



UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Civil Action No.

-----X
M. REBECCA DOWNING and :
ROBERT G. LEICHLITER, :
:

Plaintiff, :

- vs - :
:

YORK COUNTY DISTRICT ATTORNEY, :
H. STANLEY REBERT, and :
YORK COUNTY, PENNSYLVANIA :

Defendants. :
-----X

Deposition Testimony of ANTHONY GLOWCZEWSKI

225 Market Street
Harrisburg, PA

September 8, 2005
9:20 a.m.

IT IS HEREBY STIPULATED and agreed that the reading, sealing, and signing of the within transcript are waived;

IT IS FURTHER STIPULATED and agreed that all objections except as to the form of the question are reserved to the time of trial.

LEARY REPORTING
112 West Main Street, Ste. 200
Mechanicsburg, Pennsylvania 17055

(717) 233-2660 Fax (717) 691-7768

COPY

1 jail?

2 A Yes, sir.

3 Q All right. So she institutes some
4 rules and policies. An entire policy manual?

5 A That is correct; dress code,
6 firearms usage. We also went through an
7 accreditation, too.

8 Q What type of an accreditation was
9 that?

10 A I knew you were going to ask me
11 these initials. I need some help.

10:04A 12 Q Just tell me what you remember about
13 it.

14 A Anyhow, it is the state level chief
15 of police certification where all departments
16 should operate under as far as evidence, reports,
17 arrests and so forth. And that was only, only to
18 back up our policies that we had in effect.

19 Q In your view as an experienced law
20 enforcement person, did Ms. Downing improve or
21 not improve the professionalism of the
22 detective's office?

23 A I would say she improved the
24 professionalism.

25 Q A lot or a little?

1 Q And for how long had that practice
2 or custom existed in the county detectives?

3 A That, I can't give you a date. I
4 was involved only one time. Because of all of
5 the vacation I have saved up and my wife works, I
6 take vacation during the month of December. So I
7 would not be in the immediate office area.

8 Q Did Ms. Downing put a stop to that
9 practice after she became chief county
10 detective?

11 A Yes.

12 Q Did she tell you why?

13 A She did; but I am not going to give
14 you the verbiage, because I don't remember it
15 verbatim.

16 Q Just tell me your understanding of
17 what she -- I don't expect you to remember
18 verbatim.

19 Just what was your understanding as
20 to what she was telling you as to why she stopped
21 that?

10:05A 22 A If we were tied up on other details,
23 stopping the details, coming back and taking
24 people to lunch, making ourselves available; if
25 we had details to go on, we would not be

1 A I am coming from an I don't care
2 attitude, to we are making this into a
3 professional office. So we are going from 5
4 percent to a 100 percent turn around.

10:05A 5 Q The 5 percent and the I don't care
6 being the attitude, at least as you understood
7 it, of Mr. Ingle?

8 A Right.

9 Q Now, with respect to activities that
10 the office would participate in, do you know if
11 there was any type of activity that involved
12 shuttling people to and from a Christmas party at
13 Schaad?

14 A That would have been Mr. Wantz'
15 Christmas party at Schaad.

16 Q And what was that about?

17 A It's either the second or third week
18 of December, Mr. Wantz has his Christmas party
19 over at the York Fairgrounds. And if we were
20 available, we were asked if we could shuttle some
21 of the employees over who had their half hour
22 lunch break. And if we were still around, to
23 shuttle them back to the courthouse.

10:07A 24 Q We, being the detectives?

25 A Right.

1 available.

2 Q Did you ever discuss that with Mr.
3 Rebert?

4 A Have I?

5 Q Yes.

6 A No, sir.

7 Q Did Ms. Downing ever tell you what
8 Mr. Rebert's reaction was when she told him that
9 she was going to stop the practice?

10 A She may have.

11 O You don't remember?

12 A I don't remember.

13 Q But in any event, it stopped. Is
14 that right?

15 A Yes.

16 And I would like to say something.

17 Q Sure.

18 A I don't know, because I am telling
19 you that the month of December --

20 Q You're not there.

21 A -- and this, the boss can tell you,
22 I take off. So I don't know.

23 Q Let me just put it this way. Was it
24 your understanding that that practice stopped?

25 A Yes.

1 Did they tell you why they were taking it out of
2 there?

3 A No.

4 Q Do you know where they took it?

5 A No.

6 Q Was the chief, Ms. Downing, made
7 aware of that to your knowledge, that that had
8 taken place?

11-07A 9 A Well, if I wasn't -- she was there.

10 I wasn't. That is the way it usually worked. If
11 she was on vacation or something like that, I
12 would be around. And if I am gone, she would be
13 around. If she is gone, then Sergeant Demangone
14 would be around.

15 Q So you would assume by the fact that
16 she was there, that she would have been made
17 aware of that. Is that right?

18 A I'm sure.

19 Q But you don't know one way or
20 another from your own personal knowledge?

21 A I couldn't tell you that, sir.

22 O All right. Do you know what Mr.
23 Rebert was doing with the slot machine or the
24 one-armed bandit in his basement?

25 A Not in his basement, no.

1 Q At his house at all?

2 A At his house, no. That slot
3 machine -- if it is the same one. I am not sure
4 that was in his office.

5 Q I will ask you about the one in the
6 office. Right now I am concentrating on the one
7 at the house.

8 A I never seen it at the house.

9 Q Do you know where any of those slot
10 machines would have come from, either the one in
11 his house or the one in his office?

12 A I am assuming it was an old either
13 PSP or LCE case.

11-08A 14 Q Taken in a raid?

15 A Taken on a raid, the case was
16 closed, and it stuck around as a memento.

17 Q What is the normal procedure with
18 respect to machines like that that are taken in a
19 raid? What is supposed to be done as a law
20 enforcement person?

21 A The law has changed. If it is an
22 antique machine, you can keep it. If it is a
23 relatively new one like they sell at Sam's now
24 and you confiscate it, they are to be destroyed.

25 Q That is the new law. Is that right?

1 A That is the new law.

2 Q What was the old law?

3 A The old law was all destruction.

4 Q When did the new law come into
5 effect?

6 A I think it is two years ago, as we
7 were instructed in our MOPEC classes. If it is
8 an antique and you can prove it is an antique,
9 you can keep the machine.

10 Q The one-armed bandit in Mr. Rebert's
11 office, was that an antique?

11-09A 12 A That I am not sure.

13 Q Now, you said that you actually took
14 it out for repair?

15 A Yes. We had to take it to a place
16 off of King Street. Something was wrong with it.

17 Q When was that?

18 A I was still with the drug task
19 force.

20 Q Was it before or after Downing?

21 A It was before Downing, because we
22 could still make access through the back door of
23 the courthouse.

24 Q So Stanley Rebert has this one-armed
25 bandit or slot machine in his office and it needs

1 repaired. Is that right?

2 A Right.

3 O Now, who tells you to go in and take
4 it out for repair?

5 A Who tells me?

6 Q Yes.

7 A Mr. Rebert, or the boss.

8 Q Was that on county time?

9 A Yeah. He didn't tell me to take it
10 out for repair. He told me to take it out. He
11 didn't tell me, you are taking this out to get
12 repaired. He was telling me to take it to a
13 certain address. In fact, the boss went with me.

14 Q So he went with you to this address?

15 A Yeah, to show me where it was at.

11-10A 16 Q Okay. This was the one in his
17 office. Right?

18 A That was the one in his office.
19 That is the only one I am aware of.

20 Q All right. So where did you end up
21 taking it?

22 A It was either off of Princess or off
23 of King. And I know you make a left turn into
24 the driveway and it is a building off on the
25 right-hand side.

1 knows that? And I said, Yeah. And he says,
2 Okay. I am going to look into this.

3 And, in turn, he started calling the
4 different departments to find out all of the
5 overtime that Bubba claimed, such as bingo
6 inspection for different fire departments, on
7 call status for going out to the scenes, and the
8 boss did his own investigation on that.

11:20A 9 Q What happened to Mr. Ingle as a
10 result of that investigation?

11 A Mr. Ingle was relieved of his
12 duties. He was either asked -- I was told he was
13 asked to resign or get fired.

14 Q So let me get this straight. Mr.
15 Ingle, or as you refer to him, Bubba, was putting
16 in overtime at least on this one occasion for
17 supposedly a legitimate law enforcement event for
18 the county while he was actually ferrying Mr.
19 Rebert's family members to the airport?

20 A Right.

21 Q Any other incidence of personal
22 errands or ferrying of family members that there
23 was discussion about prior to Ms. Downing?

24 A No. That is the only incident that
25 I know of.

1 understanding that that's what he was doing,
2 working that --

3 A Well, he would take the boss from, I
4 guess, pole to pole. I have never seen it, but
5 that is what was --

6 Q That was the discussion?

7 A Right. He had never asked me to
8 ferry him. All he asked me in my tenure so far,
9 because I was usually duty detective, I would
10 tell him I handle the north and certain
11 detectives handle different geographical
12 locations in the county.

13 Can I take a break?

14 Q Certainly. Absolutely.

11:24A 15 (Brief recess.)

11:36A 16 BY MR. LAVERY:

17 O Getting back to the issue of the
18 couch for a minute.

19 Do you remember the trial when Mr.
20 Ingle was actually being tried for his offenses?

21 A Yes.

22 Q Do you remember being in a group or
23 gathering where Stan Rebert came in and asked
24 that a county couch be removed from his
25 basement?

1 Q All right. Do you know of Mr.
2 Rebert ever asking any of the county detectives
3 to feed his dog while he was away?

11:21A 4 A I don't remember that.

5 Q Did you ever drive Mr. Rebert to
6 work the poles?

7 A No. When I was hired, the boss and
8 I had a conversation. I am hired as a police
9 officer. I don't politic for anybody. I don't
10 hang signs for anybody. But the only thing I
11 would be on call for was any problems at the
12 pole.

13 Q Why were you having that discussion
14 with him? Did he ask you to drive him?

15 A No. At the time, I think there was
16 a law in the crimes code about police officers
17 being near the pole and politicking and so forth.
18 But that was in 1989.

1:22A 19 Q Do you know if there was ever any
20 discussion in the office of other detectives
21 driving Mr. Rebert to work the poles?

22 A Ken Ingle was the only one that I
23 know of that -- he looked forward to working that
24 day.

25 Q I am sure he did. But was it your

1 A Yes.

2 Q Tell me what happened.

3 A It was in -- he was sitting in Chief
4 Downing's office.

5 Q Let me ask you who was present, by
6 the way, for this, first of all?

7 A There was the little guy from the
8 AG's office.

9 Q Eric Augustine?

10 A Eric Augustine, Jeff Martz, Doug
11 Demangone, myself and these were people that were
12 there. They were coming in.

13 Q Downing was there too?

14 A Yes. She was sitting at her desk.

15 Q Was that right before the
16 commencement of the trial?

11:37A 17 A Yes.

18 Q Were you discussing strategy for the
19 trial?

20 A Yes.

21 Q What happened at that point when Mr.
22 Rebert came in?

23 A He sat down. He was sitting in the
24 chair in front of her. I was sitting next to Mr.
25 Augustine. And then the other guys started

1 Q Did you ever discuss with Ms.
2 Downing the use of drug task force funds for non
3 drug criminal investigations?

4 A That was a topic. Well, it was a
5 topic because then it was found -- I don't know
6 how it was found out, that Mr. Graff was paying
7 for it out of the drug task force fund and it was
8 going to be reimbursed. Somehow it was going to
9 be reimbursed through the County.

10 Q Mr. Graff was paying for what out of
11 the drug task force?

12 A I wasn't privy to any of this, but I
13 am assuming it was for the different trips, for
14 lodging.

15 Q On the Allen case?

16 A Yes.

17 Q Someone in the office indicated that
18 to you?

19 A Yes.

20 Q Do you know who that was?

21 A It may have been a conversation
22 between the Chief and I.

11-42A 23 Q Becky Downing and you?

24 A Yes.

25 Q Did she indicate to you that she

1 Q First of all, was it actually a
2 statement made to you?

3 A Bill Graff would accompany them,
4 when you mentioned golf clubs.

5 Q Mr. Graff was along?

6 A It is funny because like we carry
7 pens, Bill carries golf clubs. I mean that is
8 just Bill. I am going to do the same thing when
9 I retire, golf clubs and fishing rods.

10 Q Mr. Graff was a golfer, I take it?

11 A Yes, he is a golfer.

12 Q Was there any discussion that these
13 individuals, while they were on these trips, were
14 playing golf?

15 A While they were hunting and there
16 was downtime in between, yes. Now, what I mean
17 by hunting, hunting down the leads.

11-45A 18 Q Was it sort of like a joke around
19 the office that they were playing golf while they
20 were down on these trips?

21 A Yes.

22 Q Did Becky Downing ever tell you that
23 she actually spoke to Stan Rebert about these
24 trips, about how Daryman was being paid by drug
25 task force money for these trips? Did she ever

1 felt that that was not proper?

2 A Yes.

3 Q Did she indicate that she was going
4 to speak to Mr. Rebert about that?

5 A Yes, I am sure she did.

6 Q Who else went on these trips to
7 follow leads or gather evidence, other than
8 Daryman? Who else was on those trips?

9 A Oh, wow.

10 Q Was Rodney George one of the people?

11 A Yeah, I'm trying to think. Rodney
12 George, Daryman, I don't know if Julio -- Chief
13 Mendez now. I don't know if he was part of that;
14 Trooper Stone, Nadzom. And they were lodged in
15 the squirrel hut, which was right in back of the
16 courthouse. That was the old church.

11-44A 17 Q That is where they were working out
18 of?

19 A Yes.

20 Q Was there any discussion within the
21 office about these individuals having taken their
22 golf clubs and playing golf while they were down
23 there on any of these leads?

24 A Did I hear, or was it actually a
25 statement made to me?

1 say she talked to Stanley about that?

2 A The Chief would sit me down in
3 different briefings and tell me different issues
4 that she was going to approach the boss with.
5 But specifically, I can't say yes or no.

6 Q Fair enough.

7 A I mean, I attended so many briefings
8 it is hard for me to remember.

11-46A 9 Q I understand. Now, let's talk about
10 Daryman's hiring.

11 Was Daryman going to be hired under
12 different terms than the other detectives were
13 working under at the office, to your knowledge?

14 A Yes.

15 Q What was your understanding of the
16 terms that Daryman was going to be hired under as
17 opposed to what the other detectives in the
18 office had to do?

19 A He would work four days a week
20 instead of five days a week. He would work no
21 duty time; each detective is allotted two weeks
22 in a rotating schedule for duty detective. No on
23 call status.

24 Q No weekends. Duty time was on call?

25 A No on call status.

1 A No firsthand knowledge, sir.
 2 O Have you heard secondhand that the
 3 results were negative?
 4 A No response, sir. I have no
 5 knowledge of that.
 12:36P 6 Q When you were presenting your
 7 findings in the Whitman crime scene case, as to
 8 the credibility of the accusers --
 9 A Right, yes, sir.
 10 Q And what did he tell you?
 11 A That he had known Ms. DeGrandis
 12 because of the homicide that occurred with her
 13 brother and that she was unhappy with the --
 14 almost exactly the same thing that Rita told me.
 15 Both of them were unhappy with each other the way
 16 the case went. And she was unhappy with the
 17 outcome of the case.
 18 Q Did Mr. Rebert make it clear to you
 19 at that point that that controversy between them
 20 affected his judgment as to their credibility?
 21 A Yes.
 22 Q And then one last question on that
 23 particular incident. Had that investigation been
 24 allowed to continue and had it been proven
 25 conclusively to the satisfaction of Mr. Rebert

1 that Susan did, in fact, improperly take and
 2 display the crime scene photos, what crime would
 3 she have been charged with?
 12:37P 4 MR. LAVERY: I object to the form of
 5 the question. It calls for speculation
 6 as to an investigation that was not
 7 allowed to proceed and what the results of
 8 that would have shown.
 9 BY MR. LERRER:
 10 Q You can answer the question.
 11 A Okay. Sir, if she had taken photos
 12 out of the office, that would have been theft.
 13 It would have been theft of York County property,
 14 because it was in a case file.
 15 As far as discipline, that would
 16 have been up to the boss.
 17 Q You were never able to confirm that
 18 the photos were missing from the case file, were
 19 you?
 20 A I was told to cease my
 21 investigation, sir.
 22 Q You indicated during your responses
 23 to Mr. Lavery's questioning that you disagreed
 24 with Mr. Rebert's decision to cancel that
 25 investigation. Is that correct?

12:38P 1 A Personally, yes, sir.
 2 O Did you express your disagreement to
 3 Mr. Rebert?
 4 A Not to Mr. Rebert, sir, no.
 5 Q Have you had disagreements with Mr.
 6 Rebert over the course of your 17 years in the
 7 detective's office regarding other matters?
 8 A Oh, yes.
 9 Q Things that you would have expressed
 10 to him directly?
 11 A The boss and I have an open door
 12 policy. If I got something to say, I say it to
 13 him. If he has something to say, he calls me in
 14 and says it to me.
 15 Q As a consequence of you ever
 16 expressing your opinions regarding any matters to
 17 Mr. Rebert, has any disciplinary action ever been
 18 taken against you?
 19 A Against me?
 20 Q Yes.
 21 A There was a memo written about -- on
 22 this case or?
 23 Q Anything.
 24 A There was a memo written that I was
 25 discrediting the chief of police and the office

1 of the district attorney.
 2 And it was a misunderstanding at a
 3 crime scene where another detective made a
 4 statement that the crime scene was compromised.
 5 And all I did was say the exact verbiage back to
 6 the chief, that the crime scene was compromised.
 7 And I made the suggestion after that
 8 statement was made that somebody better contact
 9 the mother and somebody better contact the
 10 landlord to see, in fact, if the crime scene was.
 11 So I went to the boss and I said in
 12 my plain English to him, What the hell is this
 13 all about? And he said, Spreading rumors and so
 14 forth. And he and I had a discussion. And I
 15 said, Boss, I am only telling you what was said
 16 to me there at the crime scene.
 17 So other than that, I don't know if
 18 the letter has been removed or not.
 12:40P 19 Q Have you been denied any benefits or
 20 been suspended?
 21 A No, sir.
 22 Q Any type of disciplinary action as a
 23 result of you exercising the open door policy
 24 between the two of you?
 25 A Am I forbidden from coming into his

1 office?

2 Q Let me strike that question and ask
3 you another one that is not quite as confusing.

4 I am asking you if any adverse
5 action has ever been taken against you with
6 respect to the terms of your employment as a
7 consequence of you expressing yourself or
8 speaking out to Mr. Rebert about any issues?

9 A No, no, no.

10 Q Do you feel comfortable speaking out
11 to Mr. Rebert about any issues?

12 A Yes.

13 Q Do you ever feel discouraged or
14 hindered from expressing your opinions or
15 viewpoints about any issues with Mr. Rebert?

16 A Do I feel uncomfortable at times?

17 Q Yes.

18 A Yes.

19 Q Why?

12-41P 20 A Well, it is typical
21 employee/employer. I don't want him to be -- I
22 don't want to walk in there after he is having a
23 hard day. So I have to try to feel him out to
24 see if he is having a good day or if he is having
25 a bad time at home or his wife spent too much

1 A Yes, I am sure she did.

2 Q Do you have any idea what the value
3 of the jacket would be?

4 A No, sir, I don't.

5 Q Do you know who made them?

6 A The manufacturer of the jacket? No.
7 The patches were put on by Fantasia -- no, it's
8 not Fantasia. It's a place out on West Market
9 Street. I call it Fantasia.

12-43P 10 Q Do you --

11 A Imaginaire. That's it.

12 Q Did you ever go to lunch with Ms.
13 Downing during her tenure as chief?

14 A Yes.

15 Q Where would you guys go?

16 A Genovas, Hoss'.

17 Q Why those places?

18 A Did you ever eat there?

19 Q I have.

20 A Good food.

21 Q Why would you guys go there?

22 A Good food. Well, Tuesday, because
23 it is chili day. I love chili.

24 Q Did Ms. Downing ever receive any
25 discounts on her tabs there?

1 money or what. I don't want to hit him at a bad
2 time.

3 Q But your discomfort doesn't arise
4 out of a fear of retribution?

5 A Oh, no, no.

6 Q Regarding the York Fair, --

7 A Yes, sir.

8 Q We understand that there was a past
9 practice of the fair providing tickets, admission
10 tickets, and whatnot to the members of the D.A.'s
11 office.

12 Do you recall whether Ms. Downing
13 has ever received any free gifts or other items
14 from the fair or fair personnel?

12-42P 15 A I don't know personally.

16 Q Are you familiar with Gortex jackets
17 that were provided to Ms. Downing and other
18 members of the --

19 A That was bought by the York Fair.

20 Q That was by the York Fair?

21 A They were bought by the York Fair.

22 Q And who were they provided to?

23 A The detectives.

24 Q Did Ms. Downing accept one of these
25 jackets?

1 A All law enforcement

2 Q All law enforcement?

3 A Yes.

4 Q You would receive them too?

5 A Yes.

6 Q Did Ms. Downing ever refuse to
7 accept the --

8 A Yes, we all did. That is why we
9 leave a bigger tip on the table.

10 Q What was the last year that the free
11 fair passes were handed out?

12-44P 12 A Free fair passes?

13 Q Yes, to the detectives, the
14 admission passes?

15 A Well, her first year, like I said,
16 that pass is the color of that orange right
17 there. We had to receive one of those to get in
18 the gate. So that would have got us in. And
19 then those are the passes that you hand in one
20 time, but we had to keep them because that was
21 our ticket to get in. And I came up with the
22 idea of making placards for the car rather than
23 use those passes.

24 Q Well, you said that they were not
25 handed out this year or they hadn't been thus