

Police officer didn't know outlaw biker complaint involved undercover cop: trial

By LISA CARTWRIGHT
The Champion

When Peel Regional Police Constable Roy Felder responded to murder suspect David Fiorino's complaint that his wife Kimberly had been threatened by a biker, he had no idea the biker was an undercover cop, the officer testified in Superior Court in Milton Tuesday.

The jury in the first-degree murder trial heard it wasn't until Mr. Fiorino told the officer that he thought the incident had something to do with the disappearance of Stephen Andreopoulos that Constable Felder remembered the case.

Mr. Andreopoulos, 36, of Barrie was last seen alive with Mr. Fiorino, 27, formerly of Milton, on July 2, 1996.

His buried body was found by investigators on a Derry Road property 18 months later.

Alleviate suspicions

Constable Felder testified he was asked to go to a Brampton construction site in late May, 1997 to alleviate suspicions by a person (Mr. Fiorino), who was under police surveillance.

The officer, who was in uniform, was asked to talk to people in the area and tell them there was an increase in police activity because they were trying to prevent construction thefts, he testified.

Constable Felder said he didn't know who the target was or where he lived.

On June 19, 1997 — about a month after he attended the construction site — Constable Felder was asked to respond to a threatening complaint made against the Fiorinos.

Details about the alleged threat were sketchy, so Constable Felder said he called the accused for more information.

"He (Mr. Fiorino) volunteered that it (biker approach) might have something to do with a missing person's investigation," he testified.

The officer attended the Fiorino house and told the couple he had run the plates (Ms Fiorino had memorized the plate number from the motorcycle) and found out the registered owner was from the North Bay area.

He promised to keep the couple informed.

Provide disinformation

It was after the visit that Constable Felder found out the biker was an undercover police officer.

"You were asked to provide disinformation to David Fiorino," defense lawyer Robert Nuttall said.

The officer was told to tell the couple the plates had been stolen from a motorcycle registered to a North Bay man, Constable Felder testified.

Mr. Nuttall told the officer that his tone of voice was different when he had no knowledge of the undercover officer to when he was asked to provide "disinformation" to the couple.

"Have you heard the sound of your voice and the tone?" Mr. Nuttall asked referring to the intercepted tapes the jury has heard.

"It (the tone and words) was probably not as smooth," Constable Felder said.

On Monday, Mr. Nuttall cross-examined Det. Sgt. Brent Berjeron of the OPP.

Det. Sgt. Berjeron has testified that on

February 25, 1997, he spent more than three hours interviewing Ms Fiorino at 22 Division in Brampton.

During the long interview, Mr. Fiorino contacted Det. Sgt. Berjeron to express his concerns for his wife and to inquire why it was taking so long.

Det. Sgt. Berjeron testified that Ms Fiorino had the option to leave, but chose to stay.

But the real reason for interviewing Ms

Fiorino was to give a "twist?," Mr. Nuttall asked the officer.

"It's the wrong wording," Det. Sgt. Berjeron said. "It was to stimulate conversation."

Mr. Nuttall also questioned the experience level of undercover officer Det. Sgt. Randy Krieger, who posed as a biker, and Constable Kenneth Watson, who posed as a friend of the accused.

"It wouldn't be unfair of me to say in

terms of experience, Det. (Sgt.) Krieger had more experience than Kenneth Watson?," Mr. Fiorino asked.

Det. Sgt. Berjeron agreed.

Yet, Mr. Fiorino is heard on the intercepts saying he suspected the biker was an undercover officer and that his phones were tapped, Mr. Nuttall said.

"Despite your best efforts, David Fiorino became suspicious."

The trial continued yesterday.

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