

Sophra to go in house not police

Frank Koutsogiannis - Direct

12

1 residence?

2 A Yes.

3 Q Were you giving them permission to enter the
4 home with the key by you saying you're sending Sophia
5 over with the key?

6 A No.

7 Q Well, what was your -- do you understand my
8 question?

9 A Yes.

10 Q Why were you going to send Sophia over with a
11 key?

12 A Because they asked for the key and I know in a
13 situation like this, they can bust my door down. So I
14 told my daughter to go in and tell the kids to get out
15 and talk to the police.

16 Q All right. The last part, so you wanted
17 Sophia to go in the house?

18 A To go in the house, the kids are inside the house
19 which I think they were because nobody else would be,
20 to get them the hell out of the house and go talk to
21 the police.

22 Q Okay. Did you tell Officer Pharo that, that
23 you were going have Sophia bring Vasilio and Katerina
24 or whoever was inside the house out of the home?

25 A No, we didn't get to that point. When he told me

Police claimed Frank (this testimony) is also he is the home owner that this is consent to enter.

1 have her bring me the key, I said okay.

2 Q So what was your understanding of the
3 conversation with regard to what was going to occur?

4 ~~A~~ A That Sophia would go, get in the house and get
5 them out of the house to talk to the cops because they
6 wanted to talk to them.

7 Q Okay. So did you expect that the police
8 would enter into the home?

9 A No.

10 Q What did you expect to happen?

11 A I expect they would get what they wanted and
12 would not go inside my house and ruin, turn the house
13 upside down. And I know what happens when there are
14 SWAT teams, they bust down everything when they have a
15 warrant.

16 Q Well, you said SWAT team. How do you know
17 there was a SWAT team there?

18 A Because the officer told me that this happened in
19 Ocean Township and the police were there or they were
20 coming there and there was the SWAT team was there or
21 that they were on their way to the house.

22 Q All right. So you were under the impression
23 that there was a SWAT team either there or on the way
24 to the house?

25 A Correct.

1 Katerina who he believed to be in the home?

2 A Correct.

3 Q Okay. And is it your testimony that the
4 officer said to you, we are getting in one way or
5 another?

6 A Yeah.

7 Q Do you remember the officer ever using the
8 word consent?

9 A No.

10 Q Did he ever say to you do we have your
11 consent to go into the home?

12 A Never did, no.

13 Q Did he ever say to you, you have the right to
14 refuse to consent?

15 A No, ma'am.

16 Q He never told you they had an arrest warrant?

17 A No.

18 Q They never told you they had a search
19 warrant?

20 A No.

21 Q And it was your expectation based on your
22 conversation with who was then Sergeant Pharo, I know
23 he's Lieutenant Pharo now, that Sophia was to come
24 over with the key because you didn't want the SWAT
25 team entering your home and damaging your property