

721-4461

INTERVIEW OF KENNETH M. GARCIA

05-09-90 CASE #90-2674

Kenneth M. Garcia  
324 Grant Street  
Alliance, Ohio  
SSN: 338-60-0282  
DOB: 01-29-62  
PHONE: 823-7230

Kenneth stated that Joe Dalesandro came to him to sell ~~the~~  
~~25~~ automatic and sawed off shot gun. Kenneth said that a  
Ray Rose was at his house that day. Ray purchased the 25  
automatic for \$45.00 from Joe Dalesandro.

Ray Rose lives at 120 Mahoning Road. Alliance. Ohio, phone  
821-6443.

Kenneth said Dalesandro told him that he purchased the gun  
from a gun shop in Alliance.

Kenneth said the shot gun went to a black subject named  
Herman. He is supposed to be a drug dealer. He drives a  
red car. That was all the information Kenneth could give  
us. He doesn't know the subjects full name. Herman was all  
he knew, 150 Columbia, Alliance, Ohio. Kenneth said there  
was a Roger Guy at 37 Oxford Street, Alliance, Ohio and  
another subject that was trying to purchase the guns from  
Kenneth.

Portage County Prosecutor's Office  
Investigative Report

P.A. 91-099 Court Case \_\_\_\_\_  
Date of Incident 4/5/90 Investigator Craig  
Nature of Offense Hartigs Homicide  
Related File or Case #'s \_\_\_\_\_  
Reference to Kenneth M. Garcia aka "chico"  
Victim \_\_\_\_\_ Witness x Suspect \_\_\_\_\_

Narrative:

On 8-4-92 during an interview with the above subject he related to investigator Craig, with Investigator Hornyak present that he had in fact had two occasions where he got guns from Joe Dalesandro.

The first one where they went to Ray Rose, approx. 4 days later he met Dalesandro and he believes it was Molly in the car with him again at the transmission shop or Arch St. across from Jay's grocery store. At this meeting Chico got a 25 cal. automatic from Joe Dalesandro and then sold it to Norman Scott. This gun was black or blue in color and in very good condition and it also had wood styled hand grips on it. Purchase price of gun \$25.00.

In the following up on this information it was learned that Norman Scott is in Timkin Mercy Hospital with Brain Cancer and an attempt to interview him was unsuccessful.

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Invest P. H. Craig  
Signature

GRAND JURY TESTIMONY OF CHICO GARCIA..  
SWEARING IN.....  
ASSISTANT PROSECUTOR ROBERT A. DURST ASKING QUESTIONS.

BD: WHAT DO YOU PREFER TO BE CALLED?

CG: CHICO. (INAUDIBLE)

BD: OKAY DO YOU PREFER TO BE CALLED KEN OR CHICO?

CG: WELL, I WAS NAMED AFTER A POLICE OFFICER.

BD: OKAY. IT'S MR. KENNETH GARCIA, CORRECT?

CG: YES

BD: MR. GARCIA, LET ME EXPLAIN WHY WE'RE HERE TODAY. AS YOU ARE AWARE, I'M AN ASSISTANT PROSECUTOR, MY NAME IS DURST. THIS IS THE GRAND JURY. GRAND JURY IS INVESTIGATING SOME THINGS THAT HAPPENED IN OUR COUNTY TWO YEARS AGO DURING A ROBBERY. YOU'VE BEEN CALLED IN HERE BECAUSE WE BELIEVE THAT YOU HAVE SOME EVIDENCE THAT WILL HELP US WITH THE CASE THAT WE'RE CONSIDERING. I WANT TO MAKE IT CLEAR, THAT YOU, YOURSELF ARE NOT IN ANY TROUBLE. AS A RESULT OF ANY INVOLVEMENT YOU MAY HAVE HAD WITH THE PEOPLE OR THE PROPERTY THAT CAME OUT OF THAT ROBBERY. I KNOW THAT YOU'VE BEEN NERVOUS ABOUT SOME OF THIS AND I UNDERSTAND THAT.

CG: YEA, I GOT NERVOUS, NOT ONLY THAT BUT I WOULD RATHER SPEAK TO YOU THAN SPEAK TO CRAIG BECAUSE I MEAN SO FAR, HE SCARES EVERYBODY BY, I'M TRYING TO HELP HIM FIND A WEAPON AND HE SCARED ME AND I TELL HIM I'M TRYING MY BEST AND HE PULLED OVER WITH ALL THESE DOPE DEALERS ONE DAY TRYING TO GET ME AND HE SAID IF I HAVE TO I'LL PUT IT WHERE A SNITCH IN YOUR HOUSE (the tape is hard to understand at this point) AND I GOT KIDS AND HE SCARED ME RIGHT THERE MORE THAN ANYTHING ELSE.

BD: ALL WE'RE LOOKING AT IS THE TRUTH. THAT'S ALL WE WANT. WE'RE NOT ASKING YOU TO SAY THINGS THAT YOU DON'T KNOW. WE'RE NOT ASKING YOU TO FIND GUNS THAT YOU CAN'T FIND. ALL WE WANT TO KNOW IS WHAT YOU REMEMBER ABOUT SOME STUFF THAT HAPPENED TWO YEARS AGO AND YOU'VE ALREADY GIVEN US THIS INFORMATION A COUPLE TIMES AND WE APPRECIATE YOUR COOPERATION.

CG: I TRY MY BEST BECAUSE IT WAS TWO YEARS AGO AND I'VE BEEN IN A MOTORCYCLE ACCIDENT AND MY MIND HAS BEEN GOING.

BD: I UNDERSTAND THAT AND AGAIN FORGET ANYTHING THAT YOU AND INVESTIGATOR CRAIG HAVE TALKED ABOUT. ALL WE WANT IN THIS ROOM IS YOUR MEMORY AS TRUTHFUL AS YOU CAN RECALL THINGS. WE UNDERSTAND THAT AT SOME POINT IN TIME A COUPLE YEARS AGO, GARY ST. CLAIR AND TYRONE NOLING, JOEY DELISANDRO. SOME BODY IN THAT GROUP SOLD YOU A COUPLE GUNS IS THAT TRUE?

CG: THAT'S TRUE. IT WAS A 25 AUTOMATIC, 12 GAGE BROKEN DOWN. THE PROBLEM HERE IS I DID TELL CRAIG ABOUT THE CAUSE THERE WAS A THIRD GUN. CAUSE I CAN NOT REMEMBER TOO GOOD IF IT TOOK (INAUDIBLE) THERE WAS A THIRD GUN, BUT I DON'T REMEMBER IF I SOLD IT OR I GAVE IT BACK TO HIM.

BD: THAT'S FINE, WE DON'T CARE WHETHER YOU SOLD IT OR GAVE IT BACK TO HIM. LET ME GO THROUGH THE FIRST TWO GUNS. WHAT DO YOU REMEMBER ABOUT THOSE GUNS. HOW IS IT THAT THOSE GUYS BROUGHT THOSE TO YOU.

CG: FOR ONE THING I DON'T KNOW HOW THEY KNEW ME, THE ONLY THING I REMEMBER IS THAT I USED TO WORK FOR (INAUDIBLE) FOR FOUR YEARS IN THE RESTAURANT AND I USED TO WORK WITH HIS AUNT CAUSE SHE CLEANS ROOMS. I KNEW THE FAMILY BUT HOW THE KID CAME TO ME I DON'T KNOW.

BD: WELL WE DON'T SOMEHOW THEY CAME TO YOU CAUSE THEY THOUGHT THEY MAYBE THEY COULD SELL YOU SOME GUNS, RIGHT.

CG: RIGHT. WHEN THEY SOLD ME THE GUN THEY SAID WE NEEDED THE MONEY TO GO DOWN UNION TO THE GUN SHOP ACROSS THE UNION LINE, THEY WANTED TO BUY ANOTHER GUN SO THEY COULD KEEP SELLING GUNS. I THOUGHT IT WAS LEGAL.

BD: WELL...WE

CG: BUT THEY DID BRUNG ME THE 25. I CAN'T TELL YOU IF IT WAS IN GOOD CONDITION WHAT IT'S BEEN TWO YEARS AGO. THE SAWED SHOTGUN WAS A BROKEN DOWN SHOTGUN. BREAK IT DOWN AND YOU COULD PUT IT IN A SUITCASE IF YOU WANTED TO CARRY IT.

BD: IT WAS SAWED OFF? DO YOU REMEMBER HOW LONG THE BARREL WAS.

CG: (INAUDIBLE)...THE HANDLE WAS SAWED AND ROUND, I CAN'T SAY HOW MANY INCHES HAD BEEN SAWED OFF THE BARREL. I COULD PROBABLY THINK IF HELD ONTO THE HANDLE COULD YOU HOLD THAT, THAT'S HOW FAR I CAN TELL NOW.

BD: THE STOCK HAD BEEN SAWED OFF A LITTLE BIT TOO.

CG: IT WAS LIKE ROUNDED LIKE IT WAS FANCY LIKE SOMEBODY DID IT THEM SELF OR THEY TOOK IT AND HAD SOMEBODY DONE IT.

BD: YEA, SINGLE SHOT

CG: YEA, SINGLE SHOT, 12 GAGE, SINGLE SHOT.

BD: THEN THERE WAS A LITTLE HANDGUN YOU TOLD US ABOUT.

CG: THE FIRST HANDGUN WAS SOLD TO A (INAUDIBLE) AND THE MAN CAN NOT BE HERE BECAUSE HIS SON KILLED HIM AND KILLED THE FAMILY. BUT OFFICERS GOT THAT ONE. THE THIRD ONE LIKE I SAID WAS MY HAND BUT I CANNOT REMEMBER IF I SOLD IT OR GAVE IT BACK.

BD: I UNDERSTAND. NOW, THAT THIRD GUN YOU'RE TALKING ABOUT WHO BROUGHT IT OR WHO'S HAND DID YOU

CG: DELISANDRO.

BD: DELISANDRO, OKAY. AND HOW MUCH TIME AFTER THE FIRST TWO GUNS DID HE SHOW UP WITH THAT GUN?

CG: WELL, THE FIRST ONE (INAUDIBLE) HAD BOTH THE 25 AND THE SHOTGUN. THREE DAYS LATER HE CAME BACK WITH THE OTHER ONE.

BD: YOU SAY THREE DAYS LATER, HOW DO YOU KNOW IT WAS THREE DAYS LATER?

CG: I CAN'T QUITE TELL YOU, I'M JUST GUESSING.

BD: WELL IT SEEMED APPROXIMATELY THREE DAYS RIGHT. I MEAN IT WASN'T LIKE THREE MONTHS LATER, OR THREE WEEKS LATER.

CG: NO, WELL....

BD: THREE DAYS, FOUR DAYS, SOMETHING LIKE THAT

CG: RIGHT

BD: NOW, DELISANDRO BROUGHT YOU THAT GUN, WAS ANYBODY WITH HIM?

CG: THERE WERE FOUR GUYS WITH HIM AND HE BRUNG, LET ME GO BACK, HE BRUNG BOTH GUNS AND THE SHOTGUN, THERE WAS FOUR GUYS WITH HIM. I SHOWED....MARK THE PICTURES WHERE THEY ARE. THEN THERE LATER HE CAME WITH SOME LADY AND I DON'T KNOW HER NAME AND DIDN'T CARE CAUSE YOU KNOW, I DON'T KNOW HER. HE WAS IN A SMALL CHEVY Z28 I THINK YOU CALL THEM. THAT'S THE LAST TIME I SEEN HIM FROM THERE.

BD: BUT THE OTHER GUYS WEREN'T WITH HIM THAT SECOND TIME WERE THEY? IT WAS JUST THE WOMAN.

CG: THEY WAS, I'M NOT QUITE SURE, IT'S BEEN SO LONG. CAUSE HE UP SO MANY TIMES WITH THEM GUYS IT'S JUST...I CAN'T GO BACK THAT FAR.

BD: LET'S GO BACK TO WHAT YOU CAN REMEMBER ABOUT THAT THIRD GUN. WHAT DID IT LOOK LIKE?

CG: IT LOOKED EXACTLY LIKE THE OTHER ONE.

BD: ALRIGHT. BUT THE OTHER ONE HAD ALREADY GONE TO RHODES RIGHT.

CG: YES IT WENT TO RHODES, AND I TOLD ALLIANCE P.D. IN THE (INAUDIBLE) WAS THAT THEY HAVE TROUBLE FINDING IT AT FIRST BECAUSE ONE GUY THAT HAD IT THERE IN DAD GAVE IT TO A BOY AND THE BOY BRUNG IT BACK WHEN THEY GOT IT.

GJ: THE FOUND THE EVIDENCE?

BD: NOW, YOU SAY IT WAS IDENTICAL TO

CG: IT WAS THE SAME SIZE AS THE OTHER ONE.

BD: DO YOU THINK IT WAS A 25?

CG: THEY WERE BOTH THE SAME SIZE, ~~THE 25s~~ CAUSE I LOOKED FOR 25s AND 9 MILLIMETERS AND THE BIGGER HAND GUNS. IT WAS A 25.

BD: YOU REMEMBER ANYTHING ELSE ABOUT IT, WHAT IT LOOKED LIKE, IT'S COLOR OR ANYTHING.

CG: IT WAS BLACK WITH BROWN HANDLE. I CAN'T SAY IF IT WAS A WOODEN HANDLE, I CAN'T SAY IF IT WAS MADE OUT OF PLASTIC, I CAN'T SAY WHAT IT WAS MADE OUT OF THE HANDLE.

BD: YOU DON'T REMEMBER TODAY WHETHER OR NOT YOU BOUGHT IT OR WHETHER OR NOT HE JUST TRIED TO SELL IT TO YOU?

CG: THAT'S WHAT I'M TRYING TO GET THE POINT ON THAT THERE, LIKE I SAID I REMEMBER ~~SELLING A THIRD GUN BUT THAT WASN'T THE ONE I'M TELLING YOU ABOUT~~ NORMAN SCOTT'S GUN. IT WAS LEGAL, NOW ~~IF HE DID SELL IT TO ME, IT WAS TWO YEARS AGO AND . . . .~~

BD: NORMAN SCOTT? WHO'S NORMAN SCOTT?

CG: HE'S IN THE (INAUDIBLE) RIGHT NOW HE CAN'T TALK, HE CAN'T WALK BECAUSE HE HAS A BRAIN TUMOR.

BD: HE'S THE MAN DOWN IN THE HOSPITAL, ISN'T HE? DOWN IN CANTON?

CG: YES. I TRIED TO TALK TO HIS WIFE AND SHE DON'T WANT TO TALK TO ME, THE FAMILY DON'T EVEN WANT TO SEE ME AND THEY WON'T EVEN LET ME TALK TO HIM.

BD: YES, I UNDERSTAND THAT HE'S DYING.

CG: WHAT I'VE FOUND OUT SO FAR, HE'S HOME WITH HIS MOTHER IN A WHEELCHAIR, AND SO FAR THAT I'M AWARE THAT HE IS DYING.

BD: NOW, THIS GUN THAT WE'RE TALKING ABOUT THAT MR. SCOTT MAY HAVE HAD. HOW IS IT THAT YOU THINK HE CAME INTO POSSESSION OF THAT GUN?

CG: IT WAS CHROME HANDLE, FROM MY POINT OF VIEW I SOLD HIM THAT ONE. IT CAME OUT LEGAL, IT DIDN'T HAVE (INAUDIBLE), IF IT WAS NOT LEGAL YOU COULDN'T HAVE (INAUDIBLE) A GUN.

BD: BUT THAT LEGAL ONE YOU'RE TALKING ABOUT, NOW THAT'S DIFFERENT THOUGH THAN THIS OTHER BLACK OR BROWN HANDLE.

CG: YEA, HE GOT THE AT LEAST THREE GUNS THAT HE BOUGHT IN THE

STORE. AND THEN HE GOT TWO 25'S, I'M NOT QUITE SURE, I (INAUDIBLE) GLASS HANDLES. AT THAT TIME I WAS SELLING JEWELRY.

BD: I'M SORRY, WHAT?

CG: JEWELS. HE WAS SELLING JEWELS AND NORMAN WAS SO CRAZY ABOUT SELLING JEWELS AND I TOLD HIM TO TALK TO NORMAN. BUT IF I (INAUDIBLE)....I'M NOT SAYING I CAN'T REMEMBER MY MIND TWO YEARS AGO IT WAS SOMETHING...

BD: I GOT YOU, YOU'RE SAYING YOU REMEMBER SEEING THE THIRD GUN, THE ONE WHAT WE THINK WAS THE 25 WITH A BLACK OR A BROWN HANDLE, YOU JUST DON'T KNOW WHETHER YOU MIGHT HAVE BOUGHT IT FROM HIM OR WHAT. IT WAS A LONG TIME AGO.

CG: (INAUDIBLE)....

BD: THIS CHROME HANDLE GUN THOUGH, I DON'T UNDERSTAND WHAT THAT HAS TO DO WITH THIS?

CG: WELL, I THOUGHT AT FIRST WHEN MR. CRAIG CAME UP TO ME AND SAID WAS THERE A GUN, I THOUGHT FOR A SECOND IT HAD BEEN THE CHROME HANDLE ONE. THAT'S WHAT I THOUGHT. BUT WHEN I ASKED CRAIG (INAUDIBLE) WAS BLACK, BROWN HANDLES IT WAS THE ONE HE WAS

BD: OKAY, NOW I WOULD TELL YOU THAT JOEY DELISANDRO HAS TOLD US THAT HE IN FACT SOLD THAT GUN TO YOU FOR I THINK IT WAS \$20.00 OR \$25.00, DOES THAT SOUND, YOU'RE SAYING YOU CAN'T REMEMBER, MY QUESTION IS THIS IS IT POSSIBLE THAT...

CG: IT COULD BE POSSIBLE THAT CAUSE THE OTHER GUY, THE FIRST 25 HE SOLD, HE GOT \$75.00 FOR A FRIEND, I'M NOT QUITE SURE CAUSE I OFFERED THAT THERE.

BD: WELL, THE IMPORTANT THINGS IS AND AGAIN THE WHOLE PURPOSE OF YOUR BEING HERE IS THAT YOU REMEMBER THREE GUNS WITH THOSE GUNS.

CG: YES SIR.

BD: SHOTGUN AND A HANDGUN THE FIRST TIME, THE SECOND TIME A HANDGUN WHICH LOOKED IDENTICAL TO THE FIRST ONE. ANYBODY HAVE ANY QUESTIONS OF MR. GARCIA?

GJ: CAN YOU TELL ME THE THREE GUYS THAT YOU SAW WITH THE GUNS?

CG: I'M NOT QUITE NORMALLY GOOD WITH THEIR NAMES. PICTURES, I'M GOOD WITH, NAMES I AIN'T.

GJ: DO YOU KNOW WHO YOU IDENTIFIED?

CG: (INAUDIBLE).....

GJ: ARE YOU A GUN DEALER?

CG: NO SIR. I HAVE NEVER DEALED GUN IN MY LIFE BUT I THOUGHT, THE KID CAME UP TO ME AND SAID IT WAS THEIR GUN. THEY AIN'T TOLD ME IT WAS NOT STOLEN, THEY DIDN'T KNOW IT WAS NOT STOLEN, NEVER TOLD ME IT WAS USED IN A HOMICIDE. THEY JUST TOLD ME THAT WANTED TO SELL THE GUN SO THEY COULD GET THEIR SELF A GUN TO GO HUNTING WITH. THAT'S ALL I KNOW.

BD: WAS THIS STATEMENT ABOUT GOING TO GET A GUN TO GO HUNTING WITH WAS THAT THE FIRST TIME.

CG: IT WAS THE FIRST GUN WHEN THEY SOLD THE 25 AND THE SAW. THEY WAS GONNA GO UP TO THEIR, I DON'T KNOW THE NAME OF THE PLACE, IT WAS UP ON UNION, A GUN STORE UP ON UNION IN ALLIANCE. THAT'S ALL THEY SAID. I'M NOT QUITE SURE WHAT, IF I HAD THE PICTURES OF THEM THE GUY WAS THE SAME SIZE OF DELISANDRO. I THINK HE'S GOT FINE BROWN HAIR, I'M NOT SURE, WELL WITH PICTURES, I'M GOOD WITH PICTURES NOT WITH NAMES. HE'S THE ONE THAT SAID THIS 25 IS HIS AND MR. CRAIG SAID THAT THE GUN WAS HIS. THE GUY TOLD ME (INAUDIBLE)

BD: ANY FURTHER QUESTIONS....THANK YOU FOR COMING IN HERE THIS MORNING.