

JEFFERSON PARISH SHERIFF'S OFFICE

Gretna, Louisiana

INTER-OFFICE MEMORANDUM



TO: Deputy Chief A. Clavarie DEPT. Commander, S.I.D. DATE March, 13 2000
FROM: Sergeant K. Conley DEPT. S.I.D., Vice squad cc: Capt. T Angelica
SUBJECT: Obscenity Investigation Lt. D. DeSalvo

On March 11, 2000 members of the Vice Squad were working an ongoing investigation into complaints of open homosexual activity in public restrooms located in Lakeside mall. At approximately 7:00pm, Detective Wayne Couvillion entered the men's room located on the second floor of the Dillard's department store. Sgt. Conley maintained a position to cover detective. Approximately 20 minuets later a white male exited the men's room and Detective Couvillion followed. Detective Couvillion pointed out the subject and officers stopped him in the hall.

Detective Couvillion then advised Sgt. Conley that officer entered a stall and sat down. At this time a male subject sitting in the stall started to make contact with undercover officer. It should be noted through training and experience vice officers are aware of signals and body language men do in restrooms for the purpose of soliciting homosexual type of activities. Such conduct which was used by this subject included sliding his foot in undercover officer's stall and tapping officers foot. When the undercover officer replied by tapping his foot, the male subject reached under the partition and started rubbing on the officers leg and making hand gestures indicating for the undercover officer to come into his stall. The subject also made a gesture with his hand with is known to indicate masturbation. Detective Couvillion asked the subject, " what do you want" and the male subject replied " I want to play with you".

It is at this point in an undercover investigation where the undercover officer responds in the affirmative and the subject initiates some kind of activity which makes the case for officers. In past investigations this activity has included, entering officers stall while masturbating openly, attempting to masturbate undercover officer, and attempting to perform oral sex. In this case however Detective Couvillion was justifiably concerned into having the subject's actions progress because of the high traffic of juvenile boys which were using the restroom. Sgt. Conley, while covering Detective Couvillion, counted at least 6 incidents where young boys entered the restroom alone to use the facilities. Out of concern for these children Detective Couvillion decided it would be in their best interest to terminate the investigation at this point rather than risk the possibility of them seeing this type of activity. This decision is common and important in these types of investigations. There is no question that Detective Couvillion used superior judgement and discretion in this matter.

Sgt. Conley then confronted the man who apologized and stated he would never come here again, this was before Sgt. Conley even advised him of the reason for his stop. The subject went on to say that he usually does not do this sort of thing at Lakeside Mall. Officers then asked him how long he has been soliciting sex from men. He answered he has always had a problem and has been experiencing strong tendencies the last five months or so. He stated he has sought counseling in the past for this addiction.

Officers then asked for his identification at which he presented a police identification (commission) from the St. Bernard Sheriff's Office. Officer observed in addition to his commission a gold badge with the number 2 on the surface. Subject was identified as Captain Joseph Difatta, w/m with a date of birth as August 8 1954. Captain Difatta's home address as 909 Judge Perez Drive in St. Bernard. Officers expressed their shock and disappointment with the St. Bernard officer to which he could only apologize and promise to stay away from Jefferson Parish and seek counseling.

It should be noted that Difatta was well familiar and comfortable with the routine and body language involved in this type of activity and did express he has done this a lot. It should also be noted that had Detective Couvillion let this case develop, it would have concluded with Capt. Difatta's arrest for obscenity charges, including a possible attempted crime against nature.

Captain Difatta advised officers his duty with the St. Bernard Sheriff's office is that of a liaison between the parish council and the sheriff's office. Capt. Difatta was advised by Sgt. Conley that a report documenting this incident was going to be written and submitted to Sgt. Conley's supervisors for documentation purposes. Captain Difatta was released and stated he had to meet his wife and children at a per-arranged location.

KENNER POLICE DEPARTMENT

INCIDENT REPORT SUPPLEMENTAL REPORT

PAGE 1 OF 6
I ITEM NUMBER 9-82659-96

1. SIGNAL 284
2. INCIDENT POOLING TON
3. DATE/TIME OCCURRED 9-16-96 1255
4. DIST. 1
5. ZIP CODE 7
6. LOCATION OF OCCURRENCE 1401 W. ESPERANDE AVE KENNER LA
7. DATE/TIME OF REPORT 9-16-96 1301
8. REP AREA 8728
9. WARD 1
10. TOLP 85
11. LIBRARY 6
12. BILL RECD 0
13. YES

14. NAME POLIZZANO JOEL J
15. RACE W
16. SEX M
17. DATE OF BIRTH 12-17-66
18. HOME PHONE 899-0560
19. DRIVER'S LICENSE 51A5186 LA
20. OCCUPATION KEYSTONE INC.

21. HOME ADDRESS 2001 BUTTERWORTH MET LA
22. BUSINESS ADDRESS 1401 W. ESPERANDE AVE KENNER LA
23. BUSINESS PHONE 464-8934
24. SOCIAL SECURITY NO. 435115278
25. RESIDENCE STATUS
26. FOREIGN RESIDENT
27. METRO RESIDENT
28. DOCTOR/OCCUPATION

29. ALIEN
30. VICTIM
31. REPORTING PERSON
32. WITNESS
33. PERSON INTERVIEWED
34. VERGONA BENJAMIN
35. RACE W
36. SEX M
37. DATE OF BIRTH 4-18-76
38. HOME ADDRESS 1470 CYPRESS DR WESTBROOK LA
39. BUSINESS ADDRESS 171 WESTBROOK BLVD COENLA LA
40. BUSINESS PHONE 368-8834
41. SOCIAL SECURITY NO. 434279002
42. RESIDENCE STATUS
43. FOREIGN RESIDENT
44. METRO RESIDENT
45. DOCTOR/OCCUPATION

46. HOME ADDRESS
47. BUSINESS ADDRESS
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WITNESS / REPORTING PERSON / VICTIM
NUMBER OF ARRESTS
ARRESTED SUBJECT

REVISED: MAR. 1996

WEATHER	LIGHTNING	RACE	SOBRIETY	ILLIQUITY	TREATED	MEDICAL/TRANS.	RELATIONSHIP TO VICTIM
1. CLEAR 2. CLOUDY 3. RAIN 4. SNOW 5. FOG 6. OTHER	G - GOOD F - FAIR P - POOR	1 - INDIAN 2 - SPANISH 3 - MEXICAN 4 - WHITE 5 - ORIENTAL 6 - OTHER	1. SOBER 2. WED 3. INTOX 4. DRUGS 5. UNKNOWN 6. OTHER	1. FIGHT 2. CHASE 3. SERVICE NON-FACED 4. GUN 5. WEAPON 6. OTHER	1. RELEASED 2. FREELY RELEASED 3. HOSPITALIZED	1. POLICE 2. OTHER AGENCY 3. POLICE 4. CHAIRMAN	1. HUSBAND/WIFE 2. FATHER/MOTHER 3. BROTHER/SISTER 4. EMPLOYER/EMPLOYEE 5. FRIEND/ACQUAINTANCE 6. OTHER RELAT. 7. RELATIVES 8. STRANGER 9. STRANGER (WAY TO AREA) 10. COMPLETE STRANGER 11. OTHER RELAT.

16. DETECTIVE: [Signature]
17. REPORTING OFFICER: [Signature]
18. ADDRESS NUMBER (FOR USE ONLY): [Blank]
19. CALL NO.: K107
20. SUPERVISOR: [Signature]

K.P.D. - CONTINUATION

PAGE 2 OF 6

76. CHARGES

X

77. ITEM

9-82659-4

TOTAL PERPETRATORS	78. NAME <input type="checkbox"/> ARRESTED <input checked="" type="checkbox"/> SUSPECT	<input type="checkbox"/> STATE <input checked="" type="checkbox"/> MUNICIPAL	<input type="checkbox"/> MARRIED <input type="checkbox"/> DIVORCED <input type="checkbox"/> SINGLE	79. ALICE	80. SEX M	81. DATE OF BIRTH 8-10-54	PERPETRATOR RACE/SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	82. HAIR STYLE	83. HAIR COLOR
	78. ADDRESS 901 E. JUDGE POLEZ	84. CITY CHICAGO	85. STATE IL	86. ZIP 60610	87. HEIGHT 5'8"	88. WEIGHT 195	PERPETRATOR RACE/SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	<input type="checkbox"/> 261 AFRO <input type="checkbox"/> 262 BRACED <input type="checkbox"/> 263 CURLY <input type="checkbox"/> 264 STRAIGHT <input type="checkbox"/> 265 CREW CUT <input type="checkbox"/> 266 WAVE <input type="checkbox"/> 267 BALD <input type="checkbox"/> 268 BALD BACK <input type="checkbox"/> 269 BALD FRONT <input type="checkbox"/> 270 SHORT <input type="checkbox"/> 271 MEDIAL <input type="checkbox"/> 272 LONG	<input type="checkbox"/> 281 BLACK <input type="checkbox"/> 282 BROWN <input type="checkbox"/> 283 GREY <input type="checkbox"/> 284 RED <input type="checkbox"/> 285 BRN <input type="checkbox"/> 286 BLK <input type="checkbox"/> 287 GRAY <input type="checkbox"/> 288 BRN <input type="checkbox"/> 289 BLK <input type="checkbox"/> 290 GRAY <input type="checkbox"/> 291 RED <input type="checkbox"/> 292 WHIT
	79. RACE <input type="checkbox"/> AS <input type="checkbox"/> SP	<input type="checkbox"/> STATE <input checked="" type="checkbox"/> MUNICIPAL	<input type="checkbox"/> MARRIED <input type="checkbox"/> DIVORCED <input type="checkbox"/> SINGLE	86. ZIP X	87. HEIGHT X	88. WEIGHT X	PERPETRATOR RACE/SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	<input type="checkbox"/> 261 AFRO <input type="checkbox"/> 262 BRACED <input type="checkbox"/> 263 CURLY <input type="checkbox"/> 264 STRAIGHT <input type="checkbox"/> 265 CREW CUT <input type="checkbox"/> 266 WAVE <input type="checkbox"/> 267 BALD <input type="checkbox"/> 268 BALD BACK <input type="checkbox"/> 269 BALD FRONT <input type="checkbox"/> 270 SHORT <input type="checkbox"/> 271 MEDIAL <input type="checkbox"/> 272 LONG	<input type="checkbox"/> 281 BLACK <input type="checkbox"/> 282 BROWN <input type="checkbox"/> 283 GREY <input type="checkbox"/> 284 RED <input type="checkbox"/> 285 BRN <input type="checkbox"/> 286 BLK <input type="checkbox"/> 287 GRAY <input type="checkbox"/> 288 BRN <input type="checkbox"/> 289 BLK <input type="checkbox"/> 290 GRAY <input type="checkbox"/> 291 RED <input type="checkbox"/> 292 WHIT

ARRESTED/WANTED SUBJECT	89. FACIAL HAIR	90. BUILD	91. EYES	92. NOSE	93. TEETH	94. COMPLEXION	95. SPEECH
	<input type="checkbox"/> 771 NO BEARD <input type="checkbox"/> 772 LONG BEARD <input type="checkbox"/> 773 MUTTON CHOPS <input type="checkbox"/> 774 BEARD <input type="checkbox"/> 775 GOATEE <input type="checkbox"/> 776 Moustache <input type="checkbox"/> 777 PLAIN SHAVE <input type="checkbox"/> 778 NATURAL <input type="checkbox"/> 779 BLUNT <input type="checkbox"/> 780 WASHED <input type="checkbox"/> 781 BUSHY BROWNS <input type="checkbox"/> 782 THIN BROWNS <input type="checkbox"/> 783 CLEAN SHAVEN	<input type="checkbox"/> 891 SMALL <input type="checkbox"/> 892 THIN <input type="checkbox"/> 893 MEDIUM <input type="checkbox"/> 894 BULGIOUS <input type="checkbox"/> 895 FLUENT <input type="checkbox"/> 896 STROKED SHOULDERS <input type="checkbox"/> 897 BROAD SHOULDERS <input type="checkbox"/> 898 BROAD SHOULDERS <input type="checkbox"/> 899 WASHED <input type="checkbox"/> 900 BUSHY BROWNS <input type="checkbox"/> 901 LAMP BRACKET	<input type="checkbox"/> 911 BLUE <input type="checkbox"/> 912 BROWN <input type="checkbox"/> 913 GREY <input type="checkbox"/> 914 GREEN <input type="checkbox"/> 915 IRIS <input type="checkbox"/> 916 BLOODSHOT <input type="checkbox"/> 917 ELLIPSIS <input type="checkbox"/> 918 CROSSED <input type="checkbox"/> 919 WIPED GLASS <input type="checkbox"/> 920 SCUMMED <input type="checkbox"/> 921 GLASSES CONTACTS <input type="checkbox"/> 922 BLATTERED	<input type="checkbox"/> 921 LARGE <input type="checkbox"/> 922 SMALL <input type="checkbox"/> 923 WIDE <input type="checkbox"/> 924 THIN <input type="checkbox"/> 925 FLAT <input type="checkbox"/> 926 POINTED <input type="checkbox"/> 927 SPREAD <input type="checkbox"/> 928 FLAT <input type="checkbox"/> 929 SPICED <input type="checkbox"/> 930 HOOKED <input type="checkbox"/> 931 REMARKABLE <input type="checkbox"/> 932 BIG MOUTH	<input type="checkbox"/> 931 GOOD <input type="checkbox"/> 932 REGULAR <input type="checkbox"/> 933 DECIDED <input type="checkbox"/> 934 PROTRUDING <input type="checkbox"/> 935 CAPS <input type="checkbox"/> 936 MISSING <input type="checkbox"/> 937 CHIPPED <input type="checkbox"/> 938 GOLD <input type="checkbox"/> 939 SILVER <input type="checkbox"/> 940 DESIGN <input type="checkbox"/> 941 CROWNED <input type="checkbox"/> 942 BRACED	<input type="checkbox"/> 941 ALBINO <input type="checkbox"/> 942 BRN <input type="checkbox"/> 943 BLK <input type="checkbox"/> 944 CLAY <input type="checkbox"/> 945 LT BRN <input type="checkbox"/> 946 WASHED <input type="checkbox"/> 947 ACCENT <input type="checkbox"/> 948 APPROXIMATION <input type="checkbox"/> 949 SPANISH <input type="checkbox"/> 950 SPANISH <input type="checkbox"/> 951 SPANISH <input type="checkbox"/> 952 BRN <input type="checkbox"/> 953 BRN	<input type="checkbox"/> 951 SOFT <input type="checkbox"/> 952 RASPY <input type="checkbox"/> 953 HARD <input type="checkbox"/> 954 SLOW <input type="checkbox"/> 955 LOUD <input type="checkbox"/> 956 MUTE <input type="checkbox"/> 957 MUTE <input type="checkbox"/> 958 STUTE <input type="checkbox"/> 959 VALLEY <input type="checkbox"/> 960 APOLLO <input type="checkbox"/> 961 BETA <input type="checkbox"/> 962 TALK

ADDITIONAL DESCRIPTION / CLOTHING - TATTOOS - SCARS AND TEETH IDENTIFIABLE #1 #2	96. FACIAL ODITIES	97. ODITIES	98. SCARS	99. SCARS	100. TATTOOS	101. APPAREL
	<input type="checkbox"/> 961 WHISKERS <input type="checkbox"/> 962 BUTCHER <input type="checkbox"/> 963 FRECKLES <input type="checkbox"/> 964 MOLES/WARTS <input type="checkbox"/> 965 PUPPLE/POSS <input type="checkbox"/> 966 WRINKLES <input type="checkbox"/> 967 HIGH CHEEKS <input type="checkbox"/> 968 THICK LIP <input type="checkbox"/> 969 WAX LIP <input type="checkbox"/> 970 LARGE EARS <input type="checkbox"/> 971 CHALK FLASHER LIPS <input type="checkbox"/> 972 MISSING TEETH	<input type="checkbox"/> 971 BORN LESS <input type="checkbox"/> 972 LIMP <input type="checkbox"/> 973 CRUMPLED ARM <input type="checkbox"/> 974 MISSING ARM <input type="checkbox"/> 975 MISSING FINGERS <input type="checkbox"/> 976 MISSING HAND <input type="checkbox"/> 977 MISSING FOOT <input type="checkbox"/> 978 MISSING LEG <input type="checkbox"/> 979 ABNORMAL BIRTH MARKS <input type="checkbox"/> 980 BODY ODOR <input type="checkbox"/> 981 LEFT HEMIPLEGIC <input type="checkbox"/> 982 BILATERAL CROSS	<input type="checkbox"/> 981 CHEEK LEFT <input type="checkbox"/> 982 CHEEK RIGHT <input type="checkbox"/> 983 CHIN <input type="checkbox"/> 984 EAR LEFT <input type="checkbox"/> 985 EAR RIGHT <input type="checkbox"/> 986 EYEBROW LEFT <input type="checkbox"/> 987 EYEBROW RIGHT <input type="checkbox"/> 988 LIP UPPER <input type="checkbox"/> 989 NOSE <input type="checkbox"/> 990 SUPRACILARY <input type="checkbox"/> 991 EAR LEFT	<input type="checkbox"/> 991 ARM LEFT <input type="checkbox"/> 992 ARM RIGHT <input type="checkbox"/> 993 HAND LEFT <input type="checkbox"/> 994 HAND RIGHT <input type="checkbox"/> 995 WRIST LEFT <input type="checkbox"/> 996 WRIST RIGHT <input type="checkbox"/> 997 CHEST <input type="checkbox"/> 998 NECK <input type="checkbox"/> 999 BACK <input type="checkbox"/> 1000 LEG LEFT <input type="checkbox"/> 1001 LEG RIGHT <input type="checkbox"/> 1002 CHEEK LEFT <input type="checkbox"/> 1003 CHEEK RIGHT <input type="checkbox"/> 1004	<input type="checkbox"/> 1001 ARM LEFT <input 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K.P.O. - MODUS OPERANDI

PAGE 3 of 6

FILE # 4-82659

SUSPECT ACTION

100 SUSPECTS APPROACH VEHICLE

- 101 STOPS BY BLUE STOP
- 102 APPROACHED FROM FRONT
- 103 APPROACHED FROM REAR
- 104 APPROACHED FROM SIDE
- 105 APPROACHED FROM REAR AND SIDE
- 106 APPROACHED VEHICLE WITH WEAPON
- 107 APPROACHED WITH WEAPON ON FOOT OR RUNNING
- 108 APPROACHED WITH WEAPON ON FOOT
- 109 APPROACHED WITH WEAPON ON FOOT
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104 SUSPECTS APPROACH VEHICLE

- 101 APPROACHED WITH WEAPON ON FOOT
- 102 APPROACHED WITH WEAPON ON FOOT
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- 120 APPROACHED WITH WEAPON ON FOOT

200 SUSPECT'S ACTIONS

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300 TYPE OF ABILITY

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LOCATION

400 TYPE OF LOCATION

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ACCESS NUMBER OFFICE (SEE ONLY)

K.P.D. SIGNAL 284	KENNER POLICE DEPARTMENT UNIFORM MOTOR VEHICLE TRAFFIC ACCIDENT REPORT AND INCIDENT REPORT CONTINUATION SHEET	SUPP. STAT. COMPUTER NUMBER X
PAGE 5 of 6		DATE OF SUPPLEMENT 9-16-96
		K.P.D. ITEM NUMBER 9-82659-96

QTY	QUANTITY	DESCRIPTION	SERIAL NO.	TYPE	STOLEN	RECOVERED
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NARRATIVE CONTINUED

WHO WAS WORKING A DETAIL AT THE MALL, HAD
ARRIVED AND HAD THE SUSPECT DETAINED.

UPON FURTHER INVESTIGATION THIS OFFICER INTERVIEWED
BENJAMIN VERGONA WHO IS A STONE INVESTIGATOR FOR
THE OAKWOOD MURPHY'S WHO RELATED THE FOLLOWING
MR. VERGONA ADVISED THAT HE AND MR. PUZZANO
HAD GONE INTO THE RESTROOM AND WAS WASHING HIS HANDS
WHEN HE OBSERVED MR. PUZZANO LOOKING TOWARDS THE
BOOTH IN THE STALL. AT THAT TIME MR. VERGONA ADVISED
HE WALKED TO THE FRONT OF THE STALL LOOKED THROUGH
THE CRACK BY THE DOOR AND OBSERVED A WHITE MALE
WHO WAS LATER IDENTIFIED AS JOSEPH DIFATTA LOOKING
THROUGH THE HOLES IN THE STALL WALL TOWARDS THE
URINAL. MR. VERGONA ADVISED THAT HE HIT THE WALL
AND TOLD THE SUBJECT TO GO OUT. MR. VERGONA
ADVISED THAT HE DETAINED THE SUBJECT UNTIL
OFF. ADAMS ARRIVED. MR. VERGONA ADVISED THAT THE
WHITE MALE IDENTIFIED AS JOSEPH DIFATTA SHOWED
HIM A ST. BOWMAN POLICE COMMISSION AND STATED
THAT HE WAS A CAPTAIN.

UPON THIS OFFICER INTERVIEWING MR. DIFATTA HE
STATED THAT HE HAD LOOK NOT ONCE BUT TWICE
THROUGH THE HOLES IN THE WALL AT THE VICTIM
MR. DIFATTA STATED THAT HE DIDN'T KNOW WHY
THEY WERE DOING THIS TO HIM BY FILING CHARGES
MR. DIFATTA ADVISED THAT THIS COULD CAUSE HIM TO
LOSE HIS JOB AND FAMILY. MR. DIFATTA WAS ADVISED
THAT THE VICTIM WISHED TO FILE CHARGES AGAINST
HIM.

AFTER OBTAINING STATEMENTS FROM BOTH THE VICTIM
AND THE WITNESS THIS OFFICER HAD THE VICTIM SIGN
A CITY OF KENNER - KENNER POLICE DEPARTMENT

REPORTING OFFICER <i>Officer Sean Lopez</i>	ID. NO. <i>2449</i>	SUPERVISOR APPROVALS <i>[Signature]</i>	AD. NO.	K.P.D. ACCESS NUMBER (OFFICE USE ONLY)
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K.P.D. SERIAL 284	KENNER POLICE DEPARTMENT UNIFORM MOTOR VEHICLE TRAFFIC ACCIDENT REPORT AND INCIDENT REPORT CONTINUATION SHEET	SUPP STATE COMPUTER NUMBER X				
PAGE 606		DATE OF SUPPLEMENT 9-16-96 X.P.D. ITEM NUMBER 09-82659-96				
REQ	QUANTITY	DESCRIPTION	SERIAL NO.	TYPE	STOLEN	RECOVERED

NARRATIVE CONTINUED

MISDEMEANOR SUMMONS #45885 FOR C.O.# 018 772, 7-128 REPEXIXE TO PEPPING TOM, WHICH WAS ISSUED TO MR. JOSEPH DEATTA. MR. DEATTA WAS ADVISED OF THE COURT DATE OF NOVEMBER 12, 1996. MR. DEATTA THEN WAS RELEASED FROM THE SCENE.

THIS OFFICER HAD TECH ABRAHAM COME TO LOCATION AND TAKE PHOTOGRAPHS OF THE SCENE.

OFFICER SENTUCI TOOK MEASUREMENTS OF THE HOLE WHICH WAS 11 INCHES FROM THE REAR WALL AND 36 INCHES UP FROM THE FLOOR. WHEN A NORMAL SIZED PERSON WOULD SIT ON THE TOILET THE HEAD WOULD BE APPROXIMATELY 20 INCHES FROM THE REAR WALL AND 45 INCHES FROM THE FLOOR. TO LOOK THROUGH THIS HOLE A PERSON WOULD HAVE TO BE DOWN ALONG SIDE THE TOILET AND FURTHER TO THE REAR WALL.

REPORTING OFFICER <i>Off. C. J. Stevens 82469</i>	I.D. NO.	SUPERVISOR APPROVING <i>[Signature]</i>	I.D. NO.	K.P.D. ACCESS NUMBER (OFFICE USE ONLY)
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