

EXHIBIT J

Information to identify the case:Debtor 1 DAVID LEONARD CAMPBELL

First Name Middle Name Last Name

Social Security number or ITIN xxx-xx-3415EIN ---

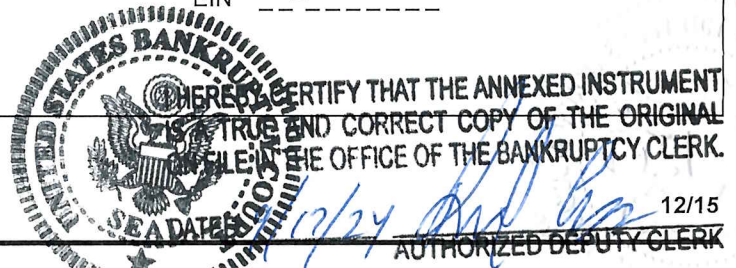
Debtor 2

(Spouse, if filing)

First Name Middle Name Last Name

Social Security number or ITIN ----EIN ---

United States Bankruptcy Court District of Arizona

Case number: **2:17-bk-09863-BKM****Order of Discharge****IT IS ORDERED:** A discharge under 11 U.S.C. § 727 is granted to:

DAVID LEONARD CAMPBELL

2/7/18By the court: Brenda K. Martin
United States Bankruptcy Judge**Explanation of Bankruptcy Discharge in a Chapter 7 Case**

This order does not close or dismiss the case, and it does not determine how much money, if any, the trustee will pay creditors.

Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily or from paying reaffirmed debts according to the reaffirmation agreement. 11 U.S.C. § 524(c), (f).

Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts owed before the debtors' bankruptcy case was filed.

Also, if this case began under a different chapter of the Bankruptcy Code and was later converted to chapter 7, debts owed before the conversion are discharged.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

For more information, see page 2 >

Some debts are not discharged

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for most taxes;
- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- ◆ some debts which the debtors did not properly list;
- ◆ debts for certain types of loans owed to pension, profit sharing, stock bonus, or retirement plans; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

Also, debts covered by a valid reaffirmation agreement are not discharged.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of the bankruptcy discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

EXHIBIT K

San Mateo Police Department



200 Franklin Parkway
San Mateo, California 94403-1921
Records Unit: (650) 522-7710
FAX: (650) 522-7711
www.cityofsanmateo.org

Subpoena Declaration

Title of Action John CD DOE v BiG Brothers & Big Sisters of America
Number of Action CV2020-014920
Date of Subpoena 06/28/2024
Name of Party Obtaining Subpoena Anthony Berini

I, E. Piña, the undersigned, say:

1. I am the duly authorized custodian of records of the San Mateo Police Department.
2. I have authority to certify copies of these records;
3. Check one of the following (either a or b):
 - a. ☒ The copies transmitted herewith are true and correct copies of all of the original records described in the above-named subpoena, insofar as the San Mateo Police Department has such records.
 - b. ☐ No copies are transmitted herewith, because the San Mateo Police Department has none of the records described in the above-mentioned subpoena.
4. The personnel of the San Mateo Police Department in the ordinary course of business at or near the time of the act, condition, or event prepared the records referred to above.

Executed on 07/22/2024, at San Mateo.

I declare under penalty of perjury that the above is true and correct.



Signature of the Declarant

Police Records Supervisor

Title of the Declarant

BBBSA002800

San Mateo Police Department Incident Report

04-0506-019

Code 1 288(a) PC		Incident Desc 1		Alt ☐ O/S ☐		Report # 04-0506-019	
Code 2		Incident Desc 2		Alt ☐ O/S ☐			
Code 3		Incident Desc 3		Alt ☐ O/S ☐			
Date/Time/Day Occurred 04- 04 To 04- 04				Date Rptd Time Rptd 05-06-04			
Location of Occurrence 3949 Stein Ct. SSF CA 94080				Name of Business (if applicable)		Best	
Victim's Name - Last, First, Middle (firm if business) CONFIDENTIAL PER 293 PC				Residence Address (Include City)		Residence Telephone	
DL#		Race	Sex	DOB	Business Address (Include City)		Business Telephone
Victim's Vehicle Yr.		Make	Model		Color	License #	
CK 293 Request ☐		DV Case? ☐	Violent Crime Notice ☐		Orig CPS Referral ☐	Add'l Victims ☐	# of Suspects 1
Code Name - Last, First, Middle (firm if business)				Residence Address (Include City)		Residence Telephone	
DL#		Race	Sex	DOB	Business Address (Include City)		Business Telephone
Code Name - Last, First, Middle (firm if business)				Residence Address (Include City)		Residence Telephone	
DL#		Race	Sex	DOB	Business Address (Include City)		Business Telephone
Code Name - Last, First, Middle (firm if business)				Residence Address (Include City)		Residence Telephone	
DL#		Race	Sex	DOB	Business Address (Include City)		Business Telephone

1 **SUMMARY:**
2 A 13-year-old victim disclosed to his mother that he was inappropriately touched by his track coach,
3 Italo Arbulu, on multiple occasions. Detective Carnevale conducted a Keller Center Interview of the
4 victim and the victim disclosed the details of the inappropriately touching. Following the interview the
5 victim made a pretext phone call to the suspect. During the pre-text phone call the suspect made
6 several incriminating statements. On 5/07/04, I arrested the suspect for violation of 288(a) PC and
7 transported him to SMPD for further investigation and booking. The suspect waived his Miranda
8 Rights and confessed to inappropriately touching the victim. The suspect admitted to having a fetish
9 for young boys. The suspect was transported and booked into County Jail on 6 counts of 288(a) PC.
10
11 **INVESTIGATION:**
12 See Attached Narrative Supplement

Item	Article	QTY	Brand	Model	ID #	Description	Value Per Item
							\$
							\$
							\$

Total Recovered \$ 0		Total Damaged \$ 0		Total Value \$ 0		☐ Total Value is Unknown	
Ref SMPD Rpt				Reports to: District Attorney (DDA Sharon Henry)			
O/S Rpt		Officer Follow-up					
Reporting Officer D. Peruzzaro		Badge # 9		DOJ Entry		BOL	
Supervisor <i>Sgt Jon</i>		Badge # 5-35		Date 9/7/04		Initial Process	
				Scan Initial		Scan Date	

BBBSA002801

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 1 of 4 Report No 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	3/17/05	Detective Peruzzaro	<u>XX</u>

1 INVESTIGATION SERVICES SUPPLEMENT:

2
3 VICTIMS: CONFIDENTIAL PER 293 PC
4

5 SUSPECT: ARBULU, ITALO
6 3949 STEIN CT.
7 SOUTH SAN FRANCISCO, CA
8 94080
9

10 During the course of the investigation involving Arbulu I interviewed several juveniles in an
11 attempt to locate additional victims. The interviews were audio-taped and the following is a
12 summary of their statements:
13

14 SUMMARY OF [REDACTED] STATEMENT:

15 [REDACTED] is good friends with Arbulu's son, [REDACTED]
16 They attended middle school together and attend Serra High School together They were
17 close friends in the 9th and 10th grade but are not as close of friends now.
18

19 [REDACTED] stated he is familiar with Arbulu and knows who he is but has never had a
20 conversation with him. He has said "hi" to him but has never really had an in depth
21 conversation with him. [REDACTED] denied ever being inappropriately touched by Arbulu.
22

Ref SMPD Report			O/S Report		
Reporting Officer Sergeant Peruzzaro 542		Badge # S42	Reports to District Attorney (2) I (2) CC DDA Karen Guidotti		
Supervisor T. Monahan	Badge # 5-33	Date 3/17/05	DOJ Entry	BOL	Initial Process
SMPD CR2 (6/97)			Scan Initial	Scan Date	

BBBSA002802

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 2 of 4 Report No 04-0508-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	3/17/05	Detective Peruzzaro	XX

1 [REDACTED] stated that Esperante admitted to him that Arbulu has been physically abusive with
2 him in the past. Esperante told [REDACTED] a couple of years ago that Arbulu "hit" him with his
3 fists.

4
5 [REDACTED] admitted that Victim #3 told him he spent the night at Arbulu's house and that
6 Arbulu asked him if he wanted to sleep in his bed with him. Victim #3 took the offer in a
7 negative way, as if Arbulu wanted to do something with him, and felt uncomfortable.

8
9 [REDACTED] also heard from an unidentified student that Arbulu asked Victim #2 if he wanted
10 to "have some fun" while away at a soccer tournament.

11 **END OF STATEMENT**

12
13 On 5/14/04, I interviewed [REDACTED] via the telephone. The following is a summary of
14 his statement:

15
16 **SUMMARY OF [REDACTED] STATEMENT:**

17 [REDACTED] stated that Arbulu used to coach him when he was approximately eight or nine years
18 old. [REDACTED] described him as a good coach and stated he was friendly and helpful. [REDACTED]
19 denied ever being inappropriately touched by Arbulu.

20 **END OF STATEMENT**

21
22 On 5/14/04, I interviewed [REDACTED] [REDACTED]. The following is a summary of
23 his statement:

Ref SMPD Report			O/S Report		
Reporting Officer Sergeant Peruzzaro S42		Badge # S42	Reports to District Attorney CC. DDA Karen Guidotti		
Supervisor	Badge #	Date	DOJ Entry	BOL	Initial Process
			Scan Initial	Scan Date	

SMPD CR2 (8/97)

BBBSA002803

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 3 of 4 Report No 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	3/17/05	Detective Peruzzaro	XX

SUMMARY OF [REDACTED] STATEMENT:

[REDACTED] met Arbulu while running track at Serra High School. [REDACTED] admitted he went away with Arbulu on overnight trips while part of the track club. [REDACTED] denied ever being inappropriately touched by Arbulu and stated there were other team members present in the hotel room.

[REDACTED] admitted that Arbulu used to pay extra attention to some members of the track club and track team. [REDACTED] thought he gave them the special attention because he thought they had potential. I asked [REDACTED] if he suspected any athletes who may have been inappropriately touched by Arbulu and he provided me with the names of [REDACTED] and [REDACTED]. [REDACTED] told [REDACTED] that when he was younger Arbulu used to take him to the movies (just the two of them). [REDACTED] told [REDACTED] he could picture Arbulu being a "molester".

END OF STATEMENT

On 6/10/04, I interviewed [REDACTED]. The following is a summary of his statement:

SUMMARY OF [REDACTED] STATEMENT:

Arbulu was [REDACTED] distance coach for track and coached him at the Junior Olympics. [REDACTED] admitted that he traveled to Albuquerque, New Mexico with Arbulu for the Junior Olympics. [REDACTED] denied ever being inappropriately touched by Arbulu. [REDACTED] stated they shared a hotel room with each other while in Albuquerque; however, they slept in separate beds.

END OF STATEMENT

Ref SMPD Report			O/S Report		
Reporting Officer Sergeant Peruzzaro 542		Badge # S42	Reports to District Attorney CC DDA Karen Guidotti		
Supervisor	Badge #	Date	DOJ Entry	BOL	Initial Process
			Scan Initial	Scan Date	

SMPD CR2 (8/97)

BBBSA002804

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 4 of 4 Report No 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	3/17/05	Detective Peruzzaro	<u>XX</u>

- 1 **DISPOSITION:**
- 2 Attach to original report and forward a copy to the District Attorney's Office.

Ref SMPD Report			O/S Report		
Reporting Officer Sergeant Peruzzaro <i>S42</i>		Badge # S42	Reports to District Attorney CC: DDA Karen Guidotti		
Supervisor	Badge #	Date	DOJ Entry	BOL	Initial Process
			Scan Initial	Scan Date	

SMPD CR2 (6/97)

BBBSA002805

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 1 of 1 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	3/24/05	Det. D. Peruzzaro	XX

INVESTIGATION SERVICES SUPPLEMENT

SUSPECT **Italo Arbulu (08/28/1963)**

3949 Stein Ct.

South San Francisco, CA.

WITNESS **Enrique Aparicio (04/02/1965)**

2330 Roosevelt Ave.

Redwood City, CA.

On 03/24/05, I met Deputy District Attorney Guidotti at her office in Redwood City. At approximately 1100 hours, we were joined by (w)Enrique Aparicio. During our discussion with Aparicio, the subject matter turned to Victim #2.

Aparicio told us that Victim #2 was an excellent soccer player, who helped his team out immensely this past year. Aparicio added that Victim #2 has matured recently, which was quite a turnaround from his freshman year. Aparicio said Victim #2 was not disciplined as a freshman player and Aparicio would have cut Victim #2 from that team if he was the coach.

Aparicio told us he had a conversation with Victim #2's father after Arbulu's arrest in May 2004. Victim #2's father told Aparicio that at one time, Arbulu "made a pass" at his son.

DISPOSITION

Attach this supplemental to the original report and send to the District Attorney's Office.

Ref SMPD Report:		O/S Report:	
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA Guidotti (1), I (2) = CRS
Supervisor: SGT. [Signature]	Badge #: 5-35	Date: 3/24/05	DOJ Entry: BOL: Initial Process: WAD
SMPD: CR2 (6/97)		Scan Initial:	Scan Date: 3-24-05

BBBSA002806

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 1 of 6 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc, 288a.(b)(1) pc	01/28/05	Det. M. Carnevale #53	<u>XX</u>

INVESTIGATION SERVICES SUPPLEMENT

VICTIM **Confidential, per 293 pc**

SUSPECT **Italo Arbulu (08/28/1963)**

San Mateo County Jail

On 05/07/04, San Mateo Police Lieutenant Hammerman contacted William Ahern, who is employed by the San Mateo County Sexual Assault Felony Enforcement (SAFE) Task Force as a Special Agent Supervisor. Lieutenant Hammerman advised Agent Ahern of the arrest of Italo Arbulu and the pending search of his house. Agent Ahern later assisted Lieutenant Hammerman with the execution of the Search Warrant at Arbulu's residence in South San Francisco.

Lieutenant Hammerman asked Agent Ahern for assistance in gathering background information on Italo Arbulu. Agent Ahern contacted several other agencies, including California Department of Justice, California Department of Motor Vehicles, and the Naval Criminal Investigative Service.

On 06/21/04, Agent Ahern spoke to Italo Arbulu's brother, Juan Arbulu over the phone. Juan Arbulu told Agent Ahern that he remembered an incident in either 1982 or 1983, when his brother Italo was accused of child molestation in Phoenix Arizona. Juan further stated

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: (1) DDA Henry/RWC, I ⁽²⁾ JAN 27 2005 <i>ah</i>		
Supervisor: <i>Sgt. Jan</i>	Badge #: <i>S-35</i>	Date: <i>1/26/05</i>	DOJ Entry:	BOL:	Initial Process:
SMPD: CR2 (6/97)			Scan Initial:	Scan Date:	

BBBSA002807

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 2 of 6 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc, 288a.(b)(1) pc	01/28/05	Det. M. Carnevale #53	<u>XX</u>

1 that Italo was working for a "Big Brother" organization in Arizona and a male child came
2 forward with a sexual assault allegation.

3
4 Agent Ahern contacted the Phoenix Police Department and had a police clerk research the
5 complaint. Police Clerk Fernandez told Agent Ahern the police department's systems
6 search revealed a report from August of 1983. Agent Ahern was told that a 9 year-old and
7 his mother, made a formal complaint to the Phoenix Police Department stating Italo Arbulu
8 had inappropriately touched the child over a six month period. Clerk Fernandez faxed the
9 report to Agent Ahern. (See Agent Ahern's attached report, along with a redacted copy of
10 the 1983 Phoenix Police Department report.)

11
12 I contacted San Mateo County District Attorney Henry and advised her on Agent Ahern's
13 discovery of another victim of Italo Arbulu. DDA Henry asked me to interview the victim,
14 regarding his 21 year-old case.

15
16 On 01/24/05 at 1515 hours, I interviewed the victim in room 29b at the San Mateo Police
17 Department. The entire interview was video and audio taped. The following is a summary
18 of our interview.

19
20 The victim, who is now 31 years old, said in 1983, his mother applied for assistance at the
21 "Valley Big Brother" program in Phoenix, Arizona. Italo Arbulu was soon assigned by the
22 program, to be the victim's mentor.

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA Henry/RWC		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002808

NARRATIVE SUPPLEMENT

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc, 288a.(b)(1) pc	01/28/05	Det. M. Carnevale #53	XX

1 The victim stated that he and Arbulu started seeing each other on a regular basis and a
2 friendship ensued. The victim added he and Arbulu enjoyed many activities together,
3 including bike riding, swimming, jogging and snow skiing.

4
5 The victim recalled spending several nights at Arbulu's apartment and remembered Arbulu
6 spending numerous nights at his house. The victim could remember only one occasion
7 when he and Arbulu spent the night together, at a place other than one of their residences.
8 That time was when they went on an overnight snow skiing trip. The victim said that no
9 inappropriate touching occurred on that trip.

10
11 The victim believes the first time he was inappropriately touched by Arbulu, was when they
12 were in the swimming pool at Arbulu's apartment complex. Due to the length of time that
13 has past, the victim cannot specifically recall what exactly happened, but he does remember
14 Arbulu touching his penis over his swim shorts.

15
16 I asked the victim how many incidents he could recall where Arbulu touched him in an
17 inappropriate manner. The victim guessed "5 or 6" times. The victim believed Arbulu was
18 his "big brother" for approximately 2 months total. The victim said he did not see Arbulu
19 ever again, after he told his mother about one of the incidents. The victim also recalls later
20 being interview by a female police office, at an office at the YWCA in Phocnix.

21
22 The victim remembered two specific incidents when he spent the night at Arbulu's
23 apartment. On both occasions, the victim was awakened by Arbulu, who had his hand

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA Henry/RWC		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002809

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 4 of 6 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc, 288a.(b)(1) pc	01/28/05	Det. M. Carnevale #53	<u>XX</u>

1 inside the victim's pajamas and fondling his genitals. Arbulu also orally copulated the
2 victim on both of those incidents.

3
4 The victim denied ever touching Arbulu or performing any type of sexual activity on
5 Arbulu. The victim also denied that Arbulu ever sodomized him.

6
7 The victim recalled an incident where Arbulu pulled the victim on top of him while laying
8 on a bed. The victim said that Arbulu tried to kiss the victim on the mouth, but was
9 unsuccessful when the victim turned away at the last minute.

10
11 The victim recalled an incident when his penis was touched by Arbulu, when they were
12 spending the night at the victim's house. The reason this incident stayed in his mind, is
13 because he Arbulu didn't seem to care that the victim's grandmother was also spending the
14 night at the house in another room.

15
16 The victim believed that Arbulu spent many nights at the victim's house, during a period of
17 time when the victim's mother had been admitted to a nearby hospital.

18
19 The victim remembered an incident where Arbulu pulled the victim onto his lap, while
20 Arbulu was sitting on a chair. After pulling the victim onto his lap, Arbulu grabbed the
21 victim's penis over his clothing.

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA Henry/RWC		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002810

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 5 of 6 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc, 288a.(b)(1) pc	01/28/05	Det. M. Carnevale #53	XX

1 The victim did not know of any other children like himself, who were sexually assaulted by
2 Arbulu in Phoenix. He also did not know the names of any other children who Arbulu
3 mentored while in the "Valley Big Brother" program.

4
5 The victim added that he received two apology letters from Arbulu, several years after the
6 incidents had occurred. The victim remembers quickly reading the letters and then
7 throwing them away. The victim added that Arbulu said he had "found religion" and was
8 apologizing for his prior acts.

9
10 The victim said Arbulu never threatened him in any manner, regarding the victim revealing
11 to anyone about the sexual incidents.

12
13 I asked the victim how the events with Arbulu have negatively affected his life. The victim
14 said that he is extremely uncomfortable around small children. The victim added that he is
15 afraid to touch or ever talk to children, because of the fear of being accused of anything.
16 The victim also believes that the Arbulu incidents have affected his self-esteem as an adult.

17
18 The victim showed some remorse about his mother not pushing prosecution against Arbulu
19 at the time the police were involved. The victim believes that if something was done at the
20 time, Arbulu would not have been able to negatively affect so many other young people.

21
22 The victim said he would "happily" testify against Italo Arbulu in any courtroom, if needed
23 in the future.

Ref SMPD Report:		O/S Report:	
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA Henry/RWC
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
SMPD: CR2 (6/97)		Scan Initial:	Scan Date:

BBBSA002811

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 6 of 6 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc, 288a.(b)(1) pc	01/28/05	Det. M. Carnevale #53	<u>XX</u>

1 **DISPOSITION**

2

3 Attach to original report and send to the District Attorney's for prosecution.

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA Henry/RWC		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002812

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 1 of 7 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5/6/04	Detective Peruzzaro	<u>XX</u>

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM: CONFIDENTIAL PER 293 PC

**SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080**

On 5/06/04, Detective Carnevale was assigned to conduct a follow up investigation involving a 13-year-old victim and a 40-year-old suspect, Italo Arbulu. The victim's name and any information pertaining to the victim will remain Confidential Per 293 PC. On 4/27/04, the victim disclosed to his mother, [REDACTED] that his track coach, Italo Arbulu, had inappropriately touched him. Detective Carnevale made arrangements to conduct a tape-recorded interview of the victim at the Keller Center on 5/06/04, at 1330 hours. DDA Henry, Detective Cabral, and I were present for the interview. It should be noted that Detective Cabral was only present for the first 10 minutes of the interview.

During the course of the interview the victim disclosed that Arbulu inappropriately touched him on at least five different occasions. For more details on the victim's statement refer to Detective Carnevale's attached supplement.

Following the interview the victim agreed to make a pre-text telephone call to Arbulu. On 5/06/04, at approximately 1815 hours, I met the victim and his mother at the San Mateo

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney CC: DDA Sharon Henry		
Supervisor: SGT Jan	Badge #: 535	Date: 5/7/04	DOJ Entry:	BOL:	Initial Process:
			Scan Initiat:		Scan Date:

SMPD: CR2 (6/97)

BBBSA002813

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 2 of 7 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement <u>XX</u>
288(a) PC	5/6/04	Detective Peruzzaro	

1 Police Department. The pre-text telephone call was recorded and the audiocassette tape was
2 later logged into the SMPD Property Unit as evidence. The following is a summary of the
3 pre-text call:

4
5 **SUMMARY OF PRE-TEXT TELEPHONE CALL:**

6 On 5/06/04, at approximately 1825 hours, the victim called Arbulu on his cellular phone
7 (650-520-4397). Arbulu answered the phone and the victim identified himself by his first
8 name. They engaged in casual conversation and Arbulu asked the victim if he received his
9 email. Throughout the course of the conversation Arbulu made several incriminating
10 statements.

11
12 Arbulu stated the past week had been difficult for him and that he acted really stupid.
13 Arbulu admitted to being "Stupid" and inconsiderate and stated he wished there was a way
14 he could fix it. Arbulu told the victim, "I'll Change, I'll Get Help, I'll Do Whatever" to get
15 him (the victim) back on the team. Arbulu said he felt awful for what he did and stated
16 what he did was really stupid. Arbulu told the victim what happened was not his (the
17 victim's) fault and that it was his entire fault. The victim mentioned the massage and him
18 (Arbulu) kissing his buttocks. Arbulu made a comment about not remembering the massage
19 and the kissing of the buttocks; however he stated, "Sorry about that". The victim
20 mentioned the cuddling and the touching and Arbulu stated, "I'm Sorry".

21
22 Arbulu admitted to making a stupid mistake and feels awful for ruining their relationship.
23 Arbulu admitted to giving the victim a full massage and stated he should not have.

24 **END OF PRE-TEXT**

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SMPD: CR2 (8/97)

BBBSA002814

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5/6/04	Detective Peruzzaro	XX

1 Following the interview I asked the victim to access his email account in order to retrieve
2 the email Arbulu had referred to during the pre-text call. The victim agreed, accessed his
3 account, and showed me the email message. I printed out the email message and booked a
4 copy into the San Mateo Police Department Property Unit as evidence. In the email Arbulu
5 apologized for making the victim feel uncomfortable. For more details on the content of the
6 email refer to the attached copy of the email message.

7
8 On 5/07/04, at approximately 0730 hours, Detective Sergeant Laner, Detective Sanchez,
9 Detective Norris, Detective Neu, and Lieutenant Hammerman went to 3949 Stein Ct. in
10 South San Francisco to arrest Arbulu and to serve a valid search warrant, which had been
11 reviewed and signed by the Honorable Joe Scott of the San Mateo County Superior Court.

12
13 Detective Sanchez and I parked down the street from Arbulu's residence and waited for him
14 to exit the residence. At approximately 0745 hours, we observed Arbulu exit the residence.
15 We immediately contacted Arbulu and placed him under arrest for violation of 288(a) PC.
16 Arbulu was taken into custody without incident and transported to SMPD for further
17 investigation and booking.

18
19 Lieutenant Hammerman, Detective Sergeant Laner and Detective Norris executed the
20 search warrant at Arbulu's residence. For details on property items seized refer to Detective
21 Norris' supplemental report.

22
23 Detective Neu contacted Arbulu's daughter, [REDACTED] and took her into
24 protective custody per 300 WI. Detective Neu transported [REDACTED] to SMPD for further

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SMPD: CR2 (6/97)

BBBSA002815

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement ☒
288(a) PC	5/8/04	Detective Peruzzaro	

1 investigation and to contact C.P.S. For details on [REDACTED] statement and the release of
2 to her to her mother, [REDACTED] refer to Detective Neu's attached supplemental report.

3
4 On 5/07/04, Detective Sanchez and Detective Neu contacted Arbulu's stepson, [REDACTED]
5 [REDACTED] and obtained a brief statement. For details of his statement refer to Detective
6 Neu's supplemental report.

7
8 On 5/07/04, at approximately 0820 hours, I conducted a tape-recorded interview of Arbulu.
9 The video and audio cassette tapes were logged into the SMPD Property Unit as evidence.
10 The following is a summary of his statement:

11
12 **SUMMARY OF ARBULU'S STATEMENT:**

13 On 5/07/04, at approximately 0820 hours, I advised Arbulu of his Miranda Rights, verbatim
14 from department issued Miranda Rights Warning Card, and Arbulu stated, "Yes", when I
15 asked him if he understood each of those rights. Arbulu told me the following upon
16 questioning:

17
18 Arbulu stated he met the victim through his (Arbulu's) track club (Golden State Track Club)
19 and he admitted to establishing a close relationship with the victim and stated he was fond
20 of him.

21
22 Initially, Arbulu was evasive and denied any intentional wrongdoing; however he later
23 admitted he was attracted to the victim and that he had a fetish for young boys.

24

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BBBSA002816

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NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5/6/04	Detective Peruzzaro	<u>XX</u>

1 Arbulu admitted that the victim spent the night at his residence on two occasions. The first
2 time the victim spent the night at his residence was in the beginning of April 2004. Arbulu
3 stated he, the victim, and his daughter, all slept together in his bed. Arbulu stated since his
4 room is so small he and his 13-year-old daughter share the same bed. Arbulu could not
5 remember if he cuddled with the victim; however, he admitted it was possible he could have
6 placed his arm and leg over the victim. Arbulu stated even if he did cuddle with the victim
7 he did not mean anything by it. Arbulu later admitted that cuddling with the victim feels
8 good. He stated he has cuddled with the victim before in front of his (the victim's) parents.
9 The night of the first sleepover Arbulu left his residence at approximately 0200 hours the
10 following morning to go to work. Arbulu returned home from work at approximately 0600
11 hours and drove the victim to a track meet.

12
13 The victim spent the night at Arbulu's residence a second time near the end of April 2004.
14 The victim had a track meet that day and arrangements were made to spend the night at
15 Arbulu's house that evening. The victim was going to spend the following day with Arbulu
16 and his two children. Arbulu admitted to performing a full body massage on the victim
17 while he was at his (Arbulu's) residence. Arbulu claims to know massage therapy and
18 stated the first time he massaged the victim was at the victim's home. Arbulu stated the
19 victim's father was present and that the victim was naked and covered only with a towel.
20 Initially, Arbulu massaged the victim because he (the victim) had a hip injury.

21
22 Arbulu admitted that the night at his (Arbulu's) residence when he gave the victim a full
23 body massage he (Arbulu) directed the victim to remove his clothing and he (the victim) did
24 so. Arbulu used oil (Arnica Oil) and massaged the victim's buttocks (described the

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**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5/6/04	Detective Peruzzaro	XX

1 touching of the buttocks as 15 strokes), back, and the back of his legs. Arbulu massaged the
2 victim's backside for approximately 10 minutes. Arbulu admitted he kissed the victim's
3 buttocks while performing the massage. When I asked Arbulu why he kissed the victim's
4 buttocks he stated it was an impulse. He further stated, "I Looked, I Liked, I Kissed It".
5 Arbulu stated he thought the victim had a nice body.

6
7 Arbulu proceeded to tell the victim to turn over so he could massage the front of his body.
8 Arbulu admitted to touching the victim's penis during the course of the massage. He stated
9 he touched it and shifted it to the side so he could massage the victim's inner groin area.
10 Arbulu stated he told the victim to hold his (the victim's) penis to keep it from getting in the
11 way. Arbulu further stated that while conducting the massage he was working to improve
12 the victim's flexibility. Arbulu did this by spreading the victim's legs apart. Arbulu stated
13 that neither he nor the victim had an erection while he was massaging the victim.

14
15 Arbulu admitted that the victim has given him massages in the past on his arms and back.
16 Arbulu stated the victim massages his arms until he feels good. Arbulu said, "It's Nice For
17 Him To Do Something For Me". Arbulu admitted that while the victim was massaging him
18 he commented that he felt as if he was going to "wet" his pants. Arbulu further stated that
19 while he was massaging the victim he asked him if he felt as if he was going to "wet" his
20 pants.

21
22 Initially, when I asked Arbulu about the hot tub incident he denied any wrongdoing and
23 stated the victim was the one who initiated the conversation about having sex. Arbulu later
24 confessed that he initiated the conversation about having sex and told the victim, "If It

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**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement	XX
288(a) PC	5/6/04	Detective Peruzzaro		

1 Happens, It Happens". Arbulu further stated he told the victim he liked him a lot and that
2 he wanted to be more than a coach to him. Arbulu admitted he was attracted to the victim
3 and that he wanted to be more than a coach to the victim.

4
5 Arbulu stated if he touched the victim's leg while they were in the hot tub it was an
6 accident. He further stated he did not recall placing his arm around the victim; however, he
7 said it is possible he may have.

8
9 At different times throughout the interview Arbulu became extremely emotional and started
10 to cry. He stated he felt he was a bad guy and that he did not feel like a human being. He
11 further stated he felt like trash. Arbulu admitted he needs help to control himself from
12 doing this again.

13 **END OF STATEMENT**

14
15 While I was finishing the booking process I asked Arbulu about his relationship with "Dan".
16 Arbulu identified "Dan" as a friend and stated he was 23 years old. I asked Arbulu what
17 kind of relationship he had with "Dan" and he stated he had lied to the victim about his
18 relationship with "Dan". I asked him why he lied to the victim about this and he stated he
19 was trying to gain the victim's confidence and that he was grooming him.

20
21 **DISPOSITION: CLEARED BY ARREST**

22 Forward to District Attorney's Office for prosecution of Italo Arbulu for violation of penal
23 code section 288(a) PC – 6 counts.

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SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/06/04	Det. D. Peruzzaro #9	XX

INVESTIGATION SERVICES SUPPLEMENT

SUSPECT

Italo Arbulu (08/28/1963)

3439 Stein Court

South San Francisco, CA. (650) 520-4397

VICTIM

Confidential, per 293 pc

On 05/06/03, San Mateo Police Department was notified of a possible child abuse case, which might have occurred in San Mateo. San Mateo Police Sergeant Mac Laner assigned me to conduct the interview of the 13 year old-male, who will be referred to as "the victim" throughout the remainder of this report. At approximately 1520 hours, I met the victim and his mother at the Keller Center, located at the San Mateo County General Hospital.

The following is a summary of the interview, which was videotaped and audio taped in its entirety. These tapes were later logged into the San Mateo Police Property room as evidence. San Mateo Police Captain M. Callagy, San Mateo Police B. Lieutenant Hammerman, Detectives D. Cabral and D. Peruzzaro and San Mateo County Deputy District Attorney S. Henry witnessed the interview from an adjoining room.

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Supervisor: <i>SGT John</i>	Badge #: 535	Date: 5/7/04	DOJ Entry:	BOL:	Initial Process:
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**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/06/04	Det. D. Peruzzaro #9	XX

1 I explained to the victim that I wanted him to be honest and truthful as possible. The victim
2 said that he would. The victim told me that no one had told him what to say, or what not to
3 say to me today.

4

5 I next showed the victim anatomical drawings of the male body. The victim identified each
6 area I pointed to by writing a descriptive name next to it. The anatomical drawings were
7 later logged into SMPD property as evidence. I also questioned the victim on different
8 prepositions of items and how they related to each other. The victim had no problem
9 describing the differences.

10

11 I asked the victim if he knew why he was here, talking to me. The victim replied it was
12 because his coach had inappropriately touched him. I asked the victim what his coach's
13 name is. The victim stated "Italo Arbulu."

14

15 I had the victim read the San Mateo Police Photo line-up admonition. The victim signed the
16 admonition and said that he understood it. I showed the victim a photo line-up, which I had
17 previously composed. A DMV photograph of Italo Arbulu, was placed in the #2 space.

18 The victim immediately pointed to photo #2 and identified that subject as his track coach,
19 Italo Arbulu. The line-up and admonition were later logged into SMPD property as
20 evidence.

21

22 On 02/28/04, the victim and his father were searching the Internet, looking for a local track
23 club to join. The victim discovered "Golden State Track Club" out of San Mateo. The
24 victim wrote an e-mail to the club, expressing his interest. On 02/29/04, the victim received

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SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/06/04	Det. D. Peruzzaro #9	XX

1 an e-mail back from the track club's owner, Italo Arbulu. A few days later, the victim met
2 Arbulu and soon he became his running/track coach. Arbulu quickly befriended the victim
3 and his family and was invited over the victim's house numerous times for dinner and social
4 events. The victim practiced with the running club at the Serra High School track, where
5 Arbulu also works as a running coach.

6
7 The victim reported to me, that over the next two months, Arbulu inappropriately touched
8 him on at least five occasions. The first occasion occurred sometime in the first week of
9 April. The victim spent the night at Arbulu's house in South San Francisco, because they
10 both had a track meet early the next morning. When the victim arrived at the suspect's
11 house, he discovered the suspect lived in a very small room, attached to a larger house
12 where other family members lived. Arbulu lived there with his 13 year-old daughter, who
13 shares the one bed with her father.

14
15 Upon arriving at the residence, the victim was tired and went straight to bed. The victim
16 wore pajama bottoms and a shirt to bed. Arbulu wore just pajama bottoms. Arbulu and his
17 daughter soon joined the victim in the bed, with Arbulu sleeping in the middle. Soon
18 afterwards, the victim felt Arbulu wrap his arms around him from behind and place one leg
19 over the victim's legs. The victim described it as "cuddling." The victim admitted that the
20 cuddling made him feel uncomfortable, but he was too scared to move. Arbulu also kissed
21 the victim on the cheek and later on the forehead when Arbulu left for work at
22 approximately 0200 hours. The victim does not believe Arbulu kissed his daughter at any
23 time.

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**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/06/04	Det. D. Peruzzaro #9	XX

1 Arbulu arrived back at his house at approximately 0700 hours, and took the victim to the
2 track meet. During the ride, Arbulu told the victim that he should not tell anyone about
3 what happened the night before. This made the victim feel that he did something wrong.

4
5 The second occasion occurred when the victim spent the night a second time at Arbulu's
6 residence on 04/23/04, after the victim had returned from a European vacation. Arbulu told
7 the victim that he missed him while he was gone and that he thought about him a lot. I
8 asked the victim why he went back to the suspect's house after what happened the first time.
9 The victim said that he likes his coach and thought maybe the first time was just a mistake
10 on the coach's part.

11
12 After arriving at the house, Arbulu and the victim watched a movie, while lying in bed.
13 Arbulu's daughter was in the other portion of the house that night and did not sleep in
14 Arbulu's bed. During the movie, Arbulu asked the victim if he wanted a massage. The
15 victim told Arbulu that he felt uncomfortable and wanted to go home. Arbulu talked the
16 victim into staying, by telling him that everything was alright and that he was not going to
17 do anything to him.

18
19 Soon afterwards, Arbulu told the victim to take his clothes off so he could give him a
20 massage. The victim complied, but left his underwear on. Arbulu next told the victim to
21 also remove his underwear, in which he did. Arbulu was wearing his pajama bottoms.

22
23 While the victim lay on his stomach, Arbulu rubbed the back of the victim's legs, back,
24 shoulders and buttocks for approximately 15 minutes. Arbulu used rubbing oil that the

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**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/06/04	Det. D. Peruzzaro #9	<u>XX</u>

1 victim remarked to me he enjoyed the aroma of. At one point, Arbulu kissed the victim's
2 buttocks, and then told the victim to turn over. Arbulu had touched the area around the
3 victim's anus but never penetrated it.

4
5 While the victim was lying on his back, Arbulu rubbed the victim's entire front portion.
6 While massaging the victim's inner thighs, Arbulu placed his hand on the side of the
7 victim's penis and pushed it to one side. And then, while massaging the other thigh, Arbulu
8 pushed the victim's penis back to the other side. The victim denied that Arbulu directly
9 rubbed or massaged his penis. The victim believed that Arbulu was sexual aroused, but
10 denied ever seeing Arbulu's penis.

11
12 After the massage, the victim fell asleep and does not believe Arbulu touched him
13 inappropriately anymore that night. The victim admitted that Arbulu did have his arm
14 around him all night and that Arbulu's face was touching his face for most of the night.

15
16 The victim told me that he and Arbulu have discussed sex during the numerous times he has
17 been in the car with him. Arbulu told the victim on several occasions that he wanted to "do
18 it" with the victim. The victim believed "do it" meant sexual intercourse. Arbulu usually
19 told the victim not to discuss their private conversations with anyone else.

20
21 The victim admitted to me that he has massaged Arbulu's forearms on at least five
22 occasions, always after Arbulu has requested it. Arbulu told the victim that his arms often
23 ache after work; due to the physical labor he performs moving heavy boxes.

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BBBSA002824

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NARRATIVE SUPPLEMENT

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/06/04	Det. D. Peruzzaro #9	XX

1 On two of the above-mentioned massages, Arbulu's hand fell onto the victim's clothed lap,
2 directly on top of his penis, while the victim massaged the arm. The victim described the
3 action as if Arbulu was softly pushing down on his penis. The victim said that Arbulu made
4 him feel uncomfortable while doing this. The victim tried to rub Arbulu's arm in a different
5 direction, so he would move his hand away from the victim's groin area.

6
7 Arbulu would often tell the victim that he felt like he was going to "wet himself" when the
8 victim would massage his arm. The victim admitted at first that he thought Arbulu was
9 talking about urinating on himself, but later believed he was referring to ejaculation. The
10 victim never saw Arbulu ejaculate.

11
12 On 04/27/04, Arbulu was invited to the victim's house for some type dinner party the
13 victim's parents were hosting. Arbulu drove the victim home from practice that night to the
14 party. On the way, Arbulu asked the victim if he wanted to "do it." When the victim said
15 no, Arbulu asked the victim if he knew what "do it" meant. The victim stated that he did.
16 The victim told me he believed it to mean "sexual intercourse. Arbulu then asked the victim
17 if he just wanted to be just one of the guys or something else. The victim didn't answer.

18
19 Later in the evening at the victim's house, the victim found himself in the hot tub, alone
20 with Arbulu. Arbulu placed his arm around the victim and began to rub his upper leg. The
21 victim was wearing swim shorts and Arbulu was wearing "speedo" shorts. While Arbulu
22 was rubbing the victim's leg, Arbulu asked the victim if he wanted to "do it." The victim
23 replied that he did not. Arbulu tried to reassure the victim that "doing it" won't make you

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**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

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Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/06/04	Det. D. Peruzzaro #9	XX

1 "a fag." The victim told Arbulu he didn't want to do anything and the victim moved away
2 to the other side of the hot tub. Arbulu told the victim he really liked him.

3
4 When the two returned to the house after the hot tub, Arbulu appeared upset and slightly
5 agitated at the victim. Later, Arbulu told the victim he wanted to talk to him in his
6 bedroom. In the room, Arbulu told the victim that he used to play on the "International Gay
7 Soccer Team." Arbulu also told the victim about another runner named "Dan." "Dan" was
8 apparently a runner that Arbulu trained and that he would do "anything" for Arbulu. Arbulu
9 said that "Dan" is now married and lives in San Diego. The victim believes that Arbulu and
10 "Dan" had sexual intercourse. Nothing else occurred that night in the victim's bedroom or
11 house.

12
13 After the dinner party was over and Arbulu left, the victim's mother asked the victim what
14 Arbulu was saying to him in the hot tub. The victim's mother told the victim that she had
15 looked out of a window and saw Arbulu whispering something to the victim. The victim
16 told his mother Arbulu talked about "doing it" and that doing it "won't make you a fag."

17
18 Several days later, the victim's mother contacted the San Mateo Police Department.

19
20
21 **DISPOSITION**

22
23 Attach this supplemental to Detective Peruzzaro's original report

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BBBSA002826

San Mateo Police Department
Narrative Supplement

Report No. 04-0506-019

04-0506-019

Code Section 288 PC	Time 0745	Date 05-07-04	Original Investigating Officer Detective Peruzzaro	Original Supplement ☒
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1 **INVESTIGATIONS SUPPLEMENT:**

2

3 **SUSPECT:** Arbulu, Italo 08-28-63 3949 Stein Court, So. San Francisco 650-878-8901

4

5 **WITNESS #1:** [REDACTED]

6

7 **WITNESS #2:** [REDACTED]

8

9 On 05-07-04 I was assigned to assist Detective Peruzzaro with serving a search warrant at

10 3949 Stein Court in South San Francisco. At about 0745 hours Detective Peruzzaro arrested

11 Arbulu in front of his residence. Arbulu's daughter [REDACTED] resides with her father

12 and was present at the time of his arrest. I took [REDACTED] into protective custody and

13 transported her to San Mateo PD.

14

15 Arbulu is divorced and rents a small room from his ex-wife's parents. Arbulu resides there with

16 his daughter. [REDACTED] Arbulu has a seventeen year old step-son, [REDACTED] that he

17 has raised. [REDACTED] resides with his mother, [REDACTED] occasionally visits with his

18 father.

19

20 At about 0930 hours I interviewed [REDACTED] My interview was tape recorded. [REDACTED] told

21 me the following in summary.

22

23 [REDACTED] said her father is a track and field coach for Serra High School and the Golden

24 Gate State Track Club. According to [REDACTED] participants in the Golden Gate Track Club

25 range from eight years old to eighteen years old. [REDACTED] said she knows the victim from

26 her father coaching for the Golden Gate Track Club and has known the victim for about two

27 months. She said the victim was at Arbulu's home on two occasions. On each of those

28 occasions the victim spent the night. According to [REDACTED] the last time the victim was at

29 Arbulu's home was at the end of April in 2004. She could not recall when the first time was

30 that the victim came to Arbulu's home.

31

32 [REDACTED] said one of the occasions in which the victim spent the night was after a track

33 meet in Los Gatos. [REDACTED] her father, and the victim came home at about 2200 hours.

34 She said they watched a movie (The Master of Disguise), played on the computer, and then

35 went to sleep. According to [REDACTED] they all slept in the room that her father rents.

36 [REDACTED] said she slept in bed with her father and the victim slept on the roll away bed that

37 is kept under her father's bed.

38

39 [REDACTED] said the second occasion the victim spent the night was when the grandmother

40 was out of town. [REDACTED] brother, [REDACTED] came to the house and also spent the night.

Ref SMO PD Rpt	Reports to
O/S Rpt	DA's Office, CPS attn: Casey Calivo
Reporting Officer Det. Tanya Neu	ID # 142
Supervisor <i>Sgt. [REDACTED]</i>	Date 5/7/04
Badge # 35	DOJ Entry ☐ BOL ☐ Initial Process ☐
	Scan Initial ☐ Scan Date ☐

BBBSA002827

**San Mateo Police Department
Narrative Supplement**

Report No. 04-0506-019

04-0506-019

Code Section 288 PC	Time 0745	Date 05-07-04	Original Investigating Officer Detective Peruzzaro	Original Supplement ☒
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41 According to [REDACTED] the victim slept in her father's room by himself. [REDACTED] said she
 42 slept in her grandmother's room since she was out of town. According to [REDACTED] she
 43 slept in her grandmother's bed with her father and her brother slept on the sofa located in
 44 her grandmother's room.
 45
 46 [REDACTED] said she has never seen her father inappropriately touch the victim on any
 47 occasion. [REDACTED] said that she has seen her father give juveniles that he coaches
 48 massages during coaching practice. According to [REDACTED] the massages were related to
 49 athletic coaching and there was no inappropriate contact.
 50
 51 She said her father has never inappropriately touched her in anyway. [REDACTED] has
 52 received massages from her father. She said her father has massaged her legs and
 53 shoulders. [REDACTED] plays various sports and the massages were related to her athletic
 54 activities. [REDACTED] said there was never any inappropriate touching by her father during
 55 the massages. End of Statement.
 56
 57 I spoke with Child Protective Services Social Worker, Casey Calivo (650-595-7922). She told me
 58 to release [REDACTED] to her mother, [REDACTED] was released to her mother at San
 59 Mateo PD. I advised [REDACTED] that under the circumstances [REDACTED] was not to have any
 60 further contact with her father.
 61
 62 Father Joe Bradley, a priest at Serra High School, called San Mateo PD after I had concluded
 63 my interview with [REDACTED]. He said that [REDACTED] had learned of his father's arrest, was upset,
 64 and wanted to speak with the police. Detective Sanchez and I responded to Serra High School
 65 and contacted Father Joe Bradley and [REDACTED]. I transported [REDACTED] back to San Mateo PD for
 66 an interview. Father Joe Bradley accompanied [REDACTED] for moral support.
 67
 68 Detective Sanchez and I spoke with [REDACTED] said he had learned that his father was
 69 arrested and his sister was brought to San Mateo PD for questioning. He was concerned for his
 70 sister's welfare. [REDACTED] said he was never inappropriately touched by his father and has never
 71 seen his father inappropriately touch anyone.
 72
 73 [REDACTED] was brought back to Serra High School. I telephoned Child Protective Services social
 74 worker Casey Calivo and advised her of my conversation with [REDACTED].
 75
 76 **EVIDENCE:** TN1- cassette tape [REDACTED] statement.
 77
 78 **DISPOSITION:** Attach to original report. Forward a copy to DA's Office. Forward a copy to CPS
 79 (attention Casey Calivo).

Ref SAMPD Rpt		Reports to	
O/S Rpt		DA's Office, CPS attn: Casey Calivo	
Reporting Officer Det. Tanya Neu	ID # 142	DOJ Entry	BOL
Supervisor	Sadge #	Scan Initial	Scan Date

BBBSA002828

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 1 of 2 Report No. 04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5/10/04	Detective Peruzzaro	<u>XX</u>

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM: CONFIDENTIAL PER 293 PC

**SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080**

During the taped interview of Arbulu he denied inappropriately touching any other members of his track club, or any members of the Serra High School track team; however, he did admit to meeting a 15-year-old male in Mexico and having a brief relationship with him.

Arbulu stated that approximately 5 years ago he met a 15-year old juvenile while vacationing at Club Med in Mexico. Arbulu identified the 15-year-old male as [REDACTED] and stated he did not know his last name. Arbulu further described [REDACTED] as being from Tustin, Ca. Arbulu was approximately 35-years-old at the time he met [REDACTED]. Arbulu was in contact with [REDACTED] for a short period of time after meeting him and stated that [REDACTED] visited him and stayed at his (Arbulu's) residence in Burlingame. [REDACTED] told Arbulu he wanted to do things with him; however, Arbulu only admitted to "French Kissing" [REDACTED].

Ref SMPD Report:		O/S Report:	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (2) CC: DDA Sharon Henry
Supervisor: SGT [Signature]	Badge #: 5-35	Date: 5/11/04	DOJ Entry: [REDACTED] BOL: [REDACTED] Initial Process: [Signature]
SMPD: CR2 (6/87)		Scan Initial:	Scan Date: MAY 11 2004

BBBSA002829

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page

2 of 2

Report No.

04-0506-019

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5/10/04	Detective Peruzzaro	<u>XX</u>

1 **DISPOSITION:**

- 2 Attach to original report and forward a copy to the District Attorney's Office.

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney CC: DDA Sharon Henry		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002830

San Mateo Police Department
Narrative Supplement

Report No. 04-0506-019

04-0506-019

Code Section 288(a)PC	Time 0750	Date 05-07-04	Original Investigating Officer Det. Peruzzaro #9	Original Supplement ☒
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INVESTIGATIONS SUPPLEMENTAL:

Suspect: **Arbulu, Italo**

On 5/6/04, SMPD initiated an investigation into alleged lewd acts upon a child by suspect Italo Arbulu. Pursuant to that investigation, Detective Peruzzaro #9 prepared a Search Warrant for Arbulu's residence at 3949 Stein Court in South San Francisco. The warrant was reviewed and signed by the Honorable Judge Scott on May 6.

I was assigned the service of the search warrant, and the subsequent seizure of evidence items pursuant to the search warrant.

On 5/7/04, at about 0700 hours, I responded with SMPD Detectives to 3949 Stein Ct. Suspect Arbulu was detained leaving his residence at about 0750 hours, and the search warrant was served on the residence by myself, Detective Sergeant Laner, and Lieutenant Hammerman. Present during most of the warrant service were Eduardo and Caridad Esperante, the homeowners and Arbulu's former in-laws.

The Esperantes confirmed for us that Arbulu stayed only in a single room attached to the house by a sliding door, in between the rear of the garage and the front of the house. They identified property stacked outside the door to Arbulu's room as belonging to Arbulu. This included two plastic bins, a cardboard box, and a black leather-type valise containing a laptop computer. I seized all of these items.

I conducted a search of Arbulu's room. The room consisted of one bed, one dresser, a computer desk, and a television stand. I seized several items during the search. An inventory of the items seized during my search is attached. The seized items were transported to SMPD, where I processed them for storage. During my processing, I sorted through the plastic bins and a backpack seized during the search. I removed several items from the bins for further investigation. I then designated the bins and the backpack as safekeeping, for return to the suspect.

A paycheck, a phone bill, a library card, and a diver's ID were seized during the search as indicia. Photocopies of these items are attached to this report. I also seized documents from Arbulu's computer stand, including some travel plans and a USA Track and Field profile for a teenage boy. Photocopies of these are also attached.

Following the search of the residence, we also conducted a search of Arbulu's vehicle (Black 87 Jeep Cherokee 4VSN161). The vehicle was parked around the corner on King St. Sgt. Laner located a small zippered pouch in the rear of the vehicle. The pouch contained a small

Ref SMPD Rpt	Reports to DA(2)	Attach to original report. MAY 12 2004	
O/S Rpt	DCJ Entry	SOL	Initial Process
Reporting Officer D. Norris	ID # 111	Scan Initial	Scan Date
Supervisor Sgt. Laner	Badge # 35	Date 05-07-04	

BBBSA002831

San Mateo Police Department
Narrative Supplement

Report No. 04-0506-019

04-0506-019

Code Section 288(a)PC	Time 0750	Date 05-07-04	Original Investigating Officer Det. Peruzzaro #9	Original Supplement ☒
41 handwritten note. One side of the note read "Hi! Do you like cookies?." The other side read 42 "Fuck you bastard!" This item was also seized, and later placed into SMPD Property as 43 evidence. 44 45 Arbulu's keys, which were seized from him at the time of his arrest, and used to access his 46 residence and vehicle, were retained for safekeeping at SMPD. 47 48 Several items of seized property from the search (computer drives, video tapes, etc.) have yet to 49 be reviewed for content, and are still under investigation. 50 51 <u>EVIDENCE:</u> 52 Numerous evidence items were seized. Descriptions of the seized items and records of their 53 booking into SMPD Property are attached to this report. 54 55 <u>DISPOSITION:</u> 56 Attach to original report.				
Ref SMPD Rpt			Reports to	
C/S Rpt			Attach to original report.	
Reporting Officer D. Norris		ID # 111	DOJ Entry _____ BOL _____ Initial Process _____	
Supervisor	Badge #	Date 05-07-04	Scan Initial _____ Scan Date _____	

BBBSA002832

San Mateo Police Department
Narrative Supplement

Report No. 04-0510-037

04-0510-037

Code Section 288(c)(1) PC	Time 1900	Date 03-23-05	Original Investigating Officer Detective Peruzzaro	Original Supplement ☒
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1 **PATROL SERVICES SUPPLEMENT:**
2
3 VICTIM: **CONFIDENTIAL PER 293 PC**
4
5 SUSPECT: **ARBULU, ITALO**
6 **3949 STEIN CT.**
7 **SOUTH SAN FRANCISCO**
8 **94080**
9
10 On 3/22/05, at 1100 hours, I met with DDA Guidotti and the victim from this case for the purpose
11 of introducing the victim to DDA Guidotti.
12
13 During the course of the meeting it was determined that the inappropriate touching occurred in
14 October 2001, and not October 2000 as stated in the original report.
15
16 The victim also remembered a comment Arbulu made to him while performing the massage on
17 him while in Fresno. Immediately after Arbulu made the comment about him (the victim) having
18 a real nice body he (Arbulu) chomped his teeth together and made a sound.
19
20 Another conversation the victim recalled having with Arbulu was a conversation during which
21 Arbulu indicated that he had done this type of thing before. Arbulu made a comment about
22 having a boyfriend in college right now. Arbulu stated that his boyfriend's parents were upset at
23 first but now accept their relationship. The victim was unsure but believes Arbulu told him this
24 during the Fresno trip, after the inappropriate touching incident occurred, or shortly after their
25 return home.
26
27 The victim also expounded upon a statement made by Arbulu the morning following the incident
28 when Arbulu called the victim a "monster" and told him he (the victim) did not know what it was
29 like to be him (Arbulu). During this conversation Arbulu told the victim that he does not know
30 what it is like to wake up one morning and realize your gay.
31
32 During the course of the conversation the victim stated he did not know who any of the other
33 victims in the case were. The victim provided me with the name of the victim in case number
34 04-0511-024 and identified him as a person who he felt was another potential victim of Arbulu.
35 During my interview with the victim on 5/10/04 he mentioned this other possible victim but was
36 unwilling to provide me with his name. Based on our conversation today it was apparent that he
37 was unaware that the victim was a named victim in this case because he told me I could
38 interview him if I desired and told me the name of the high school the victim attends in
39 Burlingame.
40

Ref SMPD Rpt	Reports to
O/S Rpt	District Attorney - cc: DDA Guidotti, I(1)
Reporting Officer Sgt. Peruzzaro DP 542	ID # S42
Supervisor <i>[Signature]</i>	Date 03-23-05
Badge # 5-37	DOJ Entry BOL Initial Process
	Scan Initial Scan Date MAR 24 2005

BBBSA002833

San Mateo Police Department
Narrative Supplement

Report No. 04-0510-037

04-0510-037

Code Section 288(c)(1) PC	Time 1900	Date 03-23-05	Original Investigating Officer Detective Peruzzaro	Original Supplement ☒
41 DISPOSITION: 42 ATTACH TO ORIGINAL REPORT AND FORWARD TO DDA GUIDOTTI 43				
Ref SMPD Rpt O/S Rpt Reporting Officer Sgt. Peruzzaro Supervisor				
ID # S42 Badge #		Date 03-23-05		
Reports to District Attorney - cc: DDA Guidotti		DOJ Entry <u> </u> BOL <u> </u> Initial Process <u> </u> Scan Initial <u> </u> Scan Date <u> </u>		

BBBSA002834

Suspect Supplement San Mateo Police Department

Report No. 04-0510-037

04-0510-037

Susp # <u>1</u>						☐ Match Offenses With Incident Report		Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
S	288(c)(1)PC								
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last		First		Middle					
Arbulu		Italo							
AKA / Nicknames / Tag									
N/A									
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes		
O	M	08-28-1963	40	509	160	BRN	BRN		
Home Address			City		Residence Phone				
3949 Stein Ct.			SSF CA						
Employer						Occupation			
Whole Foods									
Business Address			City		Business Phone				
Hair Length		Hair Style		Facial Hair		SS #	DL #	CII #	
Bald/Thinning ☐	Straight ☐	Clean Shaven ☒	547-35-2474	C0283304					
Collar ☐	Wavy/Curly ☒	Beard ☐	General Clothing Description						
Short ☒	Afro/Natural ☐	Mustache ☐							
Long ☐	Braided ☐	Goatee ☐	Scars / Marks / Tattoos / Other						
Receding ☐	Crew Cut ☐	Lower Lip ☐							
Other	Pony Tail ☐	Unshaven ☐	None						
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions		Additional			
Admitted Member ☐	Sex Registrant ☐					Suspects ☐			
Admitted Associate ☐	Parole/Probation ☐					Vehicle ☐			
Observed Association Only ☐	P.O.								
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate				
Additional Vehicle Description			R/O						

Susp # <u>2</u>						☐ Match Offenses With Incident Report		Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last		First		Middle					
AKA / Nicknames / Tag									
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes		
Home Address			City		Residence Phone				
Employer						Occupation			
Business Address						City		Business Phone	
Hair Length		Hair Style		Facial Hair		SS #	DL #	CII #	
Bald/Thinning ☐	Straight ☐	Clean Shaven ☐				General Clothing Description			
Collar ☐	Wavy/Curly ☐	Beard ☐							
Short ☐	Afro/Natural ☐	Mustache ☐	Scars / Marks / Tattoos / Other						
Long ☐	Braided ☐	Goatee ☐							
Receding ☐	Crew Cut ☐	Lower Lip ☐							
Other	Pony Tail ☐	Unshaven ☐							
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions		Additional			
Admitted Member ☐	Sex Registrant ☐					Suspects ☐			
Admitted Associate ☐	Parole/Probation ☐					Vehicle ☐			
Observed Association Only ☐	P.O.								
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate				
Additional Vehicle Description			R/O						

Copperfire 02/03

BBBSA002835

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 2 of 7 Report No. 04-0510-037

Code/Violation	Date	Original Investigating Officer	Original Supplement
288(c)(1) PC	5/10/04	Detective Peruzzaro	XX

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM: CONFIDENTIAL PER 293 PC

**SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080**

On 5/10/04, at approximately 1300 hours, I was assigned to investigate a sexual assault involving a 17-year-old male victim and a 40-year-old suspect, Italo Arbulu. It should be noted that Arbulu was arrested on 5/07/04, for violation of 288(a) PC (6 – counts). For more details in his arrest refer to SMPD report #04-0506-019. The victim's name and any information pertaining to the victim will remain Confidential Per 293 PC.

On 5/10/04, the victim told his school counselor, Mrs. Duffy, that he had been inappropriately touched by the track coach at his school, Italo Arbulu. Mrs. Duffy immediately told the school Principal and he notified the San Mateo Police Department.

On 5/10/04, at approximately 1315 hours, I responded to the victim's high school to meet with the victim. Upon meeting with him I made arrangements to interview him at the San Mateo Police Department. The interview was videotaped and tape recorded and the tapes were later logged into the SMPD Property Unit as evidence. The following is a summary of his statement:

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002836

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 3 of 7 Report No. 04-0510-037

Code Violation	Date	Original Investigating Officer	Original Supplement
288(c)(1) PC	5/10/04	Detective Peruzzaro	XX

SUMMARY OF VICTIM'S STATEMENT:

The victim is a 17-year-old high school junior who is extremely intelligent and articulate. Through the course of the investigation it was determined that the inappropriate touching occurred when the victim was 14-years-old. The victim met Arbulu during his freshmen year of high school. The victim met Arbulu's son, Edward, and became close friends with him upon starting high school. The victim met Arbulu as a result of his relationship he had formed with [REDACTED] Arbulu was also one of the victim's cross country coaches.

On one occasion in approximately October 2000, Arbulu called the victim and asked him to go to the movies with him (the suspect) and his son, [REDACTED]. The victim agreed to go to the movie and rode the train to San Francisco to meet Arbulu and [REDACTED]. While the victim was riding the train to San Francisco he received a telephone call on his cell phone from Arbulu advising him that [REDACTED] was unable to go to the movie. Arbulu asked the victim to go to the movie with him (the suspect) and the victim agreed to do so. The victim had already purchased the train ticket so he figured he might as well go to the movie. Arbulu and the victim went to the movie and Arbulu drove the victim home afterwards. During the ride home Arbulu told the victim not to tell his parents that they had went to the movie without [REDACTED].

Approximately a few weeks later [REDACTED] asked the victim to go with him to Fresno, California to watch [REDACTED] play in a soccer tournament. The victim agreed to go to Fresno to watch the tournament and drove to Fresno with Arbulu, [REDACTED] and [REDACTED]'s sister, [REDACTED]. The victim believes the tournament was sometime around Halloween in October

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002837

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 4 of 7 Report No. 04-0510-037

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
288(c)(1) PC	5/10/04	Detective Peruzzaro		

1 2000. The victim, Arbulu, [REDACTED] all shared a hotel room while in Fresno.
2 The victim was unable to provide me with the name of the hotel.

3
4 They arrived in Fresno on a Friday and returned home on the following Sunday. The victim
5 believes the soccer team was either the Millbrae or Burlingame Eagles and that Arbulu was
6 the team trainer. This belief is based on the fact that the victim observed Arbulu give many
7 players massages during the course of the weekend. He further stated Arbulu had a
8 massage table inside the hotel room. The victim did not feel any of the massages were
9 inappropriate and felt they were legitimate massages.

10
11 The soccer team played multiple games on Saturday and then the victim and [REDACTED] went
12 out afterwards and returned to the hotel room at approximately 2230 hours. When they
13 returned home the victim observed Arbulu performing a massage on [REDACTED] The victim
14 described the massage as a back massage and did not deem the massage as inappropriate.

15
16 After [REDACTED] went to sleep Arbulu offered to give the victim a massage. The
17 victim agreed because he had seen Arbulu give several other massages and felt he was a
18 professional masseuse. The victim removed all of his clothing except his boxer shorts. The
19 victim removed his clothing because he observed one of the team members receive a
20 massage in the hotel room earlier in the day and all he had been wearing was his boxer
21 shorts. The victim was lying facedown on the massage table while Arbulu massaged his
22 backside. At some point Arbulu told the victim to remove his boxer shorts and the victim
23 did so.

Ref SMPD Report: 04-0506-019			O/S Report:		
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002838

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 5 of 7 Report No. 04-0510-037

Code Violation	Date	Original Investigating Officer	Original Supplement
288(c)(1) PC	5/10/04	Detective Peruzzaro	XX

1 The victim was unable to tell me if Arbulu touched his buttocks during the massage. The
2 victim believes Arbulu probably touched his buttocks at some point; however, Arbulu did
3 not grope his buttocks. The massage lasted approximately 30-40 minutes. Arbulu never
4 massaged the front of the victim's body and the victim was not positioned on his back at
5 any point during the massage. At some point during the massage Arbulu told the victim that
6 he (the victim) had a real nice body. This comment made the victim feel uncomfortable.
7 Shortly after Arbulu made this comment he (Arbulu) made a comment about him (the
8 victim) only having approximately 6% body fat. The victim believes Arbulu made this
9 comment to cover his tracks on the comment he had made about him having a nice body.

11 Following the massage the victim went to sleep in the same bed as Arbulu. The victim
12 desired to sleep on the floor; however, there were no extra blankets so Arbulu told him he
13 could sleep in his (Arbulu's) bed. The victim fell asleep and was awoken in the middle of
14 the night by Arbulu. Arbulu woke the victim up by placing his hand on the victim's
15 shoulder. While waking the victim up Arbulu placed his leg on the victim's leg and stated,
16 "Let's Have Some Fun". The victim felt Arbulu's penis touch his buttocks; however, he
17 was unable to tell me if Arbulu had an erection or not. At the time of the incident the victim
18 was only wearing his boxer shorts and Arbulu was wearing briefs. Arbulu's penis did not
19 touch his (the victim's) bare buttocks and he described the touching as being cloth to cloth.

21 The victim described the touching as if Arbulu had cuddled with him. The victim
22 understood the comment and actions of Arbulu to be sexual in nature and attempted to
23 deflect the inappropriate behavior by mentioning the fact that they were going to have fun
24 miniature golfing the following day. Arbulu made a comment about having some fun

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002839

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 6 of 7 Report No. 04-0510-037

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
288(c)(1) PC	5/10/04	Detective Peruzzaro		

1 "Right Now". The victim told Arbulu, "No" and went to sleep on the floor. The victim was
2 extremely upset and disturbed by what had happened and stated he was unable to sleep the
3 rest of the night.

4
5 The following morning, while he was alone with Arbulu in the hotel room, Arbulu made a
6 comment to the victim that he (the victim) probably thinks he (Arbulu) is a monster. Arbulu
7 further told the victim he (the victim) is the monster and he (the victim) does not know what
8 it is like to be him (Arbulu). The victim felt that Arbulu was attempting to shift the blame
9 and make him (the victim) feel responsible for what had happened.

10
11 The victim found this inappropriate touching to be extremely disturbing and as a result he
12 intentionally got himself kicked off the high school cross country team. Following the
13 incident Arbulu confronted the victim inside the locker room and asked him if he (Arbulu)
14 ever had a chance with him (the victim) and what he (Arbulu) did to mess it up. The victim
15 told Arbulu he never had a chance with him and stated that Arbulu attempted to intimidate
16 him after that by "mugging" him. Based on my training and experience I am familiar with
17 the term "mugging", and believe it to refer to staring at an individual in an intimidating
18 manner.

19
20 The victim further stated Arbulu was the freshmen soccer coach and that he (the victim) was
21 cut from team. The victim believes he did not make the team because he had denied
22 Arbulu's sexual advances. The victim stated he was a better player than half the individuals
23 that made the soccer team and he feels Arbulu chose those players because he was attracted

Ref SMPD Report: 04-0506-019			O/S Report:		
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002840

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 7 of 7 Report No. 04-0510-037

Code Violation	Date	Original Investigating Officer	Original Supplement
288(c)(1) PC	5/10/04	Detective Peruzzaro	XX

1 to them. The victim stated he went out for the soccer team, even though Arbulu was the
2 coach, because soccer is his sport.

3
4 The victim knows of at least one other possible victim and stated he would encourage the
5 individual to call me to report the inappropriate touching. The victim would not provide me
6 with his friend's name because he did not want to interfere with his friend's business.

7
8 The victim admitted he told [REDACTED] about the incident in Fresno, sometime during his
9 sophomore year, and that [REDACTED] asked him not to tell anyone. The victim assured [REDACTED]
10 he would not reveal what had happened. The victim stated the only reason he did not tell
11 any adults about the incident was because [REDACTED] the coach's son, was such a close friend.

12 **END OF STATEMENT**

13
14 Based on the statement of the victim, and the statement of Italo Arbulu in which he admitted
15 to having a fetish for young boys, I believe Italo Arbulu willfully and lewdly committed a
16 lewd or lascivious act, upon or with the body, or any part or member thereof, of a child of
17 14 or 15 years, and he was at least 10 years older than the child, in violation of Penal Code
18 section 288(c) (1) – 2 Counts.

19
20 **DISPOSITION: SUSPECT ALREADY IN CUSTODY, ADDITIONAL**
21 **CHARGES REQUESTED**

22 Forward to the District Attorney's Office for prosecution of Italo Arbulu for violation of
23 288(c) (1) – 2 counts.

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial: Scan Date:	

SMPD: CR2 (6/97)

BBBSA002841

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 1 of 1 Report No. 04-0510-037

Code Violation	Date	Original Investigating Officer	Original Supplement
288(c)(1) PC	6/01/04	Detective Peruzzaro	XX

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM: CONFIDENTIAL PER 293 PC

SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080

On 5/28/04, I went to victim # 2's high school to show him a photo line-up consisting of Arbulu and five similar looking individuals. Prior to showing Victim #2 the photo lineup, I had him read and sign the San Mateo Police Department Photo Line-up Admonition Form.

Upon viewing the line-up, Victim #2 identified the person depicted in the #2 position as the person who sexually assaulted him. It should be noted that Italo Arbulu was positioned in the #2 position.

DISPOSITION:

Attach to original report and forward to the District Attorney's Office.

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: <i>done 6-1-04</i> District Attorney (cc: DDA Sharon Henry ⁽²⁾)		
Supervisor: <i>T. L. [Signature]</i>	Badge #: 5-33	Date: 6-1-04	DOJ Entry:	BOL:	Initial Process:
SMPD: CR2 (6/97)			Scan Initial:		Scan Date:

BBBSA002842

Suspect Supplement San Mateo Police Department

Report No. 04-0511-024

04-0511-024

Susp # <u>1</u>						☐ Match Offenses With Incident Report						Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
S	288(a)(1)PC											AC	
Name: Last <u>Arbulu</u> First <u>Italo</u> Middle													
AKA / Nicknames / Tag <u>N/A</u>													
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes						
O	M	08-28-1963	40	509	160	BRN	BRN						
Home Address <u>3949 Stein Ct.</u>				City <u>SSF</u> <u>CA</u>		Residence Phone							
Employer <u>Whole Foods</u>						Occupation							
Business Address				City				Business Phone					
Hair Length		Hair Style		Facial Hair		SS #		DL #		CII #			
Bald/Thinning ☐		Straight ☐		Clean Shaven ☒		547-35-2474		C0283304					
Collar ☐		Wavy/Curly ☒		Beard ☐		General Clothing Description							
Short ☒		Afro/Natural ☐		Mustache ☐									
Long ☐		Braided ☐		Goatee ☐		Scars/ Marks/ Tattoos/ Other							
Receding ☐		Crew Cut ☐		Lower Lip ☐									
Other		Pony Tail ☐		Unshaven ☐		None							
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions				Additional					
Admitted Member ☐		Sex Registrant ☐						Suspects ☐					
Admitted Associate ☐		Parole/Probation ☐						Vehicle ☐					
Observed Association Only ☐		P.O.											
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate								
Additional Vehicle Description				R/O									

Susp # <u>2</u>						☐ Match Offenses With Incident Report						Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last First Middle													
AKA / Nicknames / Tag													
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes						
Home Address				City		Residence Phone							
Employer						Occupation							
Business Address				City				Business Phone					
Hair Length		Hair Style		Facial Hair		SS #		DL #		CII #			
Bald/Thinning ☐		Straight ☐		Clean Shaven ☐									
Collar ☐		Wavy/Curly ☐		Beard ☐		General Clothing Description							
Short ☐		Afro/Natural ☐		Mustache ☐									
Long ☐		Braided ☐		Goatee ☐		Scars/ Marks/ Tattoos/ Other							
Receding ☐		Crew Cut ☐		Lower Lip ☐									
Other		Pony Tail ☐		Unshaven ☐									
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions				Additional					
Admitted Member ☐		Sex Registrant ☐						Suspects ☐					
Admitted Associate ☐		Parole/Probation ☐						Vehicle ☐					
Observed Association Only ☐		P.O.											
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate								
Additional Vehicle Description				R/O									

Copperfire 02/03

BBBSA002843

Report No. 04-0511-024

San Mateo Police Department Incident Report

Page

of 8

Code 1: 288(a)(1) PC	Incident Desc 1: Lewd and Lascivious Acts With Minor	☐ Att ☐ O/S	Report #: 04-0511-024
Code 2:	Incident Desc 2:	☐ Att ☐ O/S	Date/Time/Day Occurred: 1999 Unk
Code 3:	Incident Desc 3:	☐ Att ☐ O/S	Date Rptd: 5/11/04
Location of Occurrence: Unknown Address in Burlingame			Name of Business (if applicable):
Victim's Name—Last, First, Middle (firm if business): Confidential Per 293 PC			Residence Telephone: Beat: O
DL #:	Race:	Sex:	DOB:
Business Address (include city):			Business Telephone:
Victim's Vehicle Yr.:	Make:	Model:	Color:
License #:			
☐ CK 293 Request ☐ DV Case ☐ Violent Crime Notice ☐ Orig CPS Referral ☐ Add'l Victims			No. of Suspects: 1
Codes: V=Victim O=Owner W=Witness R=Responsible DC=Discovered Crime RP=Reporting Person			

Code	Name (Last, First, Middle)	DL #	Race	Sex	DOB	Address	Res. Phone	Bus. Phone

NARRATIVE

1 Summary:

2 The 17-year-old victim disclosed that the suspect, Italo Arbulu, made sexual advances

3 toward him, and inappropriately touched him, when he was in the 6th grade.

4 The report was sent to the District Attorney's Office requesting that

5 Italo Arbulu be charged with two additional counts of 288(a)(1) PC.

6

7 Investigation:

8 See Attached Narrative Supplement

9

10

11

12

13

14

Item	Article	Qty.	Brand	Model	ID #	Description	Value

Total Recovered \$		Total Value \$	
Ref SMPD Report: ✓ 04-0506-019 & 04-0510-037 ✓		O/S Report:	
Reporting Officer: Detective Peruzzaro		Officer Follow-up:	
Supervisor: S67 <i>Law</i>		Badge #: 9	
Badge #: S-35		Date: 5/13/04	
Reports to: District Attorney (cc: DDA Sharon Henry)		DOJ Entry:	
Scan Initial:		Scan Date:	

SMPD: CR1 (7/97)

MAY 13 2004

BBBSA002844

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 2 of 8 Report No. 04-0511-024

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
288(a)(1) PC	5/11/04	Detective Peruzzaro		

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM: CONFIDENTIAL PER 293 PC

**SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080**

On 5/11/04, at approximately 1400 hours, I went to the victim's high school to investigate a possible sexual assault. On 5/11/04, I received information that the victim may have been inappropriately touched by Italo Arbulu. It should be noted that Arbulu was arrested on 5/07/04, for violation of 288(a) PC (6 – counts). For more details on his arrest refer to SMPD report #04-0506-019. Since the time Arbulu's arrest additional victims have come forward alleging sexual misconduct on the part of Arbulu. For more details on the second victim refer to SMPD #04-0510-037. The victim's name and any information pertaining to the victim will remain Confidential Per 293 PC.

Upon meeting with the victim at his high school I asked him if he knew why I wanted to speak to him and he stated probably because of what is going on with Italo Arbulu. Detective Hedley and I transported the victim to the San Mateo Police Department to conduct a videotaped interview. The audio and video cassette tapes were later logged into the SMPD Property Unit as evidence. The following is a summary of the victim's statement:

Ref SMPD Report: 04-0506-019/04-0510-037			O/S Report:		
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002845

NARRATIVE SUPPLEMENT

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)(1) PC	5/11/04	Detective Peruzzaro	XX

1 SUMMARY OF VICTIM'S STATEMENT:

2 The victim met Arbulu when he was in the 5th grade. Arbulu and the victim's father
3 coached the victim's CYSA soccer team together. The victim established a close
4 relationship with Arbulu and he became quite fond of Arbulu. The victim attended middle
5 school and a couple years of high school with Arbulu's son, [REDACTED] The victim
6 immediately disclosed that he saw Arbulu physically assault [REDACTED] in the past.

7
8 The victim stated he knew I wanted to speak to him because of the allegations of child
9 molestation being made against Arbulu. The victim admitted that Arbulu made several
10 sexual advances toward him while he was in the 6th and 7th grade.

11
12 The victim spent the night at Arbulu's residence, in Burlingame (unknown address), when
13 he was in the 6th grade. One day while the victim was in the 6th grade Arbulu called him
14 and asked him to spend the night at his (Arbulu's) residence. On the night of the first
15 sleepover the victim was getting ready to go to sleep in [REDACTED] room when Arbulu told
16 them (the victim and [REDACTED]) to sleep in his (Arbulu's) bed. The victim was not
17 comfortable with the sleeping arrangements; however, he was young and did not know how
18 to say no.

19
20 The victim wanted to sleep in the middle of the bed, next to [REDACTED] but Arbulu placed
21 himself in between the two boys. The victim went to bed fully clothed because he stated he
22 did not want to get "raped". Arbulu was only wearing his boxer shorts when he got into
23 bed. Arbulu offered to give the victim a pair of pajama pants to wear; however, the victim
24 turned down his offer and kept his own clothes on. The victim stated that almost

Ref SMPD Report: 04-0506-019/04-0510-037		O/S Report:	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial: Scan Date:	

SMPD: CR2 (8/97)

BBBSA002846

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 4 of 8 Report No. 04-0511-024

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)(1) PC	5/11/04	Detective Peruzzaro	<u>XX</u>

1 immediately upon getting into bed Arbulu placed his arm and leg on top of the victim. The
2 victim had been lying on his side and Arbulu spooned (cuddled) him. Arbulu had his body
3 positioned extremely close to the victim; however, the victim was unable to tell me whether
4 or not Arbulu had an erection.

5
6 The victim felt extremely uncomfortable and lied awake in bed and stayed awake for a
7 couple of hours. The victim dosed on and off several times throughout the night and stated
8 that time was moving very slow. The victim was anxious for morning to come so he could
9 get out of bed. The victim stated that each time he woke up during the night Arbulu was
10 spooning him. Based on my training and experience I am familiar with the term "spooning"
11 and believe it to mean one person positioning him or herself so that they have their arm and
12 leg over the other person's body.

13
14 The next morning Arbulu told the victim not to tell anyone that he had slept in his
15 (Arbulu's) bed with him. Arbulu told the victim he could get in trouble for them sleeping in
16 the same bed together.

17
18 The victim felt quite uncomfortable about the awkward sleeping arrangements; however he
19 admitted he spent the night a second time at Arbulu's residence approximately 1 month
20 later. The night of the 2nd sleepover Arbulu told the victim to sleep with him in his
21 (Arbulu's) bed and the victim did so; however, this time [REDACTED] slept in his own bed in a
22 separate room. Arbulu proceeded to spoon and cuddle with the victim throughout the
23 duration of the night. The victim was unable to tell me whether or not Arbulu had an

Ref SMPD Report: 04-0506-019/04-0510-037			O/S Report:		
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002847

NARRATIVE SUPPLEMENT

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)(1) PC	5/11/04	Detective Peruzzaro	XX

erection when he was cuddling with him. The victim stated he felt extremely uncomfortable with the sleeping arrangements and with what had happened.

The victim admitted he knew Arbulu's behavior was inappropriate but stated he (the victim) was young and did not really know how to say "No".

According to the victim there were approximately 15 different occasions during his 6th and 7th grade years when Arbulu made sexual advances toward him. The victim stated Arbulu took advantage of every opportunity to touch and caress him when he could. The victim stated that Arbulu would often tell him about a relationship he had with a 5-year-old boy when he (Arbulu) was 12-years-old. Arbulu told the victim that he and the other boy did "stuff" to each other and that the other boy's parents did not want them to spend time together. The victim stated that when Arbulu discussed his homosexual exploits he (Arbulu) would place his arm around the victim and caress his arm and leg.

The victim stated that Arbulu told him he (Arbulu) was a homosexual. The victim admitted to accidentally walking into Arbulu's room when he (Arbulu) was masturbating to a "gay" porno. The victim stated the porno consisted of two young male adults, approximately 16-20 years old, kissing each other. Upon observing Arbulu masturbating the victim immediately ran out of the room and went downstairs. Arbulu later confronted the victim and told him that is why you knock before entering a room. The victim described Arbulu as having a smile on his face when he made this comment.

Ref SMPD Report: 04-0506-019/04-0510-037		O/S Report:	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002848

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page

6 of 8

Report No.

04-0511-024

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
288(a)(1) PC	5/11/04	Detective Peruzzaro		

1 The victim stated that on one occasion prior to spending the night at Arbulu's residence he
2 walked into Arbulu's room while he (Arbulu) was on the computer. Arbulu was talking in a
3 Chat room on the computer and offered to show the victim how a Chat room operates.
4 Arbulu told the victim to sit on his lap and the victim did so. Arbulu was conversing with a
5 female on a "teen" Chat room and Arbulu instructed the victim to engage in a conversation
6 with the teenage girl. The victim engaged in a very briefly conversation and then quickly
7 terminated it. The victim was unable to tell me whether or not Arbulu had an erection while
8 he was sitting on his lap.

10 Arbulu also babysat the victim one night while the victim was in middle school. The victim
11 stated nothing really inappropriate happened except that Arbulu placed his arm around him
12 (the victim).

14 On another occasion, while the victim was in middle school, the victim, [REDACTED] and
15 Arbulu, were in the parking lot of the Metreon Movie Theatre in San Francisco, and
16 the victim made a negative comment about N.A.M.B.L.A (North American Man Boy
17 Lovers Association). Arbulu became upset over the comment and told him the victim that
18 some people would be offended by the derogatory N.A.M.B.L.A. comment.

20 The victim admitted that Arbulu has stretched him on multiple occasions, both on and off
21 the playing field. The victim recalled that Arbulu stretched him (the victim) while at
22 Arbulu's residence and during the stretch Arbulu placed the victim's legs over his (the
23 victim's) head. The victim was fully clothed at the time of the stretching at Arbulu's
24 residence.

Ref SMPD Report: 04-0506-019/04-0510-037		O/S Report:	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002849

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 7 of 8 Report No. 04-0511-024

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)(1) PC	5/11/04	Detective Peruzzaro	XX

1 The victim stated Arbulu's inappropriate behavior caused them to hate each other. The
2 victim feels Arbulu treated him poorly after he (the victim) turned down his sexual
3 advances. Arbulu coached the victim's freshman soccer team and the victim feels he was
4 treated different (harsher) than the other players because he had turned down his sexual
5 advances.

6
7 Sometime during the victim's freshmen year his (the victim's) parents told him (the victim)
8 that Arbulu told them he (Arbulu) thought the victim was gay. The victim's parents told
9 him (the victim) that Arbulu told them this sometime while the victim was still in middle
10 school. The victim's parents found this comment disturbing and it raised their concerns
11 about the appropriateness of Arbulu's relationships with children.

12
13 The victim admitted to telling some of his friends at his high school that Arbulu was gay.
14 Somehow the rumor got back to Arbulu and he became upset; however, Arbulu never
15 confronted the victim about the comments. Arbulu's son, [REDACTED] confronted the victim
16 about the rumor, and he (the victim) apologized to him.

17
18 At the time of the inappropriate touching the victim was approximately 11-years-old. Based
19 on the statement of the victim, and the statement of Italo Arbulu in which he admitted to
20 having a fetish for young boys, I believe Italo Arbulu willfully and lewdly committed a
21 lewd or lascivious act, upon or with the body, or any part or member thereof, of a child
22 under the age of 14, in violation of Penal Code section 288(a) (1) – 2 Counts.

Ref SMPD Report: 04-0506-019/04-0510-037		O/S Report:	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002850

NARRATIVE SUPPLEMENT

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)(1) PC	5/11/04	Detective Peruzzaro	XX

- 1 **DISPOSITION:** **SUSPECT ALREADY IN CUSTODY, ADDITIONAL**
2 **CHARGES REQUESTED**
3 Forward to the District Attorney's Office for prosecution of Italo Arbulu for violation of
4 288(a) (1) – 2 counts.
5

Ref SMPD Report: 04-0506-019/04-0510-037			O/S Report:		
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002851

San Mateo Police Department
Narrative Supplement

Report No. 04-0511-024

04-0511-024

Code Section 288(a) PC	Time 1900	Date 04-01-05	Original Investigating Officer Detective Peruzzaro	Original Supplement ☒
---------------------------	--------------	------------------	---	--

1 **PATROL SERVICES SUPPLEMENT:**
2
3 VICTIM: **CONFIDENTIAL PER 293 PC**
4
5
6 SUSPECT: **ARBULU, ITALO**
7 **3949 STEIN CT.**
8 **SOUTH SAN FRANCISCO**
9 **94080**
10
11
12 On 4/01/05, I met with the victim from this case, his parents, and DDA Guidotti for the purpose of
13 introducing the victim to DDA Guidotti. During the course of the meeting a few new pieces of
14 information were disclosed:
15
16 The victim stated that he does not know who any of the named victims in the case are. He
17 suspects he may know one of them but does not know for sure whether or not the potential
18 victim came forward. He identified the victim from SMPD Case #04-0510-037 as the possible
19 victim. The victim believes the victim in case #04-0510-037 may have been victimized by Arbulu
20 because of a conversation they had. During the conversation the victim from case 04-0510-037
21 told the victim from this case that he had a "weird" feeling about Arbulu. The victim further told
22 him about the comment Arbulu made to him while in the hotel room at the soccer tournament
23 regarding "Lets have some fun".
24
25 In a private conversation with the victim's mother she disclosed that there was a time period
26 during which the victim acted out of character. She approximated the time period to be right
27 around the time that the inappropriate touching occurred. The irregular behavior consisted of
28 the victim committing a couple of thefts from some of their neighbors. [REDACTED]
29 [REDACTED]
30 [REDACTED] She stated none of the victims desired prosecution.
31
32 In a private conversation with the victim's father he stated that one day after the victim spent the
33 night at Arbulu's residence he came home and told him that he never wanted to spend the night
34 at Arbulu's again. The victim told his father that Arbulu was "weird". The victim never spent the
35 night at Arbulu's residence again after making this comment.
36
37 The victim's mother provided me with two photographs of the victim from the fall of 2000. I
38 logged the photographs into the SMPD Property unit at evidence.
39
40

Ref SMPD Rpt	Reports to <u>District Attorney's Office (3)</u> <u>cc: DDA Guidotti</u>
O/S Rpt	
Reporting Officer <u>D. Peruzzaro</u> <u>DP 542</u>	ID # <u>S42</u>
Supervisor <u>[Signature]</u> <u>517</u>	Date <u>04-01-05</u>
DOJ Entry <u>BOL</u> Initial Process <u>[Signature]</u>	Scan Initial <u>APR 04 2005</u>

BBBSA002852

San Mateo Police Department
Narrative Supplement

Report No. 04-0511-024

04-0511-024

Code Section 288(a) PC	Time 1900	Date 04-01-05	Original Investigating Officer Detective Peruzzaro	Original Supplement ☒
41 DISPOSITION: 42 ATTACH TO ORIGINAL REPORT AND FORWARD A COPY TO DDA GUIDOTTI				
Ref SMPD Rpt O/S Rpt Reporting Officer D. Peruzzaro ID # S42 Supervisor _____ Badge # _____ Date 04-01-05 Reports to _____ DOJ Entry _____ BOL _____ Initial Process _____ Scan Initial _____ Scan Date _____				

BBBSA002853

SAN MATEO POLICE DEPARTMENT

Page

of

Report No. 04-0511-024

NARRATIVE SUPPLEMENT

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)(1) PC	6/01/04	Detective Peruzzaro	XX

1 INVESTIGATION SERVICES SUPPLEMENT:

2
3 VICTIM: CONFIDENTIAL PER 293 PC4
5 SUSPECT: ARBULU, ITALO

6 3949 STEIN CT.

7 SOUTH SAN FRANCISCO, CA

8 94080
9

10 On 5/28/04, I went to the victim's high school to show him a photo line-up consisting of
11 Arbulu and five similar looking individuals. Prior to showing Victim #3 the photo lineup, I
12 had him read and sign the San Mateo Police Department Photo Line-up Admonition Form.

13
14 Upon viewing the line-up, Victim #3 identified the person depicted in the #2 position as the
15 person who sexually assaulted him. It should be noted that Italo Arbulu was positioned in
16 the #2 position.

17
18 DISPOSITION:19 Attach to original report and forward to the District Attorney's Office.
20

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (cc: DDA Sharon Henry (3))		
Supervisor: T. Henry	Badge #: 5-33	Date: 6-1-04	DOJ Entry:	BOL:	Initial Process:
SMPD: CR2 (6/97)			Scan Initial:	Scan Date:	

JUN 01 2004

BBBSA002854

Suspect Supplement
San Mateo Police Department

Report No. 04-0514-031

04-0514-031

Susp # <u>1</u>						☐ Match Offenses With Incident Report		Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
A	288(a)PC	A	286(c)(1)PC	A	288a PC				
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last		First		Middle					
Arbulu		Italo							
AKA / Nicknames / Tag									
N/A									
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes		
O	M	08-28-1963	40	509	160	BRN	BRN		
Home Address			City		Residence Phone				
3949 Stein Ct.			SSF CA						
Employer					Occupation				
Whole Foods									
Business Address			City		Business Phone				
Hair Length		Hair Style		Facial Hair		SS #	DL #	CIL #	
Bald/Thinning ☐	Collar ☐	Straight ☐	Wavy/Curly ☒	Clean Shaven ☒	Beard ☐	547-35-2474	C0283304		
Short ☒	Long ☐	Afro/Natural ☐	Braided ☐	Mustache ☐	Goatee ☐	General Clothing Description			
Receding ☐	Other ☐	Crew Cut ☐	Pony Tail ☐	Lower Lip ☐	Unshaven ☐	Scars/ Marks/ Tattoos/ Other			
						None			
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions		Additional Suspects ☐			
Admitted Member ☐		Sex Registrant ☐				Vehicle ☐			
Admitted Associate ☐		Parole/Probation ☐							
Observed Association Only ☐		P.O.							
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate				
Additional Vehicle Description			R/O						

Susp # <u>2</u>						☐ Match Offenses With Incident Report		Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last		First		Middle					
AKA / Nicknames / Tag									
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes		
Home Address			City		Residence Phone				
Employer					Occupation				
Business Address					City		Business Phone		
Hair Length		Hair Style		Facial Hair		SS #	DL #	CIL #	
Bald/Thinning ☐	Collar ☐	Straight ☐	Wavy/Curly ☐	Clean Shaven ☐	Beard ☐				
Short ☐	Long ☐	Afro/Natural ☐	Braided ☐	Mustache ☐	Goatee ☐	General Clothing Description			
Receding ☐	Other ☐	Crew Cut ☐	Pony Tail ☐	Lower Lip ☐	Unshaven ☐	Scars/ Marks/ Tattoos/ Other			
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions		Additional Suspects ☐			
Admitted Member ☐		Sex Registrant ☐				Vehicle ☐			
Admitted Associate ☐		Parole/Probation ☐							
Observed Association Only ☐		P.O.							
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate				
Additional Vehicle Description			R/O						

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BBBSA002855

Report No. 04-0514-031

San Mateo Police Department Incident Report

Page 1 of 9

Code 1: 288(a) PC	Incident Desc 1: Lewd/Lascivious Acts w/child < 14	☐ Att ☐ O/S	Report #: 04-0514-031
Code 2: 286(c)(1) PC	Incident Desc 2: Sodomy	☐ Att ☐ O/S	Date/Time/Day Occurred: Summer 2000 - October 2000
Code 3: 288a PC	Incident Desc 3: Oral Copulation	☐ Att ☐ O/S	Date Rptd: 5/12/04
Location of Occurrence: Unknown Address in Burlingame		Name of Business (if applicable):	Beat: 0
Victim's Name--Last, First, Middle (firm if business): Confidential Per 293 PC		Residence Address (include city):	Residence Telephone:
DL #:	Race:	Sex:	DOB:
Business Address (include city):		Business Telephone:	
Victim's Vehicle Yr.:	Make:	Model:	Color:
License #:			
☐ CK 293 Request ☐ DV Case ☐ Violent Crime Notice ☐ Orig CPS Referral ☐ Add'l Victims No. of Suspects: 1			
Codes: V=Victim O=Owner W=Witness R=Responsible DC=Discovered Crime RP=Reporting Person			

Code	Name (Last, First, Middle)	DL #	Race	Sex	DOB	Address	Res. Phone	Bus. Phone

NARRATIVE

1 SUMMARY:

2 The victim disclosed to his mother that he was inappropriately touched by the suspect,
 3 Italo Arbulu, when he was 10 and 11 years old. During the course of the interview he
 4 disclosed he had spent the night at Arbulu's residence on at least 4 occasions. Arbulu
 5 inappropriately touched the victim during each of those sleepovers. The inappropriately
 6 touching consisted of the suspect touching the victim's penis, the victim touching the
 7 Arbulu's penis, Arbulu performing oral sex on the victim, and Arbulu penetrating the
 8 victim's anus with his penis. The report was sent to the District Attorney's Office
 9 requesting that Arbulu be charged with additional counts of 288(a) PC, 286(c)(1) PC,
 10 and 288a PC.

11

12 INVESTIGATION:

13 See Attached Narrative Supplement

14

Item	Article	Qty.	Brand	Model	ID #	Description	Value

Total Recovered \$		Total Value \$	
Ref SMPD Report: 04-0506-019/04-0510-037/04-0511-024		O/S Report:	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (CC: DDA Sharon Henry)
Supervisor: SGT. M. Johnson	Badge #: 5-35	Date: 5/19/04	DOJ Entry:
Scan Initial:		Scan Date:	
Officer Follow-up:		MAY 19 2004	

BBBSA002856

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 2 of 9 Report No. 04-0514-031

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro	XX

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM: CONFIDENTIAL PER 293 PC

SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080

On 5/11/04, I met with a subject in the front lobby of the San Mateo Police Department. Upon meeting with the person he stated his son, the victim, had been sexually molested by Italo Arbulu. The victim's name and any information pertaining to the victim will remain Confidential Per 293 PC. The victim is currently 14 years old, and the sexual assaults occurred when the victim was 10 and 11 years old. The victim's father and mother are divorced and the victim currently resides with his mother.

It should be noted that Italo Arbulu was arrested on 5/07/04, for violation of 288(a) PC (6 – counts). For more details in his arrest refer to SMPD report #04-0506-019. Since the time of his arrest more victims have come forward and made allegations against Arbulu. For more details on the allegations refer to SMPD report #'s 04-0510-037 and 04-0511-024.

The victim's father read the article in the newspaper about Arbulu being arrested for child molestation and he called the victim's mother to inform her of the arrest. The victim's father was aware of at least three occasions where the victim spent the night at Arbulu's

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024			O/S Report:		
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002857

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 3 of 9 Report No. 04-0514-031

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro	XX

1 residence. The victim's father trusted Arbulu and considered him to be a mentor for the
2 victim. The victim's mother told the victim about Arbulu's arrest and the victim disclosed
3 to her that Arbulu had sex with him.

4
5 I called the victim's mother and made arrangements to conduct a taped interview of the
6 victim on 5/17/04, at 1500 hours. The victim's mother provided me with a brief account of
7 the disclosure made by the victim. The following is a summary of her statement:

8
9 **SUMMARY OF VICTIM'S MOTHER'S STATEMENT:**

10 The victim's mother informed the victim of the arrest of Arbulu and she asked him if he had
11 been victimized by Arbulu. Upon being asked this question the victim looked completely
12 stunned and admitted it had happened to him. The victim told his mother that Arbulu had
13 sex with him, and that he (the victim) had been inappropriately touched on at least four
14 separate occasions. The victim was reluctant to discuss the details of the assaults with her.

15
16 The victim told his mother he (the victim) knew it was wrong what Arbulu had done to him
17 and that he did not know why he didn't tell anyone sooner. The victim told his mother that
18 on the night of the first sleepover he (the victim) went to sleep in Arbulu's son's [REDACTED]
19 room but Arbulu told him to sleep in his (Arbulu's) room. The victim attempted to sleep on
20 the floor in Arbulu's room; however, he (Arbulu) told him it was okay to sleep in his
21 (Arbulu's) bed. This was all the information the victim provided his mother.

22 **END OF STATEMENT**

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
			Scan Initial: Scan Date:

SMPD: CR2 (6/97)

BBBSA002858

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 4 of 9 Report No. 04-0514-031

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro		

On 5/17/04, at approximately 1500 hours, Detective Sanchez and I went to conduct a tape recorded interview of the victim. The audio and video cassette tapes were logged into the SMPD Property Unit as evidence. The following is a summary of the victim's statement:

SUMMARY OF VICTIM'S STATEMENT:

The victim met Arbulu when he (the victim) was 10 years old. Arbulu was the assistant coach for his older brother's soccer team and the victim used to attend the team's practices and games.

Sometime during the summer of the year 2000, Arbulu asked the victim to spend the night at his (Arbulu's) residence in Burlingame. The victim stated he was 10 years old at the time and it was the summer between the 4th and 5th grade. Arbulu's daughter, [REDACTED] was home the first night he spent the night at Arbulu's residence. The victim was unsure whether or not Arbulu's son, [REDACTED] was home.

After watching television the victim went to go to sleep in [REDACTED] room. As the victim was getting ready to go to bed, Arbulu told him he could sleep in his (Arbulu's) room. The victim entered Arbulu's room and proceeded to get ready to sleep on the floor. Arbulu told the victim he could sleep in his (Arbulu's) bed.

The victim was wearing a t-shirt and boxers when he got into Arbulu's bed. He was unable to tell me with certainty what Arbulu had been wearing. Almost immediately upon getting into bed with Arbulu he (Arbulu) started to massage his shoulders and back. The victim was lying on his side at the start of the massage. Arbulu worked his way down the victim's

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002859

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 5 of 9 Report No. 04-0514-031

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro	XX

1 back and massaged his buttocks. Initially, Arbulu massaged the victim's buttocks on the
2 exterior of his boxer shorts. Arbulu proceeded to remove the victim's boxers and massaged
3 his bare buttocks with his hands. The victim described himself as being really tense and
4 "kind of scared".

5
6 The victim was lying facedown on Arbulu's bed while he (Arbulu) was massaging his
7 buttocks. At some point during the massage Arbulu rolled the victim onto his back and
8 touched his (the victim's) penis. Arbulu proceed to give the victim a "hand job". The
9 victim's penis was erect and Arbulu massaged his penis until he (the victim) climaxed. The
10 victim did not ejaculate because he was too young. The victim further stated he had never
11 masturbated prior to Arbulu giving him a "hand job". After the victim climaxed he
12 positioned himself back on his side and Arbulu proceeded to touch the victim's lower back
13 and anus with his (Arbulu's) penis. The victim described Arbulu's penis as being erect. He
14 stated that Arbulu did not penetrate his (the victim's) anus with his penis. While the victim
15 was lying in bed with Arbulu he observed him (Arbulu) masturbate and ejaculate on himself
16 (Arbulu). The victim stated, "I was so scared".

17
18 Arbulu told the victim not to tell his dad where he (the victim) slept. The victim stated he
19 never told anyone about what had happened with Arbulu, until he told his mother last week
20 (05/2004).

21
22 The victim was unable to tell me the exact date of the first sleepover; however, he is sure it
23 was sometime in the summer 2000. The victim was 10 years old at the time and it was
24 during the summer between the 4th and 5th grade. The victim spent the night at Arbulu's

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
			Scan Initial: Scan Date:

SMPD: CR2 (6/97)

BBBSA002860

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 6 of 9 Report No. 04-0514-031

Code/Violation	Date	Original Investigating Officer	Original Supplement
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro	XX

1 residence 4-5 times from the summer of 2000 to October 2000. The victim was unable to
2 recall the exact details of the sleepovers except for the first and last one. During each of the
3 sleepovers Arbulu gave the victim a "hand job". Each time while getting the "hand jobs"
4 from Arbulu he (the victim) was positioned on his back. The victim stated there may have
5 been one time that he did not climax while receiving a "hand job" from Arbulu. During
6 each of the sleepovers Arbulu touched the victim's lower back and anus with his erect
7 penis.

8
9 There were at least two occasions during which the victim gave Arbulu a "hand job". Each
10 of the "hand jobs" was initiated by Arbulu placing the victim's hand on his (Arbulu's) penis
11 and moving his hand up and down. The victim would give Arbulu a "hand job" for a short
12 period of time and then Arbulu would remove the victim's hand and masturbate himself.
13 The victim observed Arbulu masturbate on three separate occasions while spending the
14 night at Arbulu's residence.

15
16 The victim stated the last time he spent the night at Arbulu's residence was a couple of days
17 after Halloween 2000. The victim knows it was after Halloween because he recalled seeing
18 smashed pumpkins on the ground while his dad drove him home from Arbulu's residence.
19 The inappropriate touching stopped shortly after his (the victim's) 11th birthday (10/14).

20
21 During the night of the last sleepover Arbulu gave the victim a "hand job" and rubbed his
22 erect penis against the victim's lower back and anus. Arbulu inserted his penis into the
23 victim's anus during the night of the last sleepover. The victim experienced a great deal of
24 pain when Arbulu penetrated his anus with his (Arbulu's) penis. The victim told Arbulu to

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024			O/S Report:		
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002861

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 7 of 9 Report No. 04-0514-031

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro		

1 stop and Arbulu complied with his request. The victim recalled Arbulu laughing as he
2 removed his penis from his anus. The victim is positive Arbulu inserted his penis into his
3 anus. The victim was lying on his side when Arbulu inserted his penis into his (the
4 victim's) anus. Arbulu inserted at least half his penis inside the victim's anus. Arbulu was
5 not wearing a condom and he did not use any lubricant. Arbulu did not have his penis
6 inside the victim's anus for very long and he (Arbulu) did not ejaculate inside his (the
7 victim's) anus. The victim did not experience any bleeding as a result of being sodomized.

8
9 Arbulu performed oral sex on the victim during the night of the last sleepover. While
10 Arbulu was performing oral sex on the victim he (Arbulu) asked him (the victim) if he liked
11 it and the victim told Arbulu, "No". Arbulu stopped performing oral sex on the victim after
12 he (the victim) told him he did not like it. The victim never performed oral sex on Arbulu.

13
14 Arbulu told the victim not to tell anyone about their sleeping arrangements, and about what
15 had happened, after each time the victim spent the night with him. The victim felt he could
16 only be controlled by Arbulu while he was at his (Arbulu's) residence. Arbulu would only
17 inappropriately touch the victim while he (the victim) was at his residence. The victim felt
18 safe when he was with his parents and when they were out in public and there were other
19 people around. The victim believed the only way to stop being sexually assaulted by
20 Arbulu was to avoid going to his residence. Arbulu asked the victim repeatedly to spend the
21 night at his house; however the victim would put him off and fabricate excuses to avoid
22 spending the night with him. Eventually Arbulu got the point and stopped asking the victim
23 to spend the night at his residence.

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report:	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002862

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 8 of 9 Report No. 04-0514-031

Code/Violation	Date	Original Investigating Officer	Original Supplement
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro	<u>XX</u>

Arbulu told the victim about a "boy" he (Arbulu) met with his son, [REDACTED], while at Club Med (possibly in Mexico) and how the "boy" approached Arbulu for sex. Arbulu would tell the victim how he "fucked" that one "kid". The victim said the "boy" was from the San Diego area and that he (the boy) came to visit Arbulu. The victim saw the boy on one occasion when Arbulu brought him to a soccer game.

When I asked the victim why he did not tell anyone about the inappropriate touching he stated he felt it was his problem and that he had to deal with it on his own.

Following the interview I had the victim read and sign the San Mateo Police Department Photo Lineup Admonition Form. Upon viewing the lineup the victim identified the person depicted in the #2 position as Arbulu. It should be noted that the victim positively identified Arbulu, as he was depicted in the #2 position.

END OF STATEMENT

Based on the statement of the victim, and the statement of Italo Arbulu in which he admitted to having a fetish for young boys, I believe Italo Arbulu willfully and lewdly committed a lewd or lascivious act, upon or with the body, or any part or member thereof, of a child under the age of 14, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person, or the child, a violation of California Penal Code section 288(a) – 11 counts.

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024			O/S Report:		
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002863

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 9 of 9 Report No. 04-0514-031

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a)/286(c)(1)/288a PC	5/10/04	Detective Peruzzaro	XX

1 I further believe Arbulu participated in an act of oral copulation with another person who is
2 under the age of 14, and more than 10 years younger than he, a violation of California Penal
3 Section 288a(c)(1) – 1 count.

4
5 I further believe Arbulu participated in sexual conduct consisting of contact between the
6 penis of one person and the anus of another person, and the act was with a person under the
7 age of 14, and more than 10 years younger than he, a violation of California Penal Section
8 286(c)(1) – 1 count.

9
10
11 **DISPOSITION: SUSPECT ALREADY IN CUSTODY, ADDITIONAL CHARGES**
12 **REQUESTED**

13 Forward to the District Attorney's Office for prosecution of Italo Arbulu for violation of
14 288(a) – 11 counts, 288a(c) (1) – 1count, and 286(c) (1) – 1 count.

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024			O/S Report:		
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002864

Suspect Supplement
San Mateo Police Department

Report No. 04-0526-025

04-0526-025

Susp # <u>1</u>						☐ Match Offenses With Incident Report		Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
S	288(a)PC								
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last		First		Middle					
Arbulu		Italo							
AKA / Nicknames / Tag									
N/A									
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes		
O	M	08-28-1963	40	5-9	160	BRN	BLK		
Home Address			City		Residence Phone				
3949 Stein Ct.			SSF CA						
Employer					Occupation				
Whole Foods									
Business Address			City		Business Phone				
Hair Length		Hair Style		Facial Hair		SS #	DL #	CII #	
Bald/Thinning ☐		Straight ☐		Clean Shaven ☒		547-35-2474	C0283304		
Collar ☐		Wavy/Curly ☒		Beard ☐		General Clothing Description			
Short ☒		Afro/Natural ☐		Mustache ☐					
Long ☐		Braided ☐		Goatee ☐		Scars/ Marks/ Tattoos/ Other			
Receding ☐		Crew Cut ☐		Lower Lip ☐					
Other		Pony Tail ☐		Unshaven ☐					
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions			Additional		
Admitted Member ☐		Sex Registrant ☐					Suspects ☐		
Admitted Associate ☐		Parole/Probation ☐					Vehicle ☐		
Observed Association Only ☐		P.O.							
Driver ☐	Vehicle Year	Vehicle Make		Vehicle Model	Vehicle Color	Vehicle License Plate			
Additional Vehicle Description				R/O					

Susp # <u>2</u>						☐ Match Offenses With Incident Report		Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last		First		Middle					
AKA / Nicknames / Tag									
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes		
Home Address			City		Residence Phone				
Employer					Occupation				
Business Address					City		Business Phone		
Hair Length		Hair Style		Facial Hair		SS #	DL #	CII #	
Bald/Thinning ☐		Straight ☐		Clean Shaven ☐					
Collar ☐		Wavy/Curly ☐		Beard ☐		General Clothing Description			
Short ☐		Afro/Natural ☐		Mustache ☐					
Long ☐		Braided ☐		Goatee ☐		Scars/ Marks/ Tattoos/ Other			
Receding ☐		Crew Cut ☐		Lower Lip ☐					
Other		Pony Tail ☐		Unshaven ☐					
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions			Additional		
Admitted Member ☐		Sex Registrant ☐					Suspects ☐		
Admitted Associate ☐		Parole/Probation ☐					Vehicle ☐		
Observed Association Only ☐		P.O.							
Driver ☐	Vehicle Year	Vehicle Make		Vehicle Model	Vehicle Color	Vehicle License Plate			
Additional Vehicle Description				R/O					

Copprint 0203

BBBSA002865

San Mateo Police Department Incident Report

04-0526-025

Code 1 288(a)PC	Incident Desc 1 SEX/LEWD/LASCIVIOUS ACTS/CHILD UNDER 14 YRS	Att ☐ O/S ☐	Report # 04-0526-025				
Code 2	Incident Desc 2	Att ☐ O/S ☐					
Code 3	Incident Desc 3	Att ☐ O/S ☐					
Date/Time/Day Occurred 01- 01 / Night time		To 01- 01	Date Rptd Time Rptd 05-25-04 1045				
Location of Occurrence Lake Tahoe, CA		Name of Business (if applicable) N/A	Beat				
Victim's Name - Last, First, Middle (firm if business) Confidential Per 293 PC		Residence Address (Include City) 					
Residence Telephone 		Business Telephone 					
DL#	Race	Sex	DOB				
Business Address (Include City) 		Business Telephone 					
Victim's Vehicle Yr.	Make	Model	Color				
License #							
CK 293 Request ☐	DV Case? ☐	Violent Crime Notice ☐	Orig CPS Referral ☐				
Add'l Victims ☐	# of Suspects 1						
Code	Name - Last, First, Middle (firm if business)	Residence Address (Include City)	Residence Telephone				
DL#	Race	Sex	DOB				
Business Address (Include City)		Business Telephone					
Code	Name - Last, First, Middle (firm if business)	Residence Address (Include City)	Residence Telephone				
DL#	Race	Sex	DOB				
Business Address (Include City)		Business Telephone					
Code	Name - Last, First, Middle (firm if business)	Residence Address (Include City)	Residence Telephone				
DL#	Race	Sex	DOB				
Business Address (Include City)		Business Telephone					
1 SUMMARY: 2 3 The victim disclosed that he was inappropriately touched (massaged) by his soccer/track coach. I 4 interviewed the victim and he identified the suspect as Italo Arbulu. Victim described an incident that 5 occurred in January of 2001 when victim and Arbulu were in Lake Tahoe. Victim stated this was the 6 only incident he had with Arbulu. 7 8 9 10 11 INVESTIGATION: 12 13 See attached narrative supplement.							
Item	Article	QTY	Brand	Model	ID #	Description	Value Per Item
							\$
							\$
							\$
Total Recovered \$				Total Damaged \$		Total Value \$	
0				0		0	
Ref SMPD Rpt				Reports to:			
O/S Rpt				c : District Attorney- Sharon Henry ⁽³⁾			
Reporting Officer T. Gonzales				Badge # S33			
Supervisor G. P. Hamann				Date 05-26-04			
DOJ Entry				BOL		Initial Process	
Scan Initial				Scan Date		MAY 28 2004	

BBBSA002866

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 3 of 7 Report No. 04-0526-025

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5-27-04	Detective Dave Peruzzaro	☒

INVESTIGATION SUPPLEMENT:

On 5-25-04 at about 1045 hours, I contacted a possible victim of a sexual assault at Serra High School in the City of San Mateo. The victim's name and any information pertaining to the victim will remain confidential per 293 PC. The victim is currently 17 years old, and the sexual assault occurred when the victim was thirteen years of age.

Suspect Italo Arbulu was arrested on 5-7-04 for violation of 288(a) PC (6 counts). For more details in his arrest refer to SMPD report 04-0506-019 (Detective Peruzzaro). Since the time of Arbulu's arrest, more victims have come forward and made allegations against Arbulu.

I met with the victim and transported him to San Mateo Police Department for an interview. The following is a summary of my interview with the victim.

The victim first met Arbulu when the victim was in the eighth grade in Burlingame and playing soccer. Arbulu was coaching soccer in Burlingame at the time. The victim did not have much contact with Arbulu during the eighth grade other than playing soccer on one of the teams Arbulu was coaching.

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer: Sgt. Ted Gonzales <i>T.G.</i>		Badge #: S33	Reports to: District Attorney (Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002867

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 4 of 7 Report No. 04-0526-025

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5-27-04	Detective Dave Peruzzaro	☒

1 The victim attended Serra High School during his freshman year. Arbulu was the soccer
2 coach at Serra during this time and the victim was part of the soccer team. The victim
3 described Arbulu as a "nice guy" but at times could be very strict. At the end of the soccer
4 season (freshman year) Arbulu took the entire soccer team to a paint ball gallery where
5 everyone was allowed to shoot paint-balls at each other. The victim did not feel that Arbulu
6 was doing anything inappropriately at the time.

7
8 During that same time period (shortly after the soccer season-January 2001) Arbulu asked
9 the victim if he wanted to go to Lake Tahoe with him. Arbulu said his ex-wife, daughter
10 and son were going to Tahoe as well. The victim had to check with his parents about the
11 trip to Tahoe. The parents allowed the victim to go to Tahoe because the parents knew of
12 Arbulu. The victim thought they had left for Lake Tahoe on a Friday afternoon.

13
14 The victim and Arbulu drove up to Tahoe in Arbulu's vehicle. The victim's understanding
15 at the time was that Arbulu's former wife and two children were already at Lake Tahoe
16 awaiting his arrival.

17
18 Arbulu and the victim arrived in Lake Tahoe and met with Arbulu's x-wife and daughter.
19 Arbulu later told the victim that his son could not make the trip. Arbulu and the victim
20 shared a room (two separate beds) while Arbulu's ex-wife and daughter shared a second
21 room.

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer: Sgt. Ted Gonzales		Badge #: S33	Reports to: District Attorney (Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002868

NARRATIVE SUPPLEMENT

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5-27-04	Detective Dave Peruzzaro	☒

Arbulu and the victim went snowboarding while in Lake Tahoe. The victim said nothing unusual took place on the first night he slept in the room (separate beds) with Arbulu. On the second day, the victim again went snowboarding but on this occasion he injured his wrist as a result of falling from the snowboard. Arbulu assisted the victim in seeking medical treatment and it was determined that the victim suffered from a sprain.

Later in the evening, Arbulu and the victim were alone in their room. Arbulu asked the victim if he wanted a massage on his injured wrist to which the victim agreed. Arbulu put cream on the victim's wrist and began massaging it.

Arbulu said he would then massage the victim's back since he was sore from the snowboarding incident. The victim said he was lying down on the bed, face down, wearing only boxer shorts. As Arbulu was massaging the victim's back, Arbulu asked the victim if he wanted him to "go lower." The victim said "no." At this point, Arbulu started to move his hands towards the victim's waist line and under his boxers. The victim told Arbulu to stop and Arbulu complied. Arbulu then made a statement similar to "I could have easily grabbed your balls." The victim said Arbulu never actually touched his buttocks.

The victim said that he and Arbulu had a conversation in the room that same weekend that the victim felt was strange. Arbulu told the victim about an incident when Arbulu was in a room with another male subject. Arbulu told the victim that Arbulu walked into the bathroom where the male subject was taking a shower and noticed that the male subject had an "erection." Arbulu said that he had told the male subject "it does not bother me." The

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer: Sgt. Ted Gonzales		Badge #: S33	Reports to: District Attorney (Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002869

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 6 of 7 Report No. 04-0526-025

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5-27-04	Detective Dave Peruzzaro	☒

1 victim felt it was strange that Arbulu would tell him of this incident. Arbulu did not say
2 who the male subject was and did not provide a name.

3
4 The victim said that on the second night at the hotel, Arbulu began joking around saying
5 "Do you want to sleep together; I can make your wrist feel better." The victim told Arbulu
6 that he did not want to sleep with him and wanted to sleep in his own bed since they had
7 two separate beds in the room.

8
9 The victim said that he and Arbulu left Lake Tahoe on Sunday and the victim rode home
10 with Arbulu. Arbulu was telling the victim of a "boy" Arbulu knew and how Arbulu
11 became close with this "boy." Arbulu said he bought the "boy" a new car before the "boy"
12 left for college. Arbulu also described how the "boy" would always come over to Arbulu's
13 residence and watch movies with him.

14
15 The victim told me that during the weekend stay in Lake Tahoe with Arbulu, there was no
16 alcohol present.

17
18 The victim said he did not see Arbulu after that weekend in Lake Tahoe until the victim's
19 sophomore year. The victim signed up for the track team and Arbulu was the coach.
20 Arbulu seemed "normal" but was not as nice as he was when the victim was with him in
21 Lake Tahoe.

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer: Sgt. Ted Gonzales		Badge #: S33	Reports to: District Attorney (Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002870

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 7 of 7 Report No. 04-0526-025

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) PC	5-27-04	Detective Dave Peruzzaro	<u>X</u>

1 Arbulu contacted the victim by phone during the victim's junior year. Arbulu said he
2 wanted to meet the victim at school (Serra) because he had something important to talk
3 about. The victim showed up early at school but did not see Arbulu. The victim later met
4 up with Arbulu and Arbulu started accusing the victim of spreading rumors that he (Arbulu)
5 was gay. The victim said he was not sure what Arbulu was talking about because the victim
6 had never made such statements. Arbulu then told the victim that he would get the victim
7 "kicked out of Serra" if he continued to spread rumors.

8
9 Arbulu told the victim that he was not talking to the victim as much anymore because the
10 victim "got hairier during his sophomore year. The victim said that during some of their
11 conversations at Serra, Arbulu would point out different male students to the victim and
12 make such statements as "boy, look at that. He has a nice figure."

13
14 The victim said his last contact with Arbulu was just before his arrest. At that time, the
15 victim had "small talk" with Arbulu and there was nothing inappropriate.

16
17
18
19 **DISPOSITION:**

20
21 Suspect Italo Arbulu already in custody. Forward to District Attorney's Office (Sharon
22 Henry) for additional charge of 288(a) PC.

Ref SMPD Report: 04-0506-019		O/S Report:	
Reporting Officer: Sgt. Ted Gonzales		Badge #: S33	Reports to: District Attorney (Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002871

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 1 of 1 Report No. 04-0526-025

Code Violation:	Date	Original Investigating Officer	Original Supplement
288(a) PC	6/01/04	Detective Sergeant Gonzales	XX

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM: CONFIDENTIAL PER 293 PC

SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080

On 5/28/04, I went to victim # 6's high school to show him a photo line-up consisting of Arbulu and five similar looking individuals. Prior to showing Victim #6 the photo lineup, I had him read and sign the San Mateo Police Department Photo Line-up Admonition Form.

Upon viewing the line-up, Victim #6 identified the person depicted in the #2 position as the person who sexually assaulted him. It should be noted that Italo Arbulu was positioned in the #2 position.

DISPOSITION:

Attach to original report and forward to the District Attorney's Office.

Ref SMPD Report:		O/S Report:	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: (District Attorney (cc: DDA Sharon Henry (3)))
Supervisor: <i>T. Henry</i>	Badge #: 5-33	Date: 6-1-04	DOJ Entry: BOL: Initial Process: <i>MSH</i>
SMPD: CR2 (6/99)		Scan Initial:	Scan Date:

BBBSA002872

Suspect Supplement
San Mateo Police Department

Report No. 04-0526-030

04-0526-030

Susp # <u>1</u>						☐ Match Offenses With Incident Report						Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
A	286(c)(1)PC	A	288a PC										
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last				First				Middle					
AKA / Nicknames / Tag													
N/A													
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes						
O	M	08-28-1963	40	509	160	BRN	BRN						
Home Address				City				Residence Phone					
3949 Stein Ct.				SSF CA									
Employer						Occupation							
Whole Foods													
Business Address						City				Business Phone			
Hair Length		Hair Style		Facial Hair		SS #		DL #		CIL #			
Bald/Thinning ☐		Straight ☐		Clean Shaven ☒		547-35-2474		C0283304					
Collar ☐		Wavy/Curly ☒		Beard ☐		General Clothing Description							
Short ☒		Afro/Natural ☐		Mustache ☐									
Long ☐		Braided ☐		Goatee ☐									
Receding ☐		Crew Cut ☐		Lower Lip ☐									
Other		Pony Tail ☐		Unshaven ☐									
		Other		Other		None							
Gang Affiliation				Supervised Release Flag ☐				P.O. Conditions				Additional	
Admitted Member ☐				Sex Registrant ☐								Suspects ☐	
Admitted Associate ☐				Parole/Probation ☐								Vehicle ☐	
Observed Association Only ☐				P.O.									
Driver ☐		Vehicle Year		Vehicle Make		Vehicle Model		Vehicle Color		Vehicle License Plate			
Additional Vehicle Description						R/O							

Susp # <u>2</u>						☐ Match Offenses With Incident Report						Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense		
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense	AC	
Name: Last				First				Middle					
AKA / Nicknames / Tag													
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes						
Home Address				City				Residence Phone					
Employer						Occupation							
Business Address						City				Business Phone			
Hair Length		Hair Style		Facial Hair		SS #		DL #		CIL #			
Bald/Thinning ☐		Straight ☐		Clean Shaven ☐									
Collar ☐		Wavy/Curly ☐		Beard ☐		General Clothing Description							
Short ☐		Afro/Natural ☐		Mustache ☐									
Long ☐		Braided ☐		Goatee ☐									
Receding ☐		Crew Cut ☐		Lower Lip ☐									
Other		Pony Tail ☐		Unshaven ☐									
		Other		Other									
Gang Affiliation				Supervised Release Flag ☐				P.O. Conditions				Additional	
Admitted Member ☐				Sex Registrant ☐								Suspects ☐	
Admitted Associate ☐				Parole/Probation ☐								Vehicle ☐	
Observed Association Only ☐				P.O.									
Driver ☐		Vehicle Year		Vehicle Make		Vehicle Model		Vehicle Color		Vehicle License Plate			
Additional Vehicle Description						R/O							

Copperfire 02/03

BBBSA002873

Report No. 04-0526-030	San Mateo Police Department Incident Report						Page 1 of 6	
	Code 1: 286(c)(1) PC		Incident Desc 1: Sodomy			Report #: 04-0526-030		
	Code 2: 288a PC		Incident Desc 2: Oral Sex w/ minor			Date/Time/Day Occurred: Summer 1999		
	Code 3:		Incident Desc 3:			Date Rptd: 5/25/04		
	Location of Occurrence: Unknown Address in Burlingame		Name of Business (if applicable):			Beat: 0		
	Victim's Name—Last, First, Middle (firm if business): Confidential Per 293 PC			Residence Address (include city):			Residence Telephone:	
	DL #:		Race:		Sex:		DOB:	
	Business Address (include city):			Business Telephone:				
	Victim's Vehicle Yr.:		Make:		Model:		Color:	
	License #:							
☐ CK 293 Request ☐ DV Case ☐ Violent Crime Notice ☐ Orig CPS Referral ☐ Add'l Victims No. of Suspects: 1 Codes: V=Victim O=Owner W=Witness R=Responsible DC=Discovered Crime RP=Reporting Person								
Code	Name (Last, First, Middle)	DL #	Race	Sex	DOB	Address	Res. Phone	Bus. Phone
NARRATIVE								
1 SUMMARY:								
2 The victim met the suspect, Italo Urbulu, while he was on vacation with								
3 his parents at Club Med in Mexico. The victim was 13 years old when he met Arbulu.								
4 In April 1999 the victim went to spend a week with Urbulu at his residence in Burlingame.								
5 While the victim was staying with Urbulu's he was orally copulated and sodomized by								
6 Urbulu. The victim also orally copulated Urbulu. The report was sent to the District								
7 Attorney's Office requesting that Arbulu be charged with additional counts of								
8 286(c)(1) and 288a PC.								
9								
10 INVESTIGATION:								
11 See Attached Narrative Supplement								
12								
13								
14								
Item	Article	Qty.	Brand	Model	ID #	Description	Value	
Total Recovered \$						Total Value \$		
Ref SMPD Report: 04-0506-019/04-0510-037/04-0511-024				O/S Report: SMPD #04-0514-031			Officer Follow-up: RMS/AK	
Reporting Officer: Detective Peruzzaro				Badge #: 9		Reports to: <u>DA(3) w/ XREF'S</u> District Attorney Office(CC: DDA Sharon Henry)		
Supervisor: <i>T. Sanchez</i>		Badge #: 5-33		Date: 5/28/04		DOJ Entry:		BOL:
Scan Initial:		Scan Date:		Initial Print: <u>MAY 28 2004</u>				

BBBSA002874

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 2 of 6 Report No. 04-0526-030

Code Violation	Date	Original Investigating Officer	Original Supplement
286(c)(1)/288a PC	5/26/04	Detective Peruzzaro	<u>XX</u>

INVESTIGATION SERVICES SUPPLEMENT:

VICTIM #5: CONFIDENTIAL PER 293 PC

SUSPECT: ARBULU, ITALO
3949 STEIN CT.
SOUTH SAN FRANCISCO, CA
94080

On 5/25/04, Detective Sanchez and I went to Tustin, California to interview a possible victim of a sexual assault. The victim's name and any information pertaining to the victim will remain Confidential Per 293 PC. The victim is currently 18 years old, and the sexual assault occurred when the victim was 13 years old.

It should be noted that Italo Arbulu was arrested on 5/07/04, for violation of 288(a) PC (6 – counts). For more details in his arrest refer to SMPD report #04-0506-019. Since the time of his arrest more victims have come forward and made allegations against Arbulu. For more details on the allegations refer to SMPD reports 04-0510-037, 04-0511-024, and 04-0514-031.

On 5/25/04, at 1600 hours, Detective Sanchez and I met the victim, and his parents, at the Tustin Police Department, in Tustin, California. We then conducted a tape-recorded interview of the victim. The following is a summary of his statement:

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report: SMPD #04-0514-031	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry:
			BOL:
			Initial Process:
			Scan Initial:
			Scan Date:

SMPD: CR2 (6/97)

BBBSA002875

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 3 of 6 Report No. 04-0526-030

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
286(c)(1)/288a PC	5/26/04	Detective Peruzzaro		

SUMMARY OF VICTIM'S STATEMENT:

The victim met Arbulu while he was on vacation with his parents at Club Med in Mexico. It was later determined the victim met Arbulu while on spring break in April 1999. The victim spent a great deal of time with Arbulu, and his son, [REDACTED] towards the latter part of the vacation. The victim described Arbulu as being like another playmate and stated he was not your typical adult. The victim remained in contact with Arbulu and [REDACTED] and went to spend a week with Arbulu and [REDACTED] in the summer of 1999 (July or August).

The victim admitted he had experimented with oral sex with other boys and girls his age prior to meeting Arbulu. The victim described himself as being bisexual at the time of the sexual assault. The victim is not sure when or where the conversation took place about him being bisexual but he is sure he discussed it with Arbulu. The victim admitted to being attracted to Arbulu, and having intimate thoughts about him, prior to going to visit him in the summer of 1999.

The victim could not recall specific details about the sexual activity he engaged in with Arbulu, but he knows it only happened one night and it was approximately the 4th or 5th night he (the victim) stayed with him (Arbulu). The victim believes he and Arbulu must have discussed what was going to happen between them that particular night because it seemed planned.

On the night the sexual activity took place the victim spent the night with Arbulu in Arbulu's bedroom. The victim believes Arbulu's son, [REDACTED] and his daughter, [REDACTED] were gone that night and that was the reason why he spent the night in Arbulu's room. The

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report: SMPD #04-0514-031	
Reporting Officer: Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002876

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 4 of 6 Report No. 04-0526-030

Code Violation	Date	Original Investigating Officer	Original Supplement	XX
286(c)(1)/288a PC	5/26/04	Detective Peruzzaro		

victim believes [REDACTED] and [REDACTED] spent the night with their mother that particular night.

The victim could not recall the specific details of how the sexual activity was initiated but he thinks Arbulu probably initiated it. Arbulu performed oral sex on the victim twice and the victim performed oral sex on Arbulu once. The victim ejaculated on both occasions and ejaculated inside Arbulu's mouth. The victim performed oral sex on Arbulu one time; however, he only placed his mouth on Arbulu's penis for approximately 3-5 seconds. Arbulu did not ejaculate as a result of him (the victim) performing oral sex and the victim stopped because he did not like performing oral sex on Arbulu.

The victim stated Arbulu partially penetrated the victim's anus with his penis. Arbulu did not wear a condom and he did not use any lubricant. The victim did not experience any bleeding as a result of being sodomized. Arbulu did not digitally penetrate the victim's anus prior to sodomizing him. Prior to sodomizing the victim Arbulu told him, "I just want to do it". Arbulu placed part of his penis inside the victim's anus and the victim told Arbulu to stop and Arbulu complied with his request. Arbulu did not ejaculate inside the victim's anus. The victim never observed Arbulu masturbate or ejaculate at any point during the night.

Arbulu asked the victim if he wanted to place his (the victim's) penis in his (Arbulu's) anus and the victim told him, "No". The victim had not engaged in any type of anal sex prior to being sodomized by Arbulu. The victim further stated he is a virgin.

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report: SMPD #04-0514-031	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002877

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 5 of 6 Report No. 04-0526-030

Code Violation	Date	Original Investigating Officer	Original Supplement
286(c)(1)/288a PC	5/26/04	Detective Peruzzaro	XX

1 The victim was unable to recall with certainty whether or not Arbulu gave him a "hand job"
2 or not. The victim said it was probable that Arbulu gave him a "hand job" prior to
3 performing oral sex on him; however, he is not sure. The victim further admitted he and
4 Arbulu engaged in "French Kissing" prior to the other sexual activity.

6 The victim stated they only engaged in sexual activity the one night. At some point the
7 victim told Arbulu he was not comfortable with what had happened. The victim described
8 Arbulu as being "sad" because the situation stopped. Arbulu told the victim not to tell
9 anyone about what had happened between them.

11 The victim admitted he never told anyone about what happened between him and Arbulu.
12 The victim stated he tried to put it out of his mind, and that he almost went "insane" as a
13 result of had happened. The victim further stated he has "gotten over it" and that he is
14 trying to get "along".

16 Arbulu mailed the victim a letter after the incident; however, the victim did not respond.
17 The victim has lost contact with Arbulu and [REDACTED] The victim stated his relationship
18 with [REDACTED] was awkward as a result of what had happened between them. The victim
19 stated Arbulu told [REDACTED] about what happened between him (the victim) and Arbulu.

21 While the victim was staying at Arbulu's residence he (Arbulu) bought him an expensive
22 gift. The victim described the gift as some type of electronic device. The victim still has
23 the electronic device in his room.

24 **END OF STATEMENT**

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report: SMPD #04-0514-031	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
			Scan Initial: Scan Date:

SMPD: CR2 (6/97)

BBBSA002878

**SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT**

Page 6 of 6 Report No. 04-0526-030

Code Violation	Date	Original Investigating Officer	Original Supplement
286(c)(1)/288a PC	5/26/04	Detective Peruzzaro	XX

1 Following the interview with the victim I spoke with the victim's mother and father. The
2 mother advised me they met Arbulu at Club Med in Mexico during the victim's spring
3 break in April 1999. She further stated the victim went to visit Arbulu in July or August
4 1999. The victim's mother thought it was strange when the victim returned home from the
5 trip, with such an expensive gift from Arbulu.

6
7 Based on the statement of the victim, and the statement of Italo Arbulu in which he admitted
8 to having a fetish for young boys, I believe Italo Arbulu participated in an act of oral
9 copulation with the victim who is under the age of 14, and more than 10 years younger than
10 he, a violation of California Penal Section 288a(c) (1) – 3 counts.

11
12 I further believe Arbulu participated in sexual misconduct consisting of contact between the
13 penis of one person and the anus of another person, and the act was with a person under the
14 age of 14, and more than 10 years younger than he, a violation of California Penal Section
15 286(c)(1) – 1 count.

16
17
18 **DISPOSITION: SUSPECT ALREADY IN CUSTODY, ADDITIONAL CHARGES**
19 **REQUESTED**

20 Forward to the District Attorney's Office for prosecution of Italo Arbulu for violation of
21 288a(c) (1) – 3 counts, and 286(c) (1) – 1 count.

Ref SMPD Report: 04-0506-019, 04-0510-037, 04-0511-024		O/S Report: SMPD #04-0514-031	
Reporting Officer Detective Peruzzaro		Badge #: 9	Reports to: District Attorney (DDA Sharon Henry)
Supervisor:	Badge #:	Date:	DOJ Entry: BOL: Initial Process:
		Scan Initial:	Scan Date:

SMPD: CR2 (6/97)

BBBSA002879

San Mateo Police Department Incident Report

PG 1

04-0527-022	Code 1 288(a)PC	Incident Desc 1 SEX/LEWD/LASCIVIOUS ACTS/CHILD UNDER 14 YRS		Att ☐ O/S ☐	Report # 04-0527-022
	Code 2	Incident Desc 2		Att ☐ O/S ☐	
	Code 3	Incident Desc 3		Att ☐ O/S ☐	
Date/Time/Day Occurred 1999		To		Date Rptd 05-27-04	Time Rptd 1355
Location of Occurrence Burlingame CA 94010			Name of Business (if applicable)		Beat
Victim's Name - Last, First, Middle (firm if business) Confidential, Per 293 pc			Residence Address (include City)		Residence Telephone
DL#	Race	Sex	DOB	Business Address (include City)	Business Telephone
Victim's Vehicle Yr.	Make	Model	Color	License #	
CK 293 Request ☐	DV Case? ☐	Violent Crime Notice ☐	Orig CPS Referral ☐	Add'l Victims ☐	# of Suspects 1
Code	Name - Last, First, Middle (firm if business)			Residence Address (include City)	Residence Telephone
DL#	Race	Sex	DOB	Business Address (include City)	Business Telephone
Code	Name - Last, First, Middle (firm if business)			Residence Address (include City)	Residence Telephone
DL#	Race	Sex	DOB	Business Address (include City)	Business Telephone
Code	Name - Last, First, Middle (firm if business)			Residence Address (include City)	Residence Telephone
DL#	Race	Sex	DOB	Business Address (include City)	Business Telephone

1 SUMMARY-

2

3 The victim disclosed to me that he was inappropriately touched by his soccer coach in 1999. I

4 interviewed the victim, who identified the suspect as Italo Arbulu. The victim described approximately

5 10 incidents where the suspect grabbed his buttocks as he walked by. The victim added that all the

6 assaults occurred in Burlingame.

7

8

9 INVESTIGATIONS-

10

11 See attached narrative supplement.

Item	Article	QTY	Brand	Model	ID #	Description	Value Per Item
							\$
							\$
							\$
Total Recovered \$					0	Total Damaged \$	0
Total Value \$					0	Total Value Is Unknown ☐	
Ref SMPD Rpt #04-0506-019						Reports to:	
O/S Rpt				Officer Follow-up		c: DDA Sharen Henry/RWC(3)	
Reporting Officer M. Carnevale				Badge # 53		DOJ Entry BOL Initial Process	
Supervisor T. F. Maguire				Date 05-27-04		Scan Initial Scan Date MAY 28 2004	

5/28/04

BBBSA002880

Suspect Supplement
San Mateo Police Department

Report No. 04-0527-022

PG 2

04-0527-022

Susp # <u>1</u>		☐ Match Offenses With Incident Report				Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense
S	288(a)PC						
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense AC
Name: Last		First		Middle			
ARBULU		Italo					
AKA / Nicknames / Tag							
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes
O	M	08-28-1963	40		5' 9"	BRN	BLK
Home Address			City		Residence Phone		
3949 Stein Ct.			South San Francisco CA				
Employer				Occupation			
Business Address				City		Business Phone	
Hair Length		Hair Style		Facial Hair		SS #	DL #
Bald/Thinning ☐ Collar ☐ Short ☒ Long ☐ Receding ☐ Other		Straight ☐ Wavy/Curly ☒ Afro/Natural ☐ Braided ☐ Crew Cut ☐ Pony Tail ☐ Other		Clean Shaven ☒ Beard ☐ Mustache ☐ Goatee ☐ Lower Lip ☐ Unshaven ☐ Other		547-35-2474	C0283304
General Clothing Description							
Scars/ Marks/ Tattoos/ Other							
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions		Additional	
Admitted Member ☐		Sex Registrant ☐				Suspects ☐	
Admitted Associate ☐		Parole/Probation ☐				Vehicle ☐	
Observed Association Only ☐		P.O.					
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate		
Additional Vehicle Description				R/O			

Susp # <u>2</u>		☐ Match Offenses With Incident Report				Officer Safety Alert? ☐	
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense
Rel	Offense	Rel	Offense	Rel	Offense	Rel	Offense AC
Name: Last		First		Middle			
AKA / Nicknames / Tag							
Race	Sex	DOB	Age	Height	Weight	Hair	Eyes
Home Address			City		Residence Phone		
Employer				Occupation			
Business Address				City		Business Phone	
Hair Length		Hair Style		Facial Hair		SS #	DL #
Bald/Thinning ☐ Collar ☐ Short ☐ Long ☐ Receding ☐ Other		Straight ☐ Wavy/Curly ☐ Afro/Natural ☐ Braided ☐ Crew Cut ☐ Pony Tail ☐ Other		Clean Shaven ☐ Beard ☐ Mustache ☐ Goatee ☐ Lower Lip ☐ Unshaven ☐ Other			
General Clothing Description							
Scars/ Marks/ Tattoos/ Other							
Gang Affiliation		Supervised Release Flag ☐		P.O. Conditions		Additional	
Admitted Member ☐		Sex Registrant ☐				Suspects ☐	
Admitted Associate ☐		Parole/Probation ☐				Vehicle ☐	
Observed Association Only ☐		P.O.					
Driver ☐	Vehicle Year	Vehicle Make	Vehicle Model	Vehicle Color	Vehicle License Plate		
Additional Vehicle Description				R/O			

Copperfire 02/03

BBBSA002881

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 3 of 5 Report No. 04-0527-022

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/27/04	Det. M. Carnevale #53	XX

INVESTIGATION

On 05/27/04, San Mateo Police Detective Peruzzaro contacted me concerning his on-going investigation regarding suspect, Italo Arbulu (#04-0506-019). Detective Peruzzaro explained he discovered an additional name of a juvenile, while going through Arbulu's property. Detective Peruzzaro provided me with the identity of the juvenile and asked me to contact him. The name of this juvenile will remain confidential, per 293 of the California Penal Code. The juvenile will be referred to as "the victim" throughout the remainder of this report.

On 05/27/04 at approximately 1345 hours, I responded to and met the victim at his high school. The following is a summary of my interview. The entire interview was audio-taped and the tape was later logged into the San Mateo Police Department Property room as evidence.

Before I explained to the victim why I had contacted him, the victim asked me if this was about "Italo." I replied that it was. The victim told me he first heard of Italo Arbulu's arrest, when Arbulu called the victim's mother on the day of his arrest. Arbulu asked the victim's mother if she knew of any attorneys that she could recommend.

The victim told me he first met Arbulu when he joined an AYSO Burlingame soccer team in 1999, when the victim was 12 years old. Italo Arbulu was the coach of the team. The victim described Arbulu as a "good coach," "friendly," and "not a bad guy." The victim added that he also believed Arbulu "had something wrong with him." When I asked the

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA/RWC Sharon Henry		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002882

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 4 of 5 Report No. 04-0527-022

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/27/04	Det. M. Carnevale #53	XX

1 victim what he meant by that, the victim answered that Italo "was a little closer to his
2 players than coaches should be."

3
4 During the five years the victim has known Arbulu, the victim said that Arbulu has grabbed
5 his buttocks approximately 10 times. The victim described the grabbing as a "quick grab,"
6 not a "prolonged grab." The victim explained that the "grabbing" was not the typical "slap
7 on the butt" because there was a squeeze involved. The victim told Arbulu on more than
8 one occasion to "knock it off," but Arbulu continued the same acts. The victim added that
9 the grabs were always over clothing, and made the victim feel uncomfortable. The victim
10 denied any other inappropriate touching, including massages. The victim said most of the
11 grabbing occurred in 1999 and 2000, and had stopped the past three or four years.

12
13 The victim explained to me that Arbulu became friends with the victim's mother and would
14 often come over for meals or "just to visit." The victim denied Arbulu ever propositioned
15 him or engaged in explicit sexual conversations. The victim admitted that "sex" would
16 sometimes work its way into their conversations, but the victim described it as "normal stuff
17 about girls." The conversations never lead to talking about sex with males.

18
19 Sometime in 2000, the victim spent the night at Arbulu's house. The victim could not recall
20 the circumstances surrounding the over night stay. The victim and Arbulu spent the night
21 alone in Arbulu's bed. The victim said he wore pajama tops and bottoms, but he could not
22 recall what Arbulu wore. The victim reported no touching of any kind occurred that night.
23 The victim added that Arbulu's son and a friend of his son's, also spend the night together,
24 but in a different part of the house.

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA/RWC Sharon Henry		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002883

SAN MATEO POLICE DEPARTMENT
NARRATIVE SUPPLEMENT

Page 5 of 5 Report No. 04-0527-022

Code Violation	Date	Original Investigating Officer	Original Supplement
288(a) pc	05/27/04	Det. M. Carnevale #53	XX

1 I next inquired about the other kids that played on the soccer team with the victim. The
2 victim never heard any other players complain to him about being inappropriately touched
3 by Arbulu. The victim says Arbulu was always playfully punching and touching the other
4 players, but not in the same manner he touched him. The victim thinks Arbulu talked to the
5 other players like he talked to him, but he never witnessed Arbulu grab their buttocks, as he
6 did to the victim. The victim believed Arbulu went to other player's houses too, but did not
7 know which ones.

8
9 When the victim's mother asked the victim about Arbulu's behavior towards him, the
10 victim told his mother the same story he related to me. The victim told me I could contact
11 his mother if I wanted to discuss the conversation we had today.

12
13 After the 1999 soccer season ended, Arbulu continued to keep in contact with the victim
14 and his mother. On several occasions, Arbulu would spend the night at the victim's house.
15 The victim told me Arbulu always slept on the couch and never inappropriately touched
16 him. In 2003, the victim joined another soccer team, in which Arbulu coached. The victim,
17 who was now 16 years old, said that Arbulu had stopped talking to him and never grabbed
18 him again. The victim added that Arbulu seemed to pay more attention to "the younger
19 players."

20
21
22 **DISPOSITION**

23
24 Send this case to DDA Henry for prosecution of Italo Arbulu for 10 counts of 288(a) pc.

Ref SMPD Report:			O/S Report:		
Reporting Officer: Detective Michael Carnevale		Badge #: #53	Reports to: DDA/RWC Sharon Henry		
Supervisor:	Badge #:	Date:	DOJ Entry:	BOL:	Initial Process:
			Scan Initial:	Scan Date:	

SMPD: CR2 (6/97)

BBBSA002884