

3-91

Investigation into the activities of Gustavo Castillo.

The following statement was taken at the Dade County Public Safety Department Building, 1320 N. W. 14 Street, Miami, Dade County, Florida, on Thursday, 19 May 1977, commencing at 2:37 p.m. in the presence of Detective D. Benitez. Recorded and transcribed by Steno-Reporter and Notary Public Joan Weisberg.

(Thereupon, DAVID FREIFELDER was duly sworn according to law.)

Q (By Detective Benitez) For the record, investigation into the activities of Pablo Gustavo Castillo occurring on Saturday, 14 May 1977, at the Dade County Jail.

Sir, would you state your name please?

A I'm Sergeant David Freifelder.

Q Okay. What is your occupation?

A I'm attached Correction and Rehabilitations Manager. I'm a fourth floor team leader.

Q Sir, what is your business phone?

A My business phone is 547-7384.

Q Okay, sir. I'm asking you here to ask you questions in reference to an incident that occurred on Saturday, 14th of May of 1977. One of the persons involved in that incident was a man by the name of Pablo Gustavo Castillo. Could you please relate to me more or less what happened in your involvement in it?

A My involvement. Officer George Malvestuto assigned to the second floor, Chapel area of the jail, came to me after church services and stated that he had--that he had taken notice of a visitor approached by Chaplain Perez by the name of Gustavo Castillo whom he recognized as a former inmate of the second floor at the Dade County Jail at some previous time. He noticed that he was in earnest conversation for the best part of the chapel service with the exception of the times that he arose to sing.

When he came back, he instantly reentered into conversation with an inmate assigned to my floor, Cell Number 432, by the name of Delacova ~~D-e-l-a-c-o-v-a~~, I believe. That's his last name. I'm not aware of his first name, but he's been at that cell since he has been back to testify to the Grand Jury.

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David Freifelder



Q Okay, sir. When Officer Mal-- What is his name?
A Malvestuto.
Q Malvestuto asked you to intervene in the incident
what did you do?
A I suggested that we talk to Delacova to see if he
was aware who Castillo was. Officer Malvestuto and myself went to
the perimeter of Cell Number 4~~A~~ and entered into a conversation
with inmate Delacova. Delacova-- Myself here speaking, David Frei-
felder here speaking-- "Do you know an inmate--" Not an inmate,
but, "Do you know an inmate that you were talking to by the name of
Castillo?" Delacova stated, "I don't know him. I also told the
Grand Jury I don't know him." I felt that that was enough to
identify that something wasn't proper.
I suggested to Officer Malvestuto that he write
the incident in his own handwriting and I would take him to Lieu-
tenant W. R. Smith, who was Shift Commander at the Jail at that time,
as it would have to be his incident if this thing went any further.
Q Okay. Sir, did it go any further?
A A short time later, Officer Malvestuto with his
handwritten report and myself went to Lieutenant Smith and explained
the circumstances to him. Lieutenant Smith stated, "What did we
wish to do?" I stated that I felt it should be brought to Captain
Green of the supervisors of the jail when he returned on duty.
Lieutenant Smith advised me that he would do so.
Q Okay, sir. Sir, you are a supervisor of the
Dade County Jail. That is correct?
A That is correct. I'm Correctional Officer III,
also known as Sergeant.
Q Okay, Sergeant. To the best of your recollection,
is there any specific criteria for picking or allowing a person to
come into the Dade County Jail?
A Security must be maintained at all times.
Q Is there any set pattern or S. O. P.'s instituted
for bringing in of people on this church group?
A They must all be qualified for my Chaplain Perez.
Q Okay, sir.
A Unless they were Ministers, we have a list of the
Ministers that are allowed to enter the jail.
Q Okay. As far as you know, did Mr. Castillo
appear on the list as a Minister?
A No.
Q Okay. As far as you know did Mr. Perez allow
Mr. Castillo to come up in the jail?

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A That's correct, he did.
Q Okay. All right. Now, I'm referring to Tuesday, I believe it was the 17th.
A That's correct.
Q This week. Did I contact you at that time in reference to this incident?
A Yes, sir. I was on duty and I met you in the Captain's office.
Q Okay. Did you basically relate to me what you related now?
A That's correct.
Q Okay. I have here a page that I'm showing you for identification. It's dated the 14th of May, 1977, and it's signed, initialed by me and initialed by Sergeant Freifelder. Sir, are these the notations you made on that page?
A That's correct. I made a copy of the original. I put my badge number, name, date, and time there; 1500 hours.
Q Sir, do you see a name here, Gustavo Castillo?
A That's correct. Where the letter X appears on the fourth line.
Q Okay, thank you very much. Okay. After that, have you discussed this incident with anybody else?
A No, I have not.
Q Okay. Have you been approached by any of the attorneys, investigators, or Mr. Castillo, himself, in reference to this incident?
A No, I have not.
Q Have you been approached by Mr. Delacova in regards to this incident?
A No, I have not.
Q Now, could you go into a little bit of detail and tell me more or less to the best of your recollection what transpired when you asked Delacova, the words he used--if not, try to maintain the meaning of what he was saying, if you can do that?
A When I asked him if he knew Castillo Gustavo, and he stated that he had met him in church and that the Grand Jury had also asked him if he knew Gustavo Castillo. I felt that I did not want to delve into Grand Jury business.
Q So at that time, you stopped the questioning?
A I stopped the questioning.
Q Did Mr. Delacova answer in the positive that he had spoken to Mr. Castillo?
A That's correct. He-- I did not ask him what he had said. I merely wanted to know if he had been in a long conversation with Castillo Gustavo, which he answered to in the affirmative.

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Q Okay. Did he say anything else or offer anything else after you assisted in the interrogation of him?

A No. He did not. I felt to say anything more might make him suspicious or positively interfere in some case that might be going on which we had no business entering into.

Q Okay, Sergeant. Is there anything else that I haven't asked you that you feel might be pertinent in the investigation that you want to comment on?

A I would like to comment on the fact that Officer Sharon, S-h-a-r-o-n Wims had refused admittance to Gustavo Castillo due to the fact that he is not on the church list and in this manner it was brought to Officer Malvestuto's attention and Malvestuto advised Chaplain Perez that there was a white male who desired admittance into the jail and stated that Chaplain Perez would okay it. At the same time, Sharon Wims had a man and a wife identifying themselves as Ministers whom she did not know. And as I understand it from listening to Officer Malvestuto and Officer Wims, Chaplain Perez presided from the second floor to the main lobby of the jail, identified the people, had them sign in, which is in line four of the same sheet, identified as being a true copy and at that time, he escorted them to the second floor of the jail which is the chaplain area.

Q Okay, sir, thank you very much. While we're still on the record, I would like to advise you to keep this investigation confidential and also, with the exception of your supervisor, Captain Green, I'm going to advise him of what's going on and advise you also that if you have any contact with Mr. Castillo in the future that you contact my office. You have our phone number.

A I shall do that.

Q Okay. Thank you very much.

(Thereupon, the statement
was concluded at 2:49 p.m.)

CERTIFICATE

STATE OF FLORIDA)
)SS
COUNTY OF DADE)

I, Joan Weisberg, Public Safety Department
Steno-Reporter, and Notary Public duly commissioned and qualified
in and for the State of Florida at Large, do hereby certify that
the foregoing transcript, pages 1 to and including 4, is a true and
correct transcription of my stenographic notes of the sworn state-
ment given by DAVID FREIFELDER, at the Public Safety Department
Building, 1320 N. W. 14 Street, Miami, Dade County, Florida, on the
19th day of May 1977, commencing at 2:37 p.m.

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my official seal this 20th day of May, 1977.

Joan Weisberg
Notary Public, State of
Florida at Large

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES SEPT. 14 1980
BONDED THRU GENERAL INS. UNDERWRITERS

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Copy of Original
By Sgt. D. Dreyfuss 200 1
17 May 77 #36042

CORRECTIONS AND REHABILITATION DEPARTMENT
DADE COUNTY, FLORIDA

ALL ENTRIES MUST BE LEGIBLE OR PASS WILL NOT BE ISSUED
- It Is A Criminal Offense To Bring Contraband Into Jail -

①
Date: 17 May 77
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TIME IN	NAME OF VISITOR	BUSINESS ADDRESS or RESIDENCE ADDRESS	OCCUPATION	PURPOSE OF VISIT & NAME OF PRISONER(S) OR EMPLOYEE(S) TO BE VISITED	PASS No.	TIME OUT
8:25	[Handwritten Name]	[Handwritten Address]	M.D.	(Purpose) [Handwritten Purpose]	86	10:30
0:00	DALE WHITICE	1420 NW 14 AVE	Security	(Purpose) GEA	61	9:30
0:30	[Handwritten Name]	[Handwritten Address]	[Handwritten Occupation]	(Purpose) [Handwritten Purpose]	88	11:00
8:45	[Handwritten Name]	[Handwritten Address]	Church	(Purpose) [Handwritten Purpose]	(3) 92	11:4
11:00	[Handwritten Name]	[Handwritten Address]	[Handwritten Occupation]	(Purpose) [Handwritten Purpose]	80	11:4
[Handwritten Time]	[Handwritten Name]	[Handwritten Address]	[Handwritten Occupation]	(Purpose) [Handwritten Purpose]	80	11:45
[Handwritten Time]	[Handwritten Name]	[Handwritten Address]	[Handwritten Occupation]	(Purpose) [Handwritten Purpose]	[Handwritten Pass No.]	[Handwritten Time Out]
[Handwritten Time]	[Handwritten Name]	[Handwritten Address]	[Handwritten Occupation]	(Purpose) [Handwritten Purpose]	[Handwritten Pass No.]	[Handwritten Time Out]

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