

INVESTIGATOR'S REPORT

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Answer of 8/22/84

DATE (occurr.): August 22, 1984

TIME (occurr.): 1026 Hours

LOCATION: Internal Affairs Office

SUBJECT: Transcription of Interview with Officer Larry AVRECH, ID #2900

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PRESENT DURING INTERVIEW:	#1	Sergeant G.A. BREITENSTEIN Internal Affairs Section	= (B)
	#2	Sergeant W.W. PFAHLER Internal Affairs Section	= (P)
	#3	Officer Larry AVRECH, ID #2900 SDPD, Eastern Patrol Division	= (A)

B: The date is 8/22/84, the time is 2026 hours. Present in the room are Officer Larry AVRECH, your ID number Larry?

A: 2900.

B: 2900...Sergeant Bill PFAHLER of the Internal Affairs Division, and myself, Sergeant Glenn BREITENSTEIN also of Internal Affairs. Uh, Larry, we've asked you to come down here this morning to discuss some allegations of misconduct on your part that have been lodged by a female prostitute by the name of Donna GENTILE. These, uh, allegations, uh, stem from the course of your duties and involve alleged misconduct while on duty in the form of, uh, uh, having sexual intercourse while on duty, providing information of a restricted nature regarding Police Department files, and, uh, association with known prostitute. That's what this, uh, investigation is centering on.

This investigation is, uh, administrative in nature. It is not criminal, and I do want to advise you of certain requirements that you do have, uh, regarding this situation. Have you ever heard of the "Reverse Garrity Warning?"

A: I've heard of it, I don't know what...

B: You've heard of it, you don't know what it is? Okay, I'll explain it. (Inaudible) Here we go, let me read this to you. So you have, and if you have any questions, uh, regarding this, stop me at any time, okay? It says:

At this time, I am going to question you about the complaints that have been filed by Donna GENTILE against you and the misconduct while you were on duty. This questioning concerns administrative matters relating to the official business of the Police Department. I am not questioning you for the purpose of instituting a criminal prosecution against you. During the course of this questioning, if you do disclose information which indicates that you may be guilty of criminal conduct, neither your self-incriminating statements nor the fruits of any self-incriminating statements you make will be used against you in any criminal legal proceedings.

Reporting Officer G.A. BREITENSTEIN, Sergeant I.D. # 1111 Division Internal Affairs

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B: (Continued)

Since this is an administrative matter and any self-incriminating information you may disclose will not be used against you in a court of law, you are required to answer my questions fully and truthfully. (This requirement is set forth in Sections 1.04 and 1.44 of the San Diego Police Department Rules and Regulations.) If you refuse to answer my questions, this in itself is a violation of the rules of the Department and you will be subject to disciplinary penalties.

Do you understand what I have just explained to you?

A: (Pause) Provided that it's a, uh... Yeah, you said it was an administrative, uh, investigation and I'm required...

B: That's correct.

A: ... to answer the questions.

B: That's correct. Would you like to read Section 1.04 and 1.44 of the Rules and Regulations before we continue?

A: Yeah, just to...

B: Okay. And do you have any questions on what I've explained to, uh, thus far?

A: No.

B: Okay. Let me get a copy of those regulations. Larry, I have before me a copy of the current Rules and Regulations of the San Diego Police Department, and I'll read it to you first and then you'll be free to examine it yourself.

1.04 of the Rules and Regulations is regarding obedience to a lawful order. It says Members shall promptly obey and, any lawful orders of superiors. This includes orders reasonably relayed from a superior by someone of the same or lesser rank. While on duty in the presence of others, members of the Department shall address superior officers by their titles. Do you have any questions regarding that particular section?

A: No.

B: Okay. Section 1.44 is truthfulness. Subsection "A" says: Members shall be truthful in all matters relating to their duties. Subsection "B" is: Upon the order of a superior, or any officer appointed by the Chief of Police to conduct internal investigations, and in accordance with constitutional and contractual guarantees including right to the representation, members shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the Department which may be asked of them. Any questions regarding that section?

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A: No.

B: Do you understand that section?

A: (No audible response)

B: Would you like to read this copy of this...

A: Yeah.

B: Okay. Sure.

(Pause)

A: Will this be an on-going, uh, an on-going investigation, uh, from today forward, or.

B: Well, let me put it this way, uh, it could continue, it depends upon what we talk about.

A: Okay. So, I would like to have repre... representation here, just in a, in an advisory capacity.

B: So what you're saying to me then at this point, particular time, that you, that you not want to discuss this matter with me prior to having a representative present?

A: That is my right, isn't it?

B: Yes, it is.

A: Okay, that's correct.

B: Okay, uh, let me just say that there are certain things that I would, uh, like to discuss regarding this matter that I don't think you're fully aware of. Do you wish to discuss them today?

A: That I don't need an attorney for. !!

B: Uh, do you wish to discuss them today?

A: Yes.

B: Okay. Uh, regarding your attorney, I understand that you're working "C" Squad and you have Tuesdays and Wednesdays off and you'll be working tomorrow night. Would it be reasonable for you to have an attorney and be back in this office, say, eleven o'clock on Friday morning? That's the time we'd like to, uh, proceed with the rest of this matter. (Inaudible).

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A: If I don't have court, I don't see any reason why not.

B: All right, then let's set it right now, a tentative agreement, to have an attorney and yourself present back in this office at eleven o'clock on Friday, which would be August 24th.

A: Okay.

B: Okay. Fine. Uh, well, since you think there's something that we should know about and you don't, don't feel you need an attorney, why don't you, uh, tell me what you want us to hear?

A: Okay. Uh, can I, uh, briefly go over that portion of the complaint? What the allegations are?

B: Yes. First of all, uh, this individual has alleged, #1, that, uh, during the course of your duties you went to her residence, had sexual intercourse while you were on duty; #2, that you provided information regarding restricted data from the Police Department files to her; and #3, that you solicited a false complaint on behalf of another officer, uh, whom you work with, for, uh, personal reasons; and #4, that you continued an association with her, uh, over the course of several months knowing that she was an active and working prostitute.

A: Okay. Can I have a pencil?

(Pause)

A: I'm sorry I didn't, uh, start writing before. Restricted information from Police files, uh, sexual intercourse on duty, what else?

B: Uh, association with an active and known working prostitute.

A: (Pause) And what was the other one?

B: Let me see what you've got written down here.

A: Oh, uh, the complaint of...

B: It's a complaint, uh, that you solicited a complaint, uh, against another police officer, uh, whom you work with.

A: I solicited...

B: You solicited this individual to make a complaint against, uh, another police officer

A: Okay. Can I use this to make notes?

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B: Sure can.

A: And, is that still on?

B: Yes, it is.

A: Uh, I don't know the exact date of the, uh, prostitution detail, the special detail that, that the city had. We're doing, right now we're doing kind of a maintenance program on the girls. But, uh, I've been assigned to, uh, the, uh, I'm presently assigned to "C" Squad and have been working in that capacity on the maintenance program. Several months ago when they were putting the group together, uh, I was advised at line-up by Sergeant GOUDARZI, who was my sergeant at the time, that the, uh, two sergeants would be putting a plan or submitting plans together and apparently they liked his plan over another sergeant's and they decided to go with whatever his ideas were. Consequently, uh, one day in line-up, uh, Sergeant GOUDARZI mentioned that "C" Squad would be, uh, spearheading, I believe his words words were, the operation and we would obtain other people from other divisions to fill in the, I don't know how many people they were looking for, for the detail, at the time. When it got around to assignments, I found myself not working the detail, and I asked uh, Sergeant GOUDARZI why and he stated that, uh, I was not, uh, I was not picked for it. The thing that I couldn't understand was, I'm out there right now working that same area, having been working that same area for, I don't know, a number of years, and doing the same thing that the detail was doing, the only difference being that, uh, probably the news people were out there, we would be riding with, uh, people from the press, and, uh, uh... you know, other, other, other than that, I mean, that's that's the way it was explained to me. I was not, uh, I was not picked for it. I was sent to, uh, third watch, I believe. No, actually, at first it was second watch. And, I had a few days notice and I said, "No way I can work second watch, my wife has a business and, and, when, uh, I've got two kids," and I said, "I'm sorry, there's no way I can work it right now. I don't understand why I was not picked for the detail." So I asked to speak to the lieutenant, Lieutenant BLACK. And, uh, we had a little discussion about that, I told him, I said, "There's no way I can work second watch or graveyard, I mean, this puts a, uh, a dent in everything, I'm, I'm accustomed to working these hours and unless it's something special that I have some type of, uh, prior notice for, I can't, can't make arrangements that, that quickly." And, he made it known to me that, uh, uh, basically, the Department tries to help people out but, uh, the Department comes first and, uh, we were just, they were just not going to bend. I asked him why, and, uh, I didn't get a satisfactory answer from him, from Lieutenant BLACK.

Uh, apparently someone, and this is just conjecture, but apparently somebody had told him, uh, let me re... let me, let me take that back. Captain HALL had apparently submitted names of the people that were working to Vice and someone from Vice had black balled me and said that they didn't want me on the detail. Consequently, uh, I was not put on the detail. I asked him for further information, you know, "Where did that come from? What basis did they have?" and I was not given any satisfactory answer.

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A: (Continued)

I come to find out from other people, two separate people, one being Sergeant GOUDARZI and this was only when we had a discussion a few weeks ago, was that apparently, uh, I was extremely friendly with the girls and possibly a, uh, risk. And, uh, obviously my sergeant and I had two different, uh, policing styles; but regardless of whether they're criminal, regardless of whether they, uh, I think we're taught this in the Academy, whether we're dealing with a murderer, a rapist, a child abuser, we have to treat them with dignity, regardless of the fact that they are criminals. We, we've got a job to do, I go out there and I do my job. And, uh, whether, uh, I'm not looking, I'm not soliciting for any complaints, when I go out there I do my thing. I talk to 'em, if it's laughs and giggles in order to get the information that I need then it's laughs and giggles. If it's, uh, uh, somebody trying to pull the wool over my eyes, then just like force, I escalate. And I may raise, I may have to raise my voice. But that's the way I work. Apparently Sergeant GOUDARZI's of the opinion that, uh, we're hard on these girls, they're hardened criminals, and it's always, you know, uh, uh, you know, uh, be the rough, be the rough person. I don't see it that way. Uh, I'm not told to work that way and, you know, like I said, I feel that that's, you know, that's just his way of policing.

Consequently, I can understand where, where he can see, and if a complaint were to come in, that it would, that it would appear to him as if I'm being very familiar, very friendly with the, with the girls. I get a lot of information from them by being that way. Uh, which is, uh, some of the information that I got from Donna.

Uh, uh, no let's see now, it's been three months on "C" Squad... Just, I think it, I don't have, like I said, I don't have the exact dates, but I think at the beginning of this, the present, uh, shift, the present three-month, uh, shift change, just after the detail, uh, I had an occasion to talk to Donna. She mentioned that, uh, that she felt that, uh, the cops were out to get her. She didn't like Sergeant GOUDARZI, she didn't like any of the people that were dogging her, and, uh, I don't know if you're familiar with how the detail was working, either of you...

B: No, why don't you tell me.

A: Okay, basically, uh, what, uh, what the detail was, is that we were to identify the prostitute and advise her, we cannot advise her that, uh, that she has to leave El Cajon Boulevard because she has a right to be there, but, if they would like us to call them a cab, uh, we would be more than happy to do that for her, and, uh... But, our basic goal was to make sure that they didn't, uh, they didn't, uh, solicit any johns. That no prostitution was taking place on El Cajon Boulevard from Park Avenue to the La Mesa city limits. Uh, we were also dispatched on calls involving 415's with, uh, with prostitutes out of the El Portal and different hotels situated in that area. Uh, but, uh, like I said, uh, we didn't tell anybody to leave, we stayed with 'em, we said, "Wherever you go, we're gonna go," uh, "You are my date for the evening," so to speak, and, uh, "If you would like to powder your nose on the corner, I'll sit here and do my paperwork," and we would just sit in a code-5

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A: (Continued)

position until they either called a cab or walked off the Boulevard. Once that was, once that was completed, that was it. There were occasions where, uh, officers followed Donna, uh, back to her residence. I did several times, uh, on duty, uh, and, normally that was, uh, with, uh, a Reserve partner, Steve TOMPKINS. He's been working with me now for about three years, and he comes out two or three times a week and works with me. Uh, that's basically what the detail was about and what we were doing.

Like I said, about a week into the, uh, about two months, weekend of the shift, Donna gave me some information. Uh, she was kind of secretive about it, she mentioned that she was, uh, not gonna have any more problems with, uh, with, uh, people on the Department because, uh, he was taking care of the complaints. And I said, uh, "Who do you have?" and she said, I said, "One of the brass or something?" and she said, uh, "No, it's just somebody that I know." And she was very, uh, standoffish, and after talking to her several times and, uh, and getting her into my confidence, she told me that, uh, Lieutenant BLACK was the person. That kind of irritated me a little bit because, uh, to think that somebody was trying to get her out of, out of things, uh, especially that person who told me that, uh, uh, there were complaints regarding, uh, my character and that I was not allowed to work a detail and that he be put in charge of the same detail and be doing something of that, of that nature. I also thought about it and I said, "Well, wait a minute now," uh, "Donna is a prostitute, they do lie," so, I didn't, I didn't think about anything at the time.

Then, uh, further, further meetings with her, uh, she was telling me that, uh, that she went to the Colorado River for vacation. Lieutenant BLACK also went to the Colorado River for vacation, along with two other sergeants and their wives; Jeff FELLOWS and his wife, uh, Sergeant, uh, I'll think of it, uh, he's a Southeast sergeant, Kenny HARGROVE... HARGROVE? HARGRAVE?... and, there were various meetings between, uh, Lieutenant BLACK and Donna. One that, uh, was supposed to have taken place in a park across from her, uh, apartment, off Spring Street. And that was apparently to make arrangements for, uh, this trip. She was gone the same length he was gone. She mentioned that, uh, uh, oh, I know Jeff FELLOWS' wife because of, uh, some former employment that I had, she used to be a student at the University where I was employed, and, uh, Jeff also used to be employed at the University where I worked prior to coming to the Department. So, I know his wife, and have heard this about her, and when a total stranger, who should be a total stranger to her, when Donna starts talking about some of the things that police, policemen know regarding his wife, I kind of said, "I don't think she's," uh, "I don't think she's," uh, Donna's lying. These are just certain things that, uh, that his wife, uh, says, does, thinks, that she was describing to me. There were other incidents that she described, apparently pictures were taken of this, uh, vacation, uh... Donna cut her foot and went to a hospital in Yuma and there was a discussion about what name she was going to put down on the, uh, emergency room sign-in. I think she told me she used her step-father's name of, uh, SCHNEIDER. That's the name she gave me.

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A: (Continued)

But, anyway, uh, I've just been sitting on a powder keg. I had mentioned it to another sergeant several months ago and she, she just said, "I don't believe it, I know Carl and I don't think, I don't think he would do something like that." And I said, "Well, I'm a little upset right now because I had to readjust my schedule accordingly, at the last minute, because of what somebody else had to, had to say about me that was untrue, and I'm just out there trying to do my job, and here comes along..." and, like I said, I, he's a lieutenant, I respect him, I have to work for him, but, uh, it kind of got to me a little bit because I've been around no with Reserve time in, almost eight years. Uh, if you check with Robbery, I am, to da the only Reserve that ever worked Robbery Division. I worked the, uh, Ocean Beach, narcotics sweeps, dirty for the Department, when I was Reserve. I was respected whe I was a Reserve. When I became a Regular, and I would say that my Reserve time had lot to do with it, uh, that's where it stopped. It was like, uh, you were a big fis in a little pool, and now you're a little fish in a big pool. Well, I guess everybo has to accept that for a certain period of time you have to crawl before you walk...

Are you running out of tape on this side?

B: Okay, let's, uh, stop it for a second and turn over to the other side.

(PAUSE -- TURN TAPE FROM SIDE "A" TO SIDE "B")

B: This'll be, uh, side-2 of a continuing interview with Officer Larry AVRECH. The tim is 1053 hours, August 22, 1984. Still present in the room are Officer AVRECH, Serge PFAHLER, and myself, Sergeant BREITENSTEIN. Go ahead Larry.

A: Uh, before I go any further, am I, am I telling you anything that you haven't heard already?

B: Well, why don't you tell me the story, if you wish to, you're certainly under no obligation to at this time, uh, before I make any comment.

A: I'm just, I'm kind of getting looks, uh, when I mention certain names, and...

B: Well, you go ahead and tell us the story, okay? If you wish to...

A: Anyway, uh, Donna was concerned about, uh, the, uh, bail she had to come up with, the, uh, uh, how she was gonna pay for her, uh, attorney's fees, what have you. And uh, she did a favor for me. She had mentioned to me that, uh, she had picked up a john by the name of Michael HUGHES, uh, that particular person I had seen, I had seen the vehicle on El Cajon Boulevard, (coughing sound), excuse me... I know the individ uh, the individual turns out to be my present wife's ex-fiancee. And, I had a few ins with him. He has, uh, talked to my wife, threatened her that he had pictures of me, uh, with a prostitute and was gonna come to Internal Affairs. And I had made

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mention of that to Sergeant GOUDARZI and we sat down and had a conversation. And I just told him that, uh, if he's out there on the Boulevard, uh, I am going to do my job to the fullest. I am not going to go after this person, I am not going to wait, lie in wait for him, but, just as I told him, I said, if, uh, I don't know, uh, I know that he, uh, does not have a permit to carry a gun and according to, uh, my wife he carries a gun and according to Donna he carries a gun in his vehicle, and with that knowledge I didn't think it was safe for other officers to stop him without them knowing about it. So, I made mention to everybody in "C" Squad. I think that was to the dismay of Sergeant GOUDARZI because he was of the opinion that, uh, uh, if this person was ever arrested it would come out later in court that, uh, I had known about this for quite some time and only now am I acting on it. And my reply was, "I'm really not interested in that. All I'm interested in is getting a gun off the street," and that this person is acting in a, in an irrational way from, uh, in discussing with my wife, from the way that, uh, he used to be. Apparently, he got, he was a Sheriff's Reserve, got into some deal down at the Border regarding, uh, something to do with illegal aliens. She's not really sure about it, but he was asked to resign. And ever since, I mean, he has wanted to be a cop and, uh, is Johnny-on-the-spot on all, uh, accidents. The Fire Department will roll up and he's out there taking pictures. Uh, as a matter of fact, there was a high-speed chase that the Highway Patrol had at 35th, it ended at 35th and El Cajon about three, four weeks ago, and he was out there snappin' pictures of me. And every time I saw that, this was after the threat was made, I just turned away. Because as far as I'm concerned, uh, he could take a picture of me, uh, and bend it and mold it in any position he wanted to because he's a damned good photographer. And, uh, I had mentioned that I was being threatened, that my job was being threatened, and Sergeant GOUDARZI just, you know, kind of said, "Well," you know, "Don't," uh, you know, "Don't go overboard, don't overstep your bounds of authority," and I said, "I'm not gonna overstep my bounds of authority, but he's got a loud muffler and if he's out there and we're out there, we're doing the same thing to the girls. A lot of Donna's tickets resulted from constantly following her, for hours, and that was her thing. When she was through doing her little, uh, work, uh, she was bored, so she stayed out on the Boulevard and drove around.

As a matter of fact, during the detail I understand that, uh, there's a street up on La Mesa and she pulled it with us once, uh, where she must have circled the block about twenty-seven times before a unit called for another unit to take over because they were getting tired of going around in circles. She enjoys this. So, uh, uh, I gave her the impression that, uh, that I was sympathetic to her. And I gave her the impression that I would help her. Well, she made mention that, uh, she needed some money and told me that she was getting a thousand dollars from Lieutenant BLACK. And, in phone conversations with her, uh, I didn't know whether she was under investigation or not, I did my best to repeat everything that I could hoping that, uh, maybe her line was tapped, maybe somebody else was gonna find out. But, uh, uh...

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I think I've gotten a really bad shake, so far, in the Department. Just, uh, just by word of mouth. When I contacted, uh, this other person, a sergeant, I was advised that, uh, 'no, I wasn't too soft on the girls, as a matter of fact, I was too hard on the girls.' And I heard that, uh, just after the time when I was told that I wasn't gonna work the detail. So that was the first thing I heard. And like I said, just about two weeks ago, when I had a discussion with, uh, Sergeant GOUDARZI, he told me the exact opposite. So, uh, like I said, I, I really don't think I'm getting a fair shake here. I'm sitting on a powder keg here, waiting to explode, and the person that I'm working for is not recommending me for things and I can understand why. And, uh, I, I see no problem in talking about the allegations, uh, I, uh, for a long time have known that Donna is looking to screw a cop, literally and figuratively. And, uh, it was not gonna be me.

I've not had, uh, sexual relations with her, and she knows that, uh, in asking for different details and not, not receiving them, I've talked to her about that, I've talked to her that I've been pissed off, and made mention of the lieutenant and of names and said that, uh, I really, I really don't understand what this, what this person's problem is, what certain people on the Department's problem is. Uh, I feel like I'm paying the penance, but I don't know for what. Like I said, uh, uh, you can go down and look at my, uh, my jacket in the Reserve Office, and, and, I've got commendations for different things, I did a good job, otherwise I wouldn't be here. And, uh, I don't think I overstepped my bounds any. I was getting information from a prostitute. I thought about it, I talked to people, I got further information and pretty much confirmed what, what that person told me.

And now, because, now, I may be an idiot but, it's pretty plain to me that, uh, when somebody helps you out and gives you money, for whatever purpose, whether there's a consideration involved or not, uh, that's an act of prostitution...when you're talking when you're talking about a prostitute. It's not necessarily sex, it's any consideration. Uh, I just don't think that's right. It's not right, it's not fair, and the particular person I don't feel should sit in judgment of others with no basis for, uh, for why any particular individual cannot work a detail.

Uh, there is a sergeant and a lieutenant that I do not get along with in Vice and I can understand them just kind of dropping the ball and saying that, but it went past that. It just wasn't, uh, Vice said they didn't want you... it went past that. And you can put in for so many things and be turned down and after a while you've gotta say, "Hey, is it me? Is it them?" I can understand, and you mentioned that, uh, you had noticed that I had lost weight, I dropped about seventy pounds at a year and a half ago, and I realized, doing a good job out there, I write good reports, I get, I get commendations, I've got reports that they use for training in the Academy, so, what is it? So I kind of looked at myself and I said, "Well, everything on the reports on my evaluations state that, uh, my appearance still isn't good, so, I'm gonna do something about that." And I did something about it. People started to notice, you know, all the way up through the captain's level on the Department. I'd walk

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A: (Continued)

around here and people wondered what, what happened to the other half of me, you know And, uh, so, I gained their respect back, continued doing the job I was doing, and, uh, the, uh, prostitution detail really is, is really digging at me. 'Cause like I said, all they were doing out there was doing the same thing that a regular patrol officer would be doing, you know. And, uh, I didn't see what difference it was. You write an F.I. as a patrol officer, and you're talking to a prostitute out there, then what's the difference in working a detail where you're writing an F.I. and talk to a prostitute? There is no difference. But, apparently there was a difference to the, either the lieutenant or somebody else, that they didn't want me. So... Uh...

Like I said, for, for the remainder of the questioning, uh, I, I think I've pretty well covered, uh, uh, some of the things that, uh, that I wanted to. Uh, I'm gonna have to, like you said, I can have a copy of that ...

B: Yes, you can.

A: Uh, would that be possible, today?

B: Uh, we'll have to check on that, see how long it'd take.

A: Okay. Would it be possible sometime before Friday?

B: Yes.

A: Okay. And like I said, uh, I, I think I gotta kind of, of a bewildered look from you. Uh, what I can say and I don't, and I don't know this to be a fact, I don't know whether the other two sergeants knew that Donna was a prostitute. I don't believe they did, which makes it even worse, makes it even worse. The fact that, uh, somebody would, apparently, the way it, the way it looked was, uh, Sergeant HARGROVE didn't have, was not going to the river with anyone and, uh, Carl set him up with her. He apparently never told her who she was or what she was. And that really irritates me.

B: Is there anything else you'd like to tell us today? Before your attorney is present

A: Not that I can think of.

B: There are questions that I would like to ask of you, and, in fact I will give you a direct order to answer, uh, however, if you desire to have an attorney present, we will suspend our interview today until such time as, uh, the attorney is present.

A: Okay.

B: Okay, uh, Friday the 24th, as I said before, at, at eleven o'clock...

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TIME (occurr.):

LOCATION:

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SUBJECT:

- P: Or you can make it earlier.
- B: Or earlier. Uh, I'd like to have, have this interview conducted before the end of the week, and I don't want to drag it out. We want to get this thing over with. Okay?
- A: Sure.
- B: Okay. Uh, if you have conversation with an attorney today, would you please call me back and, uh, confirm that this is an agreeable time?
- A: Okay. There was one other thing, now that I've thought of it, but, uh, uh...
- B: Let me emphasize one thing. Have you made this statement as a result of any direct order today, or have they been made totally voluntarily?
- A: Totally voluntary, on my part.
- B: Okay.
- A: Uh, no, I'll just, uh... I'll wait until Friday then.
- B: I am going to give you a direct order right now. And that direct order is this: #1, you're not to discuss this investigation with anybody other than your attorney. I do not want you talking with Lieutenant BLACK, with Donna GENTILE, with your sergeant, Sergeant GOUDARZI, or any other member of this Police Department except for those members of the Internal Affairs Division. Do you understand that?
- A: Okay.
- B: Okay. #2, uh, between now and our next conversation on Friday the 24th, I'm ordering you not to have any contact with Donna GENTILE either via telephone, in person, or on the street.
- A: That should be easy.
- B: Okay.
- A: That's between what now? Now and when?
- B: Between now and our conversation next, on Friday the 24th.
- A: Okay.
- B: Uh, #3, if you do have occasion to come in contact with her, on the street, that you defer any conversation and turn it over to your immediate supervisor, uh, to deal

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B: (Continued)
with it, there's a criminal matter involved. If she, in other words, is, is acting
as a prostitute in the street, or is engaged in an illegal activity...

A: Right.

B: ... that you turn it over to your sergeant rather than handling it yourself.

A: Okay.

B: Are those three orders clear?

A: No problem.

B: Okay. This interview is concluded at 1108 hours, August 22, 1984.

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Reporting Officer G.A. BREITENSTEIN, Sergeant I.D. # 1111 Division Internal Affairs

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