



INTERNAL CORRESPONDENCE

MTP 8499

TO: Detective Sergeant R. Spires FROM: Detective J. Schertzer
Central Field Command Drugs Central Field Command Drugs
DATE: 97-11-17
YY/MM/DD

RE: Montreal Investigation

On Sunday, November 2nd, 1997, team #3 had the occasion to arrest 3 parties regarding the seizure of 5 kilos of cocaine. These three targets resided in the Montreal area.

1. Aida REYES-FAGUNDO
2. Jose Alberto NOVA
3. Maria SANCHEZ-MORENO

I spoke to Detective Carvalho (Caravella) of SIS and received a contact from the MUC Drug Squad in Montreal. The contacts name was Joe DIFEO.

This officer (DIFEO) advised us that he was willing to assist us in our investigation.

The details were given to another officer who works with DIFEO, his name was Michel LECLERC, of our arrest and possible addresses in the Montreal area.

On Monday, November 3rd, 1997, LECLERC contacted D/C Steve CORREIA and advised him that they executed a S/W on a house situated at an address on Jarry Street. This house was where the targets pressed and wrapped the cocaine prior to coming to Toronto.

Information was obtained that 44 grams of cocaine, a press, scales, wrappings, mustard, were seized, and also a male/female were arrested and taken to their station.

Arrangements were made that myself and D/C Correia attend Montreal on Tuesday, November 4th, 1997, to execute two search warrants, one at the main targets bank (safety deposit box, which we had the key for) and a back end search warrant for documents relating to her trip to Toronto.

Approximately one hour outside of Montreal, we contacted officer LECLERC, and advised him to get the search warrants, and that we would be arriving around 12:00pm. Upon our arrival, we were shown some of the articles seized from the house from the previous night.

This included, wrappings, mustard and the scales. They did not show us any drugs or the press. They wanted to turn all of the evidence over to us, I advised them to lock

it all up in the conference room we were in instead of me carrying it around the Montreal area. We were then advised to go down in the mall area because the Justice of Peace would not be available until 2:30pm. Not even a coffee and only three introductions, we were on our own.

At 2:30pm, we were told they were still working on the warrant, which is usually a one page, without any difficulty. Then at approximately 3:40pm, we were on our way to the bank, only to learn that they had to get two search warrants, one for the main records at the headquarters and then the bank where the safety deposit box was.

After executing the one search warrant, officer LECLERC and his partner Pierre ROBILLARD stated that the Justice of Peace, had a sore back and by the time we could get back from the main branch, he would be gone. While at the main branch, we were met by the head of security of the bank. This fellow is an ex-policeman, and well known to our friends from the MUC.

He advised us that we could get back into the bank at 9:00am the next day even though the bank was not officially open till 11:00am.

So we left and returned back to the MUC drug office. It was at this time that they advised us about these two bodies and that we were supposed to take them back to Toronto. I advised them that I did not think we had any grounds to transport them or any charges for them. I advised them to lay the Possession of Cocaine FTP on them, they argued with this saying they have no grounds to lay this charge, not enough drugs and the parties don't live in the house, they were just visiting. Even though the male has the key (his mother's address, but she was in Cuba).

Their arguments about not laying the Possession FTP charge did not make any sense.

I contacted a crown attorney in Toronto, Rick VISCA (attempting to contact head crown, Kelly Gorman), while they spoke to their Lieutenant.

I also spoke to Detective Carvalho (Caravella) who advised me that we could take the prisoners back for one Conspiracy charge or they could lay their own charges. Still, I had not met with the officer that Carvalho (Caravella) had given to me.

The Lieutenant then said the bodies would be okay until the next day, and then we could decide.

The officers then asked how we do these search warrants on safety deposit boxes in Toronto. I advised them how we have done them. They suggested that the key may not fit so we might have to drill it. I advised them this would be very unusual since we have the key, and have confirmed that this box was hers.

We then left at 6:00pm for our hotel room. Upon arriving at our room, there was a message to call our original contact DIFEO. At 6:40pm, we contacted them and were

advised that we had to go to the detention centre by 7:00pm, or else the prisoners would be released.

This officer we spoke to was rude and ignorant, and seemed very upset on the phone that we were not transporting these bodies back to Toronto tonight. I advised him that we had discussed what our intentions were on the phone, prior to us coming to Montreal, and that nothing had changed. We were here to gather all the evidence we could and they were only to assist us. I also told him that they were his bodies, and he could do with them what he would like.

The next morning we arrived at the MUC drug office at 8:15am, prior to our arrival we called and spoke to officer ROBILLARD, who advised us LECLERC was around, but he could not find him.

Upon our arrival, we were let in through the security doors by officers from another department. Once inside the drug office, one of the Pcs working with us, ROBILLARD, almost looked in shock to see us and not one other officer said hi, or how was your night to us, it was like we had the plaque.

We were told to go down to the mall again and have a coffee, LECLERC was getting the S/W signed and that he would be back shortly.

This officer said again about the safety deposit key, what happens if the key does not fit, it might have to be drilled. I advised him that we have done numerous of these and there is no way that this key would not fit since we know who had the box, we have her key and the box has been confirmed, unless you people drilled the lock.

Approximately 9:45am, we arrived but were not allowed to go to the drug floor, this time, and we had to stay on the sixth floor with the receptionist, until 10:15am, when ROBILLARD came and got us. This time we were shown the coffee room, for the first time and were told to stay in there. At this time, this officer told me that the money was staying in Montreal. I advised him, what money?, he just replied the money from the box. I advised him that how did he know there was money in the box, unless he opened it and looked inside. I advised him that there could be jewellery, documents, wills, drugs or anything else. That's when he said we are willing to have the box drilled again if the key does not work. I argued with him about who made the decision about the money and he stated his Lieutenant.

He also advised me that I needed a letter from the Crown to release the money to take it back to T.O. I told him that I would get the crown on the phone and they could do the arrangement by phone/fax. I also said to him why were we allowed to take all the drugs, paraphernalia, but not the money. He could not give me a reasonable answer.

I spoke to Kelly GORMAN over the phone and advised her of the situation. She was willing to fax the letter, and even call her people in Montreal, but they did not want this.

The main officer, LECLERC came in almost like he was dancing, he told me the same as the other officer about the key not working and the money in the box staying in Montreal.

They said if I did not like this, I could end my investigation in Montreal and go home. I told him that this was bull shit, and that I have ended it here and thanked him for his hospitality that was dog shit and left.

At no time did they ask for the key to the box, which leads me to believe they had drilled it.

At approximately 11:15am, I spoke to D/Sgt. Spires who advised me to go and see the RCMP in Montreal.

I attended there and spoke to P.C. Roch COTE and advised him that I had to see if they would give any further direction or support. I had to wait until 2:30pm to see the Inspector Pierre FOURNER.

After about two minutes talking to this Inspector, he answered his phone, spoke french and then hung up. He advised me that my boss was going to contact me shortly and that his men were not getting involved because he had good connections with the MUC Drug Squad and basically threw us out of his office.

My opinion from these two past days are that they were only interested in the safety deposit box and the cash inside of it. To hold on to only the money and release everything else when it is not even their investigation does not make any sense.

Also, there is no logical or lawful reason why they would hold onto the money.