

1           MR. JUDKINS: It's just -- it's that. It's just the  
2           digital copy.

3           MS. FRAZIER: Oh, okay.

4                                   CROSS-EXAMINATION

5       BY MR. JUDKINS:

6           Q     while he's, while he's -- you and I can proceed  
7           while he's setting up the machine.

8           A     Okay.

9           Q     who was the person in the photographs that you sent  
10          to Mr. Harvey?

11          A     That was another law enforcement officer at my  
12          agency, Amanda Torello.

13          Q     How old is she?

14          A     She's now in her thirties.

15          Q     In her thirties?

16          A     Yes.

17          Q     So she was in her late twenties then, or she wasn't  
18          30 yet?

19          A     I don't believe she was 30 yet. I'm not exactly  
20          sure how old she was when those photos were taken.

21          Q     So she certainly wasn't 18 or 17 or 19?

22          A     No. She was not a minor when those photos were  
23          taken.

24          Q     Okay. Was -- did she give you those photos in  
25          Tallahassee, or did you have them and permission to use them

1 before you came?

2 A I had those photographs prior to coming to  
3 Tallahassee. And she signed a consent form in order to be  
4 able to use those in these types of investigations.

5 Q So she's -- she looks kind of petite. Is she?

6 A She is.

7 Q And -- but she's a mature woman, right?

8 A She is.

9 Q Is she married?

10 A No. She's divorced.

11 Q Okay. She has been married.

12 A Yes.

13 Q Okay. Why didn't you send a picture of a  
14 14-year-old?

15 A Because I didn't have a photograph of a 14-year-old.  
16 And I'm not going to use a photograph of a child and  
17 potentially make them a victim of a sex crime.

18 Q It could be a fictitious child, though. You could  
19 send a picture of a 14-year-old that would not give something  
20 somebody the comfort of seeing a mature woman in the  
21 photograph, right?

22 MS. FRAZIER: Object --

23 THE WITNESS: No.

24 MS. FRAZIER: -- this is argumentative and compound.

25 THE COURT: Overruled. You can answer the question.

1           THE WITNESS: No, sir. I can't use a photograph of  
2           a fictitious person. Any photograph that is used, I have  
3           to be able to identify who that person is and also have  
4           their consent to do so.

5 BY MR. JUDKINS:

6           Q     So there's no 14-year-old in the United States that  
7           the State of Florida, Department of Law Enforcement could use  
8           in this, even maybe a dead person?

9           A     I can't get consent from a dead person.

10          Q     well -- so you couldn't give a picture of a  
11          14-year-old so the guy that you're talking to could know for  
12          sure that this is a child.

13          MS. FRAZIER: This is a compound question, and it  
14          calls for speculation, Judge.

15          THE COURT: Overruled. If you can answer the  
16          question.

17          THE WITNESS: I --

18          THE COURT: If you understand it.

19          THE WITNESS: -- could use a photograph of a person  
20          who is now a adult and use a photograph of when they were  
21          14, with consent. But to use an actual child's  
22          photograph in this type of investigation would -- I would  
23          be just as guilty as the person trying to solicit sex  
24          from the minor.

25 BY MR. JUDKINS:

VERONICA G. MCCLELLAN, RPR, OFFICIAL COURT REPORTER

1 Q why do you say that? what -- where, where is the  
2 rule that you can't send a photograph of a person that you --  
3 there's no rule that says that, is there?

4 A I don't understand your question.

5 Q Is there a, a document, a rule that you had to  
6 follow that says you cannot send a picture of somebody that's  
7 14 years old?

8 A I cannot send a photograph of a minor, an actual  
9 minor during these investigations.

10 Q why do you say that? where is that rule is what I'm  
11 asking you.

12 A Because I could -- it's part of the ICAC standards.

13 Q That -- what is part? That's what I'm asking you.

14 A Yes. It's part --

15 Q Pick it up and read it to me, if you don't mind.

16 A I don't have it.

17 Q Okay. But it says you can't send a photograph of a  
18 child?

19 A It -- we are not allowed to do that. That was  
20 covered in our training. No, we cannot.

21 Q You just said it's part of this standard.

22 A Yes.

23 Q Is it part of the standard or not?

24 A It is part of our standards.

25 Q So the standard says that, in writing. Is that what

1 your testimony is?

2 A I am saying that we are not allowed to put any minor  
3 child in jeopardy during one of our investigations. And that  
4 is part of the ICAC standards, that we will not jeopardize a  
5 child during our investigation.

6 Q well, did you try to find a picture of an  
7 18-year-old in one day that looked like a 14-year-old? I bet  
8 there are some out there.

9 A There's also some 20-something --

10 Q No. we're not talking about --

11 A -- year-olds who --

12 Q But you sent a picture of a 30ish-year-old,  
13 well-developed woman, saying that that's a picture of a  
14 14-year-old, right?

15 A I don't understand what the difference between an 18  
16 and 28-year-old. They're still an adult. They're not  
17 actually 14.

18 Q I'm saying what you sent.

19 A Yes, I did. I sent a 20-something-year-old picture.

20 Q Okay. And a well-developed 20-something-year-old,  
21 right, with strikingly suggestive poses. You disagree with  
22 that?

23 A I don't know that she's well-developed, anymore than  
24 a 14-year-old would be.

25 Q You don't?

1 A No.

2 Q Okay. Well, he -- Mr. Harvey was obsessed with your  
3 age, wasn't he? How many times did he talk -- ask you how old  
4 you really are?

5 THE COURT: Hold on a second.

6 MR. JUDKINS: I'll strike it.

7 THE COURT: Ask a question.

8 MR. JUDKINS: I'll rephrase it.

9 BY MR. JUDKINS:

10 Q How many times did he ask you how old you are?

11 A There were several times where he wanted me to say  
12 that I was not 14 and that I was actually 18 so that he -- so  
13 that it would not be illegal for him, even though he knew that  
14 I was 14.

15 Q Okay. So that what? Say that -- repeat the last  
16 part of your answer.

17 A I said so that he -- so it would not be illegal for  
18 him to meet me. If I was to say I was 18 and come off of what  
19 I had told him, that I was 14, it wouldn't be illegal for him  
20 to meet me.

21 Q Well, let's go to that part of the text.

22 Mr. Hayes, can you pull that up?

23 MS. FRAZIER: Judge, this is them creating their own  
24 evidence. We've entered the chats into evidence. I have  
25 not had -- been provided a copy of it.

1 THE COURT: This is the same transcript, correct?

2 MR. JUDKINS: Yeah.

3 MR. HAYES: It's the same.

4 THE COURT: You can use it as a demonstrative  
5 exhibit. You did the same thing.

6 MR. HUTCHINS: But, respectfully, Judge, that's in  
7 evidence. That's not. They can't --

8 THE COURT: It's a demonstrative exhibit, though.  
9 It can be used as a demonstrative exhibit. It's not in  
10 evidence. The substance might be in evidence.

11 MR. HUTCHINS: Yes, sir.

12 THE COURT: But, yes, this is in evidence. This is  
13 a demonstrative exhibit. It's already acknowledged.  
14 It's the same thing. It's the same substance.

15 MR. HUTCHINS: Yes, sir.

16 THE COURT: He can use it.

17 MR. HUTCHINS: Yes, sir.

18 MR. JUDKINS: Judge, it's approaching -- I think, I  
19 think that clock is right.

20 THE COURT: We're going. Let's go, Mr. Judkins.

21 MR. JUDKINS: Keep going?

22 THE COURT: Yeah.

23 MR. JUDKINS: Okay.

24 THE COURT: We're finishing with this witness before  
25 we break.

1 MR. JUDKINS: Okay. Did you find it, Mr. . . .

2 MR. HAYES: This is one part.

3 MR. JUDKINS: Huh?

4 MR. HAYES: This is one part.

5 MR. JUDKINS: That says you're 18.

6 (Off-the-record discussion.)

7 BY MR. JUDKINS:

8 Q Actually, Detective, how old are you?

9 A I'm 36.

10 Q Okay.

11 MR. JUDKINS: Are you there?

12 MR. HAYES: Yeah.

13 BY MR. JUDKINS:

14 Q All right. This is at 5:47:52 p.m. Y'all have been  
15 talking about how old you really are. And he says, "I don't  
16 re -- I don't really know your age, so you must say 18." And  
17 you say, "Correct."

18 A No. Actually, he says, "Correct."

19 Q He says, correct. So what did you say?

20 A I said, "Yes. I want to be your sugar baby."

21 Q "So you're telling me you're 18?"

22 A "You know that I will tell you what you want to  
23 hear."

24 Q Okay.

25 A "I want to be your sugar baby and you to be my sugar



1 daddy."

2 Q Okay. It's real clear there that he's saying you're  
3 18. That's what he says.

4 A No. He's asking if I'm 18. And I don't confirm or  
5 deny --

6 Q No. Nor deny. Okay. If you, if you really wanted  
7 to make it clear at that point, you could say, I told you, I'm  
8 14. I'm 14. If you want to continue this conversation,  
9 continue it.

10 A I've made it --

11 Q You're --

12 A -- clear multiple times prior to that, that I was  
13 14. It was --

14 Q well, what --

15 A -- mentioned several times in the conversation. And  
16 he --

17 Q well --

18 A -- the --

19 Q Go ahead.

20 A -- page before, "He says, so are you really 14 or  
21 18?" So he knew right then and there that he was -- that I  
22 was -- that he was communicating with a 14-year-old.

23 Q He what?

24 A He knew, during that conversation, that he was  
25 speaking with a 14-year-old. However, because he knew --

1 Q well --

2 A -- it was illegal to meet with a 14-year-old, he was  
3 trying to get me to admit that I was 18. So . . .

4 Q well, you're arguing your point now. But he wasn't  
5 speaking with a 14-year-old. He was speaking with you.

6 A Absolutely. who is playing the role of a  
7 14-year-old --

8 Q well --

9 A -- and who had told him that he was speaking with a  
10 14-year-old.

11 Q well, he -- was he speaking to a 14-year-old or a  
12 30-something-year-old?

13 A I think I've already answered that. He was speaking  
14 with me, who is --

15 Q well --

16 A -- playing the role of a 14-year-old.

17 Q well, we all know that. You have to -- you don't  
18 have to keep repeating that. We know that's --

19 THE COURT: well, you keep asking the same question,  
20 Mr. Judkins.

21 MR. JUDKINS: well, I . . .

22 THE COURT: And you just answer the question that's  
23 asked. Okay?

24 BY MR. JUDKINS:

25 Q So what does this --

1 THE WITNESS: Yes, sir.

2 BY MR. JUDKINS:

3 Q what does this mean? You know that I will tell you  
4 what you want to hear. what does that mean?

5 A It means that I'm not answering his question,  
6 because it has already been answered previously with the fact  
7 that I was 14.

8 Q That's what he wanted to hear, that you're 14?

9 A No. He wanted me to tell him that I was 18. And I  
10 was not going to do that.

11 Q well, you said you would. You know I will tell you  
12 what you want to hear. And if that's what he wanted to hear,  
13 that's what you're saying you will tell him. why didn't you  
14 just cross the threshold and say, I'm 18, I'm 21, I'm 34. You  
15 could have said any of those things. But you didn't, right?

16 A No, I didn't.

17 Q Okay. It was very clear that he wanted to know how  
18 old you were, and you were not going to tell him you were  
19 the -- an adult playing the role of a child, correct?

20 A No.

21 Q Okay. Not correct?

22 A No. I would not tell him that I was an adult,  
23 because I told him that I was a 14-year-old.

24 Q Okay. what is -- in your line of work, what is the  
25 golden rule?

1           A     I -- there's many golden rules.

2           Q     You have testified that the golden rule is that you  
3     can't mention sex first.

4           A     I never mentioned anything about a golden rule, but,  
5     no, we cannot mention sex first.

6           Q     Let me show . . .

7                     (Off-the-record discussion.)

8           MS. FRAZIER: Can we approach, Judge?

9           THE COURT: You can.

10                    (Sidebar discussion held as follows):

11           THE COURT: What is this, first of all?

12           MS. FRAZIER: This --

13           MR. JUDKINS: This is a -- there's the defendant's  
14     name.

15           MS. FRAZIER: It's --

16           MR. JUDKINS: It was a trial in Pensacola, I think,  
17     in federal court.

18           MS. FRAZIER: This is a transcript from a completely  
19     different case. Not been provided. And I assume he's  
20     trying to impeach her with her prior testimony. But it's  
21     not in this case. I'm going to object to this. I've  
22     never seen this before. I don't know the context of it.

23           MR. HUTCHINS: This wasn't a part of this  
24     deposition. We don't have this. So it's --

25           MR. JUDKINS: I think it's trial testimony.

1 MR. HUTCHINS: In a federal case that --

2 THE COURT: Yeah. But I don't know where this trial  
3 is from. I don't know if this is authenticated or what.  
4 I mean, you can use it to refresh her recollection if she  
5 agrees to it. But that's all that you can use it.

6 MR. JUDKINS: I'm going to ask her did she answer  
7 those questions that way in that case.

8 MS. FRAZIER: Judge, this is, this is also a  
9 discovery violation.

10 MR. JUDKINS: That would be contrary to what she  
11 just testified.

12 THE COURT: What's the difference whether she calls  
13 it the golden rule? She -- it's not contrary to what she  
14 testified. She testified that, yes, she agrees with  
15 this. What's the, what's the difference if she calls it  
16 the golden rule or not?

17 MR. JUDKINS: She says she didn't -- she never  
18 called it the golden rule.

19 MS. FRAZIER: In the testimony of this case, we --

20 MR. JUDKINS: Please --

21 MS. FRAZIER: -- never said that.

22 THE COURT: Sh.

23 MR. JUDKINS: She testified, I've never called it  
24 the golden rule. And --

25 THE COURT: So you can show this to her to refresh

1 her recollection if she's -- if this is her testimony.  
2 But I don't even know if it's her testimony. All right.  
3 All she can do is read it and whether or not it refreshes  
4 her recollection that she called it the golden rule. And  
5 that's it. That's all you can do with this. You can't  
6 ask her about specific trial. You can't get into  
7 evidence. You can't do any of that.

8 MR. JUDKINS: I would like to proffer this, please.

9 THE COURT: No. No. That's my ruling.

10 MR. JUDKINS: Okay.

11 (Sidebar discussion concludes.)

12 MR. JUDKINS: Ready?

13 THE COURT: Madam Court Reporter is ready.

14 THE COURT REPORTER: Yes, sir.

15 THE COURT: All right.

16 BY MR. JUDKINS:

17 Q I'm going to show you a portion of a transcript that  
18 I've written the name of the person. How do you pronounce the  
19 name?

20 THE WITNESS: Chmielewski.

21 MS. FRAZIER: Objection, Judge.

22 THE COURT: That -- that's sustained.

23 MR. JUDKINS: Oh, I'm sorry.

24 THE COURT: You can only refresh her recollection,  
25 Mr. Judkins. I just had that specific conversation with

VERONICA G. MCCLELLAN, RPR, OFFICIAL COURT REPORTER

1           you at sidebar.

2           MR. JUDKINS:   Okay.

3           THE COURT:   So you can have her look at it, if it  
4           refreshes her recollection.  And that is it.  Or else  
5           we're going to put a stop to it.

6           MR. JUDKINS:   I thought I was in the process of  
7           refreshing her recollection.

8           THE COURT:   No.  You went right to the name.

9   BY MR. JUDKINS:

10          Q     Do you, do you re -- do you know what this is?

11          A     I do.

12          Q     Okay.  What is it?

13          MS. FRAZIER:  Judge, objection.  You said it could  
14          refresh her recollection.  If we're not testifying about  
15          something that's not in evidence --

16          THE COURT:  That is sustained.

17          MR. JUDKINS:  Okay.

18   BY MR. JUDKINS:

19          Q     Does that refresh your recollection about the golden  
20          rule?

21          THE COURT:  You can read it to yourself, ma'am.  
22          And -- if it refreshes your recollection, and then just  
23          answer yes or no.

24          THE WITNESS:  Yes.

25   BY MR. JUDKINS:

1 Q And it does refresh your recollection?

2 A Yes.

3 Q Okay. How does it refresh your recollection?

4 MS. FRAZIER: Judge, objection.

5 THE COURT: It needs to be a more specific question.

6 BY MR. JUDKINS:

7 Q Does it remind you that you have testified about the  
8 golden rule before?

9 A I have in a previous case, but I did not mention  
10 anything about a golden rule today.

11 Q I understand that. I, I mentioned it first.

12 A Yes.

13 Q Okay. And what is the golden rule.

14 A According to that, which is --

15 THE COURT: No. What -- he's not asking that  
16 question. He's asking what you think is the golden rule.  
17 Just answer the question. He's not saying according to  
18 that. He's asking if you know what the golden rule is,  
19 period.

20 THE WITNESS: There is nothing that really states  
21 there is a golden rule to ICAC.

22 THE COURT: Ask your next question.

23 BY MR. JUDKINS:

24 Q Did -- I'm going to ask her: Did she not testify  
25 this way?



1 THE COURT: You can ask that now.

2 MR. JUDKINS: Okay.

3 BY MR. JUDKINS:

4 Q Did you not testify in this case, the Chmielewski  
5 case, "what's the golden rule?" Your answer: "To let the  
6 person we are speaking to bring up sex first and to not push  
7 somebody to do something that they wouldn't normally do.

8 "why is that a golden rule? Because that would be  
9 entrapment."

10 MR. HUTCHINS: Objection, Your Honor. He can't read  
11 from that.

12 THE COURT: Overruled.

13 BY MR. JUDKINS:

14 Q Did you give that testimony in the Chmielewski  
15 trial?

16 A After it was --

17 Q Did you give that testimony in the Chmielewski  
18 trial, yes or no?

19 THE COURT: It's a yes or no question.

20 THE WITNESS: Yes.

21 (Pause.)

22 BY MR. JUDKINS:

23 Q It's part of your rules that you cannot bring up any  
24 sexual references first, right?

25 A Yes, sir.

1 Q Okay. And is -- the reason for that is because it  
2 would be entrapment if you did.

3 A That's correct.

4 Q Okay. If you introduced this sexual conversation,  
5 then you're the person introducing the act and you're putting  
6 it out there, and you're guilty of entrapping someone else if  
7 you do.

8 A Yes.

9 Q Okay. But if somebody else mentions a sexual act,  
10 you can talk about it.

11 A Yes.

12 Q Okay.

13 (Pause.)

14 BY MR. JUDKINS:

15 Q when you filled out your profile -- well, let me --  
16 before I get -- ask the next, I'm not through.

17 After he says, so you must be 18, that's at, what,  
18 5:47 p.m.? Can you see it?

19 THE COURT: What's your question?

20 BY MR. JUDKINS:

21 Q Was it 5:47 p.m., the text where he says, I don't  
22 really know your age, so you must be 18?

23 (Pause.)

24 THE WITNESS: Yes. That's where he -- it was 5:47.

25 (Off-the-record discussion.)

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**Cocoa Police Department**

June 20, 2017 at 7:50 PM · 🌐

**GIRL POWER!**

Today we would like to congratulate Detective Debra Titkanich for being CPD's Officer of the First Quarter and Secretary Charlene Jenkins-Catechis for being our Employee of the First Quarter. Thank you for all your hard work and dedication to the CPD and the citizens of Cocoa.

**DETECTIVE TITKANICH:**

The job of a sex crimes detective is difficult by nature and definition. The types of crimes investigated in many aspects are unthinkable, unspeakable acts. Detective Debra Titkanich has made it her mission and purpose not only to seek justice for the victims of these crimes but to go above and beyond to prevent future victimization.

During the first quarter of 2017, Detective Titkanich participated in significant investigations and undercover operations that have yielded the arrests of more than a dozen suspects who have either meant to do harm to children or have committed unthinkable acts on children and are now in custody facing lengthy prison sentences. In two cases, the suspects were illegal aliens and because of Detective Titkanich's thorough investigations, they will soon be deported.

Detective Titkanich represents the Cocoa Police Department in the Florida Internet Crimes Against Children Task Force (ICAC). During the months of February and March Detective Titkanich made significant contributions in two undercover operations dubbed Operation Cupid's Arrow and Operation Resilient. She was able to make cases against 12 suspects for felony charges involving traveling to meet a minor for sex, using a computer to lure a child and obscene communication use of a computer to seduce and solicit children. These efforts most likely prevented the sexual abuse of countless victims.

Outside the task force, Detective Titkanich made significant local cases in which adult males attempted to lure minors using a computer to engage in explicit conversation and arranged to travel to meet them for sex. In one of these cases Detective Titkanich is pursuing federal charges which could send the offender to prison for a minimum of ten years.

Also in the first quarter of 2017, Detective Titkanich worked diligently with her colleagues in CID to effect the arrests of two illegal aliens who are now being held on ICE warrants for deportation. These two cases involved a capital sexual battery of a young girl who was abused since the age of 12 by her mother's boyfriend, a Guatemalan national residing in the U.S. illegally for the last ten years. The second case involved a young girl who escaped an attempt by another illegal alien who tried to lure

her into a home so he could sexually abuse her. Detective Titkanich worked with the victim and another witness to develop a computerized composite sketch of the suspect who was arrested the following day after the incident was first reported. All of these cases generated media attention and, while uncomfortable speaking with the media, Detective Titkanich worked with the PIO to effectively communicate these stories to the media with professionalism and great credibility. This goes a long way to improving the overall credibility of the agency and its personnel.

Detective Titkanich exhibits great passion when it comes to getting justice for victims and would-be victims. Her passion translates into successful arrests in pursuit of successful prosecutions. For these reasons I recommend awarding the Officer of the First Quarter 2017 to Detective Debra Titkanich.

**SECRETARY CHARLENE JENKINS-CATECHIS:**

Charlene is a true professional and keeps the department running on all cylinders. Her knowledge of department policies and procedures is unmatched. If she doesn't know the answer to a question, she knows where to find it and does so quickly and efficiently. This is greatly beneficial for new employees of which there have been several in the last few months. Charlene is the kind of person who goes above and beyond every day she comes to work. She is always available to help with special projects such as proofreading and editing the CPD Annual Report. In the last quarter of 2016, Charlene went above and beyond to help pack gifts for the department's annual Toy Drive. She stepped out of her administrative role to offer help with the Shop with a Cop event, the annual charity golf tournament and the recent Breakfast with the Chief held in early April, 2017. There is nothing she is not willing to do for this department and its employees. Charlene is a dedicated and diligent employee who is deserving of being named employee of the quarter.



---

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## Debra Titkanich

Detective at City of Cocoa

Eastern Florida State College · City of Cocoa

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I began my Law Enforcement career in June 2007 at the Cocoa Police Department. In 2009 I earned the rank of FTO. I have successfully trained numerous new officers throughl ...See more

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**This is my WHY. Grateful for our newest addition to the family. God is Good.**

Debra Titkanich liked this

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### Experience



## Detective

City of Cocoa

Jun 2007 - Present · 15 yrs 11 mos



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### Eastern Florida State College

Associate of Science (A.S.) · Crime Scene Technology

2000 - 2006



### Florida Institute of Technology

Aviation/Airway Management and Operations

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Police Sergeant at City of Cocoa



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**Jennifer Wilson** · 3rd+

--



**Paula H.** · 3rd+

Deputy Village Treasurer at Village of Cornwall-on-Hudson



**Richard Holt** · 3rd+

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**Denise Black** · 3rd+

Teacher at Stroudsburg School District



**Joseph Corvo Sr.** · 3rd+

Mathematics Teacher (Retired) at Valley View School District



**Melody Arvonio** · 3rd+

Shuttle Driver at Wingate by Wyndham LAX hotel



**Gail Ercoli** · 3rd+

Owner-Artistic Director at Gail Ercoli Dance Studio

