

CITY OF CORAL GABLES

- MEMORANDUM -

TO: MAJOR MARK GINN
ASC ACTING CHAIRPERSON

DATE: AUGUST 31, 2010

FROM: SERGEANT CUONG "TED" NGUYEN
UNIFORM PATROL DIVISION *for 7063*

SUBJECT: AUGUST 2010 OFFICER OF THE MONTH AWARD NOMINATION

I am nominating Officer Kimberly Digiacoimo for the August 2010 Officer of the Month Award for her investigation that resulted in the arrest of an offender relating to case number 10-006283. The offender was charged with 2 counts of Occupied Burglary and 2 Counts of Video Voyeurism and 1 count of filing a false police report.

On August 15, 2010, Officer K. Digiacoimo was dispatched to investigate a call at 9380 Balada Street regarding an incident where an unknown subject was observed photographing the home owner's juvenile daughter while she was undressing in her bedroom. Upon arrival at the incident location, Officer K. Digiacoimo initiated a preliminary investigation of the incident and determined that the location where the juvenile's bedroom was located was not visibly accessible unless the subject entered the curtilage of the residence.

Officer Digiacoimo forged on with the investigation and interviewed the victim, family members and guests that were present at her residence. The information gathered was extremely pivotal to the criminal investigation. During the course of the interview process of the victims and guests, the juvenile victim informed Officer Digiacoimo the subject that photographed her while she was nude utilized a new I Phone (large black surface with the distinct silver Apple logo in the center). Additionally, after she ran from her room to inform her family and guest of the incident that just transpired she exited the front of the residence to investigate and recalled observing a light colored SUV equipped with light bars vacating a construction lot near her residence.

Officer Digiacoimo continued with the interview and was informed by one of the guests that after the "peeping tom" incident he went to the guard house and reported the incident to Wackenhut Security Guard Eric Owens who advised the guest that while he was patrolling near the incident location he pursued a subject on foot that was "looking at cars"; Mr. Owens advised he chased the alleged subject into the victim's residence. According to the guest, Mr. Owens was sweating profusely and his breathing was labored. Mr. Owens then responded to the incident location and advised the victim's mother (homeowner) of his encounter with the alleged subject. When he was asked by the homeowner if he called the police, Mr. Owens replied, "Yes and they will take a while."

Concerned, the homeowner called CGPD Communications Center via 911 and inquired if there was a logged call from the security guard regarding the incident that occurred at her residence. The operator advised the homeowner that there were no records of anyone requesting to dispatch a police unit to her residence on Balada Street.

With the investigative information compiled by Officer Digiaco, she interacted with Wackenhut Security Guard Eric Owens. Officer Digiaco noticed that Mr. Owens was exhibiting a 'very nervous' demeanor; shaking and sweating profusely. Officer Digiaco requested a written statement from Mr. Owens describing his recollection of the incident on Balada Street which he voluntarily obliged. Additionally, she interviewed the female security guard who was stationed at the guard house and was advised Mr. Owens' assignment at Old Cutler Bay is mobile patrol. The female security guard recalled at the time of the incident a "sweaty" Mr. Owens returned to the guard house and informed her that he observed a male photographing the victim through her bedroom window and he chased the male. She asked Mr. Owens if he would like for her to contact the police, he said 'no, I will handle it.' Mr. Owens went to the residence and then returned to the guard house. The female security guard (again) asked if he needs her to contact the police and if "the mom" would like a report. Again, Mr. Owens stated, "no and the mom does not want a report."

Officer Digiaco was not satisfied with Mr. Owens explanation and coupled with the contradicting investigative information she received from the female security guard, victims and guest, Officer Digiaco proceeded to investigate further by inquiring from the female security guard if Mr. Owens owns an I Phone. The security guard confirmed that he does own one of the newer type I Phones and she was certain of this because they have discussed it previously and she is also an employee of AT&T where they are the exclusive authorized company to be an Apple I Phone service provider.

Officer Digiaco employed the assistance of her fellow officers and she delegated different duties to them; she assigned Officer J. Estevez with the task of interacting with Mr. Owens in an attempt to illicit further investigative information. Officer Poole was assigned to process crime scenes and collecting information relating to the incident. Officers Rubido and Coleman were assisting with canvassing the area for the I Phone. Officer Jenkins was later summoned to the scene because of her familiarity with the I Phone and its application.

Officer Digiaco and Officer Estevez continued to converse with Mr. Owens who originally denied that he does not own an I Phone but later in the conversation admitted that he is an owner of an I Phone but it was given to his girlfriend. Officer Digiaco devised a plan to call Mr. Owens' I Phone but to no avail; there was no answer. She was able to get Mr. Owens' consent to search his vehicle which yielded negative results for the I Phone. Officer Digiaco with the assistance of Officers Rubido and Coleman noticed where Mr. Owens parked his Wackenhut Security vehicle and decided to scour the area which led to the discovery of an I Phone that was placed on top of a concrete wall in the proximity of his security vehicle which was not visible from the public access roadway. The I Phone appeared to match the description of the phone that was observed by the juvenile victim which was utilized to photograph her nude

inside her bedroom. Officers Poole and Jenkins confirmed that the I Phone belongs to Mr. Owens.

Although Mr. Owens was not arrested at the incident location, Officer Digiacoimo was able to convince Mr. Owens to voluntarily respond to the police station to be interviewed by Sgt. Mosquera and Detective Carrazana. Subsequently, Mr. Owens admitted to photographing the juvenile female. Additionally, Mr. Owens confessed to committing this same criminal act of photographing the juvenile two weeks prior. Mr. Owens was placed under arrest and charged with two counts of burglary; two counts of video voyeurism and filing a false report to a law enforcement officer.

During a records check of Mr. Owens, it was revealed that he was arrested in Ocean Side, California in 2004 for similar criminal acts which he was convicted of.

Officer Digiacoimo applied her investigative skills with persistency and determination to ensure that the case would result with an arrest and should be commended for her level of dedication to solve this case. Additionally, as a result of her persistency and self determination, Mr. Owens is no longer roving in a community to commit further criminal activity which may have escalated from voyeurism to actual physically harming an individual. She well deserves to be considered and selected for the 2010 August Officer of the Month award.

Attached with the nomination are the Investigative Incident and Event reports; Supplements; Arrest Affidavit; and the Miami Herald article for your review of the detailed accounts of this incident.

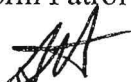
REVIEWED BY:

DATE



Claughton, E., Lt.
Uniform Patrol Division

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Masington, S., Major
Specialized Enforcement Division
Acting Uniform Patrol Division Commander

8/31/10

CN/cn

Cc: Officer Kimberly Digiacoimo