



**NAPLES POLICE DEPARTMENT  
SWORN STATEMENT**

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<b>NAME:</b>	Officer Sean Phillips	<b>LOCATION:</b>	Naples Police Dept. P.I. Office 355 Riverside Circle Naples, FL 34102
<b>CASE NUMBER:</b>	INQ 14-06	<b>DATE:</b>	11/25/2014
<b>TYPIST:</b>	Marie M. Reese	<b>TIME:</b>	3:07 pm
<b>DATE TYPED:</b>	12/01/2014	<b>I-1:</b>	P.I. Bob Lamberti
		<b>I-2:</b>	Sgt. Michael O'Reilly

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1  
2 I-1: This statement is being audiotaped Sean.  
3  
4 A: Yes sir.  
5  
6 I-1: And we're at the police department on the second floor. Sean as a notary public with the  
7 State of Florida I can administer an oath. So would you please raise your right hand? Do  
8 you solemnly swear that the statement you are about to give will be the truth the whole  
9 truth and nothing but the truth?  
10  
11 A: Yes I do.  
12  
13 I-1: Just a couple ground rules before we get started Sean, um, please do me a favor-- allow  
14 me to finish my question before you start answering and I promise I'll allow you to finish  
15 your answer before I ask you another question. Is that understood?  
16  
17 A: Yes sir.  
18  
19 I-1: If I ask you a question that warrants a yes or no please don't nod your head or please don't  
20 say uh huh, uh uh-- those sort of things. Is that understood?  
21  
22 A: Yes sir.  
23  
24 I-1: For the record would ya please state and spell your full name?  
25  
26 A: Officer Sean S-E-A-N Earl E-A-R-L Phillips P-H-I-L-L-I-P-S.  
27  
28 I-1: And how long have you been with the Naples Police Department?  
29  
30 A: Since April of 2014.  
31  
32 I-1: Do you have any prior law enforcement experience?

33  
34 A: Yes sir.  
35  
36 I-1: Uh, where?  
37  
38 A: New York City Police Department highway patrol unit.  
39  
40 I-1: How many years were you employed by that agency?  
41  
42 A: Twenty years  
43  
44 I-1: So you retired and you are receiving a pension from them?  
45  
46 A: Yes sir.  
47  
48 I-1: You applied with Naples-- tested and were ultimately hired is that correct?  
49  
50 A: Yes.  
51  
52 I-1: Did you have to ride with a field training officer?  
53  
54 A: Yes.  
55  
56 I-1: How long did that take.  
57  
58 A: Uh from April to July.  
59  
60 I-1: And who was that?  
61  
62 A: Uh, I had three. The first one was uh Officer Holmberg. The second one was Officer  
63 Clausen. And the third one was Officer Cercone.  
64  
65 I-1: And who is your immediate supervisor?  
66  
67 A: Sgt. Robert Young.  
68  
69 I-1: What shift do you work?  
70  
71 A: I'm assigned to the Delta squad working a twelve hour-- uh eighteen hundred by o' six  
72 hundred.  
73  
74 I-1: Do you have a specific area that you patrol?  
75  
76 A: Um, within the City of Naples it's divided into five sectors and I-- I'm on a rotating sector  
77 shift.  
78  
79 I-1: So you're floatin' all over the place?

80  
81 A: I'm assigned to a specific sector for a night and then the next night I'll have the next  
82 sector.  
83  
84 I-1: Alright. Let's go back to July 8<sup>th</sup>, 2014. I guess you been on a coup-- three months by  
85 then. Is that correct?  
86  
87 A: Yes.  
88  
89 I-1: And what shift were you workin' on July 8<sup>th</sup>.  
90  
91 A: Uh, I believe at that point I-- I was still with Charlie shift uh, I wasn't assigned to the shift  
92 I'm with now.  
93  
94 I-1: So that's six at night till six in the morning?  
95  
96 A: Yes sir.  
97  
98 I-1: Did there come a time when you ran into or interacted with Sgt. Amy Young, Jennifer  
99 Casciano and Helene Sabatino?  
100  
101 A: I did.  
102  
103 I-1: Could you explain those circumstances to me?  
104  
105 A: Uh, Officer Jason Collins had uh, stopped a bicyclist um, by his tone on the radio I felt  
106 that he uh, he would benefit from a backup unit. Um, I responded to I believe it was Fifth  
107 Avenue South and Eighth Street South where I saw Officer Collins. He-- uh, he had just  
108 finished with the subject, he has entered his vehicle again. I uh, pulled up parallel to him,  
109 I looked to my right um, my driver side window was down-- I looked to my right I asked  
110 him if he was okay, he explained to me he was. At that point I felt uh, someone touch me  
111 on my left shoulder, I was startled, I looked to my left and I saw uh, Amy Young, uh,  
112 Jennifer Casciano and Helene Sabatino.  
113  
114 I-1: Do you recall what time that was?  
115  
116 A: Uh-- uh, approximately 10:00, 2200 hours.  
117  
118 I-1: Mike let's get on the record this document that-- that you've retrieved. Could ya basically  
119 explain what it is?  
120  
121 I-2: Sean I have here the CAD notes just a-- the summary of the CAD call regarding a uh,  
122 traffic stop-- it's listed as a traffic spot-- stop by uh, Officer Collins, is that correct?  
123  
124 A: Yes.  
125  
126 I-2: Location shows Fifth Avenue South and Eighth Street South, is that the same location?

127  
128 A: It is.  
129  
130 I-2: And can you tell me the on scene time that he called out and the time he cleared it?  
131  
132 A: Um, ten o two and thirty six seconds pm-- ten o five and fourteen seconds pm.  
133  
134 I-2: Is-- is that the call that uh, you are discussing right now with Mr. Lamberti?  
135  
136 A: Yes.  
137  
138 I-2: Okay, so we show the call was completed at ten o five pm on that night.  
139  
140 I-1: So how many minutes after that call do you think you interacted with Sgt. Amy Young?  
141  
142 A: I would say just about the time he was clearing it.  
143  
144 I-1: And explain to me where you were in reference to businesses, sidewalk, street.  
145  
146 A: Uh...  
147  
148 I-1: Paint the picture for me.  
149  
150 A: I was parked uh-- I positioned myself on the South uh, East side of the street, um, next to  
151 Officer Collins' vehicle. At that point I was uh, had any vehicles came down the street I  
152 would have been blocking uh, vehicular traffic. I was in the street-- 'cause at that point I  
153 was just gonna look to my right and make sure he was okay and then return back.  
154  
155 I-1: Did that officer have any interaction with the three ladies?  
156  
157 A: I don't recall any.  
158  
159 I-1: Have you had a conversation with him about your interaction the three ladies?  
160  
161 A: I don't believe I've had any conversation I don't-- I don't recall any.  
162  
163 I-1: How long did he stay there?  
164  
165 A: Uh, I-- I definitely know that I drove away first because I sort of had him blocked in I  
166 guess and I-- in order for him to leave I would have to leave, so I'm not sure how long he  
167 stayed afterwards, I continued on my way.  
168  
169 I-1: So if you had him blocked in he may have been there the whole time you interacted with  
170 them?  
171  
172 A: Uh, I believe he was I don't think he was able to move until I moved.  
173

174 I-1: And what was his name again?  
175  
176 A: Officer Jason Collins.  
177  
178 I-1: Okay, let's uh-- were you in close proximity to Yabba's?  
179  
180 A: I believe it's approximately a block away.  
181  
182 I-1: To the-- what direction?  
183  
184 A: Uh, it would be to the West.  
185  
186 I-1: You were to the West?  
187  
188 A: Um, I was to the East of Yabba's. Yabba's would be to my West of me.  
189  
190 I-1: So Wabba's-- Yabba's was one block to the West of where you and the ladies were?  
191  
192 A: Correct, approximately a block.  
193  
194 I-1: Did you have any verbal conversation with Jennifer Casciano or Helene Sabatino?  
195  
196 A: I-- I don't recall a conversation with-- with them.  
197  
198 I-1: Did ya have any conversation with Sgt. Amy Young?  
199  
200 A: I did.  
201  
202 I-1: Would you explain that to me?  
203  
204 A: Uh, Officer Young congratulated me on recently graduating from the Field Training uh,  
205 program and she also -- and she also um, asked me if I was doin' okay by myself and I  
206 thanked her for uh, congratulating me and I said I was doin' just fine by myself.  
207  
208 I-1: And then what happened?  
209  
210 A: Um, the ladies uh, oh we said, you know, have a good night and uh, I didn't-- I don't  
211 recall any other conversation other than the congratulations and just stating I was doing  
212 fine.  
213  
214 I-1: Did they start walkin' away from you?  
215  
216 A: Um, I don't remember if they walked in back of the car or if I drove away first, but there  
217 wasn't a -- there wasn't any conversation other than uh, that I can recall other than what I  
218 just stated and I -- I didn't recall which way they left, I just -- I drove away.  
219

220 I-1: While you and Sgt. Amy Young had this verbal exchange, how close were you to her,  
221 feet-wise?  
222

223 A: Uh, I was seated in my patrol vehicle, she was to my left I was speaking to her out of the  
224 driver side window, I'd say approximately an estimation would be four feet.  
225

226 I-1: So you weren't outside your car standing on the sidewalk, you were seated in your patrol  
227 car?  
228

229 A: That's correct.  
230

231 I-1: Was she leanin' into the car talkin' to you?  
232

233 A: Uh, no-- no she was-- she was standing.  
234

235 I-1: She was a couple feet away?  
236

237 A: Yes.  
238

239 I-1: Driver's side you said?  
240

241 A: Driver's side.  
242

243 I-1: Describe her conduct behavior. Was it abnormal in any way?  
244

245 A: Um, from my independent recollection I don't recall anything that was abnormal, anything  
246 that brought my attention to her acting abnormal. Um, nothing to my independent  
247 recollection as to anything being uh, out of the ordinary.  
248

249 I-1: Did you detect any kinda odor that you would associate with an alcoholic beverage  
250 emitting from her breath?  
251

252 A: She wasn't close enough that I could actually smell her breath, but um, I didn't smell any  
253 alcohol-- uh, but again, she was three to four feet away from me.  
254

255 I-1: Was her speech slurred?  
256

257 A: Not to my recollection.  
258

259 I-1: Was she unsteady on her feet?  
260

261 A: Not to my recollection.  
262

263 I-1: Were her eyes bloodshot?  
264

265 A: I don't recall looking at her eyes, sir, I'm sorry.  
266

267 I-1: But when you looked at Amy, and you were conversing with her, did ya say to yourself,  
268 boy she looks impaired?  
269  
270 A: I did not, there was nothin' that jumped off the page to me to say wow, you know, she's --  
271 she's impaired or anything abnormal.  
272  
273 I-1: She seemed normal, her faculties didn't seem impaired?  
274  
275 A: Nothing jumped off the page to me that would raise my suspicion that anything wasn't  
276 right.  
277  
278 I-1: So after you conversed with her you drove away in your police car?  
279  
280 A: I don't remember any other conversation, um, I -- I drove away or was on patrol.  
281  
282 I-1: And you think this Officer Collins may have been in the immediate area as well?  
283  
284 A: He was to my right um...  
285  
286 I-1: In a car?  
287  
288 A: He was uh, well he may -- he may have just gotten into his car, he was out with the  
289 subject, I'm not sure when I got there if he was in his car or not, I had interaction with  
290 him, I just asked him if he was okay, um, that was the purpose of my responding there,  
291 just to make sure he was okay, and that's when I was uh, approached from -- from my left.  
292  
293 I-1: And your cars were not on Fifth Avenue South, but a side street.  
294  
295 A: Yes, Eighth Street, uh, right at the intersection, but on the street not on the avenue.  
296  
297 I-1: Had your lights blinkin'?  
298  
299 A: Uh, no I didn't expect to be there other than a couple of seconds, I just wanted to make  
300 sure he was alright, um, because his demeanor over the radio lead me to believe that he  
301 might not be.  
302  
303 I-1: Alright Sean, I don't think I have anything else to ask you, Mike do you have anything?  
304  
305 I-2: Uh, you might have already covered it-- did they say where they were coming from?  
306  
307 A: I don't have an independent recollection of um, them saying where they were coming  
308 from. My-- my recollection of the conversation is basically speaking with Sgt. Young as  
309 to um, the uh, Field Training program and if I was doin' alright by myself.  
310  
311 I-2: So that will lead me to my next question, they also didn't tell you where they were going  
312 after you left or when they left?  
313

314 A: I -- I don't have a recollection of it, um, basically uh, like I said, from what I -- what I  
315 blatantly and specifically remember from that night was my conversation with Sgt. Young  
316 and um, you know, my performance.  
317  
318 I-2: Okay, I have no other questions.  
319  
320 I-1: Sean do you have anything else you'd like to add? Anything you feel is important that I  
321 failed to ask you?  
322  
323 A: No sir.  
324  
325 I-1: This concludes the statement of Sean Phillips the time is approximately 3:20 pm.