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RECORDING

Q=Man

Q1=Man

A=Man

Man: And, uh...

Man: I just need a few more (unintelligible).

Man: Okay.

Man: Good?

Man: All right.

Man: This is yours. You got that, uh, (unintelligible).

Q: Any questions for us at all?

Man: (Unintelligible).

Q: All right. Your phone? Okay. So here's the deal with your phone. Okay. So we're here in your house, so we're - we have - we're here in a place where we have a lawful reason to be...

A: (Unintelligible).

Q: ...(unintelligible) so...

A: Because you found the (unintelligible) what you guys said. (Unintelligible) that's why I (unintelligible) 'cause, I mean, I know you're doin' your job, now I'm feeling I'm in a different (unintelligible).

Q: So what are the - what are the terms that we said that you're referring to?

43
44 A: (Unintelligible) you guys (unintelligible) let me know what you guys are
45 gonna take, right?
46
47 Q: Uh-huh.
48
49 A: So (unintelligible)...
50
51 Man: Give you a receipt.
52
53 A: So, I mean, now I feel like they, uh, the tone has changed, obviously. Um...
54
55 Q: So I don't think the tone has chan- I think - I think -- and correct me if I'm
56 wrong -- but I think what's going on is that you're surprised (unintelligible) the
57 fact that we're taking her phone.
58
59 A: Yeah.
60
61 Q: The taking her phone came as a surprise to you.
62
63 A: Yes.
64
65 Q: Okay. Okay. So...
66
67 A: (Unintelligible) before I signed (unintelligible) now I signed (unintelligible).
68
69 Q: Okay. So you signed the consent to search for us to come and search your
70 house. Okay. So we're here in your house, we have a lawful reason to be here
71 in your house because we're (unintelligible) we see your phone, as part of our
72 investigation, okay, we believe that your phone could potentially contain
73 evidentiary items that are important to the investigation, therefore, we seized
74 your phone.
75
76 Woman: Yeah.
77
78 Q: So when we seize your - your phone is a lawful seizure.
79
80 A: I'm le- I'm lettin' you guys know (unintelligible).
81
82 Q: Yeah, okay. I mean, it's gonna be hesitation, I mean, is there, I mean, or what's
83 going on in your mind that makes you not want us to take your phone, if

84 anything?
85
86 A: Well, because it's my dad's birthday, invited a lot of people...
87
88 Q: Okay.
89
90 A: ...(unintelligible) questions.
91
92 Q: Okay. I understand that. But based on what I just described and the fact
93 (unintelligible) just explained the fact that we're here in your house, we're in
94 here lawfully, we see a phone, we have reason to believe that the phone could
95 be a pertinent, uh, item of evidence to this investigation, therefore, we seized
96 your phone. An- and I (unintelligible).
97
98 A: (Unintelligible).
99
100 Q1: (Unintelligible) it's - it's akin, it's just the same as the seizing of the laptop
101 because they're - they're smartphones, they're - they're more computer than
102 phone.
103
104 Woman: Yeah.
105
106 Q1: And so it goes hand in hand (unintelligible). Now, obviously, even though you
107 gave us consent, right, to come in and seize it, we can get - they can get it if
108 they...
109
110 Woman: Yeah.
111
112 Q1: ...decide to search warrant, if they decide they want (unintelligible). No one's
113 gonna look at it without authority. It's a vastly different (unintelligible).
114
115 Q: An- right. And when I was explaining the consent search to you - the consent
116 to search form, like (unintelligible) saying, you know, we're gonna be looking
117 for uniforms, you know, computer devices, electronics. I mean, not
118 necessarily said the words phone in specifics, but that falls under the computer
119 and electronic devices thing. So and there was no intentional emission that I
120 didn't say phone specifically...
121
122 Woman: No (unintelligible).
123
124 Q: ...but...
125

126 Woman: We gotta go (unintelligible).
127
128 A: I f- I f- I feel (unintelligible) deep inside I feel like it was but, I mean, y- y-
129 you're saying it end of story it - it's, uh...
130
131 Woman: Maybe that's why you couldn't.
132
133 Woman: Okay.
134
135 A: ...like, what can I do? You know?
136
137 Man: Okay.
138
139 A: So.
140
141 Q: All right. And - and like my partner said, I mean, all we've done right now is
142 just take it and, you know, we can't go into it and actually look at it without
143 another search warrant to do so.
144
145 Woman: Okay.
146
147 Q: So.
148
149 Q1: But definitely if it's a concern for you, I understand it. You can raise it up with
150 your attorney and then attorney can do what he's gonna get paid to do, right?
151 (Unintelligible). And if it turns out that we were wrong, all that gets pushed
152 aside and not (unintelligible) so. (Unintelligible) so, I mean, (unintelligible)
153 explaining like usually when (unintelligible) or when anyone mentions, you
154 know, the cell phones (unintelligible) that includes, like, CD's, DVD's, thumb
155 drives, any other type of peripheral, you know, that comes along with
156 anything (unintelligible) related to electronics or computers. So it's - it - they
157 umbrella, so to speak and everything that falls (unintelligible). Just like I said,
158 if I'm gonna seize a car, I'm not gonna tell you I'm gonna seize (unintelligible)
159 I'm gonna seize all your cars. It's more of an umbrella thing.
160 Man: And we're trying to be respectful (unintelligible) take what we don't need to
161 (unintelligible).
162 Man: Yeah.
163
164 A: (Unintelligible).
165
166 Q1: It doesn't (unintelligible) and I get it. Unfortunately, we- our hands are kinda
167 tied too, we have our own directives that (unintelligible) follow so.

168
169 Q: Besides your phone, do you have any other questions for us?
170
171 A: (Unintelligible) at this point does it matter? (Unintelligible) guys doin' your
172 job so I understand it and respect it.
173
174 Q1: Thank you for that because I know inside you're very angry. And I - I
175 understand that. So I - I know we all do really appreciate how you've been in,
176 uh, good control over that (unintelligible) as cooperative as you have been.
177 For whatever it's worth, it's not going unnoticed. I just wanted you to know
178 that. It's not going unnoticed.
179
180 A: (Unintelligible).
181
182 Man: All right.
183
184 Man: Okay.
185
186 Man: (Unintelligible).
187
188 Q: And again, you have the card, um, my name on it, (unintelligible) and then,
189 uh, the other two sergeants are on the back (unintelligible) for anybody, uh,
190 (unintelligible) talk to them if you want to or give (unintelligible) even though
191 I'm sure your attorney (unintelligible). So but if not (unintelligible). Anything
192 else? Did you show him the receipt?
193
194 Man: Yeah, he's got a copy of it.
195
196 Q: Oh, okay.
197
198 Man: If you want to take a look at it and make sure everything's on there.
199
200 Man: (Unintelligible).
201
202 Man: If you have any questions.
203
204 Man: If it's - if it's (unintelligible)..
205
206 Man: It's on there - it's on there.
207
208 Man: (Unintelligible).
209

210 Man: We're human too, we make mistakes (unintelligible).
211
212 Man: But that's a complete inventory of everything that's in those bags. Oh wait a
213 minute. Did you get the uniform he gave me?
214
215 Man: Oh negative.
216
217 Man: Yeah. See. So we're gonna have to add that. (Unintelligible). Yeah. So he
218 gave me a (unintelligible) top and bottom (unintelligible), uh, and then a, um,
219 a laptop.
220
221 Man: Yeah, I got the laptop.
222
223 Man: The one that he gave me?
224
225 Man: Yeah.
226
227 Man: Okay.
228
229 Man: There was only one laptop, right?
230
231 Man: Yes.
232
233 Man: Yeah.
234
235 Man: With the charger.
236
237 Man: (Unintelligible) top and bottom?
238
239 Man: Yeah.
240
241 Man: Anything else?
242
243 Man: Not that I saw. But I didn't really go through it.
244
245 Man: That's pretty much (unintelligible).
246
247 Man: That's from the vehicle, correct?
248
249 Man: Yes. Yeah, from his Jeep.
250
251 Man: (Unintelligible).

252

253 Man: (Unintelligible).

254

255 Man: (Unintelligible).

256

257 Man: Uh, no I do not. (Unintelligible).

258

259 Man: Sure.

260

261 ((Crosstalk))

262

263 Man: Where's the laptop?

264

265 Man: I already have it.

266

267 ((Crosstalk))

268

269 Man: Right on.

270

271 Man: (Unintelligible).

272

273 Man: (Unintelligible).

274

275

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

277 transcription.

278 Signed _____