 logged. Nobody had records of when they took it. Nobody had records of
961 who they took it from. Um, this could have been from, parts from anybody --
962 any jail cell in there that anybody threw in here. So we didn't have a -- an
963 evidentiary value to this, in my opinion.
964
965 Q: Okay.
966
967 A: All right.
968
969 Q: Um, let's got to the most glaring one, I guess.
970
971 A: Okay.
972
973 Q: Um, the garbage barrel with marijuana.
974
975 A: Number five.
976
977 Q: Yeah, that one kind of stands out.
978
979 A: Yes, it does.
980
981 Q: For the obvious – you don't see that every day. Um, this one, the DR was
982 assigned to, Honea on the 19th, which was the day that, ah, the captain
983 discussed with you to get this stuff into property and evidence.
984
985 A: Correct.
986
987 Q: The DR was pulled that day. It was picked up long before that.
988
989 A: Yes.
990

991 Q: Um, let's see, it's right, is the DR. Um, it was picked up on the 12th of May.
992 So from the 12th of May to the 19th, obviously we're at about five weeks right
993 there.
994
995 A: Correct.
996
997 Q: Um, not only was it not placed into property and evidence, it wasn't even a
998 DR pulled.
999
1000 A: Correct.
1001
1002 Q: Um, from what I've been told on the background on this and tell me if I've – if
1003 anything is incorrect, um, you were not on scene when this was found?
1004
1005 A: No.
1006
1007 Q: Um, but you received a call from JP Garcia?
1008
1009 A: Correct.
1010
1011 Q: Um, but you received a call from JP Garcia?
1012
1013 A: Correct.
1014
1015 Q: Um, saying, hey, I was there – you guys were working a case for somebody,
1016 um, out there assisting...
1017
1018 A: We were doing a warrant with (HIDTA), yeah.
1019
1020 Q: Yeah, I think you guys were on surveillance or set up on something and, um...
1021
1022 A: No, we were actually serving a warrant.
1023
1024 Q: Is that what it was?
1025
1026 A: Yeah. We were just about done serving a warrant.
1027
1028 Q: You received a call from JP Garcia who had a neighbor who had approach
1029 him and say, hey, there's a – this, ah, this can out there, I think you guys need
1030 to take a look at it. JP ran his dog buy it. Ah, determined it wasn't it
1031 explosives. Opened it up, found out what the, you know, contents. What
1032 looks like stalks of a marijuana grow.
1033
1034 A: Right.
1035

1036 Q: Called you. You agreed to have your guys come pick it up. Um, why did you
1037 guys come get it?
1038

1039 A: Um, he was working, um, JP. And he has a truck, but he has a kennel in it.
1040 So he didn't have any way to move it.
1041

1042 Q: Okay.
1043

1044 A: So he was – he was looking for help from us to move it. And when I got the
1045 call and he said it's, you know, stalks. It looks like somebody just did a
1046 cultivation and threw their stocks in the garbage can. Um, I sent my guys.
1047 We weren't that far away. We were already on the west side. So I sent them
1048 in the – in the hopes that maybe there was some additional information.
1049

1050 Q: Okay.
1051

1052 A: You know, at the location of where – where this grow may be or whatever.
1053

1054 Q: Okay. And then the two who responded was Parra 'cause he has a pickup
1055 truck.
1056

1057 A: Mm-hm.
1058

1059 Q: And Sean Pearce?
1060

1061 A: Sean Pearce, yes.
1062

1063 Q: They went up there. They grabbed it. They brought it back to this building
1064 that same night. It would have been at that – sometime that day. It didn't get
1065 stored anywhere.
1066

1067 A: That was that evening, yes.
1068

1069 Q: Yeah, that...
1070

1071 A: Late at night.
1072

1073 Q: Right, it got brought into the building on the 12th or, you know, right after
1074 midnight on the...
1075

1076 A: Right.
1077

1078 Q: And for whatever reason it sat there all that time.
1079

1080 A: Yes.

1081

1082 Q: Um, explain to me why it sat there for five weeks?

1083

1084 A: No idea.

1085

1086 Q: No idea?

1087

1088 A: I don't – I don't have a good answer for you. It shouldn't have been there.

1089

1090 Q: Okay.

1091

1092 A: There's no reason it should have been there that long. Somebody should have
1093 pulled a DR as found property and taken it and gotten it down to property and
1094 evidence.

1095

1096 Q: How often do you go in there, into the property room and take a look and see
1097 what's in there?

1098

1099 A: Not often enough, apparently. Um, now I – I mean, I go in there if I need, ah,
1100 besides our property room, we keep some supplies in there, paper supplies,
1101 pads, pens, that kind of thing. So when I go in there, that's – that's what I

1102

usually go in there for.

1103

1104 Q: How do you, I guess, supervise the contents of the property in all these cases?
1105 How – you're responsible for all the guys and what they do. What is your
1106 approach to supervising the – the property and making sure it's getting done
1107 correctly. How – how do you do that?

1108

1109 A: Well, you know, in most cases it's just reviewing the DR and, um, most of the
1110 time, our property comes in large quantities and it comes in search warrants.
1111 We don't get a lot of property day to day, day to day.

1112

1113 Q: Mm-hm.

1114

1115 A: We get a whole bunch. We've, I'd say always, but obviously not always, had a
1116 great system in that if we do a search warrant we have this property room. So
1117 we often take all of property and by the time we're done 12:00, 1:00, 2:00,
1118 3:00 in the morning. We bring it all back from the search warrant, lock it in
1119 the room. And if it's a Monday or a Sunday or whatever, the following day
1120 that we work we come in and then everybody processes it together. When I
1121 say everybody, whoever's here that day or whoever took part in it, you've got
1122 one guy making photocopies, the other one doing this and we get all the
1123 property done and we get it all completed and get it transported, you know, in
1124 a reasonable amount of time down to property. It's really never been an issue,
1125 ah, that I've ever noticed, prior to – to this. There's always been kind of a

1126 systematic way of taking care of it. Um, in – in a lot of these cases in here,
1127 um, and again, I haven't spoken to my guys to confirm it, but when I walked
1128 through it with the captain, it looks like it's in, in many of the cases in here
1129 that happened, all except for getting it transported down. It was – it was
1130 processed, it was bagged, it was dated, a DR, it was sealed, ah, it was done
1131 and just not transported yet down to property. I assume everybody got busy.
1132 I had people TDYed and it got overlooked.
1133
1134 Q: Well, a barrel of marijuana, that size, with that much in there is gonna smell.
1135 You're – you're gonna smell marijuana.
1136
1137 A: You know what...
1138
1139 Q: A lot of people told me they – they could smell it in the office. You never
1140 noticed it and thought...
1141
1142 A: I – I...
1143
1144 Q: ...why is that still here?
1145
1146 A: The only time I could smell it was when I opened up the lid in there
1147
1148 Q: You didn't smell it in your office?
1149
1150 A: In the property room. Never, not one time.
1151
1152 Q: Okay. Um, when they picked that up – when they picked the marijuana up
1153 from that, I guess it was kind of a cul de sac, um, did you say, hey you're case
1154 agent or did you assign a case agent to anybody?
1155
1156 A: I – I don't recall.
1157
1158 Q: Okay. So, I'm just...
1159
1160 A: I – I...
1161
1162 Q: Nobody pulled a DR. It's just, obviously, a barrel of marijuana being taken,
1163 somebody's got to at least pull a DR.
1164
1165 A: I agree.
1166
1167 Q: This thing needs to be processed. That didn't happen. That's a problem,
1168 obviously. Five weeks later it's still sitting there with no DR assigned to it.
1169
1170 A: No, I agree.

1171

1172 Q:

1173

1174

1175

1176

1177

1178

1179

1180 A:

1181

1182 Q:

1183

1184 A:

1185

1186

1187

1188 Q:

1189

1190 A:

1191

1192

1193 Q:

1194

1195 A:

1196

1197 Q:

1198

1199 A:

1200

1201

1202

1203

1204

1205

1206 Q:

1207

1208 A:

1209

1210

1211 Q:

1212

1213 A:

1214

1215

That's an issue. Um, and when – when this all came about on the 19th and you had people in there to, ah, to pull the DR, what is the reasoning that a detective who wasn't there, is the one pulling the DR? Honea says, I wasn't even there, but I pulled the DR because my sergeant told me to. Um, what was the rationale for Honea to be the one to pull the DR if he wasn't even there. He had to – he had to research where it had come from and try to talk to the people. Is there any – is there any reason for that?

Actually that's not exactly true. Sean was there.

Sean was, right.

And that's who I taxed. I noticed the property in there belonged to Sean Pearce. The property in there belonged to Greg Honea when I walked through with the captain and Sean was there during this barrel.

Right.

Okay. The e-mail and the conversations that I had were for Greg Honea and Sean Pearce to come take care of this property. Okay? So I...

So you didn't say Greg, you're in charge of this...

Exactly.

...Greg just took that?

Right. Now Greg did call me from property with some questions about it. But, I just figured him and Sean were down there doing it together. To this day, I still don't know they weren't. Um, I do know that the DR was under Greg, but I haven't had a chance to question of it. My instructions were for Greg Honea and Sean Pearce to come take care of the property and get it down there.

And how come they were selected?

Because that's who's name was on the property that was in the, ah, property room. And that – and Sean was there for this.

Okay.

Now, I'm not saying Sean was responsible for this can. When him and Parra went out, one of them should have said, hey, I'll pull the DR and – and, you know, again, these guys have a lot of freedom. They have a lot of freedom

1216 from supervision, 99 percent of the time that's – it just works out. And, I can't
1217 tell you why – why the issue. But in these bags, some of this stuff was
1218 marked, I'm looking at picture one. Some of this processed and packaged
1219 evidence belonged, I believe, to Sean Pearce and Greg Honea. Dave Parra
1220 when I talked to him said he had something in there that went to one of Sean's
1221 cases. So the e-mail went to Greg Honea and Sean Pearce to come take care
1222 of this property because I believed that's whose all this property was. And
1223 even if – and, again, I didn't know that the DR wasn't taken on this property
1224 on this barrel. I didn't realize that the barrel wasn't marked. I did know it was
1225 there. I mean, I went in and saw it the day – I'm the one that put all this stuff
1226 in order. It wasn't like this prior to this. The 12th or whatever, I sent the e-
1227 mail, this stuff was all against this wall right here and some of these boxes and
1228 stuff were stacked on this barrel.
1229

1230 Q: And you're looking at picture number one?
1231

1232 A: Yes. I'm the one that went in and put everything on this table, hid it under the
1233 table and marked it all because we were putting a bunch of (Charlie Armidare)
1234 property in there and I was starting to package up all my shelves for the move.
1235 That's when I moved all this stuff to the side. I did not look at the barrel to
1236 see if it had a label or anything on it. Um and, we went from there. Now to
1237 make sure we back up and I'm completely clear, since this barrel has been
1238 here, whatever that date was, I don't remember when it was.
1239

1240 Q: May 12th?
1241

1242 A: Yes. I have been in and out of this property room. The day that I sent the e-
1243 mail was not the first day I was in that property room.
1244

1245 Q: Okay.
1246

1247 A: Okay. To be clear, I've been in and out of there. And at some point I
1248 probably noticed the barrel was still there, shortly after it was there, whatever,
1249 and – and didn't get it taken care of as quickly as I should have. Later one
1250 when I got back in and I move it all, I see it's still there and this other
1251 property, I sent the e-mail out. So Greg wasn't instructed to take this and take
1252 this DR. He was instructed to come down and get all the property that was in
1253 the room with Sean Pearce.
1254

1255 Q: On the 19th.
1256

1257 A: Both of them. On the -- on the -- well, yeah.
1258

1259 Q: The day the DR was pulled on the 19th.
1260

1261 A: Right. To get all this and get rid of it. They were – they were instructed on
1262 Monday, but they've been working from 5:00 in the morning until 10:00 at
1263 night NIA. So they couldn't get in there until Wednesday. But...

1264

1265 Q: You instructed him on Monday? You have a...

1266

1267 A: Let me double check here.

1268

1269 Q: The 19th it was pulled. The 12th, which was the Thursday before, you sent
1270 the, um, the e-mail to everybody saying, hey, we're moving to (HIDTA) soon.
1271 Let's get the property room cleaned up.

1272

1273 A: Okay.

1274

1275 Q: One week later the DRs were all pulled.

1276

1277 A: Yeah, ah, yeah, it was Thursday, July 12th. That's when I – I got an e-mail
1278 back from Honea saying he's got some property that will be taken care of.
1279 And, ah. So what – show me on the calendar where's the day I sent the e-
1280 mail?

1281

1282 Q: The 12th.

1283

1284 A: And that was what day?

1285

1286 Q: That's a Thursday.

1287

1288 A: Okay. So on Monday, the following Monday, I had conversations with, I
1289 believe, Sean and Greg, saying, hey, don't forget you guys have property you
1290 need to come get. Greg sent me something back to the effect of – or Sean sent
1291 me something back to the effect of, we're going to do it either before or after in
1292 the evening or in the morning after IA because they were working. I didn't
1293 realize at that time they were working from 5:00 in the morning until like 9:00
1294 or 10:00 at night. So when they didn't show up that day, I got in and I
1295 checked ADP and I said, oh crap, they're working there, you know, 15, 17
1296 hours a day. So at some point we had another communication. They told me
1297 they would – it was – if they came Wednesday morning it would have been
1298 Tuesday night. They told me they were coming the following morning and
1299 that would have been the day they and got all the property. And when I say
1300 they, I believe Sean came with Greg. I haven't questioned them. I wasn't at
1301 the office. I don't believe it was just Honea who came and moved all the
1302 property unless you know different.

1303

1304 Q: No, I believe it was both of them.

1305

1306 A: Okay. So then why Sean didn't take care of the barrel while they were down
1307 there, I don't know.
1308

1309 Q: So you didn't tell Greg, hey you got that and Sean you got that. You just said
1310 both of them, they take care of your property.
1311

1312 A: Come get your property. And then Greg called me from property with some
1313 questions about the barrel. And I said, oh, okay. I didn't know he wasn't there
1314 with Sean. I figured they were down there processing the property together.
1315 In fact, I don't think I knew until now that – that, ah – well, I guess I did. I
1316 knew eventually Greg took the DR, but, ah, it was after it was put in property.
1317 I didn't know prior – I didn't instruct Greg. Let me back up. There may be
1318 some confusion. They called me from – I do know Sean and Greg were both
1319 here 'cause they called me when they got here. And the – Sean called me and
1320 asked me if Dave Parra was available because they wanted to use his truck to
1321 move this barrel. And I said, no, he's assigned to IA, he can't leave. See if
1322 you can fit in Greg's van
1323

1324 Q: Okay.
1325

1326 A: That was for the transport.
1327

1328 Q: Yeah, I remember hearing – yeah, they did mention that.
1329

1330 A: So that's – that may be where they inferred that, or think I inferred that. But
1331 that was just to get it down there. They were both there. So, I don't have an
1332 answer for you as to why Greg took that DR. I have no clue.
1333

1334 Q: All right. On that same day, a DR just one before that, the other one was
1335 14,109. This one's 14,108. Ah, Pearce pulled it. It's also a 928. It's a
1336 marijuana cigarette and container. I believe that's towards the back, number
1337 25.
1338

1339 A: Okay.
1340

1341 Q: Had you ever seen that?
1342

1343 A: I don't – I don't recall seeing that one.
1344

1345 Q: You don't know about that one?
1346

1347 A: That one I do not recall. In fact, I don't recall seeing that when I walked
1348 through with the captain, but I assume it must have been there.
1349

1350 Q: Yeah. This is one. It was pulled the same day as Pearce. He's got another
1351 one with the marijuana cigarette that is – was, ah, the 21st of May. The DR
1352 was at least pulled on that day but it was still there. The marijuana cigarette,
1353 let's see if I've got the DR here. I don't know that I do. Yeah, it's gonna be
1354 Sean Pearce, one item, a marijuana cigarette. Plastic container containing
1355 green plant material. Um, you haven't seen that one before?
1356
1357 A: I don't recall it no.
1358
1359 Q: Okay. And the one below that is the 646 DR, ah, marijuana cigarettes. That
1360 was pulled on May 21st.
1361
1362 A: There's no 646 here.
1363
1364 Q: Yeah. It's just item one. There's only one item. Um, you don't remember
1365 seeing that either?
1366
1367 A: Ah, what picture is that?
1368
1369 Q: That' – number seven, I believe, is the same as number 25. Eight the same
1370 thing. Nine. Ten's the outside of the sheets. 646. number 18.
1371
1372 A: Yeah, I can't – all I see is the property bag.
1373
1374 Q: Yeah, it's item – it's found property. Item, there's a DR that has a 646
1375 assigned to Pearce, May 21st, marijuana cigarette. Any discernable reason
1376 that marijuana cigarettes, whether marked or were not marked should still be
1377 in that room...
1378
1379 A: No.
1380
1381 Q: ...that much longer?
1382
1383 A: No.
1384
1385 Q: All right. If you go through – there's a lot of items here that are assigned to
1386 DR 14 – or 14-011117. Ah, it's a DR that's assigned to Greg Honea on May
1387 15th. It's a murder for hire case. And I know there's two murder for hire
1388 cases that are involved here. There is the murder for hire case where a bunch
1389 of search warrants were done. I think four search warrants were done.
1390
1391 A: Oh, on the Hell's Angels?
1392
1393 Q: The Hell's Angels.
1394

1395 A: Okay.
1396
1397 Q: Yeah, out in Mesa. Um, search logs, everything. This is the complete kit.
1398 Kind of like what you were talking about before where it was kind of standard
1399 practice, bring everything back, put it in there and then as time permitted
1400 would then, for a small period of time, everybody would dig in and get
1401 everything processed and get it down to property. Um, did you ever send any
1402 kind of correspondence to your guys or do any kind of checks or anything to
1403 make sure this stuff got done?
1404
1405 A: No.
1406
1407 Q: Okay. This stuff was taken – and there's like eight DRs that are, um, assigned
1408 to the property that was found in there. There's another property, ah, it's
1409 assigned to Parra. It's gonna be DR 14-011132, ah, taken on the same day.
1410 Ah, I can explain to you, they were doing a search warrant. They were doing
1411 two search warrants on two different locations.
1412
1413 A: Yes.
1414
1415 Q: Not too far from each other.
1416
1417 A: Right.
1418
1419 Q: Um, one of the search warrants where was Parra was at, they get there, they
1420 find a – a female by a purse.
1421
1422 A: Yes.
1423
1424 Q: Ah, they opened the purse and then there are – there's a Springfield 45
1425 handgun. Um, two 45 caliber magazines with rounds in them. Um, a plastic
1426 bag with a white substance that field tested positive for meth and then a
1427 driver's license to (Janice Louse Rudy Martinez).
1428
1429 A: Okay.
1430
1431 Q: Um, another, I guess, when they came across that Parra realized, hey, this isn't
1432 part of the search warrant. We need to write another search warrant. Honea
1433 went back, wrote another search warrant. That DR was pulled and taken in
1434 Parra's name.
1435
1436 A: Okay.
1437
1438 Q: And here's the DR right here. The murder for hire was – was right here,
1439 excuse. You've got that murder for hire case here, which is obviously huge.

1440
1441 A: Right.
1442
1443 Q: And then this is the one for Parra, do they ring a bell for you?
1444
1445 A: I do recall this.
1446
1447 Q: You do recall it?
1448
1449 A: Yes.
1450
1451 Q: You were on scene for these?
1452
1453 A: Ah, well, I was on, you know, splitting my time between both scenes.
1454
1455 Q: You were going between the two?
1456
1457 A: Mm-hm.
1458
1459 Q: I think case agent said he was going back and forth, Honea...
1460
1461 A: He was.
1462
1463 Q: ...said he was going back forth?
1464
1465 A: He was.
1466
1467 Q: Um, so there's a lot of items taken. Especially, ah, the search warrant for, um,
1468 the original search warrants under...
1469
1470 A: Under Honea?
1471
1472 Q: Yeah, under Honea's DR number.
1473
1474 A: Mm-hm.
1475
1476 Q: Um, this stuff got all taken back. Was there any reason that this stuff sat there
1477 for such a prolonged time? Was there anything that came up? I know that
1478 you all are busy. Um, and the unit's very busy, um, and there's a lot of stuff
1479 here to be processed. From what I've been told, there was really nothing else
1480 to processed. It was packaged.
1481
1482 A: Yeah, it was just waiting...
1483
1484 Q: Ready to go.

1485

1486 A: ...to be delivered down to property.

1487

1488 Q: All right. How was that gonna happen? How was that stuff gonna get down
1489 to property?

1490

1491 A: Usually the case agent just takes it.

1492

1493 Q: Case agent? Did you...

1494

1495 A: Yeah, in most cases.

1496

1497 Q: Do you speak with your case agents and go through their cases with them and
1498 provide them guidance? Do you...

1499

1500 A: Well, you know...

1501

1502 Q: You said you give them a lot of freedom.

1503

1504 A: Yeah, but I'm – I'm with them most of the time. It's not – you know, I mean,
1505 I'm on scene with the most of the time.

1506

1507 Q: Mm-hm.

1508

1509 A: I'm here when they're doing property. Um, you know, I've never given my
1510 guys a drop dead date and said, property's gotta be out of here within 48
1511 hours. I've never done that. I think that we have fallen into a thing, and when
1512 I say we, I mean, VCU, once we get into the property room, we lock it, we're
1513 okay. You know, it's secured and it's there and so we've overlooked the
1514 process. As far as why this stuff took so long to get down there, I don't have a
1515 good answer. I don't – I haven't had a chance to speak with my squad, ah, ah,
1516 to see if there's a legitimate answer. I do know that everybody got busy and
1517 when I lost part of my bodies it made it a little bit more difficult. Um, not
1518 impossible, but taking it down there. There was – you know, it could have
1519 been taken down and everything could have been finished and processed.
1520 Um, you know, it's like a, hold habits, you know. It's – I understand policy
1521 says that you have 48 hours to have property...

1522

1523 Q: Well, that's (unintelligible) 48 hours. The policy says by the end of shift.

1524

1525 A: Okay. So we know that it's – it's not always feasible.

1526

1527 Q: Right.

1528

- 1529 A: Um, (Charlie Armidare)'s property was in there for weeks because it couldn't
1530 – it had to finish being processed and it couldn't get down there.
1531
- 1532 Q: Right.
1533
- 1534 A: Again, there's – there's always times. There's times when we've worked 60-70
1535 hour of overtime, or, I mean, in a week and done a warrant on a Friday and we
1536 haven't even come in and processed it until Monday. So we're past the end of
1537 shift. We're certainly past the 48 hours. Even if we do it Monday, the second
1538 we come back, we get it done and by, you know, Monday night we're done
1539 processing, we get it down there, we've already broken the policy and we're
1540 already past the 48 hours. So, I think that it's gotten into a comfort that once
1541 its' locked and it's in the property room, we're good. We're safe and
1542 everything's okay until we get to it. And that's probably a mentality that I've
1543 caused and I haven't broken because I just – it just hasn't been a priority. I just
1544 didn't think about it. Again. I was kind of under the same impression. We
1545 got it there, it's safe, we're gonna get to it. We always do and it always gets
1546 done. This time was just, especially the barrel of the stems. It was too long
1547 and it was overlooked. Um, probably because I don't have a process of going
1548 in and double-checking maybe on a Monday and a Friday or something to that
1549 effect to make sure that everything from the week is done and been taken
1550 down there. That's just a process that I've never – I've never put in and I've
1551 never really held my guys to.
1552
- 1553 Q: Did you ever hold squad briefings, weekly or anything like that?
1554
- 1555 A: You know, we tried to...
1556
- 1557 Q: Formally or informally?
1558
- 1559 A: Yeah, we have – we have squad briefings formally. You know, and it
1560 depends on what we're doing. Sometimes we do four or five a week. Um,
1561 sometimes we do one a week. Sometimes we do one every two weeks. It just
1562 depends. But we try to do them, you know, as often as we can and certainly
1563 when we're working, ah, a murder for hire or jail case. A (Jody) areas or
1564 whatever. If everybody's on it, then we – we brief regularly on it. Multiple
1565 times a week. To be honest with you, in those briefings, the – I've never –
1566 property issues never come up. And I've never addressed it with my squad.
1567
- 1568 Q: Um, so you've never – you don't have any DR – you don't have any e-mails or
1569 texts or anything to show, hey, I've already – I told these guys about this? I'm
1570 just looking for a check and balance somewhere along the way.
1571
- 1572 A: No. No the – nobody disobeyed me about getting in and getting this taken
1573 care of. When I sent the e-mail out, the guys got in there, I believe, as quickly

1574 as they could have under the circumstances with everybody being assigned to
1575 IA. Um, prior to that there's no – there's no trail of guidelines of me
1576 reprimanding or encouraging my people to have this out by a certain – or any
1577 of the property out within 48 hours or by the end of shift or – or anything. It's
1578 just never – it's not something that I've covered.
1579
1580 Q: Okay,
1581
1582 A: No. I do believe I've probably given my people the – the inclination or the
1583 feeling that if it's in there and its locked in property we're good to go until we
1584 get to it. Ah, unfortunately.
1585
1586 Q: Okay. There was a lot in there, obviously.
1587
1588 A: Mm-hm.
1589
1590 Q: Some, obviously, concerning things. Um, there's another one here, um, 564 –
1591 it's the DR that ends in 564, it's the (Urbani) murder for hire.
1592
1593 A: Okay.
1594
1595 Q: Um, search warrant logs are included in there and we've got – ah, do you
1596 remember the case?
1597
1598 A: I remember the name. You'll have to jog my memory.
1599
1600 Q: Okay. It's – it's a murder for hire case. Originally the – the, um, the DR for it
1601 is (Metzor) which isn't going to be much to you.
1602
1603 A: I do recall.
1604
1605 Q: Okay
1606
1607 A: I remember who (Urbani) is now. I think we did a search warrant on his
1608 house over there.
1609
1610 Q: Right, and there's a number of things taken from there. It's a search warrant
1611 log documents...
1612
1613 A: Yes.
1614
1615 Q: A 38 special, black Cricket phone, ah, 38 caliber ammunition.
1616
1617 A: A small amount of meth maybe?
1618

1619 Q: Yeah, it looks like, um...
1620
1621 A: I recall it.
1622
1623 Q: ...a compact mirror with crystal residue, ah, crystal seal with crystal substance,
1624 field test positive. Green metal pipe with burn residue, rifle, bong, um,
1625 Marlboro pack with seven green pills, possibly Percocet. Do you remember
1626 this one?
1627
1628 A: I do.
1629
1630 Q: You do? What's the background on this one a little bit?
1631
1632 A: Just a, it was a search warrant. I believe it was a murder for hire that stemmed
1633 from the jails. Ah, I'm trying to remember who authored the warrant on that
1634 case. I think it was Honea.
1635
1636 Q: Honea?
1637
1638 A: But I don't – I don't recall for sure. Um. Did a search warrant on the house, a
1639 husband, wife, two kids. Ah, prison releasee. Aryan Brotherhood guy,
1640 (Urbani) is. Did a search warrant on his house. I believe he was booked on
1641 prohibited possessor charges and I don't recall if he was booked on the
1642 conspiracy to commit murder or not.
1643
1644 Q: Okay.
1645
1646 A: Don't recall.
1647
1648 Q: A lot of stuff there, obviously...
1649
1650 A: Mm-hm.
1651
1652 Q: ...in the search warrant.
1653
1654 A: And I believe that was, if I'm not mistaken, that's one of them that, again, was
1655 all processed and ready to go, but hadn't been transported, is that correct?
1656
1657 Q: Why don't we take a look through the pictures.
1658
1659 A: Okay.
1660
1661 Q: And maybe look for it. The DR is gonna be 564, how it ends.
1662
1663 A: Ah.

1664
1665 Q: Number 19?
1666
1667 A: It starts at 19. I'm not really sure what that is a picture of. Something in a
1668 property bag. I can't recall.
1669
1670 Q: Yeah, that...
1671
1672 A: I can't make out what it is.
1673
1674 Q: It's hard to tell what that is.
1675
1676 A: I can't tell.
1677
1678 Q: Pearce's name on it. It's, ah, with a date of – date of impound on May 30th.
1679
1680 A: Yes, I do remember, ah, when I walked through with the captain – or – or the
1681 day before, the week before whatever it was, when I sent the text or e-mail out
1682 to everybody to get their property, I do recall that this was a – a bag or box or
1683 something of – stuff that was all packaged that appeared to be ready to be
1684 transported down to property.
1685
1686 Q: Okay. That stuff was ready to go. Um, you said – and tell me if I'm wrong,
1687 the process to get the property from the (Rojer) Building to the property and
1688 evidence room downtown, I say downtown, I mean 35th and Buckeye, um,
1689 did – it seems like you're saying it was up to the case agent?
1690
1691 A: Yeah, and even if it wasn't the case agent, it was always up to the case agent
1692 to get somebody else to either do it or assist him if there was too much.
1693
1694 Q: But to be responsible for the evidence, it was the case agent?
1695
1696 A: Absolutely.
1697
1698 Q: Did you follow up with the case agent on stuff like that and say, hey, this has
1699 been too long. Did you ever do that kind of stuff?
1700
1701 A: No. I don't – like I said, it's – you know, normally, it was a – we had a
1702 process in order if we did a search warrant. And if ran late we put it in the
1703 property room. The next day, everybody came in, everybody took care of it
1704 and then either the case agent or the case agent and somebody else ran it to
1705 property. I never – I never really felt the need to have the conversation. It
1706 was – it was kind of a system in place. And the guys knew the system. They
1707 developed it. You know, there was...
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INTERVIEW WITH BARRY HAMILL

Q=Lt. Brian Jakowicz

A=Barry Hamill

Q: We are back, uh, it is now 5:45. Uh, this is Lieutenant Brian Jakowicz and Barry Hamill in my office. Um, Barry just a couple of questions for you, okay. Um, the property the was found in the property evidence room here at (unintelligible) did you give any kind of special permissions for it to stay or did anybody give any kind of special permissions to stay beyond the, uh, the SOP of 48 hours?

A: Uh, that's kind of an open question. I didn't give any special permission. But...

Q: So did, uh, the detective never came to you and said, "Hey, Sergeant I've got this, um, this property it's gonna go awhile a week to whatever."?

A: No.

Q: Okay.

A: No that...

Q: Okay what were you gonna say? I'm sorry.

A: No I was just gonna say I - I - based on not having conversations over how to treat property I wanna say that me and not having those questions with my squad I don't - I don't know that they would - I don't know that they would have come to ask me for that. I think that if there was a reason for it they would've just assumed it was okay. Um, like I said I've never set guidelines for them and I've never followed the prior to the end of shift or, uh, the SID SOP for 48 hours. We've gone beyond that, you know, several times if not numerous times, uh, you know, waiting past a weekend if we did a search warrant the week before. So I don't know that they would know and I think that they would just assume that at some level it would be okay to leave it there, you know, a certain period of time. Uh, never had the opp, uh, that I know of ever having property here this long that I've ever known so again I don't have an answer for why either.

46
47 Q: Okay.
48
49 A: Is that clear?
50
51 Q: Yes, sir I believe it is. Um, I don't think I have anything else to ask at this
52 point. Um, do you have any closing remarks anything you'd like to add?
53
54 A: No.
55
56 Q: You're done?
57
58 A: I'm done.
59
60 Q: All right. We'll conclude this interview. It is now 5:47.

61
62
63 This transcript has been reviewed with the audio recording submitted and it is an accurate
64 transcription.
65 Signed _____

1709 Q: It was an unwritten system?

1710

1711 A: Yeah. I mean, there was documents in every search warrant we've ever done I
1712 think. And when I say documents, I mean a large -- and -- I mean the case
1713 agent would, you know, bring everything out. They'd get started and one guy
1714 knew he was on the copy machine. He'd go over and make all the copies. It
1715 was a whole systematic thing and it got done and, you know, bagged and
1716 processed and then taken down to property either by the case agent or case
1717 agent would ask somebody else to do if he had something to do and it was -- it
1718 was a undocumented, but, ah, system that worked out really well for -- I don't
1719 recall ever having a problem with it. Ever. I don't recall ever having to
1720 mention to anybody, hey this has been here to long. Hey there's property in
1721 there.

1722

1723 Q: So is this out of the ordinary right here what we're seeing?

1724

1725 A: I believe so. I -- I believe so. I think it's, ah, now, I'm not gonna say that
1726 property has never been in here longer than 48 hours.

1727

1728 Q: Okay.

1729

1730 A: But it's never been so egregious that I felt like I had to say anything. Um, not
1731 that I recall.

1732

1733 Q: Okay. What's -- yeah. Of the stuff in here, um, there was -- there wasn't a
1734 check and balance -- it sounds like there was really no -- it was up to the case
1735 agent to take care of things. And if that case agent didn't do it, then it
1736 basically sat and that's how we fell in this position?

1737

1738 A: I think that's accurate.

1739

1740 Q: Okay.

1741

1742 A: Yeah.

1743

1744 Q: Okay. All right. Why don't we take a break.

1745

1746 A: All right.

1747

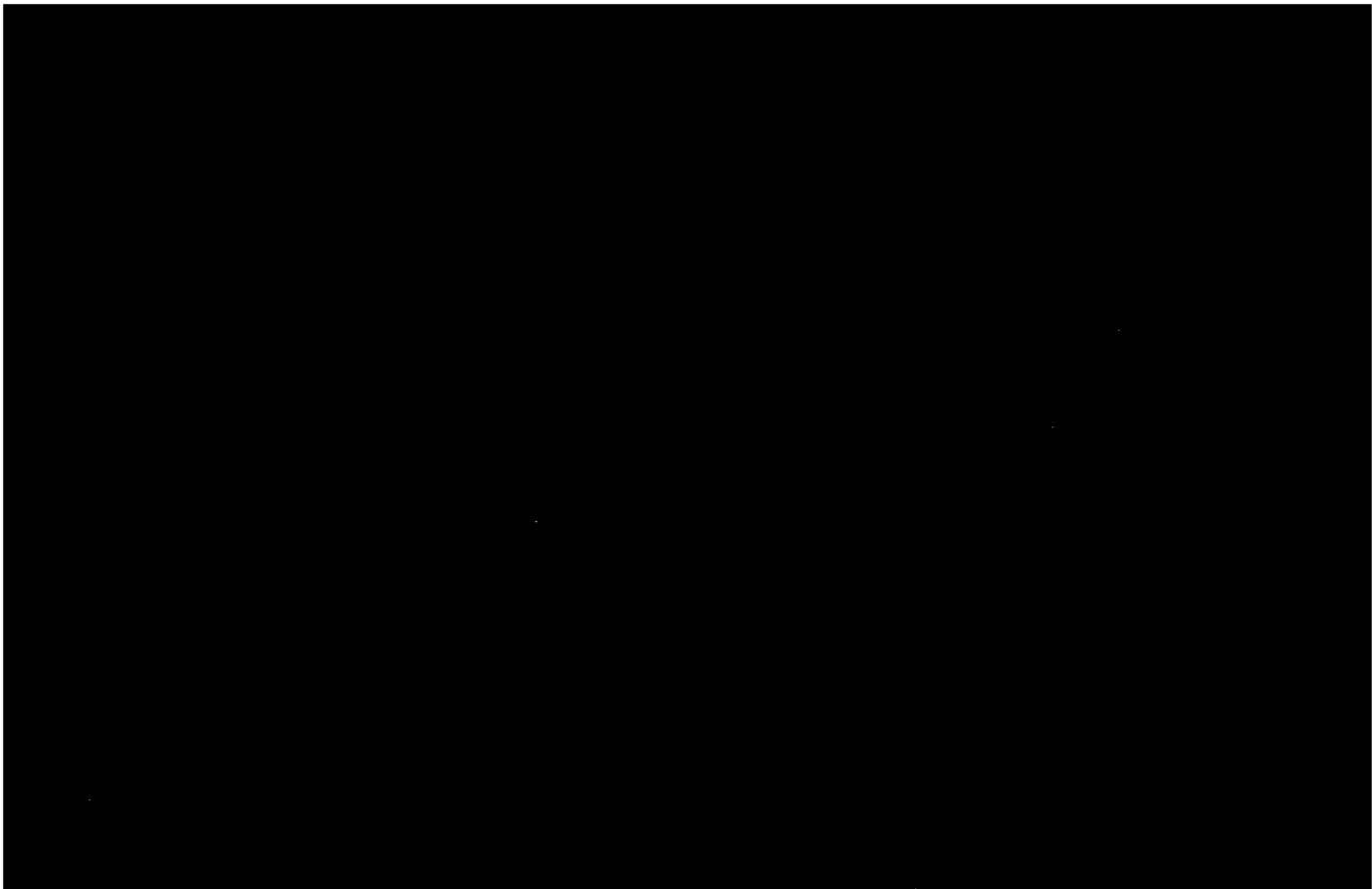
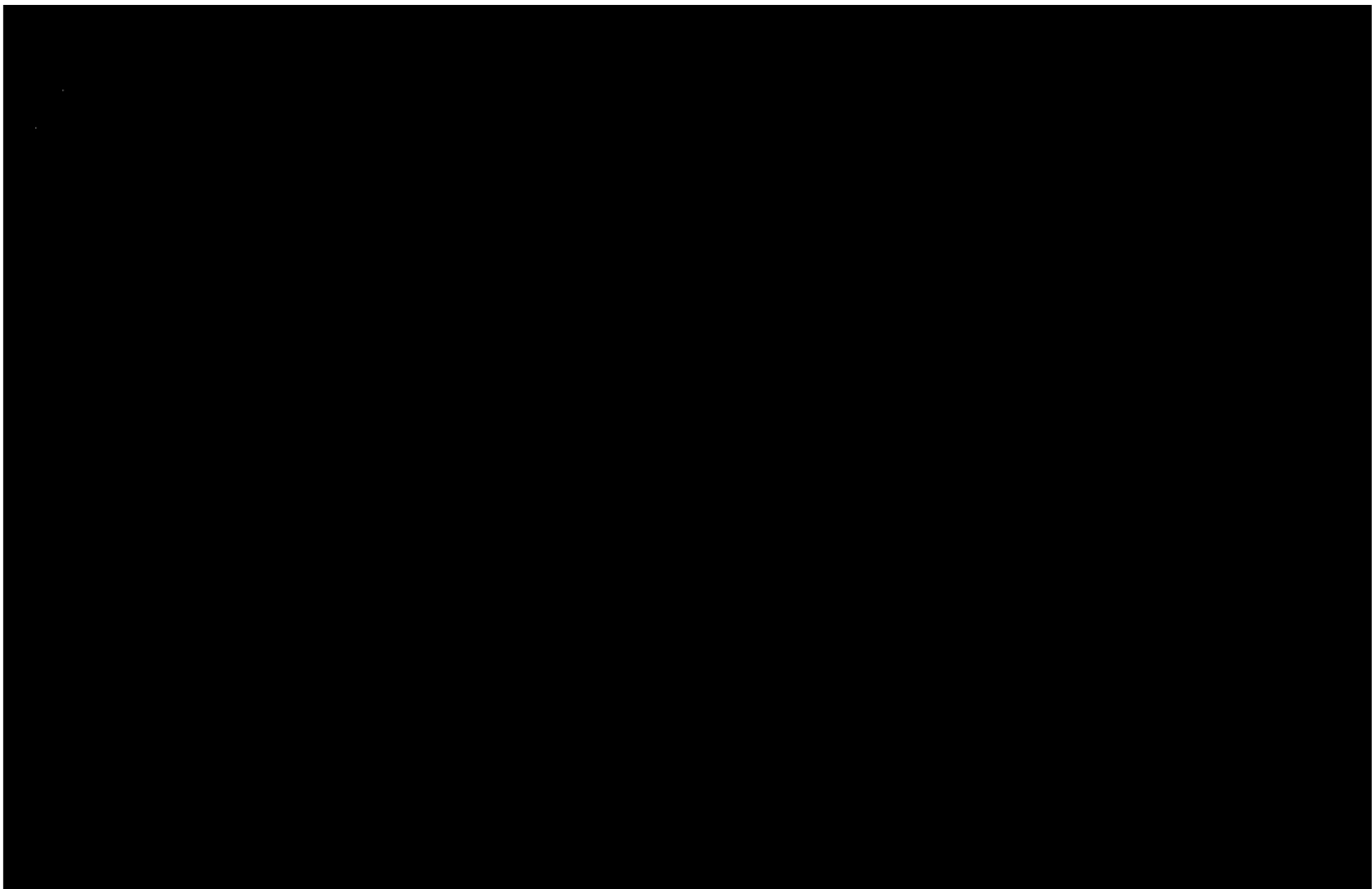
1748 Q: It is 5:24.

1749

1750

1751 This transcript has been reviewed with the audio recording submitted and it is an accurate
1752 transcription.

1753 Signed _____



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INTERVIEW WITH GREG HONEA

Q=Lt. Brian Jakowicz

A=Greg Honea

Q: Today is 6-23-14 at 12:10 pm. Uh, this is Lieutenant Brian Jakowicz, 1237. In my office is...

A: Greg Honea, serial 1336.

Q: Um, the purpose of, um, this recording is to discuss a notice of investigation. Uh, this memorandum is to inform you that an official administrative investigation has been initiated in which you have been named as a principal. The investigation stems from allegations of violation of sheriff's office policy GE-3, Property Management. This is an official administrative investigation

as defined by office policy GH-2, Internal Investigations. Uh, you're not permitted to talk about this with anybody in your squad or t- to anybody outside of, um, let's see, um, the investigator, myself, your attorney, your clergy, your spouse as long as she doesn't work here, she's not involved in the investigation, or a licensed mental health professional or physician during professional consultation treatment or evaluation. Um, the - what's gonna be discussed in the internal investigation is the items of property that were found last week in the property and evidence area of the Roeser building, particularly the VCU, uh, area off of, uh, Sergeant Hamill's, um, office.

A: Okay.

Q: Um, so please don't discuss, um, property handling, um, with your squad or anybody else...

A: Okay.

Q: ...um, until this investigation's over. Um, obviously ongoing cases, uh, you have to be able to - to converse with people daily business, but...

A: Yes.

Q: ...particularly those things there.

46 A: Okay.

47

48 Q: Also I want to make you aware, um, I - I'll probably talk to you late this week
49 or next week depending on how things go. At that time you do have the, uh,
50 the right to bring a, uh, an observer with you, um, to be present during the
51 interview. Um, you don't have to tell me today if you're gonna do that or
52 anything, but I just wanted to make sure you're aware that you've allowed to
53 bring an - an observer with you.

54

55 A: Okay.

56

57 Q: Uh, do you have any questions?

58

59 A: No, sir.

60

61

62 This transcript has been reviewed with the audio recording submitted and it is an accurate
63 transcription.

64 Signed _____

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INTERVIEW WITH GREG HONEA

Q=Lt. Brian Jakowicz

A=Greg Honea

Q: Today is the 30th of June, 2014 at 10:27 am. This is Lieutenant Brian Jakowicz, Serial 1237. And in my office is?

A: Greg Honea, Serial 1336.

Q: Okay, Greg, we, um, I already showed you some of the paperwork here. We're just gonna go over it real quick. Um, you've already signed, ah, and dated the, ah, Employee's Choice to Proceed Without Internal, ah, Proceed With the Internal Interview With - Without an Employee Observer. Ah, do you have any questions about that?

A: No sir.

Q: Any kind of concerns? You're - you're good on that one?

A: I'm good.

Q: Okay. Excuse me. I'm sorry. This phone. Ah, next one was the Garrity Warnings. Um, you've already read and signed that as well. Do you have any questions on the Garrity Warnings?

A: No sir.

Q: All right. I'll just remind you on the Garrity Warnings, ah, just tell the truth in all instances, okay?

A: Yes sir.

Q: Um, All right. We'll move on. All right. The, ah, the reason for this, ah, this internal investigation is, um, to cover Policies GE3, which is property management and GB2, command responsibility. I'll kind of give you an overview of what I know so far.

A: Okay.

46

47 Q:

Um, about what, eight, nine days ago, Captain, ah, (Aldorasi) came into the building, went back into what is Sergeant (Hamel)'s office.

48

49

50 A:

Okay.

51

52 Q:

And, ah, when you walk in to the left there's the property and evidence room right there.

53

54

55 A:

Yes.

56

57 Q:

Ah, for the building. It was open. He went in and observed a bunch of, ah, property that was in there and he had a lot of questions of what's going on here.

58

59

60

61 A:

Okay.

62

63 Q:

Ah, let me show you these questions. There's 25 photographs that were taken. If you just want to take a second to kind of get an idea of what we're talking about.

64

65

66

67 A:

Okay.

68

69 Q:

Um, just take your time, um, just so you have an idea of what we're talking about. These are the items that were, um, discovered.

70

71

72 A:

Okay.

73

74 Q:

Some of them are duplicates, closes ups...

75

76 A:

Okay.

77

78 Q:

...same picture maybe a slightly different angle. So these aren't totally different things obviously but you can kind of get an idea.

79

80

81 A:

Okay.

82

83 Q:

Okay.

84

85 A:

All right.

86

87 Q:

Rough idea of what we're talking about now?

88

89 A:

Yes sir.

90

91 Q: Okay. Ah, let's start with some of the - the basics here. Um, when did you
92 come to VCU?
93
94 A: Oh, I believe it was either September or October of 2013.
95
96 Q: Okay.
97
98 A: I'm not exactly sure. I would have to look back, but I think it was right in that
99 timeframe.
100
101 Q: Okay. Um, when you came to the - to VCU, was the evidence room ever
102 discussed with you by - with Sergeant - did your new Sergeant ever say, hey,
103 this is the evidence room, did he give you any kind of guidelines, any kind of
104 stuff like that up around that?
105
106 A: Um, it was - it was shown to me and told basically this is where we lock up
107 our property prior to taking it down to property and evidence.
108
109 Q: Okay.
110
111 A: If we're in the middle of a case we put it there, work on it, and then get it
112 down to property and evidence.
113
114 Q: Who showed you that room? Who was it?
115
116 A: Um, I do believe it was - it was Sergeant (Hamel). I can't - he's - he's the one
117 that kind of showed me around the - the office when I first came over and
118 showed things to me but I - I can't say for sure that, um, somebody else didn't
119 show it to me as well...
120
121 Q: Okay.
122
123 A: ...once I got over here.
124
125 Q: Okay. And one of the things I found out in interviews already is that that
126 room was approved to be a property and evidence room prior to your
127 arrival....
128
129 A: Okay.
130
131 Q: ...by, ah, command staff.
132
133 A: Okay.
134
135 Q: So it's - it is a property and evidence holding area.

136
137 A: Okay.
138
139 Q: So, um, how about keys for the room? Do you have, ah, keys or who would
140 have keys to the room?
141
142 A: The only key that I was aware of was one that, um, was secured in, ah,
143 Detective (Davison)'s office.
144
145 Q: Okay. Is it the only - that's the only key, that's what I've been told so far.
146
147 A: Correct.
148
149 Q: There's only one key and it's the one in (Connie)'s?
150
151 A: That's the only one I'm aware of, yes.
152
153 Q: Okay. Does everybody have access to her office? Is it locked? Like she
154 would have to open up her office to get to the key or how would that work?
155
156 A: Her office is locked, but the key that we use for each of our office doors...
157
158 Q: Is the same?
159
160 A: ...is the same, would open her office so that we could go in and get that key if
161 we need it to put property in that room if she wasn't available.
162
163 Q: Okay. Okay. Um, have you ever seen anybody or known of anyone doing
164 audits on the property room?
165
166 A: Not that I'm aware of.
167
168 Q: No? Okay. Um, with the stuff that's in there, we'll go through them in a
169 second here.
170
171 A: Okay.
172
173 Q: Um, well, why don't we go through them here first?
174
175 A: Okay.
176
177 Q: Number 1 here shows kind of an overall of everything. And we've got the
178 same photos in front of each other.
179
180 A: Yes.

181
182 Q: Um, one of these, ah, DRs that was in, ah, well two of them, excuse me, had
183 your name on them. Two of the DRs, um, out of the eight that were noticed in
184 there.
185
186 A: Okay.
187
188 Q: Ah, the first one is, ah, 14109. Um, that was the one that you pulled on the
189 19th, which is Thursday, ah, just over a week ago.
190
191 A: Okay.
192
193 Q: Um, it was a big garbage barrel full of marijuana. Um, I do have that case
194 here. Let me...
195
196 A: Yes.
197
198 Q: Okay. Here's the DR if you wanted to look at it.
199
200 A: Okay.
201
202 Q: Um, can you - can you kind of give me a little bit of a background on the case,
203 what happened, how you were involved in this, um, how you - if - just kind of
204 give me a background on the case a little bit.
205
206 A: Yes. Um, basically this - this - I guess it was - would have been the 19th.
207 Um, and I'll have to look if it was an email or a text message if you don't
208 mind?
209
210 Q: Sure.
211
212 A: On the 19th at 9:38 I received a text message from Sergeant (Hamel) that said,
213 "If there is no DR for the garbage can pull a found property." I had no idea
214 what garbage can was being talked about.
215
216 Q: That's the - that's how the conversation started?
217
218 A: Yes, that's the first...
219
220 Q: There was no...
221
222 A: ...text message that came in to me. Um, Detective (Pearce) and I were at that
223 - during that time were assigned to watch videos over at Internal Affairs.
224
225 Q: Oh okay.

226
227 A: So we were sitting in the room watching videos. I received that text message.
228
229 Q: And read it one more time, what it says.
230
231 A: It says, "If there is no DR for the garbage can pull a found property."
232
233 Q: Just out of the blue?
234
235 A: Yes.
236
237 Q: Okay.
238
239 A: Um, about right around the same timeframe Detective (Pearce) told me that he
240 had received an email saying that we were to - him and I were to come down
241 to the (Roeser) building, to leave IA, come down to the (Roeser) building and
242 clean out the property room. And so I - I looked back to my emails to see if I
243 had received the same email and I believe that I - yeah, on - this one was dated
244 Thursday, June 19th at 9:28. So...
245
246 Q: So June 19th at 9:28.
247
248 A: Correct.
249
250 Q: Oh, same time you got the text message.
251
252 A: It was - yeah, just right about the same timeframe I think. The text message
253 came in at 9:38.
254
255 Q: About 9:38, 9:28.
256
257 A: Because I didn't - I didn't have my alert set up, um, so that it would audibly go
258 off when an email came so i...
259
260 Q: Sure, you were watching videos...
261
262 A: Right.
263
264 Q: ...for the other investigation.
265
266 A: Um, and it - that email said, "Please get all property out of the property room.
267 There is one bag of papers from the Jodi Arias case that needs to be copied
268 and labeled. I will - I will forward you the DR information." And that was
269 sent to (Sean Pearce) and myself.
270

271 Q: Can I see it?

272

273 A: Yes.

274

275 Q: This is from (Barry Hamel) to Greg Honea and (Sean Pearce). Okay. Can I
276 have copies of this?

277

278 A: Sure.

279

280 Q: Okay.

281

282 A: And I...

283

284 Q: Go on.

285

286 A: I had, ah, basically that was the first I had heard that we needed to come down
287 there, take care of whatever was in the property room. I knew that I had a
288 case that I had been working on, which was still in that - in that room. So
289 initially my perception was I need to get my case out of there and take it down
290 to property and evidence.

291

292 Q: Mm-hm. From this text? Is that - that's what you took it to mean? Like come
293 down and get my- get your stuff?

294

295 A: Correct.

296

297 Q: You case? Okay.

298

299 A: Corrcct. Um, once - and then I received that text message about the garbage
300 can and I - I had no idea about a garbage can. I didn't know there was a
301 garbage can in that property room. Um, so I asked (Sean) if he knew anything
302 about it. And he - he told me that it was something that, um, had been put in
303 there. He didn't give me a date. He said it - it was taken, um, while the unit
304 was working on another case assisting, ah, on a search warrant in a
305 neighborhood. Um, I don't recall ever being at that search warrant assisting
306 with that search warrant. I don't know honestly where I was that day or why I
307 wasn't there...

308

309 Q: Okay.

310

311 A: ...if I was on a different location or what the case was. But while those, ah,
312 detectives were at that location, a citizen, and this was just what I was being
313 told.

314

315 Q: By?

316

317 A: A citizen had approached, um, (Sean Pearce).

318

319 Q: (Sean) - (Sean Pearce).

320

321 A: Had approached some detectives on that scene and said that they had found a
322 garbage can, ah, in the neighborhood that appeared suspicious because it had
323 tape around the top and it was sitting kind of in front of a retention park area.
324 So, um, I - I want to say that it was (Sean) and (Dave) Parra, because (Dave)
325 had a pick up truck, had went over there, found the garbage can, found what
326 appeared to be like dried marijuana plants inside of it. So they loaded it up in
327 their truck and drove it back here to impound it or whatever. It was found
328 property for destruction, because there was nobody related to that specific can
329 or whatever. Um, so when we - when we did ultimately show up here to clean
330 out the property room as we were instructed, that was the first time I had seen
331 what that garbage can was.

332

333 Q: So that can was back here with no DR assigned to it?

334

335 A: Correct.

336

337 Q: Okay. So you had to pull a DR?

338

339 A: Yes, I was instructed to pull a report for that. I didn't have any of the
340 information so I text messaged Sergeant (Hamel) asking him what the location
341 was, what the DR number was, the date and time, um, and I believe I have that
342 message here as well.

343

344 Q: Okay.

345

346 A: Um, once - yeah, once we had arrived at property and evidence with all -
347 everything out of the property room, we loaded up in my vehicle and (Sean)'s
348 vehicle, drove it down there, and then I sent, ah, Sergeant (Hamel) a text
349 message at 12:31 and asked him when and where was the trash can of weed
350 found so I could pull a DR, have, ah, no info on it and knew nothing about it.
351 And the he just replied, "Is (Sean) there? He was there to pick it up." Um, he
352 sent another message saying, "Give me a second, I'll locate it." And then after
353 that he responded with the date May 12th at 2130 at Percy Road and
354 Milkweed Circle in Phoenix that was the...

355

356 Q: And that's how you got the - the date.

357

358 A: Yes. That's how I got that date and time. And then (Sean) actually looked up
359 that, um, on Google, looked up that area.

360

361 Q: And came up with address?
362
363 A: And came up with that intersection of - it ended up being Pacey Road and
364 Milkweed Loop.
365
366 Q: oh okay.
367
368 A: In Phoenix. And he recognized the little retention park and was able to show
369 me where it was located.
370
371 Q: Did - did, ah, (Barry) ever tell you why he was selecting you to pull numbers
372 on something that you weren't a part of?
373
374 A: No. Um, I - I - I did have concern about pulling a report on something that I
375 didn't have knowledge of and wasn't there for, but because (Sean) was there
376 with me and we were - we were processing all the evidence that was in this -
377 this room over at property and evidence, um, he was in the middle of some, I
378 was in the middle of some, take - entering stuff and getting stickers and
379 whatnot. I don't know. Maybe I didn't want to put the burden, everything on
380 him telling...
381
382 Q: Sure.
383
384 A: ...with me just sitting there having (Sean) have to type up everything. Um, I
385 guess I felt comfortable enough with being there with (Sean) that he could tell
386 me, yeah, this is where we found it, this is what happened, and that is
387 accurate.
388
389 Q: Okay.
390
391 A: So - so I went ahead and just, ah, pulled the report and wrote up a quick found
392 property based on what they had told me.
393
394 Q: So on that date, the 19th of June, um, that bin of marijuana made its way to
395 the finally property and evidence building, correct?
396
397 A: Yes I - I transported in my van, took it over there to property and evidence,
398 ah, secured it, impounded it and pulled the DR for it.
399
400 Q: Okay. Did (Sean) tell you who was on scene when they found that? If he
401 didn't he didn't. If you don't remember that's fine.
402
403 A: Um, you know what? I don't remember names. And I - I don't know. He
404 couldn't - I don't think he was able to recall at the time what unit it was we
405 were assisting, if it was the (Hyta) group or, um, INET or - or who it was. He

406 just said there was a search we're we were assisting on. And I - I honestly
407 don't recall ever even being at that location.
408
409 Q: Okay. Um, all right. Ah, the - the bigger case here is the one you provided
410 for me before.
411
412 A: Yes.
413
414 Q: The murder for hire. Um, it looks like you've done a bunch of search warrants
415 on there.
416
417 A: Yes.
418
419 Q: Um...
420
421 A: I think there was two locations. We ended up doing two search warrants, two
422 separate search warrants at each location but they were conducted on the same
423 nights.
424
425 Q: Okay.
426
427 A: Um, based on the information we had in the initial warrant, started to execute
428 the warrant, found additional items that weren't listed in the original warrant,
429 so I went back, drafted a second warrant for that location and were able to
430 collect those additional items.
431
432 Q: Okay. And as I understand it was Parra that found the - the stuff that wasn't
433 on the wallet - was it a wallet or a, ah, purse?
434
435 A: That - yes. At one of the locations there was, um, when TOU ah, executed the
436 warrant initially, um, they pulled I believe there was three females out of the
437 residence. Um, one of them had told the detectives who were on the scene at
438 the time that they had - they had been there a few hours. They had their purse
439 and some belongings in the property. It was sitting next to a couch where they
440 were - they were seem sitting when TOU entered the building or into the
441 residence.
442
443 Q: Mm-hm.
444
445 A: And she described the person and whatnot. Once (Dave), ah, started going in
446 and doing his initial search he - he opened the purse, found this subject's ID in
447 it, found a gun, found some, ah, I believe there was some drugs in there. So
448 based on that information, which wasn't on our initial warrant I - I drafted a
449 second warrant for that location to be able to obtain those items.
450

451 Q: Okay. And then (Dave) just took the DR for?
452
453 A: He pulled that secondary DR while I was - based on that information, because
454 he found it.
455
456 Q: Okay. All right. This was - the main case number that we're - we're talking
457 about here is the, ah, 14-011117.
458
459 A: Correct.
460
461 Q: Okay. And that's, ah, looks like it was pulled on the 15th of May.
462
463 A: Yes.
464
465 Q: Okay. Um, I've got the - the transfer receipt here for property. There's quite a
466 - quite a bunch of stuff taken.
467
468 A: Yes.
469
470 Q: Hell's Angels memorabilia, um, and in here I believe, yeah, search warrant
471 logs were in here for a search warrant ending with 4333 - 4338, which was,
472 ah, what you were conducting at the time when I looked through the...
473
474 A: Okay.
475
476 Q: So the, um, that looks good. Ah, the second one, um, the DR for Parra's
477 would end with 132.
478
479 A: Correct.
480
481 Q: And that - the items that were found in that, ah, in that purse, you said it was a
482 purse, right?
483
484 A: Yes.
485
486 Q: Were you on scene at that one or were you at a different scene at that one?
487
488 A: Initially I was at the secondary location and because I was - it was my case, I
489 bounced back and forth between the two locations...
490
491 Q: Okay.
492
493 A: While they were, you know, trying to keep updated on what was found at
494 different places and...
495

496 Q: Was it pretty close, the two locations?
497
498 A: Yeah, they were within a mile or two of each other. I think so.
499
500 Q: Okay. So and then in the DR assigned to Parra, I have a Springfield 45
501 handgun, two 45 caliber magazines, ah, with seven rounds. Ah, each were
502 loaded with seven rounds. Ah, more rounds, a magazine, a white granular
503 substance that tested positive for meth and then an ID belonging to (Janice
504 Louis) - or (Rudy Martinez)?
505
506 A: Yes.
507
508 Q: Okay. So that kind of puts - kind of makes a little bit of sense of what was -
509 why those two were at the same time here.
510
511 A: Yes.
512
513 Q: Um, when you guys had all this stuff, ah, to include the - the handgun and
514 then your search warrant, um, stuff that was taken along with your - your, um,
515 search warrant logs...
516
517 A: Yes.
518
519 Q: Explain what - how you guys ended up working that. It ended up back here
520 obviously.
521
522 A: Right.
523
524 Q: And didn't get impounded right away.
525
526 A: Correct.
527
528 Q: Um, kind of paint me a picture of what happened and why that may have
529 happened.
530
531 A: Okay, um, after we served both of those - those warrants that night at the two
532 different locations, um, and to be honest, I don't remember exactly who
533 transported everything from the houses back...
534
535 Q: Mm-hm.
536
537 A: ...over here to (Roeser), um, but it was at that end of that night when we were
538 done with the search warrants it was brought back here. It was secured in that
539 room.
540

541 Q: Was it a late night?

542
543 A: Yes.

544
545 Q: Do you remember? So it was like 2:00, 3:00 in the morning sometime?

546
547 A: Ah, yeah. I don't recall exactly what time but I know we were there all night
548 long. It was into the early hours of the morning. Um, after it was - it was put
549 in there, I know we started, um, there was different documents and things out
550 of - collected of both the houses that we were having to take the items out of
551 that room, photocopy everything for the report. Um, there was I believe some
552 cell phones that initially I wanted to do up the paperwork to take him over to
553 the, ah, (EARS) unit and have them, um, do whatever forensic analysis they
554 could do on them.

555
556 Q: Yeah, I see an iPhone in here, a Samsung tablet.

557
558 A: Right.

559
560 Q: Ah, I don't - I don't think there is anything else. I think it's mostly marijuana
561 and Hell's Angel stuff beyond that.

562
563 A: Yeah. And - and there - there was some phone lists and whatnot that had, ah...

564
565 Q: That's in here.

566
567 A: ...members and - and clubhouses for - for the Hell's Angels. Um, at the time,
568 um, this - that I received the information and started on this case, ah,
569 Detective (Shetler), he was also working - he kind of came up with - with all
570 this information initially that kicked our investigation off.

571
572 Q: Right. Yeah, I read that it was one of his sources that came up with this, the
573 information?

574
575 A: Right, he was working a drug lead on a - on a location he was - he was
576 watching. And when we started going in to listening to phone calls of some of
577 these people related to his case, then we started hearing things that clued us in
578 to maybe there was a - a hit on this - this suspect or this person that were, ah,
579 was actually a witness in a DEA case.

580
581 Q: Hm.

582
583 A: Um, the suspect was in the jail, um, on some charges and he was, ah, the
584 suspect in the DEA case as well. So he's getting word out to some different
585 people that they wanted to try and silence her, you know, so - so obviously

586 she couldn't testify. Um, based on a lot of his information after we had
587 conducted these search warrants, I'm going back and sitting down and
588 relaying information with him to see if anything jives with his case that he can
589 use. Ah, we had found out there was - there were other agencies that were
590 potentially involved with these same players. So a lot of it was coordinating
591 with all these different people, trying to figure out who had what and what
592 was going on. Um, you know, I didn't write down dates and times of when we
593 were going through all these different meetings and - and sharing information
594 and whatnot. But it was, you know, a lot of phone tag and placing phone calls
595 and, um, sitting down with county attorneys trying to coordinate things. I did
596 have to sit down and meet with the, ah, county attorney to brief the case after
597 all this. Um, I ran into the - something I had never had to deal with and so I
598 was trying to figure it out was how to secure a witness to keep her safe.

599
600 Q: Right.

601
602 A: I had never dealt with that so I was running back and forth and talking with
603 the county attorney constantly trying to figure out how we could do that, um,
604 because she was realistically a witness in a federal investigation and it was
605 kind of DEA's witness. I was trying to coordinate through the county attorney
606 with them to figure out if I'm stepping on their toes by securing her
607 somewhere...

608
609 Q: Sure.

610
611 A: ...if it was their job to secure her. So there was a lot of time wasted in my
612 opinion.

613
614 Q: So it was a big case.

615
616 A: Yeah.

617
618 Q: You had a lot of moving parts.

619
620 A: There was a lot of moving parts with - with that specific case as well.

621
622 Q: With - with some of the things you're mentioning, securing her and all that,
623 would that be cause for that - for those items to be in that room for an
624 extended period of time? Because it was taken on the, what, the 12th? Yeah.
625 It was taken on the 15th.

626
627 A: The original - the 15th was when we executed the search warrants.

628
629 Q: Right. And then the stuff was put into property on the - on the 19th of the
630 following month, so we're over a month.

631

632 A: Right.

633

634 Q: Is there?

635

636 A: That was - that was one aspect. And I'm not - I'm not by no means am I
637 saying that there was absolutely no time any time I could have just stopped
638 everything else, taken care of that. I mean I...

639

640 Q: Right. and you said you were watching Internal Affairs videos at the time,
641 which wasn't obviously part of the case.

642

643 A: Correct.

644

645 Q: You got pulled for other things.

646

647 A: Um, shortly after this initial search warrant, I mean there - at the time, um, I
648 believe sometime shortly after this search warrant happened, two of our
649 detectives were assigned to Internal Affairs to help, um, (Davison) and Parra.
650 And actually and - and (Chris Osborne) was assigned over there. He was
651 pulled up to Internal Affairs. So that - that kind of left (Sean) and I as the

652 squad, because they were tasked with doing other things for Internal Affairs
653 related to a different investigation. Um, he had - (Sean) ended up getting
654 information on another case sometime the following week, like the - between
655 the 19th and 22nd.

656

657 Q: Of June?

658

659 A: Of May.

660

661 Q: Oh okay. This is - okay.

662

663 A: Um, where we ended up meeting with jail intel related to another inmate who
664 was making calls and it sounded like there was potentially another hit or
665 murder for hire possibly in the works. So we sat down with jail intel, ah,
666 (Sean) and I did, got what information they had, and then we started doing our
667 own Intel and work ups.

668

669 Q: Is that the (Urbani) murder for hire?

670

671 A: Yes.

672

673 Q: Okay.

674

675 A: Um, so some time during that week, the 19th through the 22nd, we were
676 working on that information as well. Um, the following week on the 29th of
677 May, we ended up executing another search warrant. And I - on his case.
678 This is (Sean)'s case, the (Urbani) case.
679

680 Q: Oh okay.
681

682 A: Based on the stuff that came through jail intel. I don't know exactly when it
683 was that the other three guys were taken over to IA or responsible for doing
684 that. I think could have been after that or - or during the same time. I
685 honestly don't recall. Um, I know there was...
686

687 Q: Did - did anything - of the stuff that you had in there, the stuff from that
688 search warrant that you had...
689

690 A: Mm-hm.
691

692 Q: ...was there anything that still needed to be processed or anything or was it
693 just all bagged up, ready to go, done with the property...
694

695 A: The majority of it was..
696

697 Q: ...just needed to be driven or what state was it in?
698

699 A: The ma- majority of everything was processed. I, you know, being I guess
700 kind of - because there was several people helping and working with this, ah,
701 this case and I was ultimately the - I'm responsible for it because I was
702 assigned as the case agent, I wanted to sit down, take every piece of evidence,
703 make sure everything was in order, everything - that I had photocopies of
704 everything I needed to have photocopies of, you know, um, the paperwork for
705 the cell phone and stuff, get it over there, which ultimately I didn't ever get
706 time to do, um, to get it over to (EARS).
707

708 Q: And you - it sounds like that's, ah...
709

710 A: That was more of a personal thing.
711

712 Q: ...a way that you do cases. Were you taught that at some point in your
713 career? I know you've been a homicide detective. You worked different
714 places.
715

716 A: I was...
717

718 Q: Is that kind of a process that you frequently...
719

720 A: Yes.
721
722 Q: ...for detectives?
723
724 A: That's - that's something that I was taught when I was over in Homicide, um,
725 by some of the other more seasoned detectives.
726
727 Q: Okay.
728
729 A: Um, that after you get your property you're gonna - you're gonna inventory
730 everything to make sure every item of evidence matches with your - your
731 notes and your - your property sheets and everything and, I don't know. I
732 guess maybe being over anal about things I wanted to verify every single
733 piece was there - in fact there.
734
735 Q: Is that why it was still there, you hadn't had the opportunity to do that?
736
737 A: I - yeah. Correct. I had not had the opportunity to sit down with every piece
738 of evidence and go through it. Um, again I'm not making excuses. I - I
739 probably could have found time and put something else off on hold for a few
740 minutes and pulled all that stuff out and done that. It just seemed like with
741 everything going on and then, you know, we had assisted a couple of the
742 districts on - on call out things, trying to locate some people a couple different
743 times, um, assisted the INET group with some surveillance on some people a
744 couple times, ah, at least once that I have - that I can recall. But for whatever
745 reason in my mind I was thinking there was a different incident where we
746 helped them as well. Um...
747
748 Q: Did - did you ever...
749
750 A: ...based on all that, I mean.
751
752 Q: Did you - did you ever let your Sergeant know, hey, I still have that stuff in
753 there, it needs to get down, I need some time? Did you ever bring it up with
754 him in text message, voice mail, any - in any kind of communication?
755
756 A: You know, I don't think I did.
757
758 Q: Never did? Okay. Okay. Um, there was no special permission given?
759
760 A: No.
761
762 Q: It was just kind of the accepted way of doing things of hey, just kind of...
763

764 A: Right. When I - when I first came over that was kind of the - just how things -
765 I guess how I viewed things as - as the standard operating procedure. You
766 know, once we work a case we get it in there. We do what we need to do.
767 Like this one, being an in custody, we're - we're the next day when we come
768 in, which would have probably been that following Monday or whatever,
769 sitting down, typing up everything to get all the in custody paperwork done,
770 getting all the copies made, getting everything ready for the county attorney
771 and getting a file to them, and then going back and starting to work on the
772 property stuff. Typically, ah, in this case, ended up getting kind of pushed off
773 because it seemed like we had other things coming up where okay, I'll have to
774 put that on hold for a minute. We've got to go talk to jail intel or listen to
775 phone calls on this other case. It sounds like a valid murder for hire so.
776
777 Q: Right, right. You gotta move on.
778
779 A: Um, right.
780
781 Q: And you said it was - it was basically you and (Pearce) doing everything.
782
783 A: Um...
784
785 Q: At one point.
786
787 A: At one point yeah. I...
788
789 Q: Not at the beginning.
790
791 A: Correct.
792
793 Q: Back when this was taken it wasn't...
794
795 A: Correct.
796
797 Q: ...but it developed into that...
798
799 A: Yes.
800
801 Q: ...in time.
802
803 A: Yes.
804
805 Q: Okay. Um...
806
807 A: I'm not putting the blame on anybody else but myself for this. This is - this is
808 my case. I think was my responsibility and, you know, I'm well aware of that.

809

810 Q: Um, have you guys discussed as a squad or has anybody ever - have there
811 been discussions in the past about the property and evidence room, hey, we
812 need to get this before you got the text message that day, hey we've got to get
813 this stuff tied up? Guys, there's still stuff in there. Was the sergeant
814 reminding you guys? Was anybody in the squad bringing it up?
815

816 A: You know, I did, ah, and there again I received a - it was either an email or
817 text message. If - if you don't mind I'll look back.
818

819 Q: Yeah.
820

821 A: Um, I believe I initially received an email. Let me see. That was June 12th I
822 received an email from Sergeant (Hamel). And I'm trying to remember what
823 case we had worked or who we were assisting at the - but his email said,
824 "We'll be moving over to the (Hyta) or over to (Hyta) possibly as soon as next
825 - or the end of next week. We need to have the property room completely
826 cleaned out ASAP. If you have any property in there, please complete it and
827 get it down to property." Um, if I recall correctly when I - when I got that it
828 was Thursday at 12 - Thursday June 12- ah, 12th at 10:00 pm.
829

830 Q: Now is this - aside from your text message, is this the first time you'd gotten
831 anything at the time from - from your sergeant or anything else talking about
832 the property room being cleaned out?
833

834 A: Yes.
835

836 Q: There was never...
837

838 A: Related to that. I...
839

840 Q: There was never updates before or?
841

842 A: I don't recall any time, um, you know, as a squad maybe we had discussed,
843 hey, you know, we still need to have - we still need to get this done or that
844 done, just as we're kind of briefing a case or whatever. Um, I can't call - recall
845 specifics.
846

847 Q: Okay.
848

849 A: Um, but I did text message, um, Sergeant (Hamel) back, ah, regarding that
850 email that he had sent.
851

852 Q: Mm-hm.
853

854 A: And I believe that we had - we had worked a case or were assisting somebody
855 to where I was out of hours by that time and I was actually at home. Um, I'll
856 have to look through here. At 1:49 pm on June 12th, I - I sent a text message
857 to Sergeant (Hamel), um, in response to this email. I said, "I think I have
858 property in there. Do you need me to do it today or next week sometime? I'm
859 out of hours. I believe it is all entered in. It just needs to be transported."

861 Q: Oh so it was - I was entered into the system already?

863 A: By this time, yes, it was entered into the property and evidence system. We
864 had stickers for it. I wanted to go down and look at each item still.

866 Q: Okay.

868 A: And sit down with it.

870 Q: When was it all entered in to the system?

872 A: Um, this - I don't know if these were depicted. This is just the - the print date
873 on the property and the evidence reports for this shows 05-21.

875 Q: And this is the evidence that was entered in?

877 A: I believe that - I believe that was the case if I looked at it correctly.

879 Q: Case Number is correct.

881 A: Okay.

883 Q: (Keith McCullough).

885 A: So within a couple days of the search warrant we actually had it entered into
886 property.

888 Q: Yeah, so the search warrant was done on the 15th, by the 21st. So six days
889 later it was entered in to the property and evidence system.

891 A: Right. To get...

893 Q: It just wasn't transported quite yet...

895 A: Correct.

897 Q: ...because you wanted to marry up to make sure what your search warrant
898 said - or your search log said.

899

900 A:

Right.

901

902 Q:

...to the hard evidence.

903

904 A:

Yeah and - yeah, I guess that was because I was bouncing around between the two locations. And I wasn't...

905

906

907 Q:

That's a big case.

908

909 A:

...at one location the whole time overseeing every single bit of evidence. You know, I - I had asked, ah, the other detectives to write up the execution of the search warrants in each of the locations. Um, so ultimately I wanted to sit down and go through every bit of evidence and see if there's something I had missed during a briefing or something that I thought was critical to the case that I should let the county attorney know, you know, that could help the case or whatever. You know, hey, I forgot to tell you about this document that I found, this jail letter.

910

911

912

913

914

915

916

917

918 Q:

Sure.

919

920 A:

Whatever it was. Um, but when I - when I sent that text message to him on Thursday, June 12th, he responded telling me next week.

921

922

923 Q:

Next week?

924

925 A:

Yes. And...

926

927 Q:

Which is what it ultimately ended up being, correct?

928

929 A:

And that was the - that following week was when we were tasked to go over to Internal Affairs and watch videos.

930

931

932 Q:

Right.

933

934 A:

I think we started over there on the 16th.

935

936 Q:

Yeah. You started the 16th and then it all - which is Monday.

937

938 A:

Right.

939

940 Q:

And then it ended up going out of this building on the 19th.

941

942 A:

Correct.

943

944 Q: So on Thursday of that week. Okay. Um, you mentioned you learned that -
945 that technique back in Homicide of going through it, being real thorough.
946
947 A: Yes.
948
949 Q: Was there ever a working understanding or anything in writing that said hey
950 this - this needs to be done, the property within a certain amount of time,
951 down to the property and evidence building or I mean how did it work back
952 when you - when that - that takes place?
953
954 A: Um, again...
955
956 Q: You said it was kind of an SOP, or you didn't say it was SOP but kind of the
957 way it worked here is you kind of did it and it was kind of - in my
958 interpretation of what you said it was more loosely you get to it and you get it
959 down there. There wasn't a hard line of hey, it has to be out of here within 48
960 hours.
961
962 A: Correct.
963
964 Q: Was it more stringent in other places you've worked or is it - is that kind of
965 everywhere you've been a detective that's kind of the way it works?
966
967 A: Based on some of the - the - I guess large scale cases, you know, like with
968 homicide, ah, there may be factors where we're - like this case, we do a search
969 warrant. We put the property - over there we would take it to the vehicle
970 processing center and we had a cage that was locked inside that processing
971 center.
972
973 Q: Oh okay.
974
975 A: We would transport all the evidence. We'd lay them out on a table there and
976 process everything there. If - if we're leaving a search warrant for the night at
977 2:00 in the morning or whatever the case may be, we'll secure it in that locked
978 cage.
979
980 Q: Where is that at?
981
982 A: Um, it's right behind GID's building.
983
984 Q: It's right over there?
985
986 A: Um, yeah.
987
988 Q: Okay.

989
990 A: Right in that little complex. You know, depending on the investigation, if it
991 was something where, you know, we - we have a lead on a suspect and we're -
992 we're tracking down leads and we feel that we have good information, we're
993 gonna just keep going, keep going, keep going, it may be several days to a
994 week before we would get back over there to process all the property.
995
996 Q: Because you've been so busy and you've got hot leads and you have to go
997 and?
998
999 A: Right. Just - just...
1000
1001 Q: It's in a secure location.
1002
1003 A: ...and each case was different obviously and - and there was times where we
1004 would get property done within a day or two and there was times I would say
1005 it was, you know, a week or two weeks before we actually got to sit down,
1006 process everything and get it taken over.
1007
1008 Q: Okay, well that makes sense.
1009
1010 A: So I - I was never given a hard date or timeframe, ah, especially since coming
1011 over here that everything had to be out of that room. I didn't know a specific
1012 timeframe.
1013
1014 Q: Okay. Um, let's see. I think I may have asked you, but in case I didn't, um,
1015 was it ever discussed with your supervisor or your squad about the property
1016 and evid- oh, I did ask you this. Um, did you ever - did anybody ever say hey,
1017 I heard there's a problem with - I heard (Chris Osborne) was upset at one point
1018 about some of the property being down there. Were you ever privy to any of
1019 those kind of conversations?
1020
1021 A: Um, I - I didn't sit specifically in with anybody when - when different items
1022 that ultimately we ended up having to take down from that room were - were
1023 discussed amongst you know, the supervisor or any of the detectives. I
1024 overheard little bits of conversations.
1025
1026 Q: So he was never giving you guys direction on hey, this needs to be done at
1027 this time, um...
1028
1029 A: Not that - not that I recall hearing any specific pieces of evidence that had a
1030 specific timeframe to go down.
1031
1032 Q: Okay.
1033

1034 A: Um, and I...

1035

1036 Q: All right. Well...

1037

1038 A: ...just based on the info- all the stuff that was there that we had to take down
1039 on the 19th, there was a number of items I didn't even know were in there to
1040 be honest with you.

1041

1042 Q: Okay. All right. Well, it is now 11:08. Why don't we take a five minute
1043 break and come back in a second. All right?

1044

1045 A: Okay.

1046

1047

1048 This transcript has been reviewed with the audio recording submitted and it is an accurate
1049 transcription.

1050

Signed _____

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45

INTERVIEW WITH GREG HONEA

Q=Lt. Brian Jakowinicz

A=Greg Honea

Q: Okay. We're back. It's 11 s- or 11:17 on, uh, June 30. Uh, this is Lieutenant Brian Jakowinicz again, 1237. And in my office...

A: Greg Honea, uh, serial 1336.

Q: Okay. Greg, after going through all this kind of stuff, just kind of, uh, getting a, um, a feeling for where we're at, I don't have too much else to ask. I just, uh, I know you have additional, um, documentation in front of you. If - if you'd like to add that, good. If - if you don't feel...

A: Okay.

Q: ...that it pertains to anything that we're talking about, um, that - that - that's fine as well. It's, uh, I'll just kind of, uh, give it up to you right now.

A: Okay. Um, the only thing I feel that I probably should add based on the - the documents that you have, one of the property sheets will have my name on it. Um, it was something that I had entered into the property system when we cleared out the Roeser building's property room, which was a bag, um, of items which were taken from, uh, the jail cell of Jodi Arias.

Q: Okay.

A: Um...

Q: But in the photos, if you can go through the photos and show me.

A: Yes.

Q: They're all numbered in the upper right-hand corner.

A: Okay.

Q: Number four, is that...

46
47 A: Uh, yes, that looks like the - the bag.
48
49 Q: And I think...
50
51 A: I thought there was another one that had...
52
53 Q: ...15 I believe is the other one.
54
55 A: Okay.
56
57 Q: If I remember off the top of my head.
58
59 A: Yes. It has, uh, shows a close-up of the paper bag inside this plastic bag
60 which has the name Arias on it.
61
62 Q: Okay. What can you add to that?
63
64 A: Um, there again I - I wasn't aware that that bag even existed in our property
65 room. Um, it was something I discovered when I actually got into the room to
66 help clear it out.
67
68 Q: On the 19th of June?
69
70 A: Correct.
71
72 Q: Okay.
73
74 A: Um, you know, I - I seemed to recall hearing people talking about that and I
75 can't specifically say who it was that was discussing in our office, um, among
76 people on our unit about some items that were seized from her jail cell at one
77 point. I think, uh, Detective Davison was initially working on some - a case
78 regarding Arias. Um, so I - I didn't know - know what was going on with that
79 and I didn't know that bag even existed in the property room at the time. But
80 when I was told, uh, to come down from the IA building to, um, Roeser to
81 take care of the property room, uh, Detective Osborn was - he was up there
82 working in that unit. So I informed him that I was gonna have to leave for a
83 little while to take care of this issue. And, um, and he had mentioned to me
84 something to the effect of Sergeant Hamill had - had tried to get him to take
85 care of - of this property, the Jodi Arias property, that he wasn't involved in
86 that case. So he didn't feel comfortable doing that, taking care of that
87 property, something to that effect. And so he had told him, um, that he - he
88 needed to take care of it or he wasn't gonna take care - something to that
89 effect. I don't - I don't recall his specific words.
90

91 Q: And this is Chris Osborn we're talking about, right?
92
93 A: Yes. Um, so he - basically he told, uh, Sean and I, you know, if it's - if it
94 happens to still be in that room when you get down there, I apologize. I'm not
95 trying to - to put any more work on anybody else. I'm not trying to, you
96 know, screw you guys over by making you do any work, but he didn't feel that
97 it was his responsibility to take care of something that he didn't have - he
98 wasn't involved in the case and he didn't know about. So ultimately we get
99 down to the - to the room and - and that bag was there, so, uh, Detective
100 Pearce told me that he had - and I don't recall if it was a text message or an
101 email from Sergeant Hamill to him, uh, stating that we needed to photocopy
102 all the documents and everything that was inside that bag and then, uh,
103 package everything and enter it into the property system and secure it properly
104 in evidence, which is ultimately what we did. We...
105
106 Q: On the - on the 19th...
107
108 A: Yes.
109
110 Q: ...(unintelligible)?
111
112 A: We - prior to leaving this office, we photocopied everything in that bag, um,
113 packaged everything and then transported it down to - to enter it into property.
114
115 Q: Um, there was a DR already assigned to it, correct?
116
117 A: Um...
118
119 Q: I think it's...
120
121 A: Yes. And that was another text message that I - I had sent.
122
123 Q: I've got, uh, DR 6471 taken on the 19th of May or of March.
124
125 A: Okay.
126
127 Q: By a detention officer by the last - last name of (Griffin).
128
129 A: Uh, that sounds right. I - I don't recall for sure.
130
131 Q: You didn't pull a DR that day, though?
132
133 A: No. And I...
134
135 Q: You used one that was already existing?

136

137 A: Actually it's - actually, you know what, I had received a - a email, uh, from
138 Sergeant Hamill on - he had forwarded that on June 19th at 9:29 am also,
139 which I didn't see until later. Um, but it was - appeared to be a, uh, like the -
140 the face sheet to a supplement which - which had the - the DR number listed,
141 the location of the - the jail where it was taken, the date that it was taken
142 which shows - or the date that this DR was pulled which shows February 26.
143 And it lists the - the incident as potential threats.
144

145 Q: You said February 26?

146

147 A: Yes, that's...

148

149 Q: I've got March 19.

150

151 A: That was the date that shows the initial involvement.

152

153 Q: Oh, the occurrence date?

154

155 A: Correct.

156

157 Q: Okay. So the occurrence date was the 26, but then they pulled the DR the
158 19th of March almost a - almost a month later.

159

160 A: Right.

161

162 Q: But from what I understand that was detention staff, not - not sure what to do
163 with it and I think, uh...

164

165 A: Yes.

166

167 Q: ...is our - our people, the - the VCU people got in touch with them and said no
168 DR needs to be pulled and...

169

170 A: Right.

171

172 Q: ...that - that's the reason for the delay.

173

174 A: Yeah. The little bit that I had - had overheard was that there was some items
175 that were collected by detention at one point and may or may not have been
176 sitting in a supervisor's office somewhere because they didn't - they weren't
177 sure what to actually do with it.

178

179 Q: Okay. Yeah.

180

181 A: Um, and I think that's kind of what stemmed this is whoever went to pick it up
182 and - and bring it over here to our building. Um, but I had - while we were at
183 property and evidence and I was trying to enter this stuff into the property
184 system, I had text messaged Sergeant Hamill and asked him, um, what
185 number or item numbers are we supposed to use for the Arias, um, garbage
186 bag that he had picked up. And he responded that, uh, he had no idea what to
187 use, whatever we wanted, there was nothing but that in that DR.
188
189 Q: He had no idea of the DR number?
190
191 A: Uh, it's - as far as item numbers to use.
192
193 Q: Oh.
194
195 A: To secure this. Uh, he - he had sent me the - this email which showed the -
196 the DR number and then when I asked him as far as items numbers how I'm
197 supposed to enter...
198
199 Q: Oh, he had no idea.
200
201 A: ...this into the system, he - he didn't have any idea. Um, said to use whatever.
202 So I could show you that.
203
204 Q: Let's - let's take a look. I'll read it. This one right here?
205
206 A: Yeah, it looked - it was...
207
208 Q: From Hamill. I have no idea, whatever you want, there is nothing but that
209 with that DR. Okay.
210
211 A: So, um, ultimately we just assigned item 100 'cause I didn't know if any -
212 potentially any, you know, other CD's or any items had been entered into
213 before that he wasn't aware of so I just jumped up to the 100 series to - to not
214 duplicate an item number.
215
216 Q: Sure.
217
218 A: And then we p- uh, put that bag into property under that number.
219
220 Q: Okay. All right. Um, and you weren't involved in that case, though? You
221 were just a...
222
223 A: No.
224
225 Q: ...basically the cleanup for it at the end?

226
227 A: No. I - I - I recall Detective Davison, um, working a lot regarding that Arias
228 case. It was something to do with a mitigation specialist or something
229 assigned to her. Um, I'm not even exactly sure the scope of that investigation.
230
231 Q: Right.
232
233 A: Uh, I think at one time I may have been asked to go with, um, Connie to go
234 try and contact somebody at a house and we got no answer at the door. So I
235 really don't even know what that interview was going to entail or - or
236 anything. Other than that, that was pretty much my entire knowledge or
237 involvement of that case.
238
239 Q: All right. If - if you can, uh, I don't want to take your phone from you. You
240 still need to use it. If you can get with the (unintelligible) folks...
241
242 A: Okay.
243
244 Q: ...and have, um, a printout of all of these text messages that we talked about.
245
246 A: I've, uh, and - I don't know if this will work for you. I did a screen shot of the
247 different text messages to where I can print out a photo...
248
249 Q: Oh, yeah, that will work.
250
251 A: ...of that screen.
252
253 Q: That will work if you know how to print it out.
254
255 A: Yeah. I'll - I'll - I'll email those photos to myself.
256
257 Q: Oh, can you do that? Okay.
258
259 A: And then print them out for you. If - if...
260
261 Q: Perfect.
262
263 A: I'll try that if that works.
264
265 Q: Yeah, that - that will work perfect.
266
267 A: Okay.
268
269 Q: Um, yeah, even if you want to email - if you email yourself a copy of it...
270

271 A: Or I can email it to you or...
272
273 Q: ...and then email it to me and I can - I can print it as well.
274
275 A: Okay.
276
277 Q: So I can maintain a copy as well, a hard copy - or a, uh, digital copy as well.
278
279 A: Okay.
280
281 Q: So, um, that will help for all the stuff. Um, okay.
282
283 A: And as far as these, I still - I didn't delete any of these emails so if you want
284 these copies...
285
286 Q: Please. Thanks. Okay.
287
288 A: And did you want these property sheets as well?
289
290 Q: Um, if you don't need them, I'll take them.
291
292 A: Okay.
293
294 Q: I can - I can definitely - um, is...
295
296 A: I think...
297
298 Q: Go ahead.
299
300 A: I'm just trying to think. I think I have these on email still.
301
302 Q: Do you want to check first?
303
304 A: Um, yeah, or - or if you don't mind if I can just burn one more copy of these...
305
306 Q: Absolutely.
307
308 A: ...and then I'll - I'll provide those to you as well.
309
310 Q: Absolutely.
311
312 A: Just the property sheets. Other than that, I think that's all the documentation I
313 had and...
314

315 Q: Okay. Well, I don't have any other questions unless you have anything, uh,
316 any questions or comments or anything you'd like to close out with.

317

318 A: No, sir.

319

320 Q: No? Okay. We'll conclude the interview at 11:28 am.

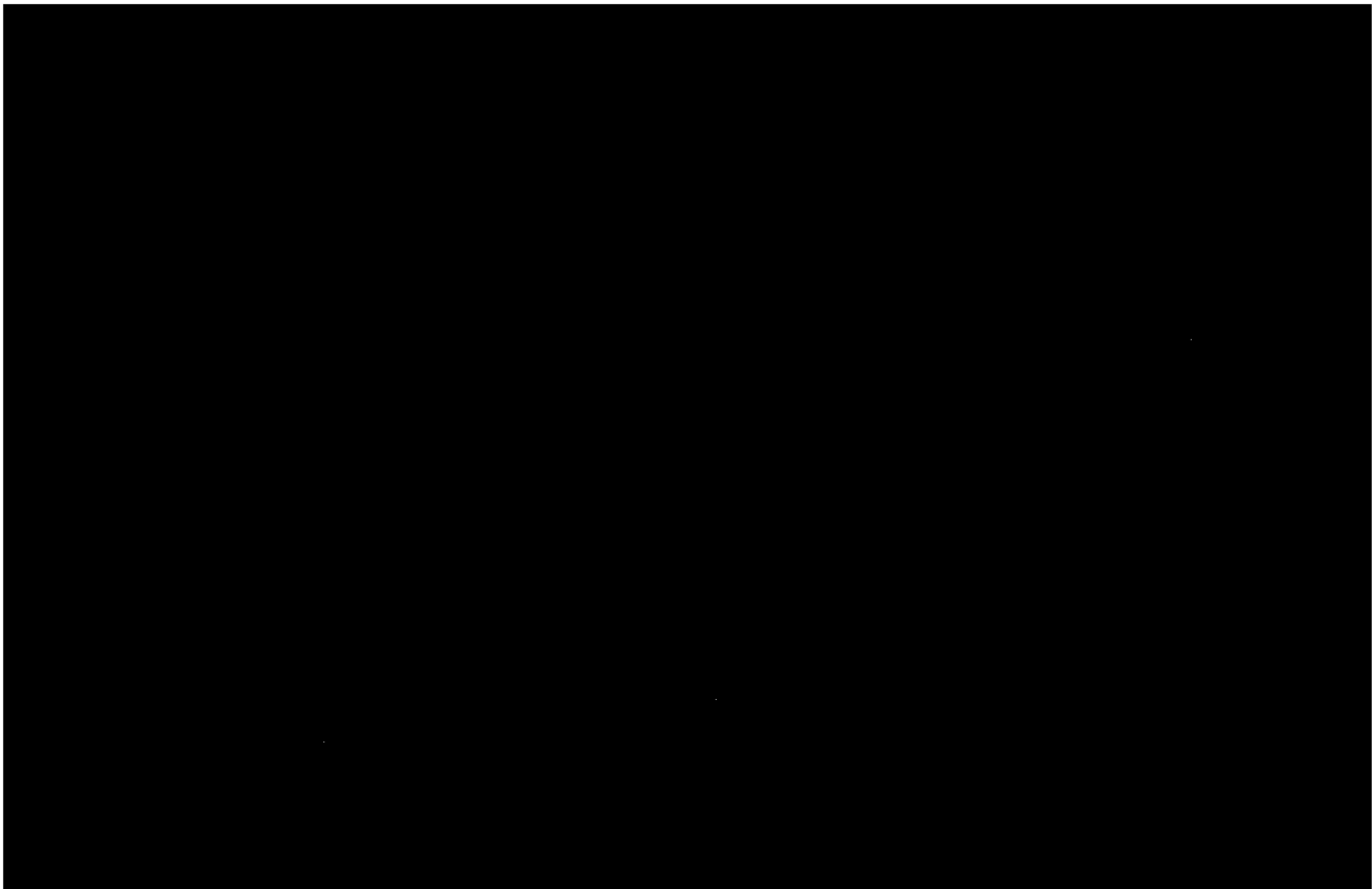
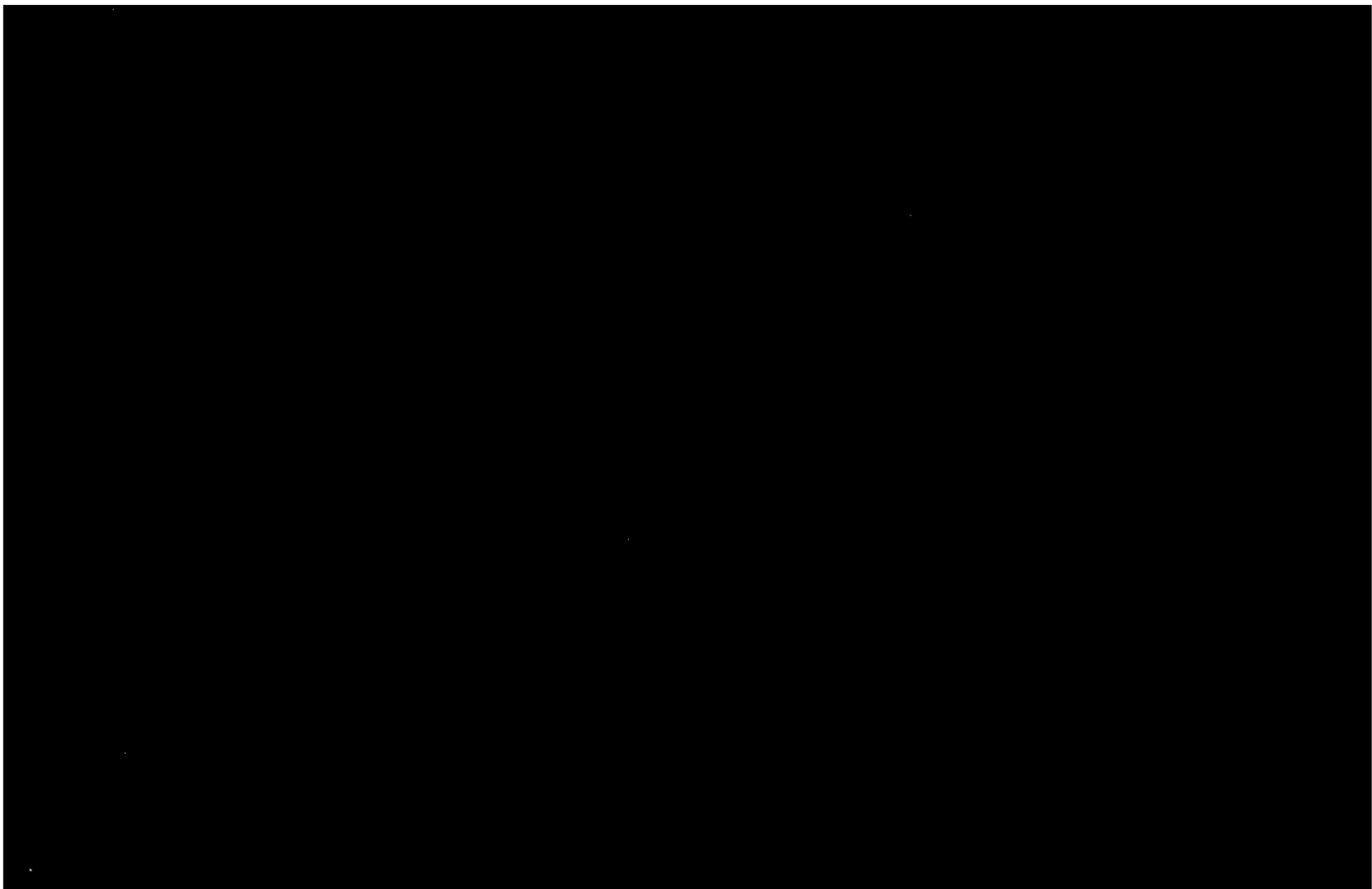
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323 This transcript has been reviewed with the audio recording submitted and it is an accurate
324 transcription.

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Signed _____



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INTERVIEW WITH SEAN PEARCE
Q=Lt. Brian Jakowicz
A=Sean Pearce

Q: Today's date is June 23, 2014, at 12:24 pm. This is Lieutenant Brian Jakowicz, 1237, and?

A: Detective Sean Pearce.

Q: Uh, serial number?

A: 1016.

Q: Um, we're here to discuss a Notice of Investigation. I'll read the first part
This memorandum is to inform you that an official administrative investigation has been initiated in which you have been named as a principal. This investigation stems from allegations of violation of Sheriff's Office policy GE3, Property Management. This an of- this is an official administrative investigation as defined by Office Policy GH2, Internal Investigations. This investigation is not to be discussed by you with any person, other than the assigned investigator, myself, your attorney, your clergy or your spouse, as long as he or she is not a witness, investigative lead or principal in this investigation, or a licensed mental health professional or physician during professional consultation treatment or evaluation. Failure to comply with this order will result in temporary, uh, in, uh, disciplinary action. You understand?

A: Yes.

Q: Do you have any questions?

A: No.

Q: Um, also let you know I am gonna probably talk to you guys the end of this week or next week. Um, at that time you're - you're entitled to have an employee observer present as...

A: Okay.

46

47 Q: ...well, if – if you so choose. Um, do you have any other questions?

48

49 A: No.

50

51 Q: Okay.

52

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54 This transcript has been reviewed with the audio recording submitted and it is an accurate
55 transcription.

56 Signed _____

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INTERVIEW WITH DET. SEAN PEARCE

Q=Lt. Brian Jakowicz

A=Det. Sean Pearce

Q: It is the 30th of June, 2014, at 12:11 pm. Uh, this is Lieutenant Brian Jakowicz, uh, serial 1237 and my office is...

A: Detective Sean Pearce, serial number 1016.

Q: Okay. Sean, you've - you've already, um, read and signed a couple documents. Let's go through them real quick. Um, first one is your, um, your choice to proceed through the interview without an employee observer; is that correct?

A: Yes.

Q: Do you have any questions, concerns or any comments about that?

A: No.

Q: Okay. Uh, the next one is your Garrity warnings. Um, you've also - you've signed that. Uh, you've stated that you understand this and you have no questions regarding that. Is there anything else that came up since you signed?

A: No.

Q: Okay. We'll proceed. I'll just let you know Garrity, uh, is a little different than the NOI. The NOI, um, tells you you're not allowed to speak to anybody. Garrity compels you to tell the truth.

A: Yep.

Q: Uh, just make sure you tell the truth at all times. Uh, it cannot be used against you in a criminal proceeding. Okay. Um, Sean, why don't you tell me, um, oh, let me tell you a little bit why - why we're here first. Um, I've given you an opportunity to look at the 25 photos here.

46 A: Yes.
47
48 Q: Um, on the 19th of, um, well, the 18th actually, of June, uh, Captain Aldorasi,
49 um, went into the back room, uh, that was being used for, uh, property and
50 evidence in the Roeser building. That room is only accessible through, uh,
51 Sergeant Barry Hamill's office. Uh, you know the room I'm talking about,
52 right?
53
54 A: Correct. Yes.
55
56 Q: Okay. Uh, it's under lock and key. Um, the photos that I showed you are
57 photos of items that were found in there at the time as it was found. Um,
58 you've had an opportunity to - to review them, uh, briefly?
59
60 A: Yes.
61
62 Q: Okay. Some of them are duplicates in some - in some way. Some of them are
63 the same thing just from a different angle. Uh, we'll have an opportunity to
64 talk about those in a second.
65
66 A: Okay.
67
68 Q: Um, first, why don't you tell me about how long, um, you've been in, um,
69 VCU.
70
71 A: Uh, I think it will be two years in about October, so - so a year and a half I
72 believe.
73
74 Q: About a year and a half in - in VCU?
75
76 A: It's either a year and a half or two and a half. I can't remember what year I
77 came down here. I know I came down some time around October of either -
78 yeah, I think it was 2012.
79
80 Q: Okay. Um, when you came to VCU, was it always in this building or was it at
81 another location?
82
83 A: Always in this building.
84
85 Q: Always in this building. Okay. Um, who has been your supervisor during
86 that time?
87
88 A: Uh, Barry Hamill.
89
90 Q: The entire time?

91
92 A: Yes.
93
94 Q: Okay. Uh, when you came to the unit, did he give you kind of a - a lay of the
95 land so to speak of how things work around here or...
96
97 A: Uh...
98
99 Q: ...was that other people in the - in the unit that kinda gave you the...
100
101 A: Yeah. A little bit of both.
102
103 Q: A little bit of both?
104
105 A: Yeah.
106
107 Q: Did anybody discuss the property room with you, the property room here in -
108 in, uh, Roeser?
109
110 A: Not in specific detail. I just knew that was our temporary property and
111 evidence room for, uh, investigations and cases we were working.
112
113 Q: Okay. Um, so the sergeant never gave you a directive of timelines or
114 anything, hey, stuff can be here for X amount of time, it has to be out by this
115 time? Was there ever anything discussed like that either written, uh, and
116 discussed, anything like that?
117
118 A: Not that I recall. Um, just today I brought - I went through the, uh, special
119 investigations SOP.
120
121 Q: Mm-hm.
122
123 A: Operating procedures and found the SOP that discusses the time on the
124 property room.
125
126 Q: Okay. Was this, uh, which SOP are you talking about? There's - there's the -
127 I guess is it the older one or the newer one? I can show you...
128
129 A: It's a...
130
131 Q: ...the newer one.
132
133 A: 2012 manual.
134
135 Q: Okay. So that's the older one.

136
137 A: Okay.
138
139 Q: Okay. There's the new one here with the updated date April 1, 2014.
140
141 A: Okay.
142
143 Q: It's still being worked, um, and it's pretty...
144
145 A: That one I have not seen, but I assume that the - the SOP in there is probably
146 the same on the property.
147
148 Q: Right. Um, okay. Well, what happened when, um, when Captain Aldorasi
149 went back there, he found all these things. He obviously had some concerns.
150 Some things were - were (unintelligible) were marked, some weren't.
151
152 A: Mm-hm.
153
154 Q: Um, some of the dates were - were pretty dated. Um, a lot of the stuff was,
155 you know, a month old.
156
157 A: Okay.
158
159 Q: Um, so that's what stems - um, that's - that's where this all starts from.
160
161 A: Okay.
162
163 Q: Okay. Um, I've been told there's one key to the - to the room?
164
165 A: Yes.
166
167 Q: And...
168
169 A: That I'm aware of, yes.
170
171 Q: And there's one - one key and that's kept in Connie Davison's desk?
172
173 A: Which is, yeah, which is in a locked office.
174
175 Q: In a locked office. And to be able to get into that locked office you all have
176 access to the office because all of the offices are keyed the same?
177
178 A: Correct.
179

180 Q: Okay. Um, have you ever known anybody to do any kind of audits on the
181 property room? Has it ever come up? Has...
182
183 A: Not that I'm aware of, no.
184
185 Q: Okay. No audits. Um, of the stuff that was found in there, um, a handful of
186 them, uh, there were eight DR's tied to, um, property that was in there.
187
188 A: Okay.
189
190 Q: There's one, two - there's three DR's that were, um, pulled in your name.
191
192 A: Okay.
193
194 Q: Um, I'd like to go through those and find out, um, where they stand, I guess.
195 The first one if - if we could discuss, um, ends with - it - well, it's DR 14-
196 010878. It was assigned to you, um, 5-12 of this year. It was a 250. It - it
197 was a warrant. Um, and I - and, um, if you can kind of explain that one to me.
198 I know you've got some paperwork there.
199
200 A: 10...
201
202 Q: It's this one right here. 878.
203
204 A: 10878. (Unintelligible) copy of that.
205
206 Q: This is the - the DR in error I believe case, if I'm c- if I'm understanding
207 correctly.
208
209 A: Um, (unintelligible) let me see here. Yes, that is correct, I believe.
210 (Unintelligible) I've got it here on this tow sheet.
211
212 Q: Okay. You've got that. All right. Um, can you explain that - that case to me
213 a little bit of what it was and what was going on?
214
215 A: This was a case we were working on a guy who had an outstanding felony
216 arrest warrant out of state. I don't recall how we got the - the case. I just
217 know we were working that as a unit. Um, the - one - I don't even remember -
218 I guess it was, uh, look at the date here just to make sure - looks like March 21
219 I believe was the night of the - the arrest. 20 or 21 and it rolled over from one
220 - it was around midnight or whatever. But we were, as I recall, doing
221 surveillance on the subject. Um, at some point he was, um, in a vehicle. Um,
222 our guys had eyes on the vehicle, went to make a stop on the vehicle in the
223 area of - Sunnyslope area on 15th Avenue and - I don't know - Peoria,
224 Mountain View, somewhere up there up north. Um, I believe Sergeant Hamill

225 keyed up on the radio and advised that the vehicle was - was mobile and I
226 think they attempted to make a stop. I wasn't in the area at the time. I was
227 coming - I don't know - from down south somewhere. I don't remember if I
228 was on my - on my way from the office or another - another incident or
229 something. Anyway I heard the radio traffic. I was en route that way. Um,
230 by the time I got in the neighborhood, the vehicle was on to our surveillance,
231 um, fled momentarily, went into a street that basically dead - was a dead-end
232 into somebody's driveway. Vehicle stopped. The driver who was identified
233 as our suspect bailed out. There was a female in the vehicle. The information
234 kicked out. I was - just happened to be in the area, um, had a description. Got
235 - I'd already seen a photo. Knew who we were looking for. Um, the guy just
236 happened to walk out of the yard where he had - after he had run and literally
237 walked probably 20 yards, um, in front of my vehicle. I recognized him, took
238 him into custody, uh, without any incident. Took him back up to the location
239 where the vehicle had stopped and most of our detectives I think were there. I
240 think Connie Davison was there, Dave Parra, I don't remember if Osborn was
241 there or not, um, and myself. I don't remember who else was there. Um, we
242 had - Phoenix PD showed up to assist. Uh, we had asked for a helicopter
243 initially when he fled. Um, we started doing a tow sheet for the vehicle. Um,
244 they started doing a search on the vehicle for any evidence that might be in the
245 vehicle.

246

247 Q: Who did the tow sheet?

248

249 A: I did - I did the tow sheet.

250

251 Q: You did the tow sheet?

252

253 A: Yeah. Um, somebody else was searching the vehicle.

254

255 Q: Do you remember who?

256

257 A: Uh, I know Parra was at some point. I don't remember if anybody else was
258 helping him out. I'm not sure if Connie was down there. There was - so many
259 things were - we all just kind of jump in and take over something and so I - I
260 was doing the tow sheet. I also think I - I don't recall for sure, but I think I did
261 the form four and start on the booking stuff and then somebody else took over
262 finished it or vice versa. I don't remember. There's just - everybody just kind
263 of helping out.

264

265 Q: Sergeant h- Sergeant Hamill was on scene as well?

266

267 A: Uh, yeah.

268

269 Q: Yes, okay.

270
271 A: Yeah. Um, anyway jail wagon showed up, transported the guy. The female,
272 they didn't have any charges on the female. She was cut loose. I pull a DR
273 for the tow sheet. Um, I did not pull a DR the night that I did the tow sheet,
274 um, because I didn't have the DR number and I assume a DR - DR number
275 had been pulled. Um, and then it got sent to (Julia) without a DR number and
276 she kicked it back so I went and did - called radio, got the DR number. I gave
277 them the location on the sheet here, which is the [REDACTED], which is
278 where the suspect vehicle was towed from. They did not have this address in
279 CAD. So I gave her d- date, time, location the best I could and she's like,
280 "No, there's no DR for this." I'm like, "All right, well, assign me a DR." So
281 the DR that was assigned was that 108.
282
283 Man: 10878?
284
285 Q: Yeah.
286
287 A: So that's what went on the original tow sheet, which I have a copy of the
288 original tow sheet here. I don't know if you have a copy of that. So this is the
289 copy of the original tow sheet. I had the DR number on there along with the
290 MC number. It was turned in. The original went down to our tow unit.
291
292 Sergeant Hamill later got a hold of me and said that he had a DR assigned to
293 him that was on the missing DR list and that's this 14006628. So we tried -
294 tried to figure out what the DR was assigned to. Come to find out it was
295 assigned to him when he checked off on the radio reference this vehicle. He
296 said radio automatically assigned him a DR number when he came up. So
297 that was the DR number they had. The location was 15th Avenue and
298 something. It wasn't the Yucca Street where the incident ended. So he
299 instructed me to use this original DR on the tow sheet and to write a face sheet
300 for a DR taken in error on the 10878.
301 Q: Okay. So you pulled the DR the night it was being towed?
302
303 A: Did not pull a DR that night. I thought there was already a DR assigned.
304 Somebody else was doing the - working on booking stuff. They're working
305 the vehicle. I'm doing tow sheet. I think at some point I ended up taking over
306 some of the booking stuff 'cause people were...
307
308 Q: So when you...
309
310 A: ...just trying to jump in and help where they could.
311
312 Q: ...when you filled out the - the tow sheet, how did it get towed that night?
313 What DR was on - on there?
314

315 A: There - there wasn't a DR number on it. But that was inadvertent.
316
317 Q: The vehicle was towed without a DR number?
318
319 A: It was towed without a DR number, tow truck driver signed it. We get back to
320 the office, send it in to (Julia) and she sends it back highlighted no DR. Like,
321 oh, we didn't get the DR on there. I tried to find what the DR was for that
322 night and she was saying there was no DR for that location. So then I'm
323 thinking...
324
325 Q: So then...
326
327 A: ...oh, there wasn't a DR pulled.
328
329 Q: So then you pulled one?
330
331 A: Assigned me a DR at this address. Gave her the date and time of the tow.
332 Later I'm told don't use the 10878, use the original 006628 which radio had
333 assigned to him. So I had to scratch it out, put the new DR, the new MC
334 number on it, send it back to (Julia), um, and then pull or do a face sheet for -
335 this is where it starts getting confusing. That's - that's the original before I
336 corrected it.
337
338 Q: That's the original?
339
340 A: And then I had to scratch it out and correct it. If that makes sense.
341
342 Q: Okay. So it got towed, no DR number.
343
344 A: Got towed...
345
346 Q: How - how long after was it - well, it was towed on the - where's the date on
347 here? 21st.
348
349 A: 21st.
350
351 Q: The DR was pulled on the 12th. No, that can't be right. Is that right?
352
353 A: It - it may be right because it was - it was quite some time later before this was
354 sent back to me without the DR number on it.
355
356 Q: Okay, yes.
357
358 A: So as soon as it was sent back to me, I called radio and had the DR assigned to
359 me. So whatever that date was.

360
361 Q: So we went...
362
363 A: So was - it was in a shuffle of going to the tow unit or getting signed off or...
364
365 Q: Okay.
366
367 A: ...(unintelligible) before it got recirculated back to me through inner office
368 mail to put the - to write the DR number on it.
369
370 Q: All right. Sergeant Hamill signed it off. Um, had to been that day. So the
371 vehicle got towed March 21. A DR did not get assigned to it.
372
373 A: That DR was assigned to it on whatever date you have there.
374
375 Q: The 12th, May 12th.
376
377 A: May 12th.
378
379 Q: So nearly...
380
381 A: So a month and a half later.
382
383 Q: Nearly a month and a half, almost two months later.
384
385 A: But that was not in our possession at the time. That was already sent off.
386
387 Q: Right. After it had been signed off.
388
389 A: Came back through. I don't know if the tow unit or records sent it back
390 saying, hey, there is no DR number on this. We can't enter it or file, whatever
391 it is.
392
393 Q: Okay.
394
395 A: So now send back. And that's why the DR number is a 10,000 series versus
396 the original which is a 6000.
397
398 Q: Right. Make sense.
399
400 A: So there's a time lapse there.
401
402 Q: Okay. I understand.
403

404 A: So I use the proper location where it was towed, the date and the time that it
405 was towed. Everything else is filled out. The DR number was left off there
406 because I was waiting to get the DR number, which I never - never got from
407 anybody. And apparently this DR at the time was an unknown - the 6628. I
408 don't know if anybody knew it was assigned to that case. Radio had it, but
409 nobody else had it.
410
411 Q: Hmm.
412
413 A: I - I roll up on this thing just as the thing was coming in. I just happened to be
414 pulling in the neighborhood as that guy ran out onto the street.
415
416 Q: Okay.
417
418 A: So DR taken there. So I pull - I brought a face sheet with a new MC number
419 or the old MC, um, number and the old...
420
421 Q: Related.
422
423 A: Okay, that's the related one. That's the MC number. Oh, there's the - so this
424 was the DR taken in error, the 10878. I was told to reassign that as a DR
425 taken in error, not the original DR on the tow sheet. I related it to this one
426 because that was the original DR that was assigned to it.
427
428 Q: That's...
429
430 A: (Unintelligible) this is why this was pulled is because it was tied into...
431
432 Q: Related to...
433
434 A: ...this DR.
435
436 Q: ...the 6628.
437
438 A: Yeah.
439
440 Q: Okay.
441
442 A: Clear as mud, right?
443
444 Q: Yeah. Um, why - I guess why create more work? If it was already towed
445 under a DR, um, that you had pulled...
446
447 A: Mm-hm.
448

449 Q: ...why - why would we go back and - and change everything?
450
451 A: I was told to. I suggested that we just use the - do the 6628 as the DR taken in
452 error since everything else had already been done under this DR number.
453
454 Q: Right. Who told you to do that?
455
456 A: Uh, Sergeant Hamill.
457
458 Q: Okay. So you - you voiced your - your concerns for it, but ultimately...
459
460 A: My suggestion was keep that as the original, the 10878. We'll do the DR
461 taken in error on the 6628. And he recommended that we do it the other way.
462
463 Q: Okay.
464
465 A: So I scratched it out. I fixed the original tow sheet, sent it back. Brought a
466 face sheet for the DR taken in error, for the 10878 and referenced it to the
467 6628 so we knew they were tied together.
468
469 Q: Okay. Um, you said an inventory was done of it. Was there anything that
470 was taken to property? Anything that came of this case or was - was
471 everything just left in the car?
472
473 A: Everything was left in the car as far as I was aware of until the day that we
474 went in there and cleared out the property room.
475
476 Q: Okay. And that would be on the 19th last...
477
478 A: That would be on the 19th.
479
480 Q: Okay.
481
482 A: If it was the 18th that we were notified by Hamill to come empty the property
483 room.
484
485 Q: From what I...
486
487 A: I believe it was the 19th.
488
489 Q: From what I've been told everybody, yeah, it was - the 18th is when Captain,
490 uh, Aldorasi first noticed it.
491
492 A: Okay.
493

494 Q: The 19th is when he went in there and took these photographs and, um, talked
495 to Sergeant Hamill and that's when everybody...

496
497 A: Yeah.

498
499 Q: ...got their notifications to come in and do everything.

500
501 A: Mm-hm. That sounds right.

502
503 Q: So, um, all right. So what was - what did you discover in there when you
504 were doing the - when you were - when you did the property?

505
506 A: There was - and looking at photo number one that you've given here - the box
507 of packaged evidence already entered into property and evidence, um,
508 program on the computer. Labeled everything for a search warrant we had
509 done prior to a week at the (unintelligible) conference and a week doing
510 videos for IA up at headquarters.

511
512 Q: Okay.

513
514 A: So those items were already packaged, signed, ready to be delivered down to
515 property and evidence.

516
517 Q: And we're talking about...

518
519 A: And we were...

520
521 Q: ...the box on the...

522
523 A: The box and...

524
525 Q: ...on the table?

526
527 A: The box on the table and the plastic gun case.

528
529 Q: Okay. And then the box on the table nearest, uh, the photographer in this
530 picture with the - the big bag hanging out the top is the one we're talking
531 about?

532
533 A: Yes.

534
535 Q: Okay.

536
537 A: And that's the 01117.

538

539 Q: I think there's some other pictures in here that will actually give a close up of
540 it. Let's see. And that's - all that stuff in that box is what was taken from the
541 vehicle?
542

543 A: No.

544 Q: Oh.

545 A: That was taken from a separate search warrant.

546 Q: Separate, okay. Was anything taken from this vehicle?

547 A: Yeah. Again, picture one there's a black nylon case sitting on the corner of
548 the table.

549 Q: Okay. There's pictures in here...

550 A: On top of a blank property bag.

551 Q: Okay. I know we have pictures of these.

552 A: Yeah, something towards the front.

553 Q: Yeah.

554 A: That one there.

555 Q: Right there. So we're looking at picture 11?

556 A: Picture - and picture 2.

557 Q: And 2. Yeah, 2 and then 11 is the picture open, uh, 12, 13, close-ups of some
558 of the contents?

559 A: Yes.

560 Q: And then 14 is that - it looks like it's the same - the same thing; is that correct?

561 A: Looks like it's the scale inside of it on the back side of the divider or
562 something.

563 Q: Okay.

564 A: Looks like it's on the back side of that.

565

584 Q: All right. Um, and just the - the syringes that are in there if you look at, uh,
585 photo 12 looks like it's - it's loaded.
586
587 A: Yeah.
588
589 Q: Um...
590
591 A: With some plastic seals, empty plastic seals (unintelligible).
592
593 Q: Oh, okay. Um, and that one was entered in under 10878?
594
595 A: Which, again, now becomes confusing because we ended up making that the
596 missing DR or the DR taken in error.
597
598 Q: Taken in error. Okay.
599
600 A: Now, remember that was swapped over so that was also referenced now to the
601 6628.
602
603 Q: Okay. So 878 is the true DR - no, that was the original DR. This is
604 confusing.
605
606 A: Yeah.
607
608 Q: Okay. So we have property in the property and evidence room which was
609 listed as heroin, paraphernalia and nine mil- millimeter rounds of...
610
611 A: Which is in picture 2.
612
613 Q: In picture 2, okay. Yeah, (unintelligible), um, that stuff is in property under a
614 DR that has later been changed to a DR in error?
615
616 A: Yeah. But tied to the same incident.
617
618 Q: Tied to the same incident. As referenced in your DR incident up top here?
619
620 A: Yes.
621
622 Q: Okay.
623
624 A: Which would now actually be the 6628.
625
626 Q: All right. Um, do you know if there's charges on the heroin...
627
628 A: No.

629

630 Q: ...or any of this? There's no - there's no charges on anything? It's just found
631 property? What was it put in for?
632

633 A: I put it in for destruction as found property.
634

635 Q: Found property? Okay.
636

637 A: And I was unaware of that property, that found property. Um, I don't have my
638 phone with me, but there was a - there was a text message sent to me from
639 Sergeant Hamill, um, something early that week before the 18th asking - this
640 is when we were assigned down to IA watching videos for I think it was one
641 of these days I got the...
642

643 Q: Is it possible it was the 12th?
644

645 A: ...text. The 12th? Based on looking at my notes is, um, the day that an email
646 was sent out.
647

648 Q: Okay.
649

650 A: Yeah, the email. No, I'm sorry, that's the 19th. That's a different one.
651

652 Q: The 19th was...
653

654 A: The 19th I got an email, June 19th.
655

656 Q: Email from who?
657

658 A: Um, from Sergeant Hamill. Was sent to, um, me and Greg Honea.
659

660 Q: Okay.
661

662 A: At 9:28 in the morning.
663

664 Q: Yeah, I've seen that one.
665

666 A: Says, "Please get all property out of the property room. There's one bag of
667 papers from the Jodi Arias case that needs to be copied and labeled. I will
668 forward you the DR information." At 9:29, one minute later, I was forwarded
669 an email from Sergeant Hamill with supplemental information on DR
670 14006471 which is listed as contraband/potential threats which I believe was
671 the Jodi Arias case.
672

673 Q: Mm-hm.

674

675 A:

676

677

678

679

680

681

682 Q:

683

684 A:

685

686

687 Q:

688

689 A:

690

691

692

693

694

695 Q:

696

697 A:

698

699

700

701

702 Q:

703

704 A:

705

706 Q:

707

708 A:

709

710

711

712

713 Q:

714

715 A:

716

717

Jail case. Which I know very little about. I just knew there was something being worked on a Jodi Arias case. But prior to that - I got off track a little bit. Somewhere I think on the 15th or 16th while we're up listening to videos, watching videos, get a text message something to the effect, hey, when you guys gonna come - come down here and take care of property? That was in reference to an email that was sent on the 12th.

And the email...

That said something about the transition from our building to the (Hyda) building.

(Unintelligible).

Got to get the property room cleared out. I went home that day before I saw that email. I went back out that afternoon, got called out to go help Sergeant Hamill do an interview with some guy tied to Hell's Angels or white supremacist thing out in East Mesa, some threats saying his life was being threatened.

I remember that.

So we went out there and did an interview. Um, I knew nothing of the email. Barry at that time didn't say anything about the email primarily 'cause we were focused on working on this interview with this guy. I wasn't aware of the email I think until Monday or Tuesday, the 15th or 16th.

15th is a Sunday.

Or 16th or 17th.

16th, 17th, okay.

Um, and that's when I got a text message about, hey, when you guys gonna come down here and take care of the property. And that was either the 16th or 17th. Which went back, read the email, realized that's what he was referencing was the email that he had sent out on the 12th.

Hmm.

Said, hey, we can come down and take care of it sometime this week. We're up here doing these videos. I think I got a text message next day said when you guys gonna come? That actually would have been Wednesday, the 18th, I

718 got a test message. I don't know if you want me to grab my phone and if you
719 want...

720
721 Q: Uh, sure. Where - is it in your office?

722
723 A: Yeah.

724
725 Q: Why don't we take a five-minute break. It's, uh, 12:39.

726
727
728 This transcript has been reviewed with the audio recording submitted and it is an accurate
729 transcription.
730 Signed _____

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INTERVIEW WITH SEAN PEARCE
Q=Brian Jakowicz
A=Sean Pearce

Q: Okay, we're back. Uh, it's 12:41. Okay, you retrieved your phone from your office now?

A: Yes.

Q: What do you have?

A: Okay, on Monday, June 16th at 5:00 pm, uh, I got a text message said, "Please remember to get Greg and clean out all the property in the property room." And that was from Sergeant Hamill. I responded and said, "Okay, how soon?" And he said, "Well they really need the room in there for all the IA stuff, so if you could, in the next few days if possible." And he said, "How's it going in there?" reference to videos.

Q: Mm-hm.

A: I said, "Okay." It's okay in reference to getting down there. Um, uh, let's see, that was Monday – is that what I said, the 6...

Q: Yeah you said the 16th, Monday.

A: Yep. Um, so Wednesday, June 18th at 5:06 pm. He says, "When are you and Greg going to come take care of the property? I guess the Captain saw it today, so I'm sure I will hear about it tomorrow." So I said, "Tomorrow morning. Copy, thanks." So Thursday morning we went in for a mandatory IA meeting. They did it 9:00 every morning down there on updates, as far as the videos and stuff we were assisting with. As soon as our 9:00 meeting was done, Greg and I left IA – or left Headquarters to come down here and take care of the property. He called me on the way there, said, "Hey where you guys at? I need you to get down here and do it." I said, "We're on our way. We're actually on the road, so we're about 10 minutes out, 15 minutes out," or whatever. And he said, "Okay." He goes, "I won't be there. I gotta go down to the jail for interview," or something. He said, "Uh, make sure all the

45 property is taken out.” So I get down there. Let me refer back to my phone
46 again. Um, it’s Thursday at 9:40 am. He sends a text message.
47

48 Q: The 19th? Okay.
49

50 A: The 19th. Says, “Parra put black heroin kit and a single bullet in the property
51 room. He said it was from the case with the pursuit up on 15th Avenue.” My
52 response, “Okay. Didn’t know about that. What about transporting this
53 barrel? Is Dave around?” “No, put it in Greg’s van,” was his response. And
54 then he followed up with, “Sorry to stick you guys with this but Captain
55 chews my ass – chews my ass good this morning about it. He’ll be back this
56 afternoon to recheck it. He is not happy with me right now.” So that was all
57 the – those four text messages were all at about 9:40, him, me, and then his
58 two responses.
59

60 Q: Okay.
61

62 A: Um, and then at 5:27 pm on the 19th he forwarded the text message that he
63 had got from Captain Aldorasi.
64

65 Q: Which is?
66

67 A: Says, “Barry, please contact the detectives that processed all the evidence that
68 you and I spoke about this morning and advise them that I want a copy of each
69 property sheet that they dropped off today. I would like it either electronically
70 or hard copied by 9:00 am tomorrow. Thanks, Fred.” And then he said, “I
71 just sent this to Greg also. I think he just wants us to make sure that we had
72 the copies of that to get to – get to the Captain.” And I – Greg was all the way
73 back here. I was already on my way back to IA. I said, “Greg put them on
74 my desk.” He said, “Okay, thanks.” So that was the end of that conversation.
75 So I get into here, go into the property room with Greg and saw – I’m looking
76 for another email – or other text messages. Saw property sitting there. Some
77 of it I knew nothing about. I knew about the box of stuff for the search
78 warrant. It was packaged and ready to be...
79

80 Q: Oh.
81

82 A: ...taken down there.
83

84 Q: (Unintelligible).
85

86 A: We just didn’t have – that’s this stuff here.
87

88 Q: Right. I’m trying to find a photo of it.
89

90 A: I think it was 01117 or something like that.

91

92 Q: Okay. It was, uh, murder for hire case?

93

94 A: Yeah one of...

95

96 Q: (Unintelligible).

97

98 A: One of – one of the three that we were (unintelligible).

99

100 Q: Right.

101

102 A: Right there. Photo 17.

103

104 Q: Okay.

105

106 A: So I knew about that one, which included the gun case. Um, I knew of the
107 large barrel of found property. It was dried up marijuana plants that
108 somebody had tried to get rid of. And then I did not know about the heroin –
109 heroin case and raid stuff that he sent me the text message on. And I didn't
110 know anything about the Jodi Arias, uh, evidence that was in there, apparently

111 taken from – some of it taken from DO, some of it taken out of her cell. I'm
112 not sure exactly where it came from.

113

114 Q: Okay.

115

116 A: So, um, on June 19th I sent a text message to (Connie) at 10:30. This is about
117 an hour after we got to the (Roshure) Building.

118

119 Q: At what time?

120

121 A: Uh, the text was at 10:37.

122

123 Q: AM?

124

125 A: Yeah. I said, "What DR and item number do you want for this Jodi Arias
126 stuff from her cell? And I didn't get a response. Or I didn't get a response to
127 that (unintelligible) call that group that was just between her and I. She sent a
128 response back to Greg and I together, um, at 10:56. So I guess that was about
129 three minutes after – or maybe it was - what time was the other one 10:37?

130

131 Q: 10:37.

132

133 A: Okay, so 20 minutes or something. Um, she gives, um, instructions on the
134 Jodi Arias stuff. By this point we'd already copied documents in the Jodi
135 Arias stuff.
136
137 Q: Mm-hm.
138
139 A: And put it all in one bag as one item. And sealed it and transported it to
140 Property and Evidence.
141
142 Q: Okay.
143
144 A: 'Cause we weren't sure that was supposed to be packaged. Neither one of us
145 knew anything about it, where it came from, what it was. A lot of it looked
146 like just garage, like they'd emptied her trash out of her cell and just dumped
147 it into bags. One of them was marked – one was a folder, a manila envelope
148 marked "legal mail." We didn't even go through it because we're not allowed
149 to copy legal mail until it goes through, um, what's that a special...
150
151 Q: With the Judge?
152
153 A: Yeah.
154
155 Q: A special – I know what you're talking about, I can't remember the name of
156 it.
157
158 A: Yeah. I'm drawing a blank too. Anyway, so we didn't copy that stuff. It was
159 probably, I don't know, an inch and a half, two inches thick of – of
160 documents. So we go in there as – as one item. Everything else that was in
161 there that was separated was copied.
162
163 Q: Okay.
164
165 A: And then that was given to I think it was left on (Connie)'s desk or some of
166 the copies for – for her to review. Um, anyway, that's where that came from.
167
168 Q: Okay. Uh, let's talk about the garbage barrel of marijuana.
169
170 A: Okay.
171
172 Q: Um, that was one – that was – that was a case that on the 19th when you –
173 when you guys were called in there, you and Greg were called in there to I
174 guess clean all this stuff up and get it down to Property and Evidence.
175
176 A: Mm-hm.
177

178 Q: Um, wh- it's actually in Honea's name but in talking with Greg, you said,
179 "Hey I wasn't even there."
180

181 A: Nope it was...

182

183 Q: I don't know anything about it. Um, but Sean could probably fill in some of
184 the blanks. So I was hoping you could kind of tell me about what happened
185 that day?
186

187 A: Um, we were – I don't have a copy of that.
188

189 Q: I do.
190

191 A: The other stuff or the property sheet.
192

193 Q: It's – it's – yeah. Got it. That's the case.
194

195 A: Okay. Um, we were assisting I believe (Hyda), uh, I think it was on May
196 12th. And I'm referring to that date that's on this – this face sheet for the
197 found property. Um, the 2130 hours. We were assisting (Hyda) with the
198 search warrant. Uh. we were asked to come in and help him with some
199 containment stuff. Um, we were out there for a little bit. Um, I believe
200 Sergeant Hamill got a call from, uh, (JP Garcia). I don't know how he came
201 across it. He called Sergeant Hamill and said, "Hey, I've got a barrel of found
202 property that looks like somebody pulled up some marijuana plants, shoved
203 them into this barrel" – which is a – doesn't look like a City barrel, I think it
204 was like a Home Depot private barrel or something. There was no City
205 markings on it as I recall. Somebody pulled it out on a curb somewhere in the
206 neighborhood, left it there...
207

208 Q: Oh, we're talking about the picture in number five?
209

210 A: Picture number five. Uh, wasn't sitting in front of a house or anything. He
211 asked for us to come out and help because he didn't have any way to transport
212 it. He was in a Tahoe, so we were asked. I say "we" as in Detective Parra and
213 I were asked to go out there and assist him in transporting this barrel. We get
214 out there, the address was, um, in Phoenix, (Pacey) Road and Milkweed Loop.
215 Which I think was in the area of I don't know 99th Avenue and Thomas
216 McDowell or something over there, uh, City of Phoenix area. Um, we get
217 there. We talk to JP. He says, "Yeah, neighbors" – he was out there on
218 something else. Some neighbors pointed out to him and said, "Hey, that
219 thing's been sitting out there for a day or two," or something. And he went
220 over there and looked at it. It was all cellophane taped around the top. Um,
221 he has EOD dog so he ran an EOD dog around it. Got no alerts. So he
222 opened it up and it was a bunch of dried stems and branches. And skunk

223 weed stuff, whatever. So he calls down to see if we can transport it because
224 Dave has a truck. So we put it in the back of the truck. Um, he asked, "Do
225 you want me to pull a found property DR on this?" And Dave and I both –
226 I'm not going to say it was one of us or the other, I don't remember, but we all
227 con- said that we would just pull a DR, a found property DR. "Don't worry
228 about it, we'll take it down to (Roshure), um, drop it off and take care of it."
229 We were – we took it down there that night and dropped it off. I don't
230 remember what we were doing the next day. Um, we were helping – I had a
231 lot of stuff on wire tape stuff. So it was set in there and didn't get taken out of
232 there in a reasonable amount of time. Um, so it was still in there. Part of the
233 problem was having a vehicle to transport it in when we have one truck on the
234 unit. Um, so I think it was just, "Yeah we know it needs to go, Dave, when
235 you're available or if we can get a truck, we need to get it down there." And
236 then it was never done. So the day that Greg and I went down there, Barry
237 told Greg to do something with it. I was dealing with the other property, the
238 Jodi Arias stuff. We were just – both of us going in there and just trying to
239 take care of this property that was in there. Greg didn't know anything about
240 it. I don't even think, um, I'm not even sure if he was on it – yeah he was on
241 the unit, but I don't think he knew that we had – where we had picked it up or
242 whatever.

243

244 Q: Yeah, he said he didn't even know...

245

246 A: Dave Parra and I.

247

248 Q: ...where it came from. Yeah.

249

250 A: So.

251

252 Q: So who was on scene when it was found? It was you and Dave...

253

254 A: It was...

255

256 Q: ...and Barry? And n...

257

258 A: No, Barry – Barry didn't go out there.

259

260 Q: Oh, b- Barry wasn't out there?

261

262 A: No. He sent us from the location where we were assisting (Hyda) and said, "I
263 need you to run out here to where (Garcia) is and – and, uh, pick up the – the
264 barrel.

265

266 Q: Okay.

267

268 A: So we took out the – I drove my vehicle, Dave drove his truck out there. We
269 loaded up and brought it back to the (Roshure) Building. Uh, sometime
270 around 10 or 11:00 that night or whatever it was and dropped it off.
271

272 Q: Okay.

273

274 A: So, we got down there on the 19th, um, Greg pulled the – or did the face sheet
275 for the found property while I was doing the other stuff and he didn't have
276 anything to do with it.
277

278 Q: Okay.

279

280 A: Other than just assisting to get it...

281

282 Q: Down to Property?

283

284 A: ...entered and taken down to Property.

285

286 Q: Okay.

287

288 A: That's when I asked him, "Well why are supposed to -- how are we supposed
289 to transport it?" and Barry said, "Stick it in the van." So when we had to stick
290 it in his van sideways and made a mess out of his truck. We had to clean – I
291 guess he had to clean out his truck or whatever. It was just...
292

293 Q: In Greg's van?

294

295 A: Yeah.

296

297 Q: Okay. All right, um, so when you guys brought it back down here on the 21st,
298 right?
299

300 A: Yeah.

301

302 Q: Of March?

303

304 A: May 12th.
305

306 Q: Oh, I'm sorry. I'm con- confusing two now. May 12th, um, it sat there for
307 over a month before being – before a DR was pulled. And – and getting down
308 to Property. Is – is there any reason why it didn't get down there? Were you
309 guys...
310

311 A: Uh...
312

313 Q: Did anybody say, "Hey, don't worry about that." Was there any kind of
314 special...
315

316 A: There's reasons. There's not excuses. I mean I'm sure we could of found –
317 found time. Several reasons is busy with other cases, working these murder-
318 for-hire...
319

320 Q: Busy schedule?
321

322 A: ...cases, uh, the training classes. Uh, there was range stuff. There was all
323 kinds of stuff going on in that – in that month. But there is no excuse on why
324 we couldn't probably find an hour to...
325

326 Q: Okay.
327

328 A: ...to run down there then lack of – of a vehicle to use or getting tasked with
329 something else.
330

331 Q: Okay. Um, but your supervisor knew it was there, Barry knew it was in there,
332 in that room though, right?
333

334 A: Uh, I assume he knew.
335

336 Q: Okay.
337

338 A: He never said anything to me about it until that week when we were told to
339 start getting all that stuff out of there.
340

341 Q: And you said to your knowledge nobody's ever done audits of the room or
342 anything like that?
343

344 A: Not that I'm aware of, no.
345

346 Q: That would have picked something like that up?
347

348 A: Mm-mm.
349

350 Q: Okay. Okay, um, there's another case on here the same day. Um, a – a found
351 property for a marijuana cigarette in a container.
352

353 A: Yep.
354

355 Q: Uh, this is DR 14-014108.
356

357 A: Yeah.

358

359 Q:

That's assigned to you. Can, uh, can you explain that ca- that, uh, to me a little bit?

360

361

362 A:

Yeah, um, this is the property report. On March 6th, at about 1645 hours, we were assisting – say assisting – it was our unit, but it was a case that Detective Parra was working. Um, (unintelligible) case with some gang ties that had something to do with them. I think one of these murder-for-hire cases. I don't remember it was all it starts to kind of blend in. Uh, we went and knocked on a gal's door, trying to get information. She had a warrant. Um, we talked for a while. She was supposed to point out a house of a guy that we were looking for over at (unintelligible) and we were looking at that was tied into this case we were working. So we assisted (Dave). We went to another neighborhood in the area of 75th and (Coulter). It would have been just north of (Coulter) and west of 75th Avenue, in a neighborhood. Um, she pointed out a couple houses based on her memory of where she thought a guy we were looking for was – was possibly living. Um, Detective Honea and I in two separate vehicles. Uh, went through the neighborhood. We did some little bit of surveillance, watching the house, trying to get some plate numbers on a couple different houses that she had pointed out. Um, we went back to a park. Detective Honea and I went back to 75th Avenue and (Coulter), there's

378

379

a city park there on the west side of the road, just south of (Coulter). And we were waiting for some follow-up information to come from Detective Parra. The – on furtherance of this case. While we're sitting there there's two kids in a vehicle parked three or four spaces down from me. Um, could smell marijuana and figured, well I'll go up and make contact with them and let them know that they can't be smoking marijuana in the park obviously. When I made con- I got on the radio with, uh, Detective Honea and said, "Hey, you want to roll up here with me and we'll just go make contact with these – these two guys?" Roll up there. One guy was suspicious. He was in and out of the vehicle probably four, five times. Come to find out later, he was – got some bladder issue and was looking for a place to pee but he didn't – knew he wasn't supposed to be in the parking lot and he had just kind of kept wandering around or whatever. We made contact with these kids. Um, they had the marijuana cigarette that was sent to the evidence room and a small plastic – looked like almost a medical marijuana type plastic container that they've – I've seen in the past on some of the cases where you can probably see it in there somewhere.

380

381

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389

390

391

392

393

394

395

396

397 Q:

Yeah I was going to see if we could find the photo of what we're talking about.

398

399

400 A:

Um, 407.

401

402 Q:

407?

403
404 A: And 408, 409. All three of them. And then...
405
406 Q: Is 10 a photo of the outside of the bag that it's in? It looks...
407
408 A: Yes.
409
410 Q: Okay.
411
412 A: Like – let me see, you said 410?
413
414 Q: Yeah. It's an evidence bag. There's no writing on it or anything.
415
416 A: White?
417
418 Q: But...
419
420 A: Yeah, that white bag. Yes.
421
422 Q: So that's the outside?
423
424 A: Um, the cigarette – marijuana cigarette, I don't know if it was mixed with
425 tobacco, it was one of those round wrappers. It wasn't like a typical white
426 zig-zag type wrapper.
427
428 Q: Oh, like number 25?
429
430 A: Yes.
431
432 Q: That's what we're talking about?
433
434 A: Yep.
435
436 Q: Okay.
437
438 A: That rolled brown cigarette and that small plastic reddish-white container.
439 Both of those items were, um, taken from a vehicle. Uh, the information is on
440 these two subjects who were the two subjects in the vehicle. (Steve Delacruz)
441 and (Armando Renturia). This is information I wrote down. I took down their
442 information. Uh, phone numbers and stuff like that and the (unintelligible),
443 daytime location where the stuff was seized.
444
445 Q: Okay.
446
447 A: We were in the middle of this case. Um...

448

449 Q: Was this your notes from that day? Or did you just...

450

451 A: That was my notes from that day.

452

453 Q: Okay.

454

455 A: That's how I was able to put information on the – on the property sheet.

456

457 Q: Okay.

458

459 A: We took that stuff. Um, took down their information. Um, neither one of
460 them had been in any trouble or something. We had had a little bit of a
461 conversation with them before we had to finish helping Dave. Our – my
462 thought is we were trying to make sure we could generate some cases on days
463 that we were slow. I'm not a (unintelligible) guy. I don't have CI's. I've
464 never worked informants. And so we thought well we'll just down
465 information. Um, kind of a scare tactic if you will. "Hey, contact us or we'll
466 contact you. And if you guys want to help us out with whoever you're dealer
467 is or whatever, then we'll see if we can work something out." Um, so we take
468 the stuff. I take it back to the office. It's uh. [REDACTED] I had all my

469

notes there, sat that on my desk. Um, no DR was pulled for it. It was just
470 going to go in as found property because I knew we – we really couldn't place
471 it anybody's possession. We knew it was one of them, but it was kind of
472 weak case and our thought was, well we're not going to leave the dope in the
473 car, we'll just take the dope and – and impound it for destruction. So no DR
474 was pulled. Um, I left it in the ([REDACTED] Building and to be honest with you,
475 I just forgot it was there.

476

477 Q: And this was on...

478

479 A: Now I'm busy with the other cases we were working and...

480

481 Q: Uh, it was pulled on...

482

483 A: The DR I pulled I did it that we...

484

485 Q: Yeah.

486

487 A: ...were impounding it.

488

489 Q: On the 19th. What day was that that you ran into these guys?

490

491 A: That would have been March 6th.

492

493 Q: March 6th?
494
495 A: At 1645 hours.
496
497 Q: Oh okay, right there. And then you pulled the pictures up the following day?
498
499 A: (Unintelligible).
500
501 Q: Okay. All right, so that's – that's how it got there. Um, so the next one we've
502 got, uh, DR 14-011646. It says marijuana cigarette.
503
504 A: 11646?
505
506 Q: Okay that's – it just says, um, in the property transfers here it just says
507 marijuana cigarette partial. Item one.
508
509 A: Uh, the only thing I can – that was never one that was seized for – that was
510 found property. If it's the case I'm thinking, we were looking for a armed
511 robbery or a homicide suspect. Uh, knocking on doors at houses and
512 apartments. Trying to locate somebody. And found a roach and, uh,
513 marijuana cigarette.
514
515 Q: Right, I think that's...
516
517 A: (Unintelligible) whatever. Um, it was just picked up to be thrown away.
518 Didn't know who it belonged to. It was just in an old apartment complex,
519 next to – or in an apartment – the guy didn't live in the apartment, it was the
520 kids. The kid we were looking for is mom's apartment. Boyfriend's sitting
521 there (unintelligible) talking to him. I think it's sitting on the – on the coffee
522 table. So we assumed he was probably smoking it. It was an old roach set
523 there so we just took it and said, uh, "It's going into property. Can't leave it
524 with you." It was seized and impounded later.
525
526 Q: Okay.
527
528 A: It was taken down to Property and Evidence (unintelligible) in the (Roshure)
529 Property and Evidence.
530
531 Q: What day was that, do you know? 'Cause, uh, I've got a date that it was pulled
532 on the 21st of May. Is that the date?
533
534 A: Uh, that's not the day I took it, no. I don't remember the date was I took it.
535
536 Q: The date was the 21st of...
537

538 A: I just know that it was in there and it needed to go down there. So I pulled the
539 found property DR and took it down there. That was separate from any of this
540 other stuff.
541
542 Q: Right, yeah it's – we've got these other ones here that, um, so you – who was
543 with you on that day?
544
545 A: Uh, my whole unit was there, but I was the one that took responsibility for the
546 – the roach.
547
548 Q: All right, but you didn't pull the DR that day? It was a couple days later? Or
549 months? Do you have any idea of timeframe?
550
551 A: Probably – I don't know, probably, I don't know, a few weeks. Two or three
552 weeks, four weeks. I don't know. But it was put into (Roshure) Building the
553 same day it was taken.
554
555 Q: Okay.
556
557 A: Just 'cause that's standard. I don't take evidence in my vehicle. I don't leave
558 my vehicle. It goes straight to the office.
559
560 Q: So you guys picked it up that day, came back to (Roshure), just didn't get a
561 DR assigned to it that day as...
562
563 A: No we were in the middle of chasing homicide suspect. Didn't – didn't make
564 it a priority to pull DR and get the found property thing done. It was more
565 about tracking that guy we were looking for.
566
567 Q: Okay. Okay. Um, those are the cases that are assigned to you. There's how
568 many – you said you weren't involved in the Arias case?
569
570 A: Nope.
571
572 Q: Okay. Um, is there – I – I know you have a folder there, is there anything in
573 there that's you'd like to discuss or add that you can...
574
575 A: Uh, I don't think so.
576
577 Q: ...fill in the gap?
578
579 A: The one is just copies of the – the reports that we discussed. With exception
580 of the last one that we talked about. The, uh, the DR form where I don't have
581 the information on. That one is just property and evidence stuff from the
582 search warrant we did that list all the items that were already entered in the

583 evidence was sitting in the (Roshure) Property log room. Um, and this was
584 just notes on dates and times and when I logged in and out of ADP. Property
585 room shuts down at 4:00, so we always – I mean if we don't make it down
586 there before 3:30 then we usually just say well we'll have to do it the
587 following day or whatever. So I just – for my own records went through my
588 ADP on that last week when we were being notified about this property.
589
590 Q: Okay.
591
592 A: So it shows...
593
594 Q: Um, well property can't accept anything after 4:00, but they've got the storage
595 lockers. You can bring that...
596
597 A: The (unintelligible).
598
599 Q: ...you know that, right? Okay.
600
601 A: Yeah. I've never used the night drop over there, but I know they have it.
602
603 Q: Okay. Um...
604
605 A: But the search warrant we did on March 29th. Um, that following Monday I
606 spent all day doing the in-custody report till probably...
607
608 Q: Which search warrant are we talking about? Was this the murder-for-hire?
609
610 A: The (Erboni) one.
611
612 Q: Oh, the Erbern- (Erboni) murder-for-hire?
613
614 A: I that's the 1117.
615
616 Q: Yeah that's, um, what is it? It's the 14 – it ends with...
617
618 A: Okay, that's...
619
620 Q: ...with 574.
621
622 A: Okay that's the, uh...
623
624 Q: That's the (Erboni) murder-for-hire.
625
626 A: Yeah the DO actually pulled the original DR, we just took the...
627

628 Q: Right.
629
630 A: ...same DR. But, you know, we did the search warrant on that on the 29th.
631 Which I believe was a Friday. What day was the 29th? May 29 – Thursday.
632
633 Q: Uh, Thursday.
634
635 A: We didn't work Friday. Uh, no I take that back. We day work, no we didn't
636 work Friday. Came back in that Monday, which was the 2nd.
637
638 Q: Mm-hm. June 2nd?
639
640 A: June 2nd. And from 8:00 in the morning till 7:30 at night I worked on the in-
641 custody report. On the 3rd was the (unintelligible) conference, 3rd, 4th, and
642 5th. I went down registered at the (unintelligible) conference like we had to
643 and then I left. Took my in-custody down to the charging bureau to get that
644 done (unintelligible). And we spent the next three days at the conference.
645 That 3rd, 4th, and 5th. Um, the 6th I don't have any ADP times. I don't think
646 we worked on the 6th, which was typical Friday. Unless it's a call out or
647 something with the overtime restrictions. And then the 9th – which day is the
648 9th?
649
650 Q: Monday.
651
652 A: Monday. Um, yeah the 9th through the 12th was the week before and we
653 went down there and did phone call or videos, which was the 16th through the
654 22nd.
655
656 Q: Right.
657
658 A: Thought we had range day on those days, um, anyway I was just – those,
659 again, those are just my notes to...
660
661 Q: Well the things you guys had going on...
662
663 A: (Unintelligible) yeah.
664
665 Q: Okay.
666
667 A: (Unintelligible) where my time was at I guess but...
668
669 Q: Okay. Um, back to the – the room itself.
670
671 A: Mm-hm.
672

673 Q: Um, was there ever discussed an overall, "Hey, this stuff can only be here for
674 a certain amount of time," uh, anything whether implied or discussed, is there
675 anything like that? Like time constraints on how long things could stay there?
676 Was there ever discussed at all?

677
678 A: Not that I recall.

679
680 Q: Oh, okay. Uh, so it – you didn't have to get special permission to keep
681 anything there...

682
683 A: Mm-mm.

684
685 Q: ...longer? It was just...

686
687 A: I know it's our responsibility to read the SOP manual and most of that stuff I
688 think that I was aware of or had been – you know, I've read it or been
689 explained, uh, the certain SOP's in SI. Um, but it wasn't until today when I
690 sat down and opened up the manual and looked for the property policy or SOP
691 for the unit where I noticed today what the time restraints are on that property
692 room.

693

694 Q: Okay. Okay. Um, unless there's anything else you have that you'd like to
695 add, um, I – I would call this – you have anything else you'd like to bring up?

696
697 A: Um, no not that I can think of. I mean I take responsibility for my part and
698 that evidence didn't get down there, but I'm not going to make excuses. I was
699 being busy and worked other cases and being a found property case, um, I
700 guess I just didn't make it a priority to get it down there to the main property
701 and evidence room.

702
703 Q: Okay.

704
705 A: And the search warrant stuff is – being honest with you, is fairly routine based
706 on a – on a busy schedule. You know, if we get search warrant at the end of
707 the week, we spend the following Monday doing the in-custody report, doing
708 all the property entry stuff. And, you know, get it down to the property room
709 at the, you know, as soon as we can. But I know there's been times when it's
710 been there for, you know, two or three days after a search warrant based on
711 doing multiple search warrants or getting stuck on another higher priority case
712 as far as something that's ongoing and – but it's not, uh, I wouldn't say it's
713 routine. I'd just say it's – I know it's happened in the past. So.

714
715 Q: Okay. Uh, anything else?

716
717 A: No.

718

719 Q: All right, we'll conclude this interview. It is 1:15.

720

721

722 This transcript has been reviewed with the audio recording submitted and it is an accurate
723 transcription.

724 Signed _____

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INTERVIEW WITH DAVID PARRA
Q=Lt. Brian Jakowicz
A=David Parra

Q: Okay, today is 06-23-14 at 1435 hours. Uh, this is Lieutenant Brian Jakowicz, uh, serial 1237 and in my office is...

A: David Parra, 1188 P-A-R-R-A.

Q: We're here to discuss a notice of investigation. I'm gonna read a few things to you. This memorandum is to inform you there official administrative investigation has been initiated in which you have been named as a principle. This investigation stems from allegations of violation of sheriff's policy GE3 Property Management. This is an official administrative investigation as defined by office policy GH2 Internal Investigations. This investigation is not to be discussed by you with any person other than the assigned investigator which is myself, your attorney, your clergy or your spouse so long as he or she is not a witness, investigative lead or principle in this investigation or a licensed mental health professional or a physician during professional consultation, treatment or evaluation. Failure to comply with this order will result in disciplinary action. Do you understand that?

A: Yes.

Q: Do you have any questions about that?

A: No.

Q: Okay. I'm also going to note that, um, when we speak, uh, probably next week is my guess, uh, you have the right to have a citizen - citizen observer present at that time. Um, I'll let you know at least a couple of days in advance if I can.

A: Okay.

Q: Uh, if - if you need to coordinate schedules or anything like that.

A: When a citizen is that an office employee or other than an office employee?

46
47 Q: It could be an office employee.
48
49 A: Okay.
50
51 Q: If - if -- if you wish.
52
53 A: But...
54
55 Q: Or an attorney.
56
57 A: If I, and not saying I am, but if I choose to go that route just have someone can
58 I fill them in on the details then or?
59
60 Q: You'll have the opportunity to talk to them after we talk.
61
62 A: Gotcha.
63
64 Q: That they'll be, uh, they'll be paperwork that they have to fill out and
65 explaining what's allowed and what's not.
66
67 A: Okay.
68
69 Q: So, um, after that point you'll be able to talk to them.
70
71 A: Okay.
72
73 Q: Any questions?
74
75 A: No.
76
77
78 This transcript has been reviewed with the audio recording submitted and it is an accurate
79 transcription.
80 Signed _____

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INTERVIEW WITH DET. DAVID PARRA
Q=Lt. Brian Jakowinicz
A=Det. David Parra

- Q: Today is July 1, 2014. It is 3:02 pm. This is Lieutenant Brian Jakowinicz, 1237. In my office is?
- A: Detective David Parra, 1188.
- Q: Okay. (Dave), um, why don't we go over some basic paperwork first. Um, you've - I've given you the paperwork already, the Garrity Warning. Ah, you've read this and signed this indicating that you understand and you don't have any questions. I just want to give you an opportunity to ask any kind of questions or ask for clarification if there is anything.
- A: No, I'm fine.
- Q: You understand?
- A: Yes.
- Q: Okay. Ah, Garrity, just to - just to clarify just to make sure you're - you understand, Garrity just compels you to - to answer the questions that are asked of you. It doesn't have anything to do with not talking to other people. That's what the Notice of Investigation is. Sometimes the two are, ah, confused.
- A: Okay.
- Q: Ah, just to kind of clarify to make sure you understand. Ah, the other one is the employee's ah, ah, voluntary chose - you've voluntarily chosen to, um, attend this interview without an employee observer. I just wanted to make sure you haven't changed your mind, you're still good?
- A: I'm good. Thank you.
- Q: Okay. All right. Um, first thing we'll do is I want to show you some photos here. There's 25 color photos. Um, I'll give you a copy of them right here.

46

47 A:

Okay.

48

49 Q:

They should be numbered 1 through 25. You want to go ahead and take a second and kind of, ah, familiarize yourself with those. Just see if, ah, if you recognize them, just kind of a little bit in here and ah, we'll talk about those in a second. They're all numbered on the upper right hand corner...

50

51

52

53

54 A:

Okay.

55

56 Q:

...so we can, ah, identify which one we're talking about. Some of the pictures are duplicates and triplicates of the same thing.

57

58

59 A:

Right.

60

61 Q:

Um, just maybe a slightly different angle.

62

63 A:

Okay.

64

65 Q:

Okay. All right. So the - the reason this investigation is taking place is on the 18th, ah, which was on a Wednesday about a week and a half ago, ah, Captain

66

67

68

69

70

71

72 A:

I do.

73

74 Q:

Okay. That's what these photos - that's where these photos were taken. They were taken in that room.

75

76

77 A:

Yes.

78

79 Q:

Okay. Um, what I've come to learn so far is that that room is locked. There is only one key. That key is kept in Detective (Winard) - or Detective (Davison)'s, ah, office, in her desk, which is locked, but everybody's office is keyed with the same lock so you all have access to get to the key. Is that - is it the same?

80

81

82

83

84

85 A:

That is correct.

86

87 Q:

Okay. So there is only one key out there and that's how it is maintained. Okay, the items that were found in there, um, obviously there's all kinds of stuff but we'll - we'll first talk about, um, before we get into the items, why

88

89

90 don't you give me a little bit of a background on, ah, how long you've been in
91 VCU.

92
93 A: Ah, since it's conception.

94
95 Q: When was that?

96
97 A: Ah, roughly, ah, what is, ah, probably 2011.

98
99 Q: Two thousand eleven?

100
101 A: Yes, roughly.

102
103 Q: Okay. And, um, who's been your supervisor in that time?

104
105 A: (Barry Hamel).

106
107 Q: The whole time?

108
109 A: Yes.

110
111 Q: Okay. All right. Um, so that - that transcends a couple of different locations,
112 is that correct?

113
114 A: Yes.

115
116 Q: Ah, it's District I and then this location?

117
118 A: Yeah, prior to VCU it was called the Guadalupe Gang Unit and that was out
119 of District I

120
121 Q: Ah, District I? Okay. How long have you been in this building?

122
123 A: When - once it was ah, once it went from the Guadalupe Gang unit to VCU
124 we came to (Roeser) and we fell under SID.

125
126 Q: Do you remember when that was, how long ago?

127
128 A: I - I want to say around 2011.

129
130 Q: Around 2011? So it started - the VCU started in 2011. Prior to that, ah, you
131 had been working for Sergeant (Hamel) prior to 2011, part of the gang unit?

132
133 A: Correct.

134

- 135 Q: Okay. Okay. When did the gang unit start?
136
137 A: Two thousand nine.
138
139 Q: Two thousand nine? Okay. So you've worked for Sergeant (Hamel) since
140 2009?
141
142 A: Ah, he came in towards the end. I think - no. He came in in 2010. Ah, prior
143 to, ah, him coming it was just, ah, two of us. It was, ah, (Gary Kaplan) and
144 myself and we fell under the direction - or under, ah, Captain (Campbell),
145 Lieutenant (Campbell) at District I.
146
147 Q: Okay.
148
149 A: And then, ah, I want to say the beginning of 2010 is when (Hamel) came in.
150
151 Q: Okay. All right. So you came over to the (Roeser) building in 2011, about
152 three years ago?
153
154 A: You know what? It might have been two. It might have been 2012. I can't
155 remember if it was '11 or '12.

156
157 Q: Okay. When you guys came over to this building, who was in the unit
158 roughly, do you remember?
159
160 A: Yeah, it was me, (Gary Kaplan), ah, ah, (Steve Fax) I believe was here. He
161 came over from Homicide. Ah, (Rob Hohmeyer), (Travis Glenn), (Barry
162 Hamel). I think that's it.
163
164 Q: So I have you, (Kaplan), (Fax), (Hohmeyer), (Travis Glenn) and (Barry
165 Hamel)?
166
167 A: Yes.
168
169 Q: That was the unit as best you can remember off the top of your head?
170
171 A: Correct.
172
173 Q: Okay. When you got to this building, um, were you always in that part of the
174 building, in the back part of the building or were there - was there a different
175 location that you used at the - at the beginning?
176
177 A: No, we were towards the back, exactly where we're at now.
178
179 Q: Okay. So you've always been in the location you're at now?

180
181 A: Correct.
182
183 Q: Has the office that, ah, (Barry Hamel) uses right now, has that always been his
184 office?
185
186 A: No. Ah, that office prior to that was controlled by detectives from the
187 (ATEC). So (Hamel) I believe had the office where (Chris Osborne) is now.
188
189 Q: Okay.
190
191 A: Oh, you know who else was on our unit back - came in later was, ah, (Travis
192 England) too. He...
193
194 Q: (Travis England), okay. He was your lieutenant at the time, correct?
195
196 A: Correct.
197
198 Q: So (ATEC) used (Barry Hamel)'s office. When did (Barry) move into that
199 office? Was - was that - I guess what I'm asking is when did that property
200 room get started to be used as a property room? Was it used like that before
201 you guys got here or was it once (Barry) moved into the office you guys were
202 able to use it as a property room? How did that work?
203
204 A: After (Barry) was in that office. That's when it - it was turned into a property
205 room. Prior to that we never had access to that office alone, that area that is
206 known as the property room.
207
208 Q: Okay. So it's when (Barry Hamel) moved into that office that - was it right
209 around that time or was it a time period and then it became used as a property
210 room?
211
212 A: I want to say that - I want to say it was after a certain amount of time that it
213 was used for that purpose.
214
215 Q: Okay. Um, so you came to the building in 2011. How long do you think it
216 was until (Barry) moved into that office and subsequently started - you guys
217 started using it as a property room?
218
219 A: I don't know. Maybe a year.
220
221 Q: A year, so 2012, maybe?
222
223 A: Maybe. Yeah. I - I don't - I'm not too sure on the date.
224

225 Q: Right.
226
227 A: I can't even remember when we actually turned it into, you know, what is
228 being referred to as a property - or a secure room for our property.
229
230 Q: Okay. Okay. I'll - I'll let you know that, excuse me, in the interviews that I've
231 - that I've come across so far, um, approval was - was granted by, ah, now,
232 um, Chief (Lopez)...
233
234 A: Mm-hm.
235
236 Q: ...and, ah, Captain (Steve Bailey)...
237
238 A: Mm-hm.
239
240 Q: ...for that room to be used for detective storage for, um, for property and
241 evidence. Um, I don't know the exact date at this point. That's why I'm trying
242 to get dates as clear as we can...
243
244 A: Right.
245
246 Q: ...right now. So that's why I'm trying to get that ironed out. Um, so that room
247 was being started. When you - when you all started using that room, um, was
248 there - was there ever anything written up or discussed informally or formally
249 with, ah, with Captain - or with, um, with (Barry Hamel) about the usage of
250 the room? Was he ever - did he ever give you guidelines on hey, stuff can be
251 used in this situation but not in this one or give you a timeline on hey, things
252 have to be out of here in a certain amount of time?
253
254 A: Never.
255
256 Q: It was never discussed?
257
258 A: Never.
259
260 Q: How did it come to be the property room and how did you guys know to be
261 able to start using that?
262
263 A: Well, it was established that it was a property - that we were gonna secure
264 evidence that we typically - like if we did a search warrant and it was late at
265 night...
266
267 Q: Mm-hm.
268

269 A: ...we would store stuff there. We'd come back to (Roeser), we would store
270 stuff there, secure it and then come back and we would process the evidence
271 for that investigation.
272

273 Q: Okay.
274

275 A: So it was never - there was never any formal discussion like hey, you know
276 what, you need to do it, it has to be out at this time kind of stuff.
277

278 Q: Okay. It was never established, a 48 hour rule...
279

280 A: Never.
281

282 Q: ...or anything like that?
283

284 A: Never.
285

286 Q: Okay. Do you know if anybody ever did audits in that room, if the supervisor
287 or anybody in the unit would have taken it upon themselves to audit the room
288 periodically to see if the contents in there are accurate, if they're being
289 processed or timeframes had lapsed or anything like that?

290

291 A: No.
292

293 Q: Okay. Um, like I said, the - there's the one key. Um, I guess we'll start with,
294 um, there's - there's property that was found in there, and I showed you the
295 pictures of them. Of that they go back to eight different DRs, one of which,
296 ah, is yours. It's DR 14-011132. I've got a copy of the DR right here, ah, if
297 you need a copy for...
298

299 A: I have it right here.
300

301 Q: You've got a copy as well? Okay. That DR was pulled on the 15th of May.
302 Um, that's a 267 case. Ah, from what I know of this case so far, um, this was
303 a case that you all were working, VCU was working on a murder for hire. Ah,
304 it goes back to DR 14-0111 - let me say that again. There's a lot of ones there.
305 14-011117. It's, ah, where Deputy Honea - Honea is the, ah, case agent on the
306 same day, the 15th of May. Um, while serving a search warrant at a location,
307 there were two locations that day that the search warrants were being served.
308 The location that you were at, um, in the search, you were part of the search
309 team there. I believe, ah, Detective (Osborne) was there as well. Um, you
310 came across a bag. Is that - is that correct?
311

312 A: It was a purse, yes.
313

- 314 Q: It was a purse? Okay, that's what it was. Okay. In the purse you found a bag
315 of - there was a weapon, a 45 caliber weapon, a baggie of meth -
316 methamphetamine and, um, a female's identity. Um, her driver's license, her
317 Arizona driver's license.
318
- 319 A: Correct.
320
- 321 Q: Okay. And tell me if any of this stuff is incorrect. This I what I've gathered
322 so far. At that point you called the case agent Greg Honea and said, "We need
323 to draw another - the search warrant doesn't include this - this, ah, bag right
324 here, this - this purse and we need to draft another search warrant." Did - go
325 ahead.
326
- 327 A: He - not the bag. The search warrant did give us the ability to seize the
328 weapon, ammunition, the holster and the drugs. So I called him up and I
329 instructed him that a new search warrant needed to be drafted specifically to
330 recover those items, because the original search warrant didn't list it as a
331 recoverable item.
332
- 333 Q: Okay. And in talking to, ah, Greg Honea he told me he - he authored another
334 search warrant, um, and then you guys conducted the search and then took
335 those items, um, for property and evidence. And - and is that how this took
336 place? Is that how the - you became the reporting deputy on this - this DR?
337
- 338 A: Correct. Correct.
339
- 340 Q: So you took the DR for the subsequent discovery of things that you didn't
341 know about in the first search warrant?
342
- 343 A: Correct.
344
- 345 Q: Okay. So that's how you play into this. That's how we find (Dave) Parra's
346 name on the, um, on the DR List. All right. So this happened on the 15th.
347 I've got a copy of the - the Property Invoice as well. Ah, if - if you don't have
348 it in - in the copy of the report if you need to see it.
349
- 350 A: No. I don't have a copy.
351
- 352 Q: Ah, the items that you have is a 45 caliber handgun, ah, rounds, baggy of meth
353 and an ID. Um, when did they get put into the (Roeser) property and evidence
354 room?
355
- 356 A: It would have been that night. Like I said there was multiple search warrants.
357 The evidence was, ah, was collected and then transported that night after both
358 search warrants were completed and dropped off at (Roeser).

359
360 Q: Okay. So there was no time delay. It was prior to end of shift, um, those
361 items were - were taken to the (Roeser) property and evidence room.
362
363 A: Correct.
364
365 Q: Okay. Do you remember who took them down there, if it was you or
366 somebody else?
367
368 A: Um, I'm trying to remember. Ah, that was when...
369
370 Q: And if you don't remember that's fine. It's been a little while.
371
372 A: Yeah, I can't remember. It would be an east sider typically because it was, ah,
373 more of Phoenix Sunnyslope area. So typically the people who bring the
374 evidence back would be someone closest and that's typically east siders.
375
376 Q: So the east siders at that time would have been?
377
378 A: (Sean), ah, (Pearce) or (Connie Davison) or myself.
379
380 Q: Okay. So it could have been any of you guys?
381
382 A: Correct.
383
384 Q: But it did get placed into property and evidence prior to end of shift?
385
386 A: Yes. Nobody takes it home.
387
388 Q: Okay. Um, there's some photos in here. If you could identify what photos
389 would be what we're talking about. Did you see, um, in the photos?
390
391 A: Right, um, looking at Photo Number 1, I can't identify which stuff it is. Photo
392 Number 2, no. Photo Number 3 no. Photo Number 4 no. Five no. Six no.
393 Seven no. Eight no. Nine no. I don't even know what ten is.
394
395 Q: It's a bag. The outside from the previous pictures.
396
397 A: Oh, from nine, okay.
398
399 Q: Yeah, from nine. That's just the outside of it just showing that it wasn't
400 marked.
401

402 A: No. Eleven no. Twelve and 13, or 14 no. Fifteen no. Sixteen and 17 - or 16
403 is no. Um, I don't even know what 17 is. I see it's just an evidence bag Item
404 200 with a DR.
405
406 Q: It's not the same DR though. It's...
407
408 A: Yeah. No.
409
410 Q: That - that DR right there from Number 17 is from the search warrant that -
411 that took place that day, of the two search warrants.
412
413 A: On the opposite end, I'll bet you.
414
415 Q: Right. I don't know if it was at your location. I don't remember if Detective
416 (Pearce) was at your location or not.
417
418 A: No, he wasn't.
419
420 Q: Okay. So that would have been the other house then.
421
422 A: Um, 18, I don't know. No. Nineteen no. I don't know what 20 is or 21. Um,
423 hold on. I can't see what 20 or 21 is, but 22, I see a corner right here. It looks
424 like it was Mesa. And I remember us taking a - it was a motorcycle helmet
425 from the Hell's Angels and it was a Mesa chapter.
426
427 Q: Right, that's what it is.
428
429 A: Okay. So just based on that corner picture, 22, looks like one of the items that
430 we seized from there. Yeah, 23 I believe was the roster of known Hell's
431 Angels, ah, in California and Arizona.
432
433 Q: Mm-hm.
434
435 A: I don't know what 24 is.
436
437 Q: Twenty-four is a box of electronics that was - or not electronics, but, ah,
438 photography equipment to be returned to, ah, the lab and it's been there for
439 over a year from what I'm told.
440
441 A: Is that the stuff (Sean Edwards) gave (Hamel)?
442
443 Q: It may be.
444
445 A: Yeah, longer than a year.
446

447 Q: It's been there a while, huh?
448
449 A: Yeah.
450
451 Q: How long do you think it's been there?
452
453 A: (Sean Edwards) left the unit when we, ah, came here, and ah, we officially
454 went under SID. He had left the unit at that point. So it's been a good, ah,
455 two years.
456
457 Q: It's been sitting there for over two years?
458
459 A: Yeah, because, ah, we did our first large mafia investigation in March of
460 2012. He left shortly right after that, roughly the summertime of 2012, so it's
461 gonna be - he's in two, close to two year.
462
463 Q: And (Sean Edwards) gave that to (Barry).
464
465 A: If it's the camcorder...
466
467 Q: What you think of.
468
469 A: If it's a camcorder and some photography equipment, ah, yeah, (Sean) gave
470 that to (Barry).
471
472 Q: Okay.
473
474 A: I know if it's the same equipment I guess it was misused or it was broken or
475 something like that.
476
477 Q: I don't know.
478
479 A: Yeah, it's something like that to that effect. I don't know what 25 is.
480
481 Q: Okay. So it doesn't look like we have any photos of the, ah, the Springfield
482 handgun, the 45 magazines, the rounds, um, the granular substance positively
483 tested for meth or the identity. Um, do you know where it would have been in
484 this room? Do you see it in Picture Number 1?
485
486 A: I'm assuming, ah, I believe the stuff on top where the rifle case is in Number
487 1, the box behind it, I believe that belongs to (Pearce) with his search warrant,
488 because I remember we seized that rifle case. It's the Aryan Brotherhood
489 investigation. The stuff underneath the table is probably gonna be it, what
490 we're talking about. And when we did our search...
491

492 Q: Your - your handgun and the...
493
494 A: Yeah. What happened is ah, because there was two search warrants, so we go
495 the boxes. We recovered our items, placed them in a big box, separated by
496 them by search warrant numbers but they all went together.
497
498 Q: Mm-hm.
499
500 A: So I'm assuming it's somewhere in there.
501
502 Q: Okay. And you were talking about not the box but the partially closed top.
503 Ah, it's actually a bag it looks like on the ground. Is that what you're talking
504 about, the brown paper bag?
505
506 A: Yeah, underneath the table.
507
508 Q: Okay. It would have been in there then. Okay. Um, the items went back
509 there on the 15th. They were discovered on the 18th and subsequently went
510 into property on the 19th. Um, was there anything that still needed to be
511 processed on there, any reason that they would still be there and they hadn't
512 made their way down there at that point?
513
514 A: No, they were processed. Ah, I know they were bagged. Evidence was done.
515 You can tell that by the photos. They just weren't taken down.
516
517 Q: They just weren't taken down?
518
519 A: No.
520
521 Q: What was the process you guys used to get stuff down there? Was there a
522 process? Was it just each - each detective was left to their own property and
523 trusted to do it? Was the sergeant responsible for it? Was there one person
524 that took all the property down? What was the - the way that you guys would
525 make sure property got down to property?
526
527 A: The Sergeant wasn't ever involved in this. It was always the individual
528 detective. So if I was the case agent for an investigation, typically what -
529 because I would have such a large responsibility such as an in custody, the
530 typing of the in custody and gathering all the supplements, people who had
531 executed the search warrant typically would assist with processing the
532 evidence. That's how I did it. Now how other people did it, you know, (Sean)
533 was a little bit different. Honea was a little bit different. But like if it was my
534 search warrant and I did it and I was the case agent, it was my responsibility
535 to get the search warrant returned back to the courts, do the paperwork. I
536 would ask other people to go ahead and take care of that property for me.

537

538 Q:

So you guys basically, ah, policed yourselves. You guys took care of your own evidence yourselves. Your Sergeant didn't keep a record of this or have any kind of guidelines that everybody followed. It sounds like you said each detective had their - their own way of doing things. Is that accurate?

539

540

541

542

543 A:

Yeah, we kind of followed the same route, maybe different variations of how things done within the same pattern, but the supervisor was never active in, ah, the processing or - or overseeing of the - either the investigation and/or the collection of property or the process of the evidence.

544

545

546

547

548 Q:

Oh, so for (unintelligible) it was you guys - case agent would call the shots more or less on how this evidence was going to be done?

549

550

551 A:

Correct.

552

553 Q:

Okay. Um, was it common to - to store stuff there for a prolonged period of time or is - is - I guess tell me what kind of - what was the norm? How long would stuff normally be there?

554

555

556

557 A:

I would - I would say yeah. Some of the stuff would sit there, you know,

558

559

depending on, you know, I remember seeing this trash can in photo Number 1 there. I mean that's been there.

560

561 Q:

We can talk about that one too if you like. Um, I was gonna ask you anyhow. Um, that - that actually, um, is a DR that is 14-014109.

562

563

564 A:

Mm-hm.

565

566 Q:

Um, DR was pulled on the 19th, um, the day that this was - or the day after this was discovered. Um, Deputy Honea, um, is the - the, ah, the deputy who pulled the DR. Ah, from what I know, he wasn't - he wasn't even on scene.

567

568

569

570 A:

Yeah, that's not fair for him to even be associated with this.

571

572 Q:

Right. Yeah, he wasn't - and I read the DR. He wasn't even on scene for this, but he did write the report as he was asked. Um, from what I was told, if I remember, you were on scene with Detective, ah, (Pearce)...

573

574

575

576 A:

Yep.

577

578 Q:

...helping (Hyta) on a case.

579

580 A:

Yep.

581

582 Q: And (JP Garcia), a neighbor came up to (JP Garcia), pointed this out, he ran a
583 bomb dog on it, there was no alert, opened it up, found out, hey, this is
584 remnants of what looks to be maybe a grow or something, marijuana grow. A
585 bunch of, ah, old plants that had been discarded. Um, and then you all were
586 asked to go there by Sergeant (Hamel)?
587

588 A: Yes.

589
590 Q: Who was not on scene.

591
592 A: Correct.

593
594 Q: He wasn't out there. Ah, explain to me how that went.

595
596 A: Ah, like I said - like you said earlier, we were actually on a search warrant
597 with (Hyta) that was, ah, executed by SWAT. It was secure. Ah, we were
598 instructed shortly after it was secured that our - the target of that
599 representative was possibly staying across the street at another location. So
600 we had set up on the house. They were attempting to, ah, get into that
601 residence and locate our target.

602
603 Q: Mm-hm.

604
605 A: Ah, we were unable to get inside the house. We still kind of were watching
606 the house. Ah, (Hamel) came up to me and says, "Hey, I just got a call from
607 (JP Garcia) from Canine. You have a truck. I need you to go pick this up."
608 And then he told me that it was a trash can full of weed. I'm like, "For what?"
609 And he's like, "He doesn't have the ability to transport it so we're gonna take
610 it." And at some point he had told (Sean Pearce) to follow me there to go get
611 it. In my mind I'm thinking all right, well if my supervisor told me to go pick
612 it up, I'm gonna go pick it up, but I had no direction on are we the case agent
613 about it, why we're picking it up. I mean in my, you know, in theory - or not
614 in theory but the way it should have worked in my opinion was, okay, there's a
615 big trash can full of weed here. (JP) can't transport it. Can you transport it,
616 take it the to the night drop so (JP) can come the next morning and process it?
617 No, I was told to bring it here to (Roeser). And in my belief is -- and, ah, this
618 is just my belief -- the reason we took the trash can with the weed was for
619 statistical reasons, that we as VCU can log in the amount of weed, because
620 (Barry) had asked me later on, how much weed did I believe was inside that
621 trash can weight wise.

622
623 Q: Okay.

624
625 A: So that's what makes me believe that the main purpose we took this trash can
626 was just for statistical reasons.

627

628 Q: Okay.

629

630 A: Because we had no, ah, target information. We had no leads. I mean, and I
631 didn't even know where we were going. I mean I - I - I had to put it in my
632 GPS to find this location because I had no idea where were going. Once we
633 get there, sure enough there's marijuana inside this trash can. You know,
634 (Hamel) tells me to transport to (Roeser). I transport to (Roeser). My
635 personal belief is I should not be a case agent on that nor should (Sean Pearce)
636 be the case agent on this just for that reason. But if someone needs to take
637 responsibility for that trash can, I transported it. So if someone has to take
638 responsibility for that, then I'm the one that transported it, but it was under the
639 direction of Hamel. So I tried to find - so I remember him asking me, "How
640 much do you think it weighs?" So I went to, ah, the stats, our weekly stats,
641 couldn't find it. Because at this point I know (Hamel) was instructed to take
642 the stats and start inputting them in for each unit. That weed was taken I
643 believe in - wasn't it in May?

644

645 Q: Um, no. I think - where the heck is that one? No, you're right. I think it was
646 in May.

647

648 A: I show May 12.

649

650 Q: Right.

651

652 A: Month of May VCU logged 2 grams of marijuana as a seizure.

653

654 Q: Two grams.

655

656 A: Two grams.

657

658 Q: So it didn't get statted?

659

660 A: It did not get statted. And that was after he had asked me my stats. And I go -
661 I remember saying, "I have no idea. It's dried out weed. I don't know how
662 much it weighs."

663

664 Q: Okay. Yeah, it's kind of - from what I saw in there it looks like a lot of stalks
665 and...

666

667 A: Right.

668

669 Q: ...it's not stuff people would sell. It's the stuff that gets thrown away.

670

671 A: Exactly. Someone didn't want to have it in their - in their area. They're
672 getting rid of it. But like I said, you know, if we're taking this, someone
673 clearly needed to be the case agent. Someone needs to go ahead - and if it's
674 just found property, but in my opinion if it was just found property, why not
675 have me transport it to property, put it in the night drop. (JP) can go in the
676 morning. He can go ahead and do the simple paperwork. But no, we were
677 instructed to take it to (Roeser) and then shortly after that I was asked, how
678 much do I think it weighs, to that leads me to believe the reason we didn't take
679 it to night drop and we brought it to (Roeser) and the reason I was asked how
680 much it weighed was because we were gonna stat it for statistical reasons.
681 And then when I look up our stats, we got two grams of weed.
682

683 Q: Didn't even get statted.
684

685 A: No.
686

687 Q: Okay. Did he give you any kind of direction on who the case agent was
688 gonna be or how it was gonna be handled or he just said, hey, take it to
689 (Roeser) and?
690

691 A: He told me to drive to that, ah, location, meet (JP Garcia). He had some weed
692 there, and pick it up, because I had the truck and (Sean Pearce) was to follow
693 me. So, again, I had the truck. I picked it up. I put it in my car. I brought it
694 here to (Roeser). So it's not fair that Honea be held responsible if (Sean
695 Pearce) was in the traveling vehicle, I mean if.
696

697 Q: So it was in there that it got put into the property and evidence room in
698 (Roeser) at the end of shift?
699

700 A: Ah, yeah. Right after we picked it up. Ah, and I guess it's Milkweed Loop
701 and Pacey Road here in Phoenix.
702

703 Q: Mm-hm.
704

705 A: Ah, once we picked it up there, ah, I mean I didn't even gather any
706 information, because in my mind at that point, I'm not the case agent. I mean
707 really, I'm - really, if I was the case agent I would have obtained the proper
708 information, the people who reported it to (JP). I - I didn't do any of that. So
709 I grabbed it and I drove it here and I dropped it off.
710

711 Q: Okay. So by close of business that day though it was - it was in the property
712 and evidence room.
713

714 A: Oh yeah.
715

716 Q: It didn't sit in your truck overnight or anything like that?
717
718 A: No.
719
720 Q: It went from that location straight to here? There was no other locations
721 where it was temporarily? You guys didn't put it over at (Hyta) or over in
722 property or district or anything while you finished up something else?
723
724 A: Correct. Correct.
725
726 Q: It was from there straight to here?
727
728 A: Correct.
729
730 Q: Okay. Um, did - did you make your supervisor aware of it? Did you let
731 (Barry) know, hey, got that done? So he - did he know it was here?
732
733 A: Yeah, because he came and asked me how did it - how much did I think it
734 weighed.
735
736 Q: Okay. Fair enough. So he - he would have seen it. When did he ask you that
737
738 Do you remember, was it like the next day or?
739 A: It was shortly after. I mean I would think it would have been a day or two
740 afterwards because ah, we would have put it in the weekly stats.
741
742 Q: Okay. Um, did - did - so he never gave you direction on who was gonna take
743 care of your status or anything. It sat there for five weeks. Um, did - did
744 anybody bring it up and say hey, this stuff is still in here, we have to do
745 something with it? Did anybody - you said that audits weren't done, random
746 audits or anything.
747
748 A: Correct.
749
750 Q: Did anybody discuss hey, this needs to be processed? We need to get this
751 down to property and evidence, either your supervisor or squad mates? Did
752 anybody see it and have any kind of comments or do you have any emails or
753 texts or anything kind of - kind of communication about that kind of stuff?
754
755 A: The only email that I received from (Barry Hamel) was on June 12th. And I
756 printed it out and it says, subject, and it says, "Our office move." It doesn't
757 say anything about property. It just says, "Office move." I says, "We will be
758 moving to (Hyta) possibly as soon as the end of next week. We need to have
759 the property room completely cleaned out ASAP. If you have any property in
760 there please complete it and get it down to property. (Barry)."

761

762 Q: Okay.

763

764 A: I looked on - and I got a lot of my - and I went all the way back to my deleted
765 messages and I, ah, put (Barry)'s name in. I looked at every deleted message
766 from (Barry) all the way back to November 13, 2013, and nowhere in my
767 deleted emails does he say get rid of the - or clean up the property room. In
768 my inbox emails I looked all the way back to, ah, August 2, 2013 under
769 (Barry)'s name and at no time did he make or - any requests or any direction
770 for us to clean out the property room.

771

772 Q: Okay.

773

774 A: So those are the only email received from (Barry Hamel) to me and everyone
775 within the unit was on June 12, 2014 at 12:10 pm.

776

777 Q: Okay. And I've seen that. Can I have a copy of that?

778

779 A: It's yours.

780

781 Q: Is that one?

782

783 A: Yeah.

784

785 Q: Okay. I think I've seen the same one from, ah, other people as well. Ah, and
786 this is in preparing for the move basically.

787

788 A: Correct.

789

790 Q: Okay. I'll ah, I'll keep a copy of that as well. All right. So there was no
791 verbal - did you guys have - did VCU have, ah, squad staffing? Did you guys
792 have briefings every week where you'd go over things where this might have
793 been discussed? Um, was there anything set up like that every Monday
794 everybody got together at 10 o'clock and went through things?

795

796 A: Ni. The way - the way it worked is typically one of us would get an
797 investigation and, ah, like for particularly me, I would have an investigation. I
798 would come and say, hey, I got something going on, can anyone come to the
799 table. We have a large, ah, table with our - our little squad area there.

800

801 Q: Mm-hm.

802

803 A: And we would sit down and I would - I would, ah, present the - what I have
804 and say this is the kind of investigation that I think we have here. And, ah,
805 then I would say these are the crimes that I think we can prove through this

806 investigation based off of what I had, then I would give direction to either
807 (Connie) to start listening to the (Vac). I would have a couple guys maybe go
808 do surveillance on a house if surveillance needed to be done, or if it was at a
809 jail, maybe surveillance there while I met with informants or CIs or whatever
810 the case was and then, ah, everyone go out and do what I would ask them to
811 do.
812

813 Q: Okay. And you said you would - you would give people things to do?

814
815 A: Correct.

816
817 Q: Different - different stuff. What role did the supervisor play in that?

818
819 A: He didn't play a role in the investigations. He did not - he did not give any
820 input into the investigation nor did he give any supervisor direction like hey,
821 you know what? We need to do this or you know, we need to, ah, gather this
822 information for this or that. Typically, you know, if there was a large
823 investigation it was probably me starting it or (Connie) with me. And then,
824 ah, we would just roll with it, and then we would dole out tasks to other
825 people on our team to assist us with that investigation.
826

827 Q: Okay. So he didn't play a role in that? Okay. All right. Um, I've talked to
828 different people about I guess the standard way that investigations - the
829 property and large investigations have been handled, and I've heard that - and
830 similar to what you've already said, there - there's nothing been posted or
831 discussed among the unit of hey, stuff can stay here for 48 hours or whatever
832 it be. It was kind of commonly accepted that if you had a hot lead you had to
833 run that down, you'd come back, you'd get the property later. It's been
834 secured.
835

836 A: Right.

837
838 Q: Um, is that - is that accurate or is there any - any kind of difference to that?

839
840 A: No, because at times we would do ah, say for - say for instance say we had
841 property in there from a search warrant the night before but, you know, the
842 next day you would come in and your intention would be to start processing
843 that property, then something would come up either with an assist to a
844 different unit and/or another lead would come in through your investigation.
845 Yes, it was common for you to go out and start doing something else quickly.
846

847 Q: Okay. So is there a reason - and we'll talk about just the, ah, the search
848 warrant stuff or the Springfield, ah, 45 and the accompanying drugs and ID.
849 Is there a reason or any - anything that would require it to be there for a long
850 period of time on this - on that case?

851
852 A: On - on that case, no.
853
854 Q: No. Okay. How about the, ah, the marijuana or any of the stuff in there? Is
855 there anything in there that - that you were individually involved in, not other
856 people? If you don't have any knowledge of it I don't want you to make a
857 guess, but, ah, those two in particular I know you were involved in. Was there
858 anything that would, ah, justify those still - still being in there?
859
860 A: No.
861
862 Q: Okay. So there was no - but there was no special permission asked for or
863 granted to have it there either?
864
865 A: Yeah.
866
867 Q: Um, because as you said, the case agents police themselves.
868
869 A: Correct.
870
871 Q: The sergeant - was there a sign in log for the stuff that went in and out of the
872 room?
873
874 A: Nope.
875
876 Q: There was no record keeping of what went in, what came out?
877
878 A: Negative.
879
880 Q: Or when it went in or when it came out?
881
882 A: Um, you know, some - like some case agents would place like, ah, ah, copies
883 of their search logs on it or whatever that case would be for that particular
884 item seized, but there was no log. There was no register of items inside that
885 room.
886
887 Q: Okay. Um, there's another item in here that had come up. Um, you can see it
888 on Number 1. But I think if you go back a little further Number 2 kind of
889 depicts it as well. There's that kit. Um, do you recognize that one?
890
891 A: I do.
892
893 Q: Ah, can you explain what that is?
894

895 A: Ah, it was a kit. Ah, I believe it had some needles in it and, ah, or syringes
896 and some empty seals.
897

898 Q: Right. I believe this is going to be DR ah, 14- ah, 14-014108. This DR as
899 well was pulled on, ah, the 19th, ah, meaning the same day that his was
900 discovered, um, by Detective (Pearce) on that day. Ah, let me make sure I
901 have that right. Stand by. I've got that wrong. The DR is 14-010878. This
902 was pulled on the, ah, May 12, 2014 on a, um, 250. Do you remember this
903 one? This was, ah, back in May- May 12th. Um, VCU was helping out or
904 was trying to locate an out of state felony...
905

906 A: Yes.
907

908 Q: ...ah, warrant.
909

910 A: Yes.
911

912 Q: The guy took off. Um, took off in his vehicle, ended up going into a - like a
913 dead end driveway type thing, took off on foot, was later captured.
914

915 A: Yes.
916

917 Q: Car was towed. Um, was this - is this the same stuff that was found in that
918 car?
919

920 A: Yes.
921

922 Q: Okay. Were you - what was your role in that?
923

924 A: Ah, at the - at the beginning of the investigation I was more of a surveillance
925 unit.
926

927 Q: Okay.
928

929 A: Um, we followed the, ah, I think back then they were pinging that phone on
930 that target. It was coming from Tucson I thought and, ah, we had landed that
931 target at a house in Phoenix and, ah, the target had left that residence and we
932 started following the vehicle. Ah, I remember driving by and I put eyes on it
933 and I believe I confirmed and someone else confirmed that it was our target
934 riving that vehicle. Vehicle got on the I - or I-17 northbound, ah, went north.
935 I want to say got off on Peoria and went, ah, west, but by that time - or east.
936 By that time he had ah, made our surveillance, ah, I think it was (Hamel) up
937 there, because ah, we started losing him in traffic. (Hamel) had got burnt in
938 the surveillance. Ah, target had made a left on a major street. I want to say
939 it's like 15th or something like that. Um, turned into a neighborhood. I