

CRIMINAL INVESTIGATIONS DIVISION

SUPPLEMENTAL REPORT

Agency ORI number: FLO 130700	Agency name: MIAMI BEACH POLICE DEPARTMENT	Agency case number: 01-9143
Case reference: (offense / address) Leaving Scene of Accident w/ Fatality 1523 EUCLID AVENUE #4	Date of Offense: 03/11/01 Date Closed: 03/11/01 Report Date: 04/02/01	
Victim: Montgomery, Mary	Case Status: Closed	
Arrest No:	Clearance type:	
Number Arrested: 01-9143	Juvenile:	
Related Report Case #: F01-7975	Number of pages in this report: 6	
Officer reporting: Sergeant R. Hundevadt	I.D. # 0433	Unit # B10
Officer reviewing: Sgt. G. Butler	I.D. # 0143	Unit # 1710
Case assigned to: Officer Steve Nagel	I.D. # 0367	Unit # Unk.

On Sunday, March 11, 2001, Sgt. P. Devaney (02-0447) was contacted by Sgt. K. Miller (02-0317), via the radio, in reference to a traffic fatality which occurred at 79 Street and Harding Avenue. This writer had heard a BOLO, broadcast over both frequencies, for a black BMW possibly driven by a black male. Sgt. Miller requested that Sgt. Devaney respond to 1100 West Avenue #1209 to meet with Officers M. Jomarron (02-0705) and R. Smith (02-0581) who had made contact with the owner of a vehicle which was suspected of having been involved in this incident. I accompanied Sgt. Devaney to 1100 West Avenue. Upon arriving on the twelfth floor of 1100 West Avenue, enroute to apartment 1209, I met with Officers Jomarron and R. Smith. Also present was a white male, Sean D. Casey (W/M, 07/22/1973). Upon meeting Mr. Casey, this writer immediately noticed a strong odor of alcohol emanating from Mr. Casey's breath and about his person. Ofc. Jomarron indicated to this writer that Mr. Casey was the registered owner of a vehicle, which was suspected of being involved in this offense. Ofc. Jomarron also indicated to this writer that Mr. Casey had indicated to her that if his vehicle was not parked in the underground parking garage, located at 1100 West Avenue, that his vehicle must have been stolen. Ofc. Jomarron also showed this writer a bank withdrawal slip she had recovered which indicated an apparent withdrawal from

his bank account at the Bank of America (account number 5676 5100 2369 5587) located at 1414 Alton Road at 10:39 AM on 03/11/01, in the amount of \$240.00. I accompanied Ofc. Jomarron and Mr. Casey to the underground parking garage, and to the spot in which Mr. Casey indicated that he had parked his vehicle. I inquired if he was sure that he had parked his vehicle in the parking space he indicated had been assigned to him, which upon our arrival was empty. Mr. Casey stated that he always parked his vehicle in that particular spot, and could not think of any other location where he had parked his vehicle. I asked Mr. Casey if he saw his vehicle in any other parking spots located within the parking garage, to which he responded that he did not. I asked Mr. Casey if he had the ignition key to his vehicle and he handed to me his key chain on which he showed me a key which he stated belonged to his 2000 BMW 323. I asked Mr. Casey if he observed any glass on the ground in the immediate vicinity of the spot in which he stated that he had parked his vehicle, he stated that he did not. I inquired of Mr. Casey if he was current in his car payments, in order to rule out the possibility of a repossession, to which he replied that he was and stated that he had paid cash for the vehicle. Mr. Casey also advised that even if someone had broken into his vehicle they would have had great difficulty in starting the vehicle because it had an "electronic ignition." I asked Mr. Casey if he would accompany us to the Miami Beach Police station in order to complete the theft report and sign a stolen vehicle affidavit. Mr. Casey began to inquire if we had recovered his vehicle, to which I replied that I thought that it had been however that I was not sure but that we suspected the vehicle had been involved in a very serious offense. Mr. Casey also questioned if his vehicle was damaged, and what the extent of the damage was. I told Mr. Casey that I did not have that information, but that I would try to ascertain this information upon our arrival at the police station. We walked to the lobby area of 1100 West Avenue and met with Sgt. Devaney and Ofc. R. Smith. As we exited the building, I inquired of Mr. Casey with whom he would like to ride back to the police station with. Mr. Casey indicated that he would like to ride to the station with Sgt. Devaney and myself. Mr. Casey was told that he was not under arrest, and he was not handcuffed during the transport to the station.

Upon our arrival at the police station we went to the patrol division lounge area where I asked Mr. Casey to wait while I attempted to contact one of the investigators who were investigating this offense. I contacted Lt. Dorigo (02-0302), who was present in the patrol division offices, and inquired if any of the accident investigators were in the office. Lt. Dorigo stated that he had not seen any of the accident investigators handling this offense inside the office. Lt. Dorigo stated that he would attempt to contact Sgt. Butler (02/0143) and advise him that the registered owner of the black

BMW was present in the lounge. Sgt. Butler, briefed me on the details of this offense and results of the investigation thus far, and that the vehicle had been recovered abandoned on Parkview Island. Sgt. Butler requested that I begin talking with Mr. Casey in order to begin the preliminary investigation into Mr. Casey's report that his vehicle had been stolen. Sgt. Butler advised me that Ofc. Silvagni (02-0434) was enroute to the station to assist in this investigation. Mr. Casey and I went to the Criminal Investigations Division, Major's conference room, to begin the preliminary investigation into Mr. Casey's report of the theft of his BMW. Upon arriving in the Major's conference room, I was contacted by Ofc. Silvagni who advised that he was enroute to the station. I advised Ofc. Silvagni where he could meet Mr. Casey and myself.

I began my interview with Mr. Casey prior to the arrival of Ofc. Silvagni. I took contemporaneous notes during the course of my interview with Mr. Casey. The approximate starting time of my interview with Mr. Casey was about 12:00 to 12:30 PM.

Mr. Casey indicated that he had resided alone at 1100 West Avenue #1209, since April 1999. Mr. Casey stated that he had always lived alone since he moved into this apartment. Mr. Casey stated that he was the only person he knew who possessed keys to the door locks of his apartment. Mr. Casey stated that he did not have the locks to his apartment changed since he moved into the apartment. Mr. Casey stated that he did not have any recent parties in his apartment, and indicated that the last time he had company inside this apartment was approximately 3 to 4 weeks prior to this interview. Mr. Casey stated that, to the best of his knowledge, there were only 3 keys to his vehicle in existance. Mr. Casey stated that the locations of the three keys were as follows:

-The key which was on the (above mentioned key) chain which also contained the key(s) to his apartment, which he had in his possession at the time of interview.

-A valet key which was located inside the vehicle's ashtray.

-A key which he kept hidden inside a closet within his apartment, in a "blue cupboard."

Mr. Casey indicated that he was certain that the key, which he kept in the "blue cupboard," was still located in the location in which he had placed it. I asked Mr. Casey how he could be certain that the key was still in the "blue cupboard" since he had 6 to 8 guests within his apartment about a month earlier. I asked Mr. Casey if it was possible that one of the guests could have gone into the "blue cupboard" and took the key. Mr. Casey stated that he was certain that none of his guests took the key from the "blue cupboard." However, Mr. Casey stated that he had not seen the spare car key subsequent to his having guests inside his apartment. When I inquired of the names of the guests he had inside his apartment last, Mr. Casey became evasive and did not disclose their identities. It

was about this time Ofc. Silvagni entered the conference room and joined in with the interview. I asked Mr. Casey if he would allow us to accompany him to his apartment in an effort to locate the key which he had hidden in the "blue cupboard." Mr. Casey stated that he would allow us to accompany him to check if the key was still inside the apartment. Mr. Casey was asked to sign a search release allowing us to search his apartment and vehicle. Mr. Casey read the search release, and indicated that he understood the search release and his willingness to sign the search release. At the same time Mr. Casey signed the Stolen vehicle affidavit which Ofc. Silvagni and I had prepared for him. Mr. Casey again indicated his understanding of the document and his willingness to sign the document.

At this point in our interview we began to retrace Mr. Casey's activities the night before, Saturday to Sunday (03/10-11/2001). Mr. Casey stated that when he left his apartment he was wearing a black short sleeved shirt and black jeans, which he stated should be on the bedroom floor of his apartment. Mr. Casey stated that he left his apartment approximately 0100 hours Sunday morning, 03/11/2001, alone. Mr. Casey stated that he left alone and traveled alone to "Club Ozone" (6620 SW 57th Avenue, South Miami). Mr Casey stated that he believed he had left his apartment between 0100 and 0130 hours. Mr. Casey indicated that he arrived at "Club Ozone" about 0150 hours. Mr. Casey, when asked who was at the club while he was there, again, became evasive and gave only three names; Glen (a bartender), Marti (the manager), and Peter (another bartender). Mr. Casey stated that he had consumed approximately 4 rum and coke drinks while he was at the club. Mr. Casey stated that he recalled that someone had also purchased him a drink, but did not know who had served him the drink. Mr. Casey stated that he left "Club Ozone," with some buddies, to go to "The Boardwalk" (17008 Collins Avenue, NMB), although he traveled alone, in his vehicle. Mr. Casey stated that he left "Club Ozone" sometime before the club closed, before sunrise. Mr. Casey stated that he arrived at "The Boardwalk," about sunrise, or 0600 hours. Mr. Casey stated that while at "The Boardwalk" he consumed an additional 3 rum and coke cocktails and was in the company of approximately 6 people. When asked who these individuals were Mr, Casey, again, became vague and would not disclose their identities. Mr. Casey explained his "vagueness" was a result of his not being able to remember, or "blackouts." Mr. Casey stated that he believed that he stayed at "The Boardwalk" only 2 to 3 hours, but that he could not remember exactly. Mr. Casey stated that he could not remember his drive back to his apartment, nor his parking the car in it's assigned parking space at 1100 West Avenue. Mr. Casey did state, however that he left "The Boardwalk" alone at about 0800 hours, he was not sure of the exact time, and went directly home.

I showed Mr. Casey the above described withdrawal slip, and inquired if this slip would help him remember with more certainty the actual time he arrived home, and the fact he had stopped by the bank on his way home. Mr. Casey stated that the date on the withdrawal slip was in error that he was certain that he had made the actual bank withdrawal on 03/10/01. Mr. Casey indicated that he had made the withdrawal in preparation for a trip out of the country on business (to meet with the President of Brasil), with a scheduled/ticketed departure on the date of the interview, 03/11/01. Mr. Casey stated that when he made this withdrawal he had utilized the southern most drive through ATM machine located at the Bank of America, located at 1414 Alton Road. At this point we solicited, and received, permission from Mr. Casey to take a sworn taped statement to record the above details. **SEE TAPED STATEMENT FOR SPECIFIC DETAILS.** Mr. Casey was not read his Miranda warnings, prior to this taped statement due to the fact he was still believed to be the victim of an auto theft, and that the BOLO was accurate for a black male who was seen driving the suspect vehicle. Mr. Casey was still free to go at the time of the interview, and was not under arrest.

Prior to the interview, Mr. Casey gave personal data which included the fact that he had received a Masters Degree from Georgetown University in Latin American Politics. The personal data Mr. Casey related at the time of the interview appeared to be accurate and concise.

Subsequent to the conclusion of the interview, Mr. Casey was transported to his apartment by Ofc. Silvagni. I followed Mr. Casey and Ofc. Silvagni in my police vehicle. Upon arriving at Mr. Casey's apartment he, utilizing a key on the above described key chain, unlocked the door and allowed us into his apartment. Mr. Casey went into a closet located in the hallway/livingroom area of the apartment and removed a plastic container from one of the upper shelves inside the closet.

This writer observed other containers which appeared to be the same also located on the shelves inside the closet. Mr. Casey placed the container he had removed from the closet on the top of a nearby piece of livingroom furniture and opened it's top. Inside this container I observed what appeared to be numerous statements. Mr. Casey removed a quantity of these statements and located the spare key to the BMW which he was reporting stolen. About this same time, Ofc. Silvagni entered the bedroom area of the apartment and located black clothing which contained apparent glass shards on the floor of the bedroom area where he had described as being the location of the clothing he had worn that night. Crime Scene Technician Knowles was summoned to the location, 1100 West Avenue #1209, as were Sgt. Butler and Ofc. Nagel (02-0367).

At this point in time, Ofc. Silvagni read to Mr. Casey his rights as per Miranda. When asked if he would be willing to waive his rights as per Miranda he indicated that he did not wish to waive

these rights. At this point Mr. Casey was advised he was under arrest by Ofc. Silvagni, and was handcuffed by Ofc. Silvagni. NO ADDITIONAL QUESTIONS PERTAINING TO THIS INVESTIGATION WERE ASKED OF MR. CASEY. Mr. Casey did ask this writer to contact his boss at Inter-American Press Association and advise him that he would not be able to make the trip out of the country. Mr. Casey was allowed to talk with his boss over the telephone and advise him of the location of some paperwork which would be needed for the trip.

On 03/13/01, I contacted the State Attorney's Office (A.S.A. Mike Scholl) and inquired about obtaining a subpoena for a photograph of the transaction for which we had possession of the slip. The ATM machine number was SFLN3797 (located at 1414 Alton Road, Miami Beach) and the transaction number was 2884. I also obtained the name of the Custodian of Records for Bank of America, Ms. Amy Heany, and her contact information.