

CONTROLLED MEETING WITH CW AND P.O. MORENO  
IN FRONT OF THE 9TH PRECINCT

[CW]: Excuse me, excuse me, you're one of the officers who helped me the other night.

Moreno: [CW]?

[CW]: Yeah.

Moreno: Ok. Yeah.

[CW]: Can I talk to you for a second?

Moreno: Um...

[CW]: Can we step in...(unintelligible)

Moreno: Let me get changed real quick, and I'll come back down?

[CW]: Can we talk right now?

Moreno: Ok.

[CW]: Thank you.

Moreno: I'm kinda late (unintelligible)

[CW]: Ok, I know. Um, I just want to talk to you about what happened (unintelligible) what happened that night and it was really fucked up. I was really fucked up, but I just need to know.. .

Moreno: You- you ok?

[CW]: No, I'm not ok, because you guys took advantage of me...

Moreno: (unintelligible)

[CW]: No, I need to know, I need to know if I need to be worried about anything.

Moreno: As far as we, as far as I know, you don't have to be worried bout anything.

[CW]: Like an STD?

Moreno: Ma'am, nothing like that even came close to happening.

[CW]: It did happen because I woke up to it.

Moreno: Ok.

L.L.: Why don't you-

[CW]: I just -

L.L.: explain to her exactly-

[CW]: I just-

L.L.: what happened.

Moreno: Can I talk to her in privately please?

L.L.: If you want, I'm gonna be right here.

Moreno: Well, if you let me change, I'll come back down-then...

[CW]: No, I want to talk about this now-

Moreno: then I can talk to you for half an hour.

[CW]: -because I'm really upset and like honestly it's gonna take 10 minutes; I just want to know: do I need to be worried about an STD.

Moreno: No Ma'am.

[CW]: And why, why should I know that?

Moreno: Because nothing happened, Ma'am.

[CW]: Yeah, it did.

Moreno: Ma'am.

[CW]: I woke up to it.

Moreno: Ok, nothing-

[CW]: You can say that, but I know it happened.

Moreno: Ok.

[CW]: And if you don't answer me honestly

Moreno: No Ma'am, Ma'am -

[CW]: I'm going to go in there- and tell them-

Moreno: Ma'am-

[CW]: everything that happened.

Moreno: Nothing...you don't have to worry about anything.

[CW]: Why is that?

Moreno: Can, can I speak to her privately please?

L.L.: I'll be right here. [to CW]

Moreno: Ok.

[CW]: That's all I want to know, ok?

Moreno: Ok, you don't have to worry about anything.

[CW]: Why is that though?

Moreno: Because you don't have to worry.

[CW]: Did you use a condom?

Moreno: You do not have to worry about anything.  
You do not have to worry about anything.

[CW]: Did you use a condom?

Moreno: No, Ma'am, Ma'am...no- nothing happened...

[CW]: I woke up to it... Ok?

Moreno: I know you woke up to something, but nothing happened. Ok?

[CW]: I woke up to you guys taking advantage of me...

Moreno: Ma'am nobody took advantage of you.

[CW]: Yes-

Moreno: We-we

[CW]: You did.

Moreno: We did...

[CW]: Yes, you did. And, like, just tell me...  
if you used a condom or not-

Moreno: Ma'am-

[CW]: -or I'm going to go in there and tell them everything.

Moreno: Ok. Ma'am, Ma'am.

[CW]: I just need to know if I'm ok.

Moreno: Ok. You are ok. Do you-  
Do you remember everything we spoke about?  
Do you remember everything that we that we  
talked about?

[CW]: Did you use a condom?

Moreno: Do you remember everything that we spoke about?

[CW]: Did you use a condom? Just answer the question.

Moreno: But nothing happened. There was nothing,  
you weren't taken advantage of.

[CW]: Yes, you took off my clothes.

Moreno: Ma'am, you -you spilled water on yourself.

[CW]: I was puking all over myself.

Moreno: I know you were, Ma'am.

[CW]: That doesn't make it ok for you to  
take off all my clothes.

Moreno: Ma'am, I did not take your clothes off you.  
You...you-

[CW]: Are you kidding me?

Moreno: Ma'am-

[CW]: Are you kidding me?

Moreno: Do you remember what happened?

[CW]: Yes I-

Moreno: Do you not know what happened?

[CW]: Yes I do know what happened because  
I woke up to you guys taking off my clothes  
and when I woke up again you were having

Moreno: Ma'am-

[CW]: fucking sex with me.

Moreno: Nobody...

[CW]: Just tell me if I have anything to be worried...

Moreno: No. You do not...

[CW]: ...about. Did you use a condom?

Moreno: ...have anything to worry about.

[CW]: Did you use a condom?

Moreno: You do not have anything to worry about.

[CW]: Did you use a condom?

Moreno: If tha... if that's going to, you know, make you believe, Ma'am. I- I just wanna...

[CW]: Did you use a condom?

Moreno: Ok, can you-

[CW]: That's all I want to know.

Moreno: Ma'am, Ma'am, listen. It was...it, it turned from us trying to help you, to getting really crazy ok? Alright? I, I felt very...look. It was my daughter's birthday that day. I was in a, a very helpful mood. You didn't want to go to the hospital. You were puking all over the place, and you even...you even urinated on yourself a little bit ok. I don't know if you remember everything that happened. I remember you started crying. I asked you if you, if there's somebody you could call or if you had a boyfriend. You said no because you know, your drinking and um...

[CW]: You're lying right now.

Moreno: Ma'am. I am not lying Ma'am, I am not lying. Ok?

[CW]: I woke up in the morning completely naked and I was definitely being violated, so just tell me-

Moreno: Ok.

[CW]: Did you use a condom or not, I'm worried about an STD -

Moreno: Ok.

[CW]: Or getting pregnant.

Moreno: Ok, Ma'am, you weren't violated.

[CW]: Yes, I was.

Moreno: Ok? You don't have to worry about STD,  
you don't have to worry bout any of that, ok?  
Do you even remember the knocking on your door?  
Do you remember the knock on your door?

[CW]: You picked me up off the floor.

Moreno: Ma'am, I-

[CW]: When I woke up I was on the bathroom floor  
and you picked me up.

Moreno: I only picked you up one time, Ma'am,  
to help you throw up. That was it, ok?  
You walked up the stairs pretty much by yourself, ok.

[CW]: Yeah, I know.

Moreno: The first time...

[CW]: I know.

Moreno: Ok.

[CW]: I know.

Moreno: Ok, alright, we were going  
down the stairs and...we heard something,  
we turned around and the keys were still in, in, in the door.

[CW]: You guys kept coming in and out.  
What are you talking about?

Moreno: Ma'am you asked me to come back.  
Ma'am you asked me to come back.  
I'm just telling you the honest to goodness truth.  
You asked me to come back. Ok?

[CW]: No I did not.

Moreno: I had a - (unintelligible).

[CW]: Are you kidding me?  
You just said I was puking and pissing all over  
myself. If I was really that fucked up,  
you should have taken me to the hospital.

Moreno: Ma'am you...

[CW]: And you shouldn't have left me like that.

Moreno: You're right. You're right.  
I should have taken you to the hospital.  
I should've but I didn't want to do that to you.

[CW]: And instead you took off my clothes  
and took advantage of me.

Moreno: Ma'am, I did not take off your clothes  
and take advantage of you. Ok?

[CW]: Look. Tell me did you use a condom, please,  
I have to know. I - that's my, that's my  
biggest concern.

Moreno: Alright if that's your biggest concern,  
you have nothing to worry about. Ok?

[CW]: Just answer me yes or no.

Moreno: Ma'am y-you want me to admit to  
something that didn't happen, and it -

[CW]: It did happen, I woke up to it.

Moreno: Ma'am, I... I'm not sure what, you know,  
I want, I want to do the right thing here,  
but you know, you're asking me to admit  
to something that never happened.

[CW]: It happened. Are you fucking kidding me?

Moreno: Ok, Ok Ma'am, you know what, alright I-I...

[CW]: I don't want to go,  
I don't want to make a scene in there, ok?

Moreno: I don't want you to make a scene.

[CW]: So then just answer me honestly.  
Did you use a condom? That's all I want to know. Ok?

Moreno: Yes, Yes I did.

[CW]: (sighs)

Moreno: Ok. Ok.

[CW]: And was it-

Moreno: Do you remember anything that happened at all?

[CW]: Yes (unintelligible).

Moreno: What do you remember? Ok, tell me what happened.

[CW]: I remember getting up the stairs and  
I remember waking up on the bathroom floor.  
You were giving me water and you picked me up  
off the floor. The next thing I know I'm in my bed,  
and you're taking off my clothes.  
And then the next thing you're having sex with me.

Moreno: Ok.

[CW]: Ok?

Moreno: If that, that, that's all you remember then  
you were fucked up.  
A lot more happened between there.  
I don't know if you remember somebody banging on your door...  
I don't know if you're friends with the guys who live  
on the second floor ok-

[CW]: (unintelligible)

Moreno: Alright, but then when we got there the  
second time there were guys banging on...,  
there was one guy banging, there was marijuana smell,  
kinda bothered me. First of all (unintelligible)  
that's why we let you go upstairs by yourself,  
you were walking pretty fine.  
I thought you were gonna be ok,  
until we got upstairs and we were like ahh shit  
... you know...and then...

[CW]: I was wasted. Like what made you think...

Moreno: Ma'am because you were too...  
you gave me...you, we had talked about...  
we had a conversation. I was trying to see how, how much...

[CW]: I was puking in my bed. Are you kidding me?

Moreno: You said that this has happened to you before,  
that all you needed to do was throw up.  
You gave me your-your all your information ok...  
I tried to...

[CW]: Cause you're a cop. Of course I'm going  
to give you all my information.

Moreno: No but, but someone that's that messed up  
wouldn't give me, and you said you wanted to  
talk, you said you wanted to talk about California,  
you-you told me about your boyfriend...



[CW]: I don't have a boyfriend.

Moreno: Well you told me that's why you don't have one.  
Ok? Because, because of the drinking.

[CW]: Look...what are you talking about?  
Just ...ok...just tell me,  
will you just tell me this-

Moreno: Yes ma'am, yes.

[CW]: Was it only you because I know there were two of you.

Moreno: Um, Ma'am nobody... Yeah, yeah.  
it was only me. It was only me. Ok.  
It-it wasn't like that. Ok? It wasn't like that at all.  
It wasn't like that at all.  
Do you remember anything that we spoke about?

[CW]: I just remember you getting me the drink of water.  
And I don't remember anything else.

Moreno: Ok.

[CW]: Other than waking up to those moments  
and feeling that.

Moreno: Ok. Do you remember falling in between  
the bed and you couldn't get out?

[CW]: How can I fall between my bed?

Moreno: I don't know, like, like your leg or  
something got stuck in between your bed  
and I think and the closet or something.  
Remember every time I put the light on  
you told me to turn the light off.  
You didn't want the light on.  
I put the light on in the bathroom,  
you didn't want the light on in the bathroom.  
You didn't want the light on in your bedroom.

[CW]: Why did you do that? Why did you do that?

Moreno: Ma'am we didn't do anything.  
Ma'am it's not...are you really...  
please believe me that you have  
nothing to be concerned or ashamed of, ok,  
it was just a bad night for you and I...

[CW]: It was a horrible night, but...

Moreno: And I was feeling...but Ma'am, you even,

you kept on asking me to come back and  
I was like, I felt really really bad.

[CW]: I could barely talk. Are you kidding me?  
I was puking.

Moreno: Ma'am I could tell you a lengthy  
conversation we had.  
You were talking about drinking I told you that...  
you know, you said you drink vodka right?  
Ok, am I right?

[CW]: Yeah.

Moreno: Ok, I asked you, you were puking and everything,  
I said is there somebody you can call, you have anyone to call,  
you got a friend?

[CW]: I'm missing my phone.

Moreno: Ok. I know.

[CW]: Where- where is it?

Moreno: I don't know where your phone is Ma'am.  
And when you were going up the stairs, you were in a cab.  
Do you remember that? You took a cab.

[CW]: Yeah, I know, I know you guys helped me  
out of the cab and I went with you  
and walked upstairs because you're cops.

Moreno: Ok, alright.

[CW]: And obviously I'm going to go with you.

Moreno: Ok, alright. So first thing I did was,  
you were like, give me a second, give me a second.  
I went back to my car and my partner was talking to you.  
I said you know if she can't stand up,  
we'll have to call an ambulance for her that's it,  
and um you got up...

[CW]: But you didn't.

Moreno: We didn't call an ambulance for you  
because you-I wanted to see if you could  
walk by yourself and you did.  
You walked all the way up the stairs.  
We were turning around walking back down until  
I heard something. Then I turned around and  
you still had the keys in the door and the door was ajar  
and I said, "ahh shit." We went back upstairs and  
then after that I found you on the bathroom floor.

You were trying to freaking puke which everybody does.  
We had a conversation that I told you, you know,  
you were like, a little bit crying,  
you were upset about the drinking and  
you said that you don't have a boyfriend and  
you don't have no friends and I said "you know...(unintelligible)"

[CW]: Ok first of all I would never say that-

Moreno: Ma'am-

[CW]: -because all my friends live here-

Moreno: Okay, Ma'am.

[CW]: ...and they were all with me that night.

Moreno: I would have gladly called one of them  
if you would have just given me a number. Alright? But then-

[CW]: Did I have my phone on me? I can't find it.

Moreno: Ok. I- I don't know what happened to your phone ok?  
I'm- I'm not going to steal your phone. Ok?  
And nobody I know is not going to steal a phone.  
I don't know what kind of phone you have, but uh,  
you know we can afford a phone. Ok?

[CW]: Did you use a condom?

Moreno: Ma'am-

[CW]: I'm sorry but I'm completely freaked out-

Moreno: Ok.

[CW]: -about getting pregnant or anything.

Moreno: Ok ma'am, you're not going to get pregnant  
because nothing happ...yes Ma'am I used a condom.  
You don't have to worry bout being pregnant.  
You don't have to worry about getting any diseases.  
Ok? Alright. Alright.

[CW]: And it wasn't both of you. It was just...

Moreno: Uh, yes ma'am it was-  
nobody took advantage of you like that.  
Nobody took advantage of you.

[CW]: That is taking advantage of somebody  
though when they are drunk,  
when I'm freaking passed out on the bed.  
Are you kidding me?

Moreno: Ma'am you were passed out.

[CW]: Yeah.

Moreno: Yeah you were-

[CW]: I woke up to you having sex with me.

Moreno: Ma'am no...

[CW]: I was passed out.

Moreno: Ok, ok. I was having, I was having a full conversation with you.

A full conversation with you.

[CW]: Well I don't remember any of it. I don't remember any of it.

Moreno: But the last time I was there I wasn't even concerned. You were like, you were fine. You were fine.

[CW]: You guys just left me there like...

Moreno: Ma'am, no we didn't leave you there...

[CW]: Are you kidding? I was wasted. There was puke all over my bed when I woke up in the morning.

Moreno: Yes. Well maybe you puked afterwards, but you puked on the... well pretty much in the bathroom mostly, ok? you asked for your phone, I searched your bag... you did puke on your bag..on your little uh... bag. And then um...

[CW]: Why did you have sex with me?

Moreno: Ma'am-

[CW]: Why? I-

Moreno: We didn't have sex, Ma'am.

[CW]: Yes we did. You just said you used a condom. Why?

Moreno: I, I...

[CW]: You're not married are you?

Moreno: I apologize. No, I'm not married.

I have a daughter. I have custody of my daughter.  
We had a conversation about that.  
I told you that there was a time that I almost  
lost my daughter and that I started drinking.  
And uh, you know...and I told you that's your biggest  
problem that you need to take care of...  
we talked about California  
until you didn't want to talk about California.  
Ok, we um...I was talking to you  
because you were falling out on me...  
I was trying to see I was trying to  
keep the conversation going. I did most of the talking.

[CW]: If you guys thought I was that bad  
where you had to keep checking in on me  
and like seeing me like,  
you should have taken me to the hospital...

Moreno: Because, because...

[CW]: ...and you shouldn't have taken advantage of me like that.

Moreno: When I said- when I told you... okay remember when...  
you when I told you we were going to the hospital  
you got real upset about it. You kind of...

[CW]: No.

Moreno: Ma'am can you listen to me please, I, I gave you,  
I'm, I'm, I'm telling the honest to goodness truth. Ok?  
I don't know what that's worth to you,  
we don't know each other. Ok? I...

[CW]: But I clearly didn't have the right judgment  
in that time period. (unintelligible) Like, it's, it's your job, it's your responsibility.

Moreno: -Right. I-I see so many...

[CW]: You see somebody like that,  
take care of them. Take them to the hospital.

Moreno: Okay, honestly, Ma'am,  
by the time I left, by the second time I was there,  
we were having full length conversations. Ok?  
You seemed to be able to give information,  
you knew what day it was, you knew what was going on.  
Ok? You, you-

[CW]: I did not know what was going on. I woke-  
I was passed out and I woke up to you fucking taking off my clothes.  
And then passed out again and then wake up and like...

Moreno: Ok. Do you remember the water spilling on you? And why-

[CW]: No.

Moreno: Okay.

[CW]: No.

Moreno: Do you remember me giving you water?

[CW]: Yes.

Moreno: Ok. I took the glass cup away.  
And when I took the glass cup away, you went to stand up  
and the water spilled on you. Ok?  
You went, "Whooo" and you went off into, into the room.  
You remember that, at all?

[CW]: How did my shoes get off?

Moreno: Your shoes got off...  
Oh, that that was- you were- you stumbling in your shoes and  
you were walking back and forward.  
Sat on the sofa,  
you came back and forward looking like (unintelligible)  
you were going to fall.  
That was the only thing that was removed from you,  
was your shoes. Or your boots,  
you had boots on, right? Ok.  
You had boots on I remember that,  
Yes I helped you with your boots. Yeah,  
You tried to take one off and  
I helped you off with your boots. Yes I did.  
But it wasn't- it was about you falling. Ok?  
I was concerned about you falling. Ok?

[CW]: But why did you take my clothes off?

Moreno: Ma'am, you took your clothes off  
because the water spilled.

[CW]: No, I didn't. I woke up to somebody  
taking off my tights.

Moreno: Ok.

[CW]: Then I was on my stomach on the bed.

Moreno: Ma'am, listen to me please.  
You have nothing to worry about, no STD you know,  
nothing like that ok?

[CW]: What did you do with the condom?  
I looked for a wrapper; I didn't see anything.

Moreno: Ma'am, I, I, nothing, nothing happened like that,

really I- I don't know exactly what you think happened but nothing like that happened.

[CW]: I know what happened.

Moreno: Ok, listen, what else can I say?

Or what else can I do for you?

I mean you asked me to come back.

You asked me- you asked me to come back, you go why do

I have to leave. You like...you go I like talking to you,

you got a nice voice, you make me feel good.

[CW]: I did not say any of those things.

Are you kidding me?

Moreno: Ma'am, do you- do you have a boyfriend?

[CW]: No.

Moreno: Ok. Alright.

[CW]: What does that have to do with anything?

Moreno: I was just listening to what you told me

and you said you didn't have a boyfriend.

Ma'am. And I said you know what if you stop drinking...

Ma'am I am gonna say what I said to you.

I didn't- I wasn't trying to make fun of you or

anything like that. I said you know if you stop drinking

I'll be your boyfriend.

I asked you.

[CW]: That's what you said? Are you kidding me?

Moreno: Alright, Ma'am. I'm not gonna...I'm I'm

Ok, then, whatever I said I apologize.

I was just trying to sincerely help you that day, ok? Ok.

Anything else that happened,

anything that you remembered happened it wasn't

done intentionally it wasn't done to hurt you or

anything like that. I apologize for anything else.

You're right. I should have called an ambulance for you.

It was my decision, I made a bad decision that day.

I was feeling very melancholy. Ok?

It was my daughter's birthday, and I just went

through a lot of bad memories, well, not

bad memories...just memory stuff

and it's Christmas time.

And all I wanted to do was do the right thing.

I did not want to hurt you or anything like that.

You did not want to go to the hospital and

honestly a part of me thought you you were fine.

I really did believe you were going to be ok. Ok, alright.

I tried to call you somebody... wrote the number down wrong.

I tried to play with the number.  
I'm sorry I did a twelve-hour tour.  
I'm getting a bad migraine today.  
But that has nothing to do with you.  
Um and yeah, you know it was a bad call.  
I really should have called an ambulance,  
I really should've. But you seemed fine.  
You seemed fine.

[CW]: You should have helped me.  
How could I be fine when I'm that wasted?

Moreno: I apologize. I am sincerely, sincerely sorry and  
I really meant to call you and I really meant  
(Unintelligible) my phone was gone. Ok?  
You said we were going to have breakfast,  
coffee and I said yeah let's, we'll have breakfast and we'll have coffee.  
I just got caught up. I'm not a bad man, you know?  
In fact if you want to get to know me,  
I mean like friend wise, I'm a good friend to have and...and-

[CW]: Lauren, I want to go. Yeah, I want to go.  
I'm gonna go.

Moreno: -anything else you wanna say (Unintelligible)

[CW]: (Unintelligible)