

R.G:G:I:P: n. 6671/07

R.G.N.R. n. 9066/07

CIVIL and CRIMINAL COURT of PERUGIA
OFFICE OF THE PRELIMINARY INVESTIGATION JUDGE
MINUTES OF THE HEARING FOR THE VALIDATION OF ARREST

In the year 2007 month of November on the day 8 at 13.14, in Perugia at the local jailhouse, before the Preliminary Investigation Judge Claudia Matteini, assisted for the redaction of the present minutes by clerk [level] B3 Catia Uffedruzzi, in the presence of the defense attorney Mr. Tedeschi Tiziano of the bar of Bari;

The Prosecutor, Dr. Mignini, is present;

The Police Officer[1] Monica Napoleoni and Chief Inspector Antonio Facchini are present.

The recording begins at 13:19.

Present:

SOLLECITO RAFFAELE, born on 26 March, 1984, in Bari.

The person under interrogation, urged to present his full name, and what else is needed for his identification, after he is warned about the consequences faced by those who refuse to present such ID information or presents false ID information, answers:

I am SOLLECITO RAFFAELE, born on 26 March, 1984, in Bari.

I am resident in: Giovinazzo, Via Solferino 4.

My dwelling is: Perugia, Corso Garibaldi 100.

My working occupation consists of: I am a student. I should have graduated on 15 November, 2007.

My marital status is: unmarried

Pendent proceedings: I do not have any pendent proceedings.

Regarding his criminal record he states: never convicted.

I declare to choose as my address for service at the office of my attorney Mr. Tedeschi Tiziano, located in Giovinazzo, Via Marconi 93/99.

I confirm the appointing of Mr. Tedeschi Tiziano, here present, as my trusted attorney and I declare that I have not appointed another trusted attorney.

The Judge for the Preliminary Investigation notifies to the person under interrogation the facts contained in the arrest statement. Following the request for the validation of the arrest, [the judge] makes him aware of the following evidence and its sources;

[The judge] urges him to explain whatever he deems useful for his defense, warning him that:

His statements may be used against him;

He has the right to remain silent, but the proceedings will go on anyway;

If he makes any statements about facts concerning the responsibility of others, he will take, with regards to such facts, the official status of formal witness, except for the cases of incompatibility provided for by art. 197, that are:

The following people cannot be heard as witnesses:

Co-defendants in the same case or people charged in a connected case under art. 12, even if a nonsuit ruling, an acquittal or a conviction was pronounced, except in the event that the acquittal has become irrevocable;

The persons charged of a crime connected to the one for which the proceedings are taking place, in the event provided for by art. 371 par. 2 b that is if the evidence about a case or its circumstance affects the evidence of another crime or another circumstance;

The person bearing civil responsibility or the person obligated by civil law [to pay a] monetary fine;

Those who have or have had the role of Judge, Prosecutor or their assistant in the same proceedings;

Also, the guarantees as for art. 197 bis c.p.p.:

The defendant in proceedings connected [to this one] as for art. 12 or of a crime connected as for art. 371 par. 2 b) can always be heard as a witness if an irrevocable sentence of dropping of charge, conviction or penalty sentencing under art. 444 c.p.p. has been pronounced on him;

The defendant in proceedings connected [to this one] as for art. 12 par. 1 c) c.p.p. or in a case connected as for 371 par. 2 b) c.p.p. can be heard as witness also in the event provided for by art. 64 par. 3 c);

In the events provided for by paragraphs 1 and 2 the witness is assisted by a defense attorney. If there is no trusted defense attorney, a defense attorney from the public office is appointed;

In the event provided for by paragraph 1 the witness cannot be obligated to testify about facts for which a judgment of conviction has been pronounced against him, if in that proceedings he denied responsibility or if he did not make declarations. In the event provided for by paragraph 2 the witness cannot be obligated to testify concerning his responsibility in the case for which they proceed or they proceeded against him;

In any event declaration released by the subjects mentioned in such law article cannot be used against the person who released them in proceedings against him, in proceedings for a trial review of a conviction judgment, and in any other civil or administrative trial involving the facts which said trials and sentences are about;

The person under interrogation declares: "I intend to answer. I have read more than once the warrant which was notified to me. The print from my shoe which you found is not from that day because that day I was not wearing those shoes but I was wearing them the day before".

At this point, the defense objects on the basis of nullity of today's validation hearing because the rights of defense were violated since counsel with the defense attorney under art. 104 c.p.p. was not granted.

The Judge, having heard the Prosecutor who points out that he himself ordered the prohibition of counsel, rejects the objection raised by the defense given that the same art. 104 c.p.p., at paragraph 4, provides that in the event of police arrest, as in the present case, the Prosecutor has the power of preventing the suspect from having counsel with [his or her] defense attorney, until the same [suspect] appears before the Judge; on this date, given that the validation hearing was scheduled today it is obvious that the prohibition of counsel ceases all effects, and the revocation of such prohibition is now ordered anyway.

[The Judge] orders at this point to proceed further.

The person under interrogation confirms he wants to answer and he declares:

"I wish to not see Amanda ever again. I met Amanda at a classical music concert which took place at the University for Foreigners of Perugia, about two weeks ago. I then met her again at the bar "Le Chic": I went to this pub 2-3 times just to see Amanda since she had told me that she worked there. A romantic relationship had taken shape and we have lived together since the first day at my house, and she would go back to her house at Via della Pergola more or less every other day to pick up her clothes and talk with her girlfriends. I have never met the man who runs the pub "Le Chic" and I did not know anything about the pub; I do not even know who worked there. I used to accompany Amanda to work at the pub around 22-22.30 and then I went back to pick her up at 24.00-00.30.

I met Meredith at Amanda's house since they were friends and they lived together, besides her also Filomena and Laura lived there. We ate lunch at her house sometimes, and sometimes we ate at my house. While dinner [instead] always at my house or out. On 1 November, Amanda woke up before me. I went to see her later since she told me she wanted to go home to talk with her girlfriends.

I arrived at about 13-14 and there was Meredith who was wearing a pair of jeans which belong to her ex-boyfriend who was in London, Meredith went out at around 16:00 and we stayed, and we went out at around 18:00.

I point out that I make use of cannabis and I make use of it on every holiday, and whenever I need it. I am an anxious person. I do not remember how much I smoked, I certainly did [smoke] one at Amanda's place, and at my house every time I felt like.

At 18.00 we went out and we went to the [city] center passing by Piazza Grimana, Piazza Morlacchi alla Fontana and Corso Vannucci. We remained in the center until 20.30-21 and then we went to my house; I do not remember at what time I had dinner, I think I had dinner together with Amanda.

I remember Amanda received a few text messages on her phone and she replied. I do not remember whether the message arrived before or after dinner. Then she told me that the pub was closed, unlike every Tuesday and Thursday and thus she did not have to go to work that day. I'm not sure if Amanda went out that night, I do not remember.

About that night I remember that the pipe under the sink had unlatched and, while I was washing things in the kitchen, the floor flooded, I tried to dry the floor and then, on Amanda's suggestion, I let it go. I worked with my computer and then I went to bed. I received a call from my father, who calls me every night before I go to sleep, I do not remember if he called me on the landline phone or on the cell phone.

The next morning Amanda woke up before me, she woke me up telling me that she wanted to go take a shower at her house because she did not like my shower. So she went out and I remained to sleep. She went out at around 9:30 to 10:00. Later she came back, she rung at my door and I woke up. I remember that she had changed her clothes and she was now wearing a white skirt while the day before she was wearing jeans. She carried a mop with her to clean the floor.

I finished drying up the floor. I do not remember if we had breakfast together before or after. Amanda told me that she had found the front door wide open, with blood stains and that therefore all this was strange. She told me to go to her house to see what had happened, we got there and I was agitated.

She opened the front door [and] I noticed that Filomena's door was open with broken glass. The bathroom was clean except the bathmat and the sink which was stained with blood, she told me that someone had cut himself/herself or they were menstruating. The only thing that I noticed [is] that Meredith's door was locked with the key and I tried to enter the room from the outside, while I was doing this Amanda was leaning over the railing to try to reach the window; she had knocked repeatedly and calling into Meredith's room.

I tried to look through the keyhole and saw that there was a duffel bag and an open wardrobe-door. Then I told her to call her girlfriends. I then called my sister who is an inspector and she told me to dial 112 [Carabinieri] and I gave [them] Amanda's phone number. We remained out of the house to wait for the arrival of the Carabinieri. Some officers of the Postal Police arrived

who wanted to talk to Filomena. When the officers of the Postal Police arrived we were out of the house. I remember I called 112 before the arrival of the Postal Police officers. I spoke with the officers of the Postal Police and Amanda too if she could understand what they said; I reported [to them] that there was something wrong by showing that Filomena's bedroom door was wide open with broken glass on the floor and the door of Meredith's room was locked.

Filomena arrived with her boyfriend and some friends of hers. The Postal Police officers broke down the door of Meredith's room and they said that they had seen a foot and some blood. Then the Carabinieri arrived.

I previously made a false statement because I was under pressure and I was very agitated, I was shocked and I was afraid. I point out that on 5 November I was very agitated when the agents asked me questions because they put me under pressure. I confirm that on the night of 1 November I spent the night with Amanda. I do not remember if Amanda went out that evening. At 20.30 we were at my house. I got it mixed up.

I remember that Amanda must have come back [home together] with me. I do not remember if she went out. My father calls me every day and I find it strange that he did not call on 1 November. I fail to understand why my prints are there; I [did] not enter that room; I was not wearing those shoes on 1 or 2 November. The one who killed her must have had my same shoes. They are rather common shoes.

In my Internet blog where there are some of my feelings and in particular where I quote the Monster of Foligno who came from the Onoasi College, that was just irony.

With regard to the feces in the bathroom, I did not see them since I did not enter the bathroom, I was outside [the bathroom] and I leaned with my face toward the toilet bowl. Amanda got scared and she jumped on me and told me that the feces were no longer there compared to before when she had gone to take a shower.

I walk around with a knife that I use to carve trees. I have a collection of knives in Giovinazzo. I also have katanas, [but] they are blunt swords. It's a passion that one about knives. I have always carried a knife with me in my pocket since I was 13 years old.

I do not remember exactly if that Thursday night she went out, I remember well that I was on the computer more or less up to 12.00 smoking my joints. I am sure that I ate, that I remained at home and that Amanda slept with me.

I have two knives, the one the Flying Squad seized is the one that I carry when I wear these garments; when I wear other clothing I carry the other knife; these two are my favorite knives. The Flying Squad put great psychological pressure on me. The first time we went to the police station we were kept there the whole night. I categorically rule out that I have ever entered the room where the victim was found".

Read as above [LCS]

The Judge for Preliminary Investigation reads the reasons why the Prosecutor asks for the implementation of a cautionary measure of prison custody, urging the defense to express their objections and instances.

The Prosecutor holds to his request for validation of the arrest decree and the request for cautionary measure of custody in prison.

The defense attorney of the arrested expresses what follows:

About the request of validation of arrest: he opposes the request;

About the request of cautionary measure: asks for setting back in freedom, or as second instance asks for the cautionary measure of house arrest.

The recording ends at 15.07.

The Judge orders transcription of the recording.

The Judge reserves the faculty of deciding within legal time.

Minutes closed at 15.08.

Read, confirmed and undersigned by:

The arrested;

The defense attorney;

The Clerk, Catia Uffedruzzi;

The Prosecutor;

The Judge, Dr. Claudia Matteini