

CASE: 16-09-01 - CSI SEVERINE SMIGELSKI
OFFENSE:
DATE: 09/15/16
TIME: 2:33 P.M.

(The following may contain unintelligible or misunderstood words due to the recording quality.)

Q. Okay. This is a taped statement taken from -- Sevie Smigelski?

A. That's correct.

Q. At Sunrise Police headquarters, today, September 15, 2016, at 2:33 p.m., by Lieutenant Bill Glennon, who is a member of the Sunrise Police Department.

Also present is Deputy Chief Gerald Eddy. I, Lieutenant Bill Glennon, am a duly certified law enforcement officer for the State of Florida, and as such, am empowered to administer oaths. Please raise your right hand. Do you solemnly swear that the statement you're about to give is the truth, the whole truth and nothing but the truth, so help you God?

A. Yes, I do.

Q. Do you understand that giving false testimony under oath is a crime?

A. Yes.

Q. Okay. Please state your full name and spell your full name, and your title and your business address.

A. Severine, S-E-V-E-R-I-N-E; Smigelski, S-M-I-G-E-L-S-K-I; um, uh, Sunrise Police Department.

Q. Okay. And what's your job title?

A. Crime scene investigator.

Q. Okay. I will now turn the questioning over to Deputy Chief Eddy.

A. Okay.

EDDY: Do you mind if I refer to you as Sevie?

A. Yes, please.

EDDY: Okay. Um, did you attend the City of Sunrise Employee Appreciation dinner on August 26th?

A. I did.

EDDY: Okay. And while you were in attendance there, did you have the occasion to see Sergeant Roger Krege?

A. I did.

EDDY: Did you have any interaction with him throughout the night?

A. I did towards the end of the function.

EDDY: Okay. Just at the end of the function?

A. Yes.

EDDY: Okay. Um, and what precipitated that interaction?

A. Uh, myself, my husband, uh, Sergeant Gordon and his wife, and Detective, uh, Timmy McGovern were on our way out of the, uh, Signature Grand, um, when, um, Will Gordon was asked to possibly help Sergeant Krege, um, out of Signature Grand, um, maybe because he had, uh, too much to drink. Um --

EDDY: Do you know who asked, uh, Acting Sergeant Gordon to do that?

A. I believe it was Mayor, uh, Michael Ryan.

EDDY: Okay. And then what happened when you got outside?

A. Um, Will Gordon, I believe, and Timmy, uh, McGovern helped, um, Roger Krege outside -- not quite outside, maybe in the front lobby area, uh, where they placed him on a bench. He had a hard time walking. So, um, he looked like he could've been inebriated. Um, and we placed him on a -- a bench where we sat down and talked to him.

EDDY: Okay. And you said he appeared to be intoxicated?

A. Correct.

EDDY: Okay. What was his demeanor like?

A. Um, he was very calm and soft-spoken, but he -- he had a strange look in his eyes. Um, and -- and he did slur his words.

EDDY: Okay. Did -- did he become aggressive at any point in time?

A. Um, yes, he, um -- not enraged, um, not angry, just, uh -- just a lot of words were thrown at us. Um --

EDDY: Like what?

A. You want me to say the words?

EDDY: Could you give me an idea?

A. Um, well, um, he didn't really want our help. Um, he called us some choice words. And when I say "us," um, my husband and I and -- to the group that I mentioned before. Um, he didn't want our help. And we stated that we just wanted to get him home and we just wanted to get the keys that were in his -- in his right pocket.

EDDY: Okay.

A. Um, he just kept saying, "Get the F away from me. You're pieces of crap."

EDDY: I understand. So it was offensive?

A. Yes.

EDDY: Offensive language. Okay. It was profane.

A. I didn't -- I didn't go crying about it, but I knew he was in a different state --

EDDY: Understood.

A. -- so I (unintelligible).

EDDY: Let's talk about that state. You said his -- his eyes?

A. Yeah.

EDDY: What were his eyes like?

A. They were just really -- they were really wide open, uh, as if he maybe looked, um, uh, excited or, um -- um, just surprised. His eyes -- his -- his eyes were really, really big. But he -- like he was very aware.

EDDY: Okay.

A. But his -- his speech didn't really match his expression on his face.

EDDY: Okay.

A. He -- he slurred his words. But he was calm the whole time and his voice never elevated. He just stayed -- he just didn't have very nice words. That's all.

EDDY: Okay. Um, if I -- if I ask you were his pupils dilated, would you understand what I'm asking you?

A. Yes, but I don't recall.

EDDY: Okay. Um, at any time did he make physical contact with you?

A. Yes.

EDDY: Okay. In what manner did he do that?

A. Um, at the point where I was trying -- I asked the boys to just let me talk to him --

EDDY: Okay.

A. -- maybe me being a female would help him if I sat side by side.

EDDY: Sure.

A. And I kept tapping his right pocket because I see the set of keys that was in his pocket, and I just kept saying, "Roger, you and I don't know each other. You've maybe said a couple words to me in the four and a half years that I've been here. I don't know you, you don't know me, but we work together and we're just a family. We're just trying to get you home." And I kept tapping where the keys were and I said, "We just -- I just need your keys so that somebody can drive your car home and we can -- we can follow." And I believe after maybe, uh -- I think this went on for about 20 minutes.

And when I was successful in getting the keys, um, I threw 'em to Will Gordon, and that's when he kept saying -- uh, Roger Krege said, "Just get the F away from me. Get the F -- I'm done with you. Goodbye. Goodbye. I'm done with you." So I stood up. I figured he was done. I was happy with just getting the keys, and that's all I needed, so my goal was complete. At that point I believe with at least one, or maybe two -- but I don't wanna say for sure -- might've lightly shoved me.

EDDY: Okay.

A. Um, where I was standing up already. And I was wearing heels so I was, um -- I didn't go stumbling; I just kind of had like a -- like a crossover stand --

EDDY: Okay.

A. -- I guess, you can say.

EDDY: Okay.

A. I didn't -- I wasn't ready for that. That's all. But it wasn't, um --

EDDY: Wasn't extremely forceful.

A. Correct. It wasn't with force. It was a --

EDDY: You weren't injured at all.

A. -- a shove. I was not injured. No.

EDDY: Okay. Um, okay. I just want for the record, let you know, and I'm sure you understand that something like that could constitute a Simple Battery, but in this case you don't really feel like you were --

A. No, not at all. I wasn't harmed. I didn't --

EDDY: Okay.

A. -- I wasn't in fear. I was over it the next day.

EDDY: Right.

A. It was --

EDDY: You -- you didn't wanna take any kind of formal police action or anything like that?

A. No. No.

EDDY: Okay.

A. Um --

EDDY: (Unintelligible) with the way things happened.

A. Right. And the boys were a little upset by that. Uh, but everyone calmed down.

There was no physical altercation, no -- nothing went swinging. Um --

EDDY: Okay. And then, uh, at some point in time you must've gotten him out into parking lot?

- A. Correct. So Will obtained the keys from me. Uh, Will went looking for the car that, um, Roger Krege was driving. Um, at that point Roger Krege did mention -- say it is a, um -- an Infinity -- a green Infinity. Uh, he pulled the car forward and the goal was to maybe have Will drive, uh, Roger Krege's car -- or I'm not sure whose car it was -- um, and have Will's wife Leah drive behind them --

EDDY: Okay.

- A. -- um, and take Roger home.

EDDY: And what ultimately ended up happening?

- A. I left shortly after that, uh, because he -- it was just getting worse, uh, with the name calling.

EDDY: Okay.

- A. My husband wasn't very happy about that so before it got any harrier, um -- the car was already pulled into the valet area, and the, uh -- I believe Timmy and Willy -- Will were trying to have Roger get in the car, um, which in this case he refused. And at that point I -- there was nothing for me to do, nothing for my husband Mike to do, so we decided to just go home.

EDDY: Understood. Since that evening have you had any contact with Sergeant Krege?

- A. Yes.

EDDY: What kind of contact?

A. Uh, so the next day I came into work. I had to, uh, fix, uh, some timecard since I had worked late the week before. Um, and I -- I -- I, um -- I met with him, um, that day, Saturday. We --

EDDY: Saturday. Okay.

A. Yes. At -- in this building.

EDDY: He was in this building on Saturday?

A. (No audible response).

EDDY: Okay. And what did he say to you? What --

A. Um, it wasn't planned. Um, Will had called me earlier -- to backtrack a little bit, sorry --

EDDY: That's fine.

A. -- earlier that day and had asked me if, uh, Roger had contacted me, and I said, "No, I don't think he has my number. We don't -- I don't know him at all." Um, and he had told me how me -- Roger had contacted Will and apologized to him via phone, and that I would probably get contacted. And I -- I believe Will advised him that it would probably be best to maybe take care of this face to face on Monday when I --

EDDY: Okay.

A. -- we're both back at work. Um, I was in my Crime Scene office doing, like I said, paperwork, timecard, and there was a knock on my door. So naturally I answered. And I, uh -- it was Roger Krege.

EDDY: Okay.

A. Continue?

EDDY: Yes, please.

A. Uh, sorry. Um, he came into my office and apologized and, um, stated that he had no recollection of what happened. Um, and he did ask me if he pushed me, and I said, "Yes, you kind of did." And he apologized profusely and said that, uh, anything that -- I made sure I told him everything that he had said. And he seemed very surprised. And he also stated that he doesn't know me, just like I don't know him, and he doesn't know why those things were -- would be said, because he wouldn't know why he would throw these -- these nasty words at me if I've never done -- we've never had any interaction together. So --

EDDY: Did it seem to you that his behavior that night could've been more than just being under the influence of alcohol?

A. Um, I'm no expert in that but, um, some people take their liquor differently.

EDDY: Okay.

A. I can't say for sure. I know his words were -- were slurred a lot. I don't know if it was alcohol in conjunction with something else. I'm not too sure.

EDDY: On Saturday what time approximately did you (unintelligible)?

A. Uh, it was about 6, 6:30 at night.

EDDY: Oh, okay. Um, now while all this was going on Friday night, did it appear to you that he knew who everybody was, who he was speaking to?

A. Yes. As a matter of fact, I asked him several times when I sat to his right and I was trying to get the keys from his pocket, I said, "Roger, do you know who I am?" And he says, "Yeah, I know who you are." I said, "I'm Sevie in Crime Scene." And he goes, "Yes, Severine. You're in Crime Scene." And I said,

"Yes." And -- and he continued on saying, um, uh, "You're nothing. You're nobody. You won't amount to anything. You won't get anywhere in this agency. You're a piece of crap." So that kind of, uh, shocked me a -- that's what started it.

And I said, "But it doesn't matter. We're -- we're family. We're trying to get you home. You don't look right. You're not getting behind the wheel. You're, um -- you're not driving tonight. We're a family." I said -- and I -- at that point even my husband sat down. And I don't know if this was before or after the shoving. I think it was before. And he tried. And he says, "Buddy, you don't know me. You're -- you know, I don't -- you work with my wife. You work with all these guys. We -- we just -- I would do this for a friend. We're just trying to get you home." And he kind of did the same thing, "Just leave me alone. Get the F away from me." Um, yeah.

EDDY: Okay. Bill, you have anything else?

Q. No. Nothing further.

EDDY: Okay. Sevie, would you like to add anything else?

A. Uh, no. I'm good.

EDDY: I actually have one more question.

A. Yes.

EDDY: Do you know who Carla Gomez is?

A. No.

EDDY: You don't? She's our H.R. director for the City of Sunrise. You've never met her?

A. Okay. That name does sound familiar.

EDDY: You just know her by name. You wouldn't know her by sight?

A. No.

EDDY: Okay. At any time during the evening did you see Sergeant Krege interact with any other females that were in attendance there?

A. No. I -- I saw him once when I -- when I walked in through the doors. Um, him and I didn't even say hi to each other. But at -- at a distance. But no, I didn't see him interact with any -- I didn't know he had been at the function until maybe just then.

EDDY: Okay.

A. Um, or that he was still there by the time we were -- we were one of the last people to leave.

EDDY: Okay.

A. So --

EDDY: All right. Well, I think that concludes the statement.

Q. Okay. Just to, uh, reiterate, is there anything else that you would like to, uh, add to this statement?

A. Uh, just that it wasn't really my choice to go forward with this. So, um, that's all. I just -- I -- I -- I woke up okay -- fine the next day. I wasn't hurt -- I just wanted to be -- as long as I got the face to face apology that I -- that I -- I thought I deserved, a little sooner than I thought, I was okay with it. I -- it is what it is. So -

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Q. Okay.

A. -- just wanna put it past me.

Q. Has everything you said been true and correct to the best of your knowledge?

A. Yes.

Q. Have any threats or promises been made to you, by me, or anyone else, for your statement?

A. No.

Q. Did you give this statement on your own free will?

A. Yes, I did.

Q. This concludes the statement taken from Sevie --

A. Smigelski.

Q. -- Smigelski --

A. Yeah.

Q. -- today, September 15, 2016, at 2:47 p.m.

(CONCLUSION OF INTERVIEW)

Transcribed by: jak/jak/alw

46 A



SUNRISE POLICE DEPARTMENT



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Florida State Statute 112.532 (3) CIVIL SUITS BROUGHT BY LAW ENFORCEMENT OFFICERS OR CORRECTIONAL OFFICERS.

Every law enforcement officer or correctional officer shall have the right to bring civil suit against any person, group of person, or organization or corporation, or the head of such organization of corporation, for damages, either pecuniary or otherwise suffered during the performance of the officer's official duties or for abridgement of the officer's civil rights arising out of the officer's performance of official duties.

Florida State Statute 112.533 (4) DISCLOSURE OF INTERNAL AFFAIRS COMPLAINTS

*Sunrise Police Employees are also prohibited from Disclosure of Internal Affairs Complaints per Departmental Policy 33.6.5.3

Any person who is a participant in an internal investigation, including the complainant, the subject of the investigation, the investigator conducting the investigation, and any witnesses in the investigation, who willfully discloses any information obtained pursuant to the agency's investigation, including but not limited to the identity of the officer under investigation, the nature of the questions asked, information revealed, or documents furnished in connection with a confidential internal investigation of any agency, before such complaint document, action or proceeding becomes a public record as provided in this section commits a misdemeanor of the first degree, punishable as provided in s 775.082 or s 775.083.

Florida State Statute 775.082 (40) (a) PENALTIES

For a misdemeanor of the first degree, by a definite term imprisonment not exceeding 1 year.

Florida State Statute 775.083. (1) (d) FINES

\$1,000 when the conviction is of a misdemeanor of the first degree.

Florida State Statute 837.02 PERJURY IN AN OFFICIAL PROCEEDING

1. Except as provided in subsection (2), whoever makes a false statement, which he or she does not believe to be true, under oath in an official proceeding, in regard to any material matter, commits a felony of the third degree, punishable as provided in s 775.082, 775.083 or 775.084.
2. Knowledge of the materiality of the statement is not an element of this crime, and the defendant's mistaken belief that his or her statement was not material is not a defense.

I have read and received an additional copy of F.S.S. 112.532 (3) and F.S.S. 112.533 (4)

 Signed _____	(Berman) Date <u>9/15/16</u>
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 Witness _____	Date <u>9/15/16</u>
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