

**Transcript of September 2, 2004, testimony of Cary Cartman
before the Thompson County Grand Jury**

Appearing: Assistant State's Attorney Carl Marsh
Cary Cartman

[The witness was duly sworn]

Q: State your name and unit of assignment.

A: My name is Cary Cartman. I am employed by the Marshall City Police Department and am presently assigned to the foot patrol, in the 18th District. My beat is in the Blue Hill neighborhood, my old neighborhood where Bianco's Pizza, formerly known as Pappy's Pizza, is located. Specifically, Bianco's is located at 4120 Main Street.

Q: Before we came before the grand jury, you prepared a brief autobiography as per my request. I am showing you what is labeled as Grand Jury Exhibit No. 1 - Carey Cartman Autobiography. Is that the statement which you prepared and are the statements contained therein true and correct?

A: Yes and Yes.

Q: Good. Now calling your attention to February 2, 2004, did you have occasion to meet with persons by the name of Steve and Janet Cartier?

A: Yes. I was walking my regularly assigned beat, in the 18th Police District, when they stopped me. They wanted to talk in private and not on the street.

Q: Who are Steve and Janet Cartier?

A: They are people I know from my regularly assigned beat. I've known them for about 10 years and have found them to be honest and law abiding people. I went to their house at 1109 W. Apple Street (that's a regular Marshall-type brick bungalow) after my shift was over.

Q: What happened when you went there?

A: The Cartiers told me about a pizza party they had to celebrate their son's 8th birthday on February 1, 2004. This was a sad story.

Q: How so?

A: Timmy was a special needs child. Although he was confined to a wheel chair and unable to communicate verbally, you could see from Timmy's eyes that he enjoyed life. Timmy passed away on March 24, 2004. This was real sad, you know?

Q: I'm sorry. What did they say next?

A: They said Janet called Bianco's and said that they were having a party and had some special needs.

Q: Bianco's?

A Bianco's Restaurant and Sport's Bar. It used to be called Pappy's Pizza. When it was Pappy's and run by Buck White, it was a family place - you know, a clean and wholesome eatery, just like the neighborhood. It stayed that way even when the neighborhood started to run down.

Q: Who is Buck White?

A: Buck White was Jaimie Bianco's father. After Buck died, Jaimie took over, changed the name from Pappy's to Bianco's Restaurant and Sport's Bar, and Jaimie's low life crowd took the place over. It became loud and people were getting into fights all the time. Nice people afraid to go there and stopped coming. The only bright spot there was Tracy White, Jaimie's cousin.

Q: Buck White was Jaimie Bianco's father? How do you explain the name differences?

A: After Buck died, Jaimie changed the family name from White to Bianco.

Q: O.K. According to the Cartiers, what happened next?

A: After Janet said they had special needs, she was put on hold. After a while Jaimie Bianco came on the phone. According to Janet Cartier, Jaimie said, "So, I understand you have special needs." She said that she told Jaimie that they needed a number of special pizzas; one with pineapple and extra cheese and one with spinach and extra cheese. She said that Jaimie said it would be expensive and they

agreed on the price. She said that when the pizzas arrived, they found a plastic bag with some broken yellow chunks in one of the pizzas and a plastic bag with a green leafy substance that they believed to be marijuana in another.

Q: What did they say happened to the plastic bags?

A: They said that they flushed the bags and their contents down the toilet because they thought the bags contained drugs.

Q: Did you ask them why they didn't call the police.

A: Yes. They said that they were afraid they may be charged with possession of drugs and also they didn't want to disrupt Timmy's party.

Q: What did you do with this information?

A: First, I asked them if they would cooperate and they agreed. Next, on the following Sunday, February 9, 2004, Janet made a recorded telephone call and spoke to Jaimie. A few hours later, pizzas with drugs inside were delivered to the Cartier's house by Tracy White, who I then placed under arrest. I was shocked - not so much by the drugs, but at the fact that Tracy was the one delivering the drugs.

Q: What did you do next?

A: I really didn't think that Tracy was involved, so I offered Tracy immunity to cooperate in my investigation.

Q: You were a foot patrol officer. You can't offer immunity.

A: I called my cousin, Kenny, an Assistant State's Attorney. Kenny came right over and offered the immunity deal to Tracy who agreed to the deal. Kenny told Tracy that this was commonly known as "hip-pocket" immunity and just as good as if it came right from a judge.

Q: Why didn't you go to Narcotics or Special Crimes?

A: I figured that breaking up a major drug ring would help my career and maybe put Jaimie and Jaimie's crowd out of the neighborhood - forever.

Q: O.K. So you were acting as your own narcotics unit. What did you do next?

A: Tracy related to me Jaimie's special drug codes and how Jaimie used Bianco's as a front. Tracy told me Jaimie kept the drugs in a wall safe. Tracy did not know the combination. I started to think that Tracy was more involved than I first thought, but Tracy had an immunity deal and it couldn't be broken.

Q: What happened next?

A: I went to Bianco's and spoke to Jaimie. I fully advised Jaimie of the Miranda warnings and asked if I could look around Jaimie's office.

Q: When did you go there?

A: Right from the Cartier's - that same night.

Q: Why did you go then and not consult with your superiors or the Narcotics or Special Crimes Units?

A: I wanted to get there before Jaimie could clear out any evidence.

Q: After you asked Jaimie if you could search the office, did Jaimie agree?

A: At first, no. But after I told Jaimie that I could get a search warrant, Jaimie agreed. I found nothing unusual until I found the wall safe right where Tracy told me I would find it. It was locked.

Q: Did you get it opened?

A: Yes. I learned from Jaimie that Jaimie was the only person with the combination. Jaimie said, "I have nothing to hide". Then, Jaimie unlocked the safe.

Q: What, if anything did you find in the safe?

A: I found some papers unrelated to this case and found two baggies; one with some broken yellow chunks which I believed to be crack cocaine. I found another baggie with crushed green plant which I believed to be marijuana. Both exhibits were sent to the crime lab and examined and found to be crack cocaine and marijuana.

Q: Did Jaimie make a statement?

A: Jaimie denied knowing anything about the drugs found in the locked safe.

Q: Thank you. That will be all.