

WITNESS STATEMENT

JB – Jack Bisland GR – Dep. Gregory Ray

JB Testing 1-2-3-4-5, 5-4-3-2-1. Today's date is December 7th, 2010. The time now is approximately 2:55 pm. This will be a recorded interview with Deputy Sheriff Gregory Ray R-A-Y. This interview is taking place at the State Attorney's Office at the Deland Courthouse and present during the interview are myself Inv. Jack Bisland investigator with the 7th Circuit State Attorney's Office and Dep. Ray. Dep. Ray for the record I want to establish that you understand I am conducting a criminal investigation and this is not an internal or administrative investigation. Do you understand that?

GR Yes sir.

JB Ok. Additionally that you have been identified as a potential witness in this investigation and I want to have you acknowledge that you are here to give a statement about what you know about the day of the accident and that you're here voluntarily.

GR Yes sir.

JB Ok. And essentially based on a complaint from the Sheriff's Department the State Attorney's Office is investigating the circumstances around a November 25th crash involving members of the Osowski family. Specifically this investigation focuses on the actions and/or inactions of Alan Osowski around that accident. Before we start of the interview what I'd like to do is place you under oath so if you would please raise your right hand for me. Do you solemnly swear or affirm that the statement you are about to give will be the truth the whole truth and nothing but the truth so help you God?

GR Yes sir.

JB Ok very good. Would you please just state your name for the record?

GR First name is Gregory, middle initial A, last name Ray.

JB And you're currently employed with the Volusia County Sheriff's Office is that correct?

GR Yes sir.

JB How long have you been employed?

GR July 14th, 2008.

JB Ok so you've been there about a year and a half?

GR About two years actually.

JB Your current assignment?

GR Law enforcement services district six road patrol.

JB District six is a Debary district correct?

GR Correct.

JB Were you working Thanksgiving Day?

GR Yes.

JB What shift were you assigned?

GR I was alpha 63 so I was night shift 3pm to 3am.

JB Ok 3p, so you came on at 3:00 in the afternoon...

GR Yes.

JB ...Thanksgiving Day?

GR Yes.

JB Ok.

GR That's an overtime shift for me.

JB Ok. At approximately, shortly after 6pm that night about 11 minutes after 6 a call came our for an accident with injuries. Did you hear that call come out on the radio?

GR I did.

JB Ok did you respond?

GR Initially no I was actually on my way to the fairgrounds to meet with prisoner transport.

JB Ok.

GR So the call came out and it was in my zone and um, I of course didn't want to respond yet because I was extended you know by about 10 minutes. Um, so just switched out my prisoner and then got back on I-4 and started coming back to the district area.

JB In the meantime other units responded to the accident?

GR Correct, yes.

JB And you according to the CAD report, you arrived at approximately 1828.

GR Uh huh.

JB Does that sound right?

GR Yes.

JB Approximately 6:30.

GR Yep.

JB What did you observe when you arrived?

GR Um...

JB Well before that, what did you know before you arrived? What had you heard on the radio? What did you learn about that accident with injuries?

GR I don't remember what unit number it was but I think it, it might have been alpha 61 called out with a tag for one of the vehicles, gave the description of the vehicle and dispatch returned with the information that it was registered to a Michael Alan Osowski which of course made me you know think Osowski's not a common name so I started thinking you know hopefully that has nothing to do with our captain.

JB Ok.

GR Um...

JB Who is alpha 61 which deputy is that?

GR I believe it was, it's Mike Sawicki.

JB Ok.

GR I know its Mike Sawicki but like I said I'm not sure if it was, if he called out with it or if it was uh...

JB Ok.

GR ...62, there were two units on scene. Um, and then as soon as I heard the name a few minutes after that they called out for Air1 I guess saying that EVAC was on scene and that they were calling a trauma alert. They don't give out that information on the radio as to who it was for so I didn't you know I'm still a few miles out um.

JB Ok.

GR I just knew there were two cars involved and that somebody was, was hurt pretty severely.

JB Ok and then when you arrived what do you see and what are your responsibilities?

GR I, I first when I first got on scene myself and an Orange City unit had called out to that we were enroute because we knew Air1 was coming we needed to establish a landing zone. I got to probably; I'm not good with yardage but probably 60 to 75 yards away from the intersection in the south bound lane which is where Sgt. Day told us to hold up. The Orange City unit blocked traffic southbound, Sgt. Day had me move my car to the northbound lane to illuminate power lines overhead just incase Air1 didn't see them. Uh, I noticed a small darker colored car I don't wanna say if it was blue or not because I can't say with certainty but it was off the road across the sidewalk uh, on the northbound side and then there was a four door lighter colored possibly tan uh vehicle also in the northbound lanes taking up the northbound lanes of the intersection of 17-92 and North Pine Meadow.

JB Ok. According to the CAD report that I've got you arrived at about 6:20 and it looks like you cleared that call at 1:30 the next morning. Is that accurate? Were you there for about seven hours?

GR Correct.

JB Ok. Were you at the scene for seven hours? Did you ever leave the scene going other places?

GR Yes um...

JB Ok let me, I don't want to get ahead of myself.

GR Sure.

JB So you arrive, you're assisting with the establishment of a perimeter for a landing zone, you're illuminating some lights, you've made some observations, there's a point in time where Air1 is cancelled are you aware of that?

GR Not necessarily cancelled.

JB Ok, they didn't land.

GR They, they landed...

JB Oh they did land?

GR Oh they landed.

JB Ok.

GR They landed and were on the ground for approximately I'd say somewhere between 12 to 15 minutes. Um, which is an awfully long time considering you know you're dealing with a, with a trauma alert.

JB Right.

GR Um, I never observed anybody get loaded into Air1.

JB Ok.

GR And then they took off.

JB Ok.

GR Just prior to them leaving an ambulance left the scene which we later learned was Ms. Osowski.

JB Ok.

GR As soon as Air1 left Sgt. Day instructed me to reposition my vehicle at Debary Plantation Blvd to, because they had moved an Orange City unit up there basically to block any southbound traffic to divert them onto Debary Plantation or have them turn around on 17 because they were establishing a perimeter for the uh, for what was now a crime scene obviously.

JB Ok.

GR Um, it's in my supplement because I went on CAD as to what time I repositioned my vehicle uh, sat at Debary Plantation for again just off the top of my head 20 minutes maybe?

JB Uh huh.

GR At which time was relieved by a uh COP unit then repositioned my car to uh, just before the intersection of Dogwood and 17-92 to divert traffic that was traveling eastbound on Dogwood to get to 17-92.

JB Ok so you're still engaged in traffic control?

GR And that's where I sat until the end of the investigation on that intersection.

JB Was there ever a point in time where you went to Fish Memorial Hospital?

GR Not me no.

JB No?

GR No.

JB Do you know who did besides Capt. Mandizha?

GR I honestly don't.

JB Ok.

GR Uh I was pretty much in charge of that side of the intersection, that's...

JB Did you have a, did you see Capt. Alan Osowski on the scene?

GR I saw him initially when I got there when we were creating the landing zone for, for Air1. I saw and obviously I didn't have any contact with him but from where I was standing it was, it looked like Capt. Osowski, it was a personal vehicle that I knew to belong to Capt. Osowski's wife and he was standing outside of the vehicle. I didn't see anyone else around him. I didn't see anybody in the vehicle and I didn't see Capt. O talking to anybody either.

JB Ok.

GR You know he was just kind of standing on the passenger side of the vehicle looking at the accident scene.

JB Was there a point in time where you were made aware that it was, while you were out there, obviously after the fact you learned a lot but at the time do you remember learning that Alan's mom was the one that was injured and that his son Michael may have been driving one of the cars. Did you learn that at the scene?

GR I did. Um, I actually asked Sgt. Day prior to me relocating my car to the Debarry Plantation Blvd uh location and this was based solely on the fact that I had heard when the tag came out who it was registered to.

JB Right.

GR So I in passing just asked Sgt. Day “hey is Captain’s son ok?” because at that time I didn’t know that his mother was in the car.

JB Ok.

GR To which Sgt. Day said “yeah” you know “Captain’s son is fine” now you know I need you to go move your car over there. Um, it was, when I moved my car back to the Dogwood area where I found out that the Captain’s mom had been uh, in the vehicle and that she was possibly that she had possibly passed on.

JB Ok.

GR I believe if I’m not mistaken it was from uh, there was a Deland deputy down with us to help with traffic control that had mentioned “hey I think the woman that was in the car...”

JB Ok so you had heard.

GR ...you know “passed away” and I said “I didn’t know there was a woman in the car but ok” so.

JB Ok do you know Michael Osowski, had you met him?

GR Not, no.

JB Did you talk to him that evening?

GR No.

JB Did you make any effort during this time or the next day to follow up or assist units and investigators in locating Michael Osowski that night?

GR No sir.

JB No. Give me a second. Did you have a conversation with Capt. Osowski at all?

GR No sir.

JB Did you overhear any conversations between Alan Osowski and anyone else that day?

GR No sir.

JB Did you have a conversation with Michael, I may have asked you that already.

GR No, you did ask me but no I didn't.

JB Ok did you overhear any conversations with Michael?

GR (Inaudible)

JB Do you know who is assigned to investigate, not the homicide not the traffic fatality, but who the reporting deputy was working the signal four?

GR I think it was Dep. Sawicki I believe. I talked to him, he was holding a position on the other side of the intersection on North Pine Meadow so when the THI investigators were breaking down their equipment, basically at the conclusion of the, the uh, the initial investigation I talked to Dep. Sawicki. I just thought it was kind of peculiar but I don't know enough about THI's that he was asked to um, do the initial report where I thought you know that when there's a traffic related death that we pretty much just hold the, like I said hold the perimeter and...

JB Ok.

GR ...your THI folks do, so it was peculiar to me but I don't know our policy 100% but.

JB And you, you learned.

GR Right.

JB Ok.

GR But I believe Dep. Sawicki was responsible for the initial crash report. He in turn handed it off to one of the THI investigators and then they take it from there.

JB So you spent most of your time involved in traffic control, established the perimeter and re-diverting cars?

GR Correct.

JB Were you aware the radio traffic of unit's attempts to locate Michael Osowski as the day went on, as the evening went on?

GR No sir.

JB Ok. Were you, did you speak with Dep. Galarza that night?

GR Yes.

JB Ok what was his role at the scene as you were aware?

GR I don't really know that he was one of the first responders.

JB Ok.

GR Um, but he was also one of the first people cleared from the scene to...

JB Ok.

GR ...go out and handle other calls. Um, that's why it was my impression that Dep. Sawicki was responsible for the report.

JB Ok.

GR The one thing I knew is that I wasn't responsible for it because again I didn't get there until...

JB I understand.

GR ...after. Um so Dep. Galarza's role I think initially was you know establishing hey, close down traffic over here, here's what we have. Once the investigators got on scene once THI got on scene he didn't really he didn't have any role. It was you know go back in service and handle calls.

JB Ok. Did you see Alan Osowski leave the scene that night?

GR I did not. Um, at one point and this is where I think it happened um, myself and the Orange City Officer had an issue with a, a car that was trying to move thru the perimeter.

JB Ok.

GR Um...

JB So you're dealing with that?

GR Right. That was right around the last time that I saw uh, Capt. O. I don't know where he went from there, I don't because again the intersection was closed off so.

JB Ok.

GR I can't even speculate how he got out of that area.

JB Do you know how Michael Osowski departed the scene that night?

GR I can honestly say I've never, I used this terminology that night, I couldn't pick Michael Osowski out of a line up so...

JB Ok.

GR ...he could have driven by me and I would have, I would have not known that it was him. Um, never saw him anywhere near the vehicle that he was reportedly driving, never.

JB Are you aware that anybody else was transported with injuries from that scene?

GR The only person I knew of and again after the fact was uh, Ms. Osowski.

JB Ok. Have you had a conversation with Dep. Galarza since about Michael Osowski's departure from that scene?

GR No.

JB Ok. Were you ever asked the next day by THI to drop off statement forms to anybody?

GR I've never, no have not been contacted by anybody from...

JB Did you work the next day actually? It was Friday because this was an overtime shift.

GR Yes it was, Friday was my regular, Friday, Saturday, Sunday is my regular shift.

JB So you almost did like, ok. You went in at 3 you still got off at 3:00 in the afternoon?

GR Yeah, yep uh 3 in the morning, 3 in the morning.

JB Ok then you came back at 6p the next night?

GR Yep.

JB Ok. I don't want to have to ask you or call you back so I just want to make sure I've covered everything here.

GR Sure.

JB The watch commander that year was who? Do you know?

GR Lt. Brown, Charlie Brown?

JB That's who you believe?

GR I, yeah I didn't have any, I didn't have any contact but I believe yeah.

JB Ok.

GR I think he's 182.

JB Just be patient with me one more second here.

GR Sure.

JB Let me make sure.

GR And I apologize I don't know if it's Charles or Charlie I don't know what his legal name is.

JB That's alright. Ok that's it; I don't have any other questions. Do you have, knowing what I'm investigating at this point is there something you're aware of that you think is relative that I failed to ask?

GR The only thing, when, when you mentioned about radio traffic as to anyone looking for Michael, again I didn't hear anything. I did note on CAD for the call that, like I said that's why I mentioned 182 because I believe he had gone to Capt. Osowski's house with another deputy at one point.

JB Who is 182?

GR Uh...

JB Charlie?

GR Yes. Uh, when I saw that though I assumed it was for a death notification.

JB Uh huh.

GR I didn't, again once Capt. O left I didn't know where he went to. It was...

JB Ok.

GR At that point like I said I was guarding an intersection.

JB Absolutely, no I understand.

GR So I just kind of assumed like I said that they were going to make a death notification that his mom had in fact uh, passed.

JB Ok.

GR Didn't really think anything of it that they were looking for anyone or...

JB Ok. Do you have any questions of me?

GR No sir.

JB Ok well with that this will conclude the interview, the time now is approximately 3:15 in the afternoon.