

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

3	UNITED STATES OF AMERICA,)	
4	Plaintiff,)	
5	vs.)	CRIMINAL CASE NO. CCB-17-106
6	DANIEL THOMAS HERSL and)	
7	MARCUS ROOSEVELT TAYLOR,)	
8	Defendants.)	
9	_____)	

Tuesday, February 6, 2018
Courtroom 1A
Baltimore, Maryland

BEFORE: THE HONORABLE CATHERINE C. BLAKE, JUDGE
(AND A JURY)

VOLUME VIII - EXCERPT

TESTIMONY OF DETECTIVE TIMOTHY ROMEO

For the Plaintiff:

Leo J. Wise, Esquire
Derek E. Hines, Esquire
Assistant United States Attorneys

Reported by:

Douglas J. Zweizig, RDR, CRR
Federal Official Court Reporter
101 W. Lombard Street, 4th Floor
Baltimore, Maryland 21201

1 For the Defendant Daniel Hersl:

2 William B. Purpura, Jr., Esquire
3 Thomas W. Rafter, Esquire

4 For the Defendant Marcus Taylor:

5 Christopher C. Nieto, Esquire
6 Jenifer Wicks, Esquire

7 Also Present:

8 Special Agent Erika Jensen, FBI

9 TFO John Sieracki

10 Matthew Kerrigan, Government's Trial Technician

11 Crystal Panas, Defense Paralegal

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P R O C E E D I N G S

(12:40 p.m.)

(Excerpted as follows:

THE COURT: Shall we call the jury back in and see if we can get your two witnesses?

MR. PURPURA: Thanks.

Your Honor, may I have the detective take the stand at this time?

THE COURT: Sure.

MR. PURPURA: Detective Romeo.

(Jury entered the courtroom at 12:41 p.m.)

THE COURT: You can all be seated, except for the witness. I'm sorry.

Mr. Purpura, you're calling a witness?

MR. PURPURA: Your Honor, if I may, on behalf of Mr. Hersl, the defense calls Detective Timothy Romeo.

THE CLERK: Please raise your right hand.

DETECTIVE TIMOTHY ROMEO, DEFENDANT HERSL'S WITNESS, SWORN.

THE CLERK: Please speak directly into the microphone. State your full name for the record and spell your last name, please.

THE WITNESS: Timothy Romeo, R-O-M-E-O.

THE CLERK: Thank you.

MR. PURPURA: Thank you.

DIRECT EXAMINATION

BY MR. PURPURA:

Q. Detective Romeo, where are you employed?

A. Baltimore City Police Department.

Q. And how long have you worked as a Baltimore City policeman?

A. I'm in my tenth year.

Q. And approximately when did you start? When did you pass -- come to the academy?

A. January of '09.

Q. And can you just briefly tell us what units you've worked at since you came on as a BPD?

A. I was in patrol. I was in the Monument Street initiative. And then I was in OID, SES, which are citywide units, narcotics, gun units.

Q. And what are you doing now?

A. Right now I'm in Eastern District DAT, District Action Team, same thing, narcotics and guns.

Q. Very good.

And I'm going to direct your attention to November 5th, 2014. And before I do that, we actually met physically in the hallway today for the first time; is that correct, sir?

A. Yes.

Q. I have been able to speak with you a couple times on the phone; is that also correct, sir?

1 **A.** That's correct.

2 **Q.** In addition to meeting with me in the hallway, you met
3 with Mr. Rafter at least for a few minutes in the hallway today
4 as well; is that correct, sir?

5 **A.** Yes.

6 **Q.** Other than that, have we had any contact whatsoever with
7 each other?

8 **A.** No.

9 **Q.** And also is it fair to say that you met -- or you didn't
10 meet, but you spoke with a Special Agent Lisa Christy and
11 Assistant United States Attorneys Christina Hoffman and
12 P.J. Martinez back in December via phone; is that correct, sir?

13 **A.** Yes.

14 **Q.** And in general, I believe we're all discussing the same
15 thing, which are I'm going to take you to November 5th, 2014,
16 Jimmie Griffin.

17 Do you remember that case?

18 **A.** Yes.

19 **Q.** I'm going to show you what has been marked as Defense
20 Exhibit No. 36.

21 Do you recognize that man?

22 **A.** Yes.

23 **Q.** Who is that?

24 **A.** That's Jimmie Griffin.

25 **Q.** Now, in addition, I'm going to show you what has been

1 marked as Government JG-3. And do you recognize that house?

2 **A.** Yes.

3 **Q.** What is that house?

4 **A.** That's Jimmie Griffin's home.

5 **Q.** Very good.

6 And if I may, sir, directing your attention back to
7 November 5th, 2014, what was your role in the investigation?

8 **A.** I was in the same squad as Detective Hersl.

9 **Q.** And what were you doing?

10 **A.** I was assisting him on an investigation up off of
11 Pinewood.

12 **Q.** And where were you on Pinewood? Where were you actually
13 physically located and approximately what time, if you can
14 remember? Was it around 12:00 noon?

15 **A.** When we were on Pinewood, it was about 4, 4:30 we executed
16 a search warrant.

17 **Q.** Before that, before the search warrant was executed?

18 **A.** Yes, before the search warrant was executed, I was standby
19 with Sergeant Burns and Detective Fassl as part of the arrest
20 team.

21 **Q.** And did there come a time that you were involved in a stop
22 of a vehicle?

23 **A.** Yes.

24 **Q.** Can you please tell us about that.

25 **A.** Yes. We were notified by Detective Hersl to -- about a

~~ROMEO DIRECT~~

1 vehicle that was coming from Pinewood who was inside of the
2 location. He had a brake light out. When he came out onto
3 Harford Road, we eventually conducted a traffic stop on that
4 vehicle.

5 Q. And what happened at that point, after the traffic stop?

6 A. At that point I made contact with the driver, who was
7 George Lee. I got all of his information and from there told
8 him that another detective would be coming to speak with him
9 pending, you know, another investigation that was being
10 conducted by that person.

11 Q. Okay. And did Detective Hersl then arrive at the scene?

12 A. Yes.

13 Q. And was a K9 called?

14 A. Yes. Eventually a K9 was called and alerted on the
15 vehicle.

16 Q. And what do you mean by "alerted on the vehicle"?

17 A. A K9 does an external scan of the vehicle. And when the
18 K9 catches the odor of a controlled, dangerous substance, it
19 will alert.

20 Q. Okay. And this was the vehicle that George Lee was the
21 driver; is that correct?

22 A. That's correct.

23 Q. And was the vehicle searched?

24 A. Yes.

25 Q. And what was found in the vehicle?

~~ROMEO DIRECT~~

1 **A.** I believe it was like \$8,500 in cash in the center console
2 and some sandwich bags with residue.

3 **Q.** And this vehicle was seen leaving the target residence; is
4 that correct?

5 **A.** Yes.

6 **Q.** And that's Jimmie Griffin's residence right here; correct?

7 **A.** Correct.

8 **Q.** Did you see the vehicle leave?

9 **A.** No.

10 **Q.** After the stop of George Lee, there was a warrant
11 prepared; is that correct?

12 **A.** That is correct.

13 **Q.** And that was for Jimmie Griffin's residence; is that
14 correct?

15 **A.** Correct.

16 **Q.** Were you part of the team involved with the search of the
17 residence?

18 **A.** Yes.

19 **Q.** And approximately now, what time is this in the afternoon
20 on November 5th?

21 **A.** 4:00, 4:30.

22 **Q.** Can you give us an idea how many people are involved in
23 the team that searched Jimmie Griffin's residence?

24 **A.** Ten to a dozen.

25 **Q.** Any names, if you can remember? I know it's been a long

1 time. I apologize.

2 **A.** Sergeant Burns, Sergeant Bailey, myself, Detective Hersl,
3 Detective Fassl, Detective Iacovo, and then I guess the rest of
4 Sergeant Bailey's squad.

5 **Q.** And do you recall that there was a large amount of heroin
6 and paraphernalia and scales and kilo press seized?

7 **A.** Yes.

8 **Q.** And if I show you what has been now marked as
9 Defense Exhibit No. 37 --

10 (Counsel conferred.)

11 **BY MR. PURPURA:**

12 **Q.** -- can you tell the jury briefly what this is?

13 **A.** Yes. What this is is a 56 evidence form, just documenting
14 everything that was seized and submitted.

15 **Q.** At least what was seized by you; is that correct?

16 **A.** Yes, that's correct.

17 **Q.** And so you are the responsible officer and submitting
18 officer (indicating); is that correct?

19 **A.** That's correct.

20 **Q.** And why would you seize packaging material?

21 **A.** 'Cause it's indicative of drug distribution.

22 **Q.** And why personal documents?

23 **A.** To prove that that person was staying at the location.

24 **Q.** And who was that person?

25 **A.** Jimmie Griffith [sic].

~~ROMEO DIRECT~~

1 Q. And where were these documents seized?

2 A. From the basement.

3 Q. And how about what's -- scales, why is that important?

4 A. Scales are for weighing of the product.

5 Q. "Product" meaning the heroin that was seized?

6 A. Yes.

7 Q. And finally, why would you seize a red bandana?

8 A. 'Cause it proves affiliation to a gang, the Bloods gang.

9 Q. And I'm sorry. I missed that. What gang is that, the red
10 bandana?

11 A. Bloods.

12 Q. Thank you.

13 Sometime after you were at the Pinewood residence, did you
14 or did you not receive information that Jimmie Griffin, the
15 target, was at another location?

16 A. That's correct.

17 Q. And what happened at that point?

18 A. At that point, when we left the dwelling of his residence,
19 we went to the secondary location to place him under arrest.

20 Q. And just ballpark -- I know you probably don't remember
21 exactly where you went, but how far away was this from the
22 Pinewood location?

23 A. Maybe 10 to 15 minutes.

24 Q. And when you say you went or we went, who's the "we," if
25 you recall?

~~ROMEO DIRECT~~

1 **A.** I know it was at least air squad, myself, Detective Hersl,
2 Detective Fassl, Iacovo, and Sergeant Burns.

3 **Q.** Okay. And if I didn't ask you, I apologize. Whose
4 investigation was this?

5 **A.** Detective Hersl.

6 **Q.** And were you present when Jimmie Griffin -- when
7 Jimmie Griffin was located?

8 **A.** Yes.

9 **Q.** And can you tell the jury, where is Jimmie Griffin
10 located?

11 **A.** He was located in the -- I guess you could call it like a
12 backyard, back driveway. I'm not sure if he was inside a
13 vehicle or outside a vehicle with approximately three to four
14 other persons.

15 **Q.** So approximately, you said, three to four other people
16 around Jimmie Griffin?

17 **A.** Yes.

18 **Q.** And these are not police officers; right?

19 **A.** No.

20 **Q.** All right. And how many police officers, ballpark, were
21 there at that time when Jimmie Griffin is eyeballed?

22 **A.** I would say probably three or four of us.

23 **Q.** And what happened next to Jimmie Griffin?

24 **A.** We took him into custody.

25 **Q.** And who actually arrested Jimmie Griffin in your presence?

~~ROMEO DIRECT~~

1 A. Detective Hersl.

2 Q. And when Jimmie Griffin was arrested, was he searched?

3 A. Yes.

4 Q. And who searched him?

5 A. Detective Hersl.

6 Q. And were you present when Detective Hersl searched
7 Jimmie Griffin?

8 A. Yes.

9 Q. And did you see Detective Hersl go into Jimmie Griffin's
10 pockets?

11 A. Yes.

12 Q. And what did he pull out, if you recall?

13 A. U.S. currency.

14 Q. Okay. Do you know how much currency he pulled out of the
15 pocket?

16 A. At that point in time, no, not until we went back to the
17 district and everything was counted up.

18 Q. And how much had you learned that he pulled out of the
19 pocket?

20 A. \$900.

21 Q. Now, was it a large wad?

22 A. No.

23 Q. Did it appear to be anything close to \$6,000?

24 A. No.

25 Q. Is that the same thing you told Government counsel when

~~ROMEO DIRECT~~

1 they called you on the phone in December?

2 **A.** Yes.

3 **Q.** Did you at any time pull Jimmie Griffin's pants down?

4 **A.** No.

5 **Q.** Was there a rectum search of Jimmie Griffin at the scene
6 there?

7 **A.** No.

8 **Q.** After the money was taken from Jimmie Griffin, what
9 happened to Jimmie Griffin?

10 **A.** Jimmie Griffin was placed under arrest and transported.

11 **Q.** Thank you.

12 Last question, if I may, would be that you were the person
13 that actually -- and this is a Government exhibit. I don't
14 know the number, so I'll just make this defense --

15 **MR. HINES:** JG-1.

16 **MR. PURPURA:** What is it?

17 **MR. HINES:** JG-1.

18 **MR. PURPURA:** JG-1.

19 **BY MR. PURPURA:**

20 **Q.** Showing you what has been already entered as JG-1, do you
21 recognize this?

22 **A.** Yes.

23 **Q.** And what is this?

24 **A.** This is the 56, the evidence form where the U.S. currency
25 was submitted.

~~ROMEO~~ ~~CROSS~~

1 Q. And you are the submitting person; is that correct?

2 A. That is correct.

3 Q. And the amount you submitted, you said 900 was seized from
4 Jimmie Griffin; is that correct?

5 A. Yes.

6 Q. And so do you know exactly how much was seized from the
7 safe?

8 A. 4,003.

9 Q. Thank you.

10 Were you present when the safe was searched?

11 A. No.

12 Q. Do you know who was present when the safe was searched?

13 A. No.

14 MR. PURPURA: Thank you. No further questions. Thank
15 you very much, Detective.

16 THE COURT: All right. Let me just be --

17 MS. WICKS: No questions. Thank you, Your Honor.

18 THE COURT: No questions?

19 Okay. All right. Mr. Hines.

20 CROSS-EXAMINATION

21 BY MR. HINES:

22 Q. All right. Detective Romeo, good morning, sir.

23 A. Good morning.

24 Q. We're also just meeting for the first time --

25 THE CLERK: Excuse me, Mr. Hines, microphone.

1 Thank you.

2 **BY MR. HINES:**

3 **Q.** Detective Romeo, we're also just meeting for the first
4 time today; correct?

5 **A.** Correct.

6 **Q.** I haven't shown you any documents or any evidence or
7 anything like that before your testimony today?

8 **A.** No.

9 **Q.** When you met with counsel for Mr. Hersl, they showed you a
10 statement of probable cause or some other documents from the
11 episode?

12 **A.** Yes.

13 **Q.** Did they show you any bank records for a woman named
14 Miss Irby?

15 **A.** No.

16 **Q.** Are you aware that Jimmie Griffin, his cousin
17 Tyrone Creighton, and his Aunt Samara Irby received
18 lead settlement payments?

19 **A.** No.

20 **Q.** Are you aware that Ms. Irby gave Mr. Griffin \$6,000
21 immediately prior to his arrest?

22 **A.** No.

23 **Q.** Defense counsel didn't show you any of those records?

24 **A.** No.

25 **Q.** Directing your attention now to the surveillance leading

~~ROMEO CROSS~~

1 up to November 5th, 2014, you said you pulled over someone
2 named George Lee?

3 **A.** Yes.

4 **Q.** And there was some money found in his vehicle; is that
5 right?

6 **A.** Correct.

7 **Q.** But you didn't see him leave Jimmie Griffin's residence?

8 **A.** I did not, no.

9 **Q.** Okay. And when you went to Evesham, you said that
10 Daniel Hersl is the one that put Mr. Griffin in handcuffs?

11 **A.** Yes.

12 **Q.** And Daniel Hersl is the one that took his money out of his
13 pocket?

14 **A.** Yes.

15 **Q.** And what did Daniel Hersl do with that money then? Did he
16 put it in his own pocket?

17 **A.** I don't know exactly what he did with it. But once we
18 gathered up all the evidence, we put it in the car. And then
19 we went back to the district.

20 **Q.** When you were at Evesham, did Daniel Hersl count out the
21 money in front of you?

22 **A.** No.

23 **Q.** So you don't know how much money Mr. Griffin had on his
24 person when he was at Evesham?

25 **A.** No.

~~ROMEO~~ ~~CROSS~~

1 Q. When you went back to headquarters, Mr. Hersl gave you
2 some money?

3 A. Yes. We had all the evidence that was to be submitted.

4 Q. And the money that Hersl gave you, did you submit that
5 money?

6 A. Yes.

7 Q. Just to be clear, did Daniel Hersl give you \$4,903?

8 A. Yes; from the residence and from Mr. Griffin's person.

9 Q. So you didn't keep any additional money from this episode?

10 A. Absolutely not.

11 MR. HINES: No further questions, Your Honor.

12 Thank you, sir.

13 THE COURT: Thank you. Anything further, Mr. Purpura?

14 MR. PURPURA: Nothing. Thank you.

15 Thank you, Detective.

16 (Witness excused.)

17 (End of excerpt.)

18 (4:46 p.m.)

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INDEXDEFENDANT HERSL'S EVIDENCE

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DET. TIMOTHY ROMEO	4	14	--	--

I, Douglas J. Zweizig, RDR, CRR, do hereby certify that the foregoing is a correct transcript from the stenographic record of proceedings in the above-entitled matter.

/s/

Douglas J. Zweizig, RDR, CRR
Registered Diplomate Reporter
Certified Realtime Reporter
Federal Official Court Reporter
DATE: February 18, 2018

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