POLICE MISCONDUCT

@trial issues for potential of police misconduct

A.(2) police officers same last name on(2) seperate cases

B.Police officer's son involved break -in of defendant's apt.

C.Police report filed against complainant @ 19th Dist. sabatoged intent. not to properly file so there would be no invest. or prelim. hearing.

. MALLOY: That's correct.
HE COURT: All right. So I will defer
ling on the alleged conflict until, if and
when, we cross that bridge. Fair enough.
MR. MOSES: Thank you, Your Honor.
THE COURT: All right. And you
mentioned another officer.
MR. MOSES: Yes. Officer Soto is in
question, but these are two different Sotos
from two different districts. The fact that
it has been four months apart where another
Soto is responding the conflict of interest
and basically --
THE COURT: First, let me ask you, do
you know that the Officer Soto on this
witness list is the Officer Soto that's
involved in your --
MR. MOSES: Well, they're two different
Sotos that I've inquired with criminal
investigators whether or not there's a
relationship. The bridge I'm bringing to
this is prior to the complainant calling the
police on me I was on the phone with a woman
who identified herself as a Philadelphia
police officer one month prior. The next

POST TRIAL INVEST.
P/O RENEA PARKER-JEFCOAT
is the woman I spoke w/
about her son "Zae" inv-
olvement of the burglary
& squatting of my apt w/
complainant :Brian
Atkerson

[1] time I would see the complainant witness the
[2] police were being called on me as I waited
[3] outside the home. Now that creates a
[4] potential of maybe some misconduct
[5] hypothetically but that will be pursued in
[6] the cross-examination phase, Your Honor.
[7] **THE COURT**: All right. So you have no
[8] objection or motion with respect to Officer
[9] Soto; is that correct?
[10] **MR. MOSES**: Could be potentially. I
[11] have documented it, but he is, in fact, a
[12] responding officer and I do have his report.
[13] With that, I can only take it at face value
[14] that he was there doing his job. It would be
[15] a question to the jury who would be the
[16] decider of the tryer of facts in the case
[17] whether or not he, in fact, was there without
[18] malice or without bad faith.
[19] **THE COURT**: All right. Let me take a
[20] step back. I don't see an Officer Soto on
[21] the witness list, on the trial memo.
[22] **MS. MALLOY**: Antonio Soto? He's on
[23] there.
[24] **MR. MOSES**: Yes, of the 39th District.
[25] **MR. HALL**: No. 6, Judge.

Atkerson described you to be very upset because your tripod, camera and money from the marijuana had been stolen. Atkerson told you that you should go to the apartment and get your stuff from Zae and Nycee. You and Atkerson then drove to the apartment since Zae was home. Zae and you got into a brief argument and then Zae ran off. A few minutes later Zae's mother called Atkerson's phone. According to Atkerson, Zae's mother is a Philadelphia Police Officer and during that contact she told you to stop bothering and intimidating her son. She said that if you did not stop, she would come to your next court date and tell the Judge what you had done.

POST TRIAL FACT FIND
Diane Cowan's CSI PHILLY INV.
Excerpt Pg. 6 of report

[illegible] you to get your bike out of the alleyway behind Nycee's home. Atkerson did make that call but Nycee told him that your bike was not there.