

# Murder suspect got nervous when wife approached by undercover officer posing as outlaw biker: trial

By LISA CARTWRIGHT  
The Champion

David Fiorino was so distressed when an undercover police officer posing as a biker approached his wife Kimberly, the OPP was afraid he was going to take matters into his own hands, the jury heard Friday during an on-going first-degree murder trial in Superior Court in Milton.

To ensure nothing happened, the OPP sent officers to protect Dominco Sacco and Jim Pearson, the two partners of murder victim Stephen Andreopoulos, OPP Det. Sgt. Brent Berjeron told the jury.

But in all fairness, Mr. Fiorino never threatened anyone, said Det. Sgt. Berjeron — when questioned by Assistant Crown Charon Kerr.

"He was agitated," Det. Sgt. Berjeron said of Mr. Fiorino. "He wanted it (the biker approach) dealt with right away, as soon as possible."

Former Milton resident, Mr. Fiorino, 27, is charged with first-degree murder in the death of Mr. Andreopoulos, 36, of Barrie. His body was found buried in a Derry Road field February 13, 1998. He was last seen July 2, 1996.

### Approached in work parking lot

Det. Sgt. Berjeron testified that undercover officer Det. Sgt. Randy Krieger approached Ms Fiorino in the parking lot at her work to stimulate conversations. (Probes and wire taps were placed in the homes and phones of Mr. Fiorino and his parent's Carmine and Lilian Fiorino. Ms Fiorino's work phone was also tapped.)

During the approach, Det. Sgt. Krieger told Ms Fiorino that he was collecting a \$53,000 debt her husband owed him, Det. Sgt. Berjeron testified.

Ms Fiorino contacted her husband to tell him about the approach. She also told him he got the plate number of the motorcycle the officer was riding.

The accused contacted Peel Regional Police to tell them they

had been threatened and to give them a plate number, the jury heard. Mr. Fiorino did his own checking and discovered the plates were registered to a North Bay man.

Det. Sgt. Berjeron told the jury police register plates to a person who doesn't exist.

The police pretended to look into the registered owner and called Mr. Fiorino to tell him the plates were stolen from a North Bay man with no connection to the Brampton area, Det. Sgt. Berjeron testified.

The couple was still upset, and asked the police to do everything they could.

In January, 1998, Det. Sgt. Berjeron testified he began to prepare a Crown brief.

The jury was told this document contains all the information the police have gathered during the investigation in preparation for an arrest.

### Body hadn't been found yet

Det. Sgt. Berjeron told the jury they hadn't found Mr. Andreopoulos' body at that time, but the accused had confessed to the killing to an undercover officer in September. (This was not caught on tape, the jury has heard.)

And between September and January, "did he ever say he didn't kill Stephen Andreopoulos, that he was lying?," Ms Kerr asked.

"No," Det. Sgt. Berjeron said.

On Thursday, Det. Sgt. Krieger testified he contacted Ms Fiorino and her brother, Mark Bucchiachio. All three times he posed as a biker, using the same story. All conversations were caught on tape.

Det. Sgt. Krieger told the jury police are bound by the criminal code and are unable to directly threaten an individual.

"The approach was not an aggressive approach. It was merely a presence," he said.

But that isn't how it was perceived, defense lawyer Robert Nuttall said.

Ms Kerr played the intercepted conversation between Ms Fiorino and her husband after she was approached by the officer.

Ms Fiorino was crying when she relayed her conversation to

her husband.

She said the biker told her by looking at their new vehicles and new home, the couple could afford to pay off their debt.

"We can do this nice and neat and then we can all have a great summer," Ms Fiorino is heard saying.

"Dave, I don't need this. I don't need to worry if I will be alive the next morning."

Det. Sgt. Krieger told the lawyer that he didn't think he gave any type of a threat.

The trial continued yesterday.



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