

09-5529
Follow Up
Det. Ginger Fitting

3/18/09

Was contacted by Officer Gilmore, he explained that he was at a call where three young girls had been molested. I had him speak to the mother to see when the last contact was, and when they would see the perpetrator again. He stated that it was about a week or so ago, and that the perpetrator was supposed to come to Clarksville around the first of April. I told him to take a report and call the referral into DCS Central Intake.

3/19/09

Case was assigned. Forensic Interview scheduled for March 23, 2009 at 1330hrs, at the CAC

3/23/09

Children were interviewed, disclosure was made by all three. See follow up, and DVD's for full and accurate disclosures.

3/24/09

Spoke to Detective Charles Fleming Metro PD. I explained the case to him and the disclosures that the children made, he requested that we do a controlled phone call if Jennifer Astle was willing.

Made contact with Astle and asked if she would be willing to do the call and she said she would.

Total of three calls were made, see follow up and CD's for full and accurate account. Later Astle told me that when she told Brian Chiff, who she considers her father, everything that the children disclosed he had a heart attack. She said that they planned to do surgery on 3/25/09. She also stated that Guilfooy had been up the weekend of 3/13/09-3/15/09 to finish the room downstairs. She said that she believes that he built that room for her and her fiancé to move into because it was downstairs, and he would be alone with the girls upstairs.

Was contacted around 2000hrs by Robert Brown, he stated that Jennifer was out of the house and Guilfooy kept calling. I told him not to answer the phone because he thought Guilfooy might be intoxicated.

3/25/09

Astle made another controlled call, Guilfooy did not confess to anything else but made excuses on his behalf.

Spoke to DA Kimberly Lund, I explained to her that I was not sure of what kind of access he had to children in Missouri, and what had happened with the calls. She told me to take a warrant and put it into NCIC.

Took one warrant for Rape of a Child, magistrate put a \$250,000 bond on the warrant. Contacted Kirkwood Police Department, Missouri, spoke to dispatcher King, and gave the defendants information. Within the hour the Sergeant on duty and King contacted me back and advised that they had the subject in custody.

Phone Call
3/24/09

Between Jennifer Astle and Timothy Guilfoyl

Beginning around 1300hrs there is a total of 3 calls on this date

This is not a full account of phone calls please listen to CD's

Astle calls Guilfoyl, and asked him to call her back because she was using a calling card. Guilfoyl then calls the Astle's home phone. Astle tells Guilfoyl that the girls have told her that he has touched them. At this time he acts surprised, but does not deny the allegations, through the three calls he never denies touching any of them. Guilfoyl also began to breath very hard. Astle then asked him if the girls could have misunderstood something that he had done, he states NO. On the counter at 2:06 in a low voice he states "Oh God I fucked up".

Guilfoyl stated that last October (2008) he remembered C2 sleeping with him, and getting up in the middle of the night and leaving the room. Guilfoyl then stated that since then none of them have slept in the bed with him. He then stated that C1 used to want to sleep in the bed with him, but it was like a year ago. Guilfoyl does state that when he would be in bed with any of the girls that he would scratch their back. He then asked Astle if C2 is saying that he did anything to the other girls or just her. Guilfoyl then stated that they have all grown out of wanting to sleep in the same bed with him. He then comments that when he laid down with C3 she got out of the bed and went to C2 bed, then C2 went to the couch, and that made him happy. Guilfoyl then goes on to say that since October 2008 that would have been the 1st time that he had slept in the bed with them. He then stated that he is shaking.

At 8:10 on the counter he stated that he only slept in the bed with C2 at the new house, and that would have been in October of 2008. He stated that every time he came to the Nashville house he slept in the kids' bed with them. He stated that he knew that he had not been in bed with C1 or C3 at the new house (Clarksville). Throughout the phone call he continually goes back to the incident in October 2008 with C2. He stated that during the incident in October that at the house was him, Nana, and C2 and he slept in the big bed, and that he is a light sleeper. He then stated that since they have gotten the new house the girls have been stand offish.

At 12:20 he stated that he is worried that the girls are not making this up. At 14:20 Astle stated that she knows something happened and Guilfoyl said Ya Ya, agreeing with her. He then asked if the girls are scared of him? He then stated that when people abuse kids they go to jail.

At 17:00 Astle said that the kids are upset and they don't want this to happen again. Guilfoyl said that he felt bad, and he felt bad for them. Astle then told him, to promise her that this will not happen again, Guilfoyl said NO NO, I won't even sleep in the same bed again, it is whatever they need. Guilfoyl then said that there is truth in there somewhere, and to tell the kids that he is sorry for anything, and nothing is there fault. Astle then asked him if the girls ever touched him, or come on to him. He stated well there, I guess I can not be shy, then begins to ramble. He does talk about having an erection in the mornings. Guilfoyl also talked about the girls need to get whatever they think or feel out. At 23:00 Astle again questioned him about his finger being inside any of the girls, he denied that this has occurred. He then stated that it would have been impossible even in his sleep. Guilfoyl told Astle that he can not remember anything that happened, and if

something did happen he would have brought to her attention the next morning. He then said that all three girls have slept with him at one point. He then started to talk about C2 and said that it has always bothered him, but then stopped talking. He then said that it is impossible that the girls are lying. *Bunk ABUSED BY SOMEONE*

At 28:00 It is said that the girls are not going to make something like this up, Guilfooy then stated that when C2 ran out of the room it bothered him, and that maybe something that night did happen. He said that the last time he slept in the bed with the girls was in October 2008, and that was the last time it happened with C2. He then stated that since the family has been in the new house he has not slept in the bed with C1 or C3. The last time he was in Clarksville he slept in the big bed by himself, and it was nice. Then he said that he felt like shit because something happened.

At 31:44 he began to give reasons why something like this might have happen. He said if I was dreaming about a real girl and woke up to a little girl in his arms...he does not know what the fuck he would have done, then he stated that he will not be in the bed with the girls again. Then he attempted to blame the girls and said when they sleep they slept in his arms.

At 34:28 he said that in the old house (Nashville) that he slept on the couch with C1 and he remembered her moving around like she was hitting him to attempt to wake him up. That was when the bunk beds were in the breakfast area, and C1 said something to him, but he does not remember what. Astle then said that C1 said it happened before her 8th birthday, Guilfooy replied with Ya, Ya I think that was, and does not finish. He does not remember anything happening with C1, and he has never done anything on purpose.

At 39:35 Guilfooy stated that it all added up now, and he never meant to hurt the girls. He said that he does not remember but a few times when they would wake him up because he was laying to close to them. He said that he believed the girls, and they are not crazy. He wished he would remember so the he would not have slept in the same bed as the girls. The he goes back to C2 and said that he only slept in the bed with her two times, and the rest of the time he slept by himself.

At 52:31 He tells Astle that he wished the girls would have said something the first time anything happened. He then told Astle that if he were her, he would want to kill him. He then said that if he did it in his sleep he would be terrified. Astle said that the girls told her that he was not asleep, he was awake. Guilfooy said that he had to have been asleep. Astle then said that the girls said it happened every time he came to visit. Guilfooy said that there were many times when he slept with C2, and there were times when he got up. He then stated that he was never abused as a child. When Astle asked him if he ever had sex with them he denied that. Then he stated that he guessed this did happen, and he fucked up. When asked again what happened, he said that he does not remember, the most he remembered was C1 hitting him. He then stated that he does believe the girls.

At 1:04:00 Astle told him that she knows something happened Guilfooy said if they say it happened the in happened. He then said that the girls do not lie. He denied that he remembered anything, but said that in Nashville C2 got up one night and threw up, that might have had something to do with it.

Astle told him that she needed to know what happened, and he needed to be honest. He said that he can not admit to something he did not do, then corrected himself and said that

he remember. Astle told him that the girls remember why can't he. He said that the girls remember because that meant they were woken up by him. He then began to ramble about he is a close family friend and that meant that the girls did not want to get him in trouble or hurt Astle's feelings. Astle told him that the girls are smart and he knows that. He said that the girls knew if they said something it would cause problems and they were scared, he can not believe that he put them in that position. He did not mean to do anything, and if they said it happened then it did, but he does not remember. If the girls said he did it then YES, he then began to almost hyperventilating.

1:08:00 Gilfoy said that this is the worst thing that has ever happened, and if it did happen he deserved to go to jail. He then said again if they said it happened the he has no basis to deny it.

At 1:16:00 Astle told him that they both know it happened, Guilfoy said I know, I know. He then said that he knew it happened because Astle would not have called him if it did not. Astle then asked him if he felt bad about it, Guilfoy say Oh God I feel bad, then started to mumble something. He then said that even though this was going on he still wanted to sleep in the same bed with the girls. This is the worst thing that ever happened to him. He then stated to Astle that maybe he has a problem.

Astle's home phone died, and he called the cell phone back.

Call #2

The two begin to talk again, Guilfoy said that if he was not asleep when this happened, then he might have some sort of problem. He has never had a problem like this before. He then stated that he hated teenage girls, and he really does not like kids either. He then stated that he is not a perv that thought about little girls, because they are too young to understand. He said that if the girls said he did this to them he believed them. He believed the girls, and does not want Astle to tell them that it did not happen. Astle then told him that he is not telling the truth, and that she will give him 10minutes to think about it and hung up.

Call#3

Guilfoy told Astle that in the past couple of years it had been hard for him to get close to girls. Later he asked if he was going to do this again, and that the girls are not lying he is sure that they are not. At 8:20 He said that he is guilty, and that he has seen them as, and stops. He then began to say the only time that he remembers it happened, and he is not going to say that it is not his fault. He woke up, he was sleeping in his shorts, and C2 was on top of him. He stated that "you know guys get turned on like a light switch", and his hand was on C2 butt under her underwear. Astle then asked if it was possible that his finger was inside C2 he said that it was definitely a possibly. He said that this happen in October 2008 in Clarksville, while Astle was in Chattanooga. He stated that he pushed C2 off and went back to sleep, and he was not going to say anything. He stated that this was the last time he slept in the bed with C2 Astle then told him, that she has put half the rent in the bank and is not going to put the rest in, because she is not going to be able to let the kids stay in the house where stuff happened. Guilfoy stated that he understood.

3/27/09

Was contacted by Montgomery County Sherriff's Department, and advised Guilfooy had refused extradition.

3/31/09

Picked up statement for Jennifer Astel

Took copy of case file to Nashville for Det Fleming

4/1/09

Meeting with DA

4/7/09

Medical with Our Kids at Clarksville CAC