

SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT

DATE (occurr.):

TIME (occurr.):

LOCATION:

SUBJECT: Transcription of Taped Interview / Donna Marie GENTILE

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8/11/84*

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OFFICER PRESENT: Sergeant H. E. GOUDARZI, ID #1366 = (HEG)
San Diego Police Department
Eastern Division, 'C' Squad

SUBJECT INTERVIEWED: Donna Marie GENTILE = (DMG)
W/F, DOB 9/22/62
5'6", 143#, Brown, Hazel
4341 Spring Street, #47
La Mesa, California
Home Phone: 589-2077
CDL: 1619781
SSN: 210-50-8937

Was there an interview before the taping?

DATE/TIME OF INTERVIEW: August 12, 1984, 12:13 a.m., (0013 hours)

HEG: At approximately 2330 hours, on 8/11/84, I contacted Ms. GENTILE in reference to an investigation, in that I had received information that she had knowledge of illegal or improper activities of a police officer whose identity was not known until my conversation with her. At the conclusion of that conversation, I asked her if she would be willing to make the same statements again, with more detail, on tape. This tape recording is the result of her consent, without promises of any gratuities whatsoever, or leniency, in exchange for the information that she was giving. The interview is taking place on the parking lot of the Denny's Restaurant located at College and 94, and it is taking place in my patrol vehicle.

HEG: Okay, Donna, would you, one, identify the officer that we are talking about?

DMG: Um, it's Larry AVRECH.

HEG: How long have you known Officer AVRECH?

DMG: Um, well, I first met him around three years ago on a police ride-along; and came in contact with him again, um, this year, '84.

HEG: Okay. Right now, I'm going to stop the tape and play it back to make sure that, your voice is picking up.

(Brief pause in tape.)

HEG: Okay, Donna, we now hear that your voice is picking up, would you start by repeating the information that you had given me earlier in the evening with reference to Larry

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DMG: Uh, well, I first, when, uh, I came in contact with him again when he was on a prostitution detail and, um...

HEG: About when was that?

DMG: Um, I believe it was in June.

HEG: Did he tell you he was working the prostitution detail?

DMG: Yes.

HEG: Okay. Go on.

DMG: And, um, he's followed me on several occasions, um, because of the detail, and, um, has come up to my apartment and he left his, told his partner to stay down in the car, and came inside my apartment, and...

HEG: Do you remember the date that that happened?

DMG: I don't remember the dates.

HEG: Do you remember the month that it happened?

DMG: Uh, it was in July.

HEG: Okay, do you know the name of his partner?

DMG: Uh, no, I forget it.

HEG: Okay, do you know what he looks like?

DMG: Yes.

HEG: Would you describe him?

DMG: Uh, he has, um, blond hair, dirty-blond hair, he's about five-six, about, uh, a hundred-seventy, and he's a reserve, I know that.

HEG: Okay. How do you know that he told his partner to wait outside?

DMG: He told me that, um, I asked him, I says, "Won't your partner get suspicious of you coming in my apartment?" and he goes, um, that, "He won't, I told him to stay down in the car, so he won't see."

HEG: Okay. Go on. What happened then?

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DMG: Um, I don't remember how many times he's followed me home, when this occurred, but, one time he came in my apartment while on duty and called on the radio from in my apartment saying he was "Code-5" and had sex with me.

HEG: Did he tell you, did he say where he was Code-5 on the radio?

DMG: Uh, I believe so.

HEG: You believe, do you remember where he said that he was Code-5 at that time?

DMG: I don't think that he said the, the address.

HEG: Okay. Now, you say that he had sex with you, uh, in your apartment, uh...

DMG: He was by himself then, he didn't have a partner that night.

HEG: Okay. Were there other times that he came to your apartment?

DMG: Um, just once while on duty.

HEG: Okay. Now, you mentioned that he came into the apartment and his partner waited outside. During that time, did he have sex with you?

DMG: Uh, no, but he did touch me.

HEG: What do you mean he did touch you?

DMG: Well, he's, uh, kissed me and, uh, touched me in sexual ways.

HEG: In what ways?

DMG: Um, well he's touched my breasts and...

HEG: Okay. Now, have you at any other time, or any other place, had sex with Officer AVRECH?

DMG: Um, yes, about three or four times. Uh, the other times was when he got off duty. A couple times I've picked him up near the station because his car was broke down.

HEG: Okay. Does Officer, uh, AVRECH, as far as you know, have feelings, emotional feelings towards you?

DMG: Uh, yes.

HEG: Are those feelings reciprocated? Do you feel the same thing for him?

DMG: No.

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HEG: Okay. Why did you have sex with him?

DMG: Because, um, I was getting information and returning, getting, favors from him.

HEG: What kind of information were you getting in return?

DMG: I was getting information about what was said, uh, in the station, during line-up, um, when the detail would be out. Um, I was getting information about, I, uh, he's ran license plates for me, if I wanted any license plates ran, and he told me the names and addresses of people.

HEG: For what purpose?

GENTILE LIED TO GOUDARZI. PLATES

DMG: For what purpose did I want him to check?

WERE GIVEN TO HER BY

HEG: Yes.

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DMG: Um, a couple them, I thought were pimps and one was a, a date, that tried to say he was a police officer, and I wanted to know his name and address.

HEG: Why?

DMG: Just in case he tried to do anything to me. He threatened to take me to jail and he wouldn't drop me off, he kept on driving, and, uh, said he was a cop and that there was police cars waiting to take me away. So I got his license number.

HEG: So these license numbers that you were asking were for your personal use?

DMG: Yes.

HEG: Okay. Has Officer AVRECH ever threatened you in order to have sex with you?

DMG: No.

HEG: Has he ever threatened to put you in jail if you did not have sex with him?

DMG: No, but I felt threatened.

HEG: Has he ever paid you money to have sex with him?

DMG: He's paid me money, but it wasn't right before sex, like I usually do with customer He's...

HEG: How did it go?

DMG: Um, well, the night after I had sex with him I met him while he was on duty and he gave me some money.

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HEG: How much did he give you?

DMG: He gave me twenty-five dollars.

HEG: Why did he give you the twenty-five dollars?

DMG: To help me out.

HEG: Had you agreed that he was going to give you twenty-five dollars, prior to him giving it to you?

DMG: Um, no, but he's mentioned, in one of the phone calls with me, that, if I do something for him, he'll do something for me in return. And the only thing that he's ever wanted from me is to have sex with me after work.

HEG: So he, if I understand correctly, has been to your apartment one time, on duty?

DMG: He's been to my apartment one time on duty for sex. He's been in my apartment on duty a few times, but only once for sex.

HEG: What kind of information, other than the prostitution detail, did Officer AVRECH provide to you?

DMG: Well, he would call me up from the station before he would go out in the field and let me know if he was working the detail or not, and let me know if the other officers was working the detail.

HEG: Did he ever tell you where the other officers were working if they were not working the detail?

DMG: Yes.

HEG: Such as?

DMG: Um, he mentioned Officer DEAN working, um, Fairbanks Ranch, he, he was going up there. And he mentioned about himself working Kearny Mesa, North County.

HEG: Okay. Now earlier, you mentioned that he had made threats with reference to other people in talking to you. Would you explain that?

DMG: Um, his wife's ex-fiancee, I have dated a few times. Um, there seems to be some problems between, um, Larry AVRECH and this person.

HEG: Go on.

DMG: And, uh, this guy has come by his business, he has another business, and, uh, wan

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to talk to his wife. He was out in the parking lot, and they were arguing and he told, AVRECH told me that if he ever comes by there again, that he'll kill him. Um, he mentioned about talking to you about doing something about it, getting some kind of restraining order so he can't be around there. But, he says that if he had to, that he'll take care of him himself. And this guy has mentioned to him, in the parking lot, at a store, that he had pictures of him with me.

HEG: Does he?

DMG: I don't think so. He takes pictures for, the Fire Department, and he always has a camera with him but I don't think that, uh, he did take pictures, but he did know what was going on between me and AVRECH. Because, he told me that he did the same thing to his wife, um, this guy told me that.

HEG: What's this guy's name?

DMG: Mike HUGHES.

HEG: Okay. And what did Mike tell you?

DMG: He told me that, um, AVRECH made his wife give him a blow job in the police car while he was on duty, and that's how they first met. And he seems to be doing the same thing with me, because he tells me that he'd like to live with me instead of her but he wants to be sure that I'll move in because he has two kids so, he wants to have someone always there.

HEG: Go on.

DMG: When I first met him, three years ago, when I went on a ride-along, um, when he dropped me off at my car and I was going home to my apartment, he showed up in plain clothes after work and he wanted to go on top of a church to talk. Um, I believe that that's just what he wanted to do was talk. And, I kept on telling him that I was tired, that I wanted to go to sleep, and he said that he really needs to talk to someone, so I agreed to go and talk to him. And, when we were up there, he unzipped his pants and wants me to give him a blow job. And...

HEG: Did you?

DMG: No. And he kept on insisting to give him a blow job, and I kept on saying no, I don't want to, I want to go back. So I says, "take me back to my apartment," and finally he did.

HEG: Was that the only time he's ever done that? With you?

DMG: Well, he done it just recently.

HEG: When?

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DMG: Well, when, um, when he came into my apartment, while on duty...

HEG: Go on.

DMG: And had sex with me.

HEG: Okay. Now, did he have sex with you, uh, sexual intercourse, or did you, did he make you give him a blow job?

DMG: It was sexual intercourse. He took off his, his leather and his gun and his radio and his pants.

HEG: Now, earlier when we talked, you mentioned that he had told you about a time that he could arrest you, but he didn't. Would you explain that to me please?

DMG: He was following me, him and his partner were following me, from El Cajon Boulevard I drove to, uh, a date's house in North Park. He then, uh, when I was walking to the apartment, they were on foot, they got out of their car and walked up to the apartment.

HEG: Who, was he with someone that night?

DMG: Yeah, he, he was with, uh, the reserve partner. I don't know his name. And, while I was in the apartment I was on a date and they were standing right by the bedroom window. I saw them and my date saw them standing there. Um, the next day...

HEG: Did they observe you having sex?

DMG: He said that he did.

HEG: You said that you saw them, was this before or after you'd had sex with your date?

DMG: Um, it was before and after. I see them stand right there by the window. So if I could see out they could probably see in.

HEG: Okay.

DMG: Um...

HEG: Did he see an exchange of money or anything of that nature?

DMG: Yes, he did. Because he said exactly the way it happened.

HEG: When he saw you later?

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DMG: Um, he, I didn't know who he was because, um, I've had, he's F.I.'d me a few times before I realized who he was, I didn't know he was the officer I went a ride-along with, because he looks different. He's lost a lot of weight and he's wearing contacts, he used to wear glasses. So he made it, he brought it to my attention that, who he was.

HEG: When was this?

DMG: This was after, um, that night that I was at that date's house. When he told me that he seen what was going on, and then he mentioned about the ride-along that I did go on. And, I asked him, I says, he told me that he explained to me that if a misdemeanor happens in their presence they can arrest somebody without a warrant. And I asked him why he didn't do that, and he said "because I want you, and that's why I didn't do it."

HEG: Did you do anything when he said that?

DMG: Um, he, later on that night he followed me back to my apartment and was at the door. His partner was just on the stairs there, so he didn't come in the apartment. And when he said that, he, uh, grabbed my tit.

HEG: Now, had you ever had sex with him before this time?

DMG: Before what?

HEG: Before the time that he followed you to the date's house?

DMG: No, I didn't know, uh, who he was.

HEG: And, if I understand you correctly, you, you said that he told you that he did not make an arrest because he wanted you.

DMG: Yes.

HEG: And then he grabbed your breast?

DMG: Yes.

HEG: How soon after that did you have sex with him?

DMG: Um, I believe it was just a couple, it was about two days, um, one time when he was F.I.ing me, he asked me for my, for my -- no, he was at my apartment, at the door, and he asked me for my phone number. And he said, well, "I don't want to write it down because my partner might see it; just tell me it and I'll memorize it." And he called me from the station when he got back to the station after work (Pause) And he came over, I think it was like two days after that, and I had sex with him, off duty. I think it was the second or third time I had sex with him while he was on duty.

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Sergeant 000120

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HEG: Do you remember the date that you had sex with him on duty?

DMG: No, I, I don't remember. It was in July.

HEG: Toward the middle, the end, the beginning?

DMG: It's hard for me to remember because I, I've seen him on several occasions.

HEG: Were you seeing him willingly?

DMG: I wasn't forced to have sex with him, but, uh, I was scared. I felt like I had to.

HEG: Why?

DMG: Because of the way he talked and his attitude I felt that if I didn't give him what he wanted, that he'd make trouble for me.

HEG: What do you mean by making trouble for you?

DMG: Um, harass me. Just give me a hard time.

HEG: Earlier, when we had our conversation, you mentioned that he had written a letter to the court or the probation department in reference to you. Would you explain that to me?

DMG: Uh, he called me, um, one time from, I think it was from the station. It could have been from his store, uh, he said that, uh, "If there's anything I can do for you, I want to do it," and I mentioned to him about being a character witness for me for my probation here and he agreed to do that. He called, uh, Probation Office BERGENBACH and talked to her.

HEG: Were you there when he did that?

DMG: No, uh, I had my interview with her, um, like, a week before that. No, it was the day before that. He called her the next day and talked to her. And, uh, she didn't mention, she didn't mention his name in the probation report that was presented to the judge. Uh...

HEG: Do you know why?

DMG: She had something personal against me, and, uh, she mentioned things in the report that were not true. Like I had six priors, which I didn't. And, uh, she mentioned to him on the phone that, and she mentioned to me that, I would only be getting 45 days. That's the least amount that I could be given, and that she would recommend that. And she recommended 90 days instead. So she did the total opposite of what she told him and told me. So, I asked him if he could be a character reference

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for, uh, for the sentencing. And he said that he would, if he could come over after work.

HEG: Go on.

DMG: Uh, he came over when he got off work and wrote the statement for me. Uh, he expected to get sex in return, that's why he came over. And, uh, he told me, he said that, he says, well, "Aren't you going to give me something in return?" And he said, well, "I'd really like to make love to you," uh, "I really want you," and he usually says those things to me every time he calls me. And I told him I was tired, that I wanted to go to sleep, and, uh, he was a little upset because he wasn't getting anything in return for him helping me. But I told him that I, I just wanted to go to sleep, that I had to go to work the next day. So he left.

HEG: What did he write the message on; the note to the court?

DMG: The note to the court he wrote on paper that I had.

HEG: And you mentioned something about cardboard, earlier.

DMG: Um, okay, that was the first report that he was going to give me to give to the judge. He gave that to me while on duty, he pulled me over to give it to me. He wrote it on duty. It was on cardboard. And I asked him why it was on cardboard and he said, well, if he wrote it on his paper that it would be a legal document. And I said, well, "This is very unprofessional, to give to a judge on cardboard." I says, he goes, well, "I didn't have any regular paper to write it on." So then he agreed to rewrite it if he could see me that night after work. The statements, both statements, the one on cardboard and the one on paper, are different.

HEG: Okay. You mentioned that you had had sex with him on several occasions. Does he have any marks, scars, or tattoos on his body?

DMG: Um, I don't really remember (laughter). I don't think so.

HEG: Do you remember any of the dates that he came to your apartment and you guys had s

DMG: No.

HEG: What do you currently do for a living?

DMG: I work at Triple-L Security as a security guard.

HEG: And...

MG: And I, I'm still working as a prostitute.

Reporting Officer H. E. GOUDARZI, Sergeant - I.D. # 1366 Division Internal Affairs

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HEG: Is AVRECH aware of this?

DMG: Yes.

HEG: Okay. In closing, do you have any -- Oh, did you give me a copy of the recommendat or character witness statement that was written by Officer AVRECH?

DMG: Yes.

HEG: Okay. In closing, do you have anything further that you would like to add to the statement that you just made to me?

DMG: No, I don't think so.

HEG: Once again, confirming, why are you giving me this information?

DMG: Um, because, I don't think it's right for him to be a police officer and use his badge to get whatever he wants. And I feel that if he hasn't done it to other girl that he probably will, because it seems like he's got a sexual problem. Um, I don't know how to explain it, but, it seems like if he can't get what he wants he gets a little angry and, uh, when he mentioned to me on the phone about another officer that he had something personal against...

HEG: THIS IS THE END OF THIS SIDE OF THE TAPE. THE INTERVIEW WILL CONTINUE... THIS IS SIDE TWO. TESTING; ONE, TWO, THREE, FOUR, FIVE...

HEG: Go on. You were saying that when he mentioned that there was another officer that he had something against...

DMG: Um, yeah, in a phone conversation he, uh, said that, um, he'd, I don't remember everything that he said but he, in general, he said that he didn't, he couldn't stand him because he thinks he's better than him and he asked me to put in a complaint about him.

HEG: Did he tell you what kind of complaint?

DMG: No. He just said, "Why don't you put a complaint in about him." And I said, well, "Why would I want to do that, he hasn't done anything to me." And I said to him that by trying to, um, trying to, uh, get someone else in trouble, that isn't going to get him ahead in the Department; and he shouldn't go, um, he shouldn't do it that way.

HEG: Did he offer you anything in return?

MG: No. I just told him straight out that I wasn't going to do it.

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HEG: And what was this officer's name, again?

DMG: Um, GULIAS?

HEG: Okay. Did you ever mention this to Officer GULYAS?

DMG: Yes, I did.

HEG: Do you remember when?

DMG: Um, it was August 9th, I believe. Um, I believe it was Thursday, August 9th.

HEG: Go on.

DMG: It was late at night, I don't know what time. Uh, I mentioned to him that...

(Brief pause in tape - conversation with uninvolved citizen appears to be taking place.)

EG: You were talking about, uh, Officer, uh, mentioning this to Officer GULYAS. What did you tell Officer GULYAS?

DMG: I told him that another officer wanted me to put a complaint in about him, and I said that, I asked him his name because I wanted to make sure that I was talking to the right person. And, uh, he didn't ask me the officer's name at that time.

HEG: Did you have a conversation with Officer GULYAS, again, tonight? Prior to talking to me?

DMG: Yes.

HEG: Would you tell me the context of that statement?

DMG: Well, I mentioned to him about what I knew that he said in line-up, August 10th.

HEG: How did you know that?

DMG: Um, Officer AVRECH called me from the station, after line-up, and told me what was said in line-up. And he told me that Officer, um, GULIAS?

HEG: GULYAS.

DMG: GULYAS, uh, mentioned to everybody in line-up that I said to him that another officer wanted me to complain about him. And, he asked me if I said that. Um, I denied saying that another officer said that because I was scared. I just told AVRECH that I told him that someone wanted to complain about him. And AVRECH said

How did she recognize him?

Know the date!

Reporting Officer H. E. GOUDARZI, Sergeant - I.D. # 1366 Division Internal Affairs

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that GULYAS knows that, uh, AVRECH doesn't like him so he'll probably figure out who it is.

HEG: Did that upset him?

did this happen
DMG: Yes, he was angry. And he told me a couple other things that were said in line-up. Um, he mentioned about another officer saying that I had one more point on my driving record that I'd lose my license. Um, he told me that he was working, um, Kearny Mesa, I think, Friday night, last night. And he told me about what went on Wednesday night when he was working East County he mentioned something about somebody trying to commit suicide on Lincoln Bridge and that you were the first one there, and that, he called you, he called you, uh, "fuckin' asshole."

HEG: Why?

DMG: Because he, um, because he thinks that he does a good job at everything and I don't know exactly why, but, he just, he's frustrated because he wants to go to FTO and he's mentioned this on several times that he can't get ahead and he thinks that he should because he lost all this weight. And that you're stopping him from getting ahead and other people are.

HEG: Okay.

HEG: Has he ever asked you to put in a complaint against me?

DMG: No. Just, uh, GULYAS.

HEG: Have I offered you any leniency or deals or anything in exchange for the information that you just gave me?

DMG: No.

HEG: Are you willing to make these same statements, again, if necessary, on a polygraph?

DMG: Yes.

HEG: Are you willing to make these statements, again, to the appropriate authorities if the need be?

DMG: Yes.

HEG: At this time the interview is concluded at 12:58 on August 12th, 1984. That's 12:58 in the morning, 0058 hours.

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