CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2123CR000880	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Angela M Richards [redacted]	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	02/28/2021	02/27/2021	02/27/2021

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		03/01/2021 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD	21-431-AR	Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
TSPR202100431	[redacted]	[redacted]	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/15A/A	A&B WITH DANGEROUS WEAPON c265 §15A(b)

On 02/27/2021 did, by means of a dangerous weapon, a POT, assault and beat [redacted], in violation of G.L. c.265, §15A(b).

PENALTY: state prison not more than 10 years; or house of correction not more than 2½ years; or not more than $5000 fine; or both such fine and imprisonment. District Court has final jurisdiction under G.L. c.218, §26.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	CLERK-MAGISTRATE/ ASST. CLERK	DATE
	A TRUE COPY ATTEST X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO.(COURT USE ONLY)

PAGE 1 of 1

Trial Court of Massachusetts
District Court Department

Springfield

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

☐ ONLY MISDEMEANOR(S), I request a hearing ☐ **WITHOUT NOTICE** because of an imminent threat of ☐ BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☐ **WITH NOTICE** to accused.

☒ ONE OR MORE FELONIES, I request a hearing ☐ **WITHOUT NOTICE** ☐ **WITH NOTICE** to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED
☒ **HAS** ☐ **HAS NOT** been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS	BIRTH DATE	SOCIAL SECURITY NUMBER
ANGELA M RICHARDS [redacted]	[redacted]	[redacted]
	PCF NO.	MARITAL STATUS: DIVORCED
	DRIVERS LICENSE NO.	STATE
	GENDER: F / HEIGHT: 503 / WEIGHT: 210 / EYES: BRO	

HAIR	RACE	COMPLEXION	SCARS/MARKS/TATTOOS	INTERPRETER NEEDED (language)	BIRTH STATE OR COUNTRY	DAY PHONE
BLK	W	LGT	COMEDY MASKS,WORDS		SPRINGFIELD, MA	[redacted]

EMPLOYER/SCHOOL	MOTHER'S MAIDEN NAME (FIRST MI LAST)	FATHER'S NAME (FIRST MI LAST)
SPRINGFIELD EMERGENCY COMMUNIC	MARY JO MORNEAU	DONALD HEBERT

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)	COMPLAINANT TYPE	PD
~~Igor Baeovskiy~~ W. Lopes	☒ POLICE ☐ CITIZEN ☐ OTHER	SPR

ADDRESS

Springfield Police Department
130 Pearl Street
Springfield, MA. 01103

PLACE OF OFFENSE: SPRINGFIELD, MA

INCIDENT REPORT NO.	OBTN
21-431-AR	TSPR202100431

CITATION NO(S).

	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1	265/15A/A	A&B WITH DANGEROUS WEAPON	02/27/2021
	VARIABLES *(e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)*	VICTIM(S): MARK THERIAQUE;WEAPON(S): Other;	
2	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		
3	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		

REMARKS
SID# MA21204311

COMPLAINANT'S SIGNATURE X William Lopes

DATE FILED 3-1-21

COURT USE ONLY → A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON ____ DATE OF HEARING ____ AT TIME OF HEARING ____ ← COURT USE ONLY

DATE	PROCESSING OF NON-ARREST APPLICATION(COURT USE ONLY)	CLERK/JUDGE
	NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:	
	NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:	
	HEARING CONTINUED TO:	
	APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE: ☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED ☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE ☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION	

DATE	COMPLAINT TO ISSUE	COMPLAINT DENIED	CLERK/JUDGE
	☐ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S). ☐ 1. ☐ 2. ☐ 3. BASED ON ☐ FACTS SET FORTH IN ATTACHED STATEMENT(S) ☐ TESTIMONY RECORDED: TAPE NO.____ START NO.____ END NO.____ ☐ WARRANT ☐ SUMMONS TO ISSUE ARRAIGNMENT DATE:	☐ NO PROBABLE CAUSE FOUND ☐ REQUEST OF COMPLAINANT ☐ FAILURE TO PROSECUTE ☐ AGREEMENT OF BOTH PARTIES ☐ OTHER: COMMENT	

Springfield Police Department
Arrest Report

Arrest #: 21-431-AR
Call #: 21-38997

Date/Time Reported: 02/27/2021 @ 2110
Arrest Date/Time: 02/27/2021 @ 2219
Booking Date/Time: 02/27/2021 @ 2238
Involves: Domestic Violence

OBTN: TSPR202100431
Reporting Officer: Officer Igor Basovskiy
Assisting Officer: Officer Angel Monserrate
Booking Officer: Sergeant Eugene Roux
Approving Officer: Sergeant Daniel Johnson

Signature: _____

ail For Court: SPRINGFIELD DISTRICT Set: 02/28/2021 @ 0420
Personal Recognizance Set 40.00
Personal Recognizance Set
Bail Set By: JM CLERK JAMES WHALEN
ail Paid:

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	RICHARDS, ANGELA M [redacted]	F	W	44	[redacted]	[redacted]

ilitary Active Duty: N
HEIGHT: 503 - 504 WEIGHT: 210 - 215 HAIR: BLACK EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT
DOB: [redacted] PLACE OF BIRTH: SPRINGFIELD, MA
FBI ID: 5VDWCFPAD
ETHNICITY: NOT HISPANIC
[redacted]

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]
Home Phone

[APPEARANCE]

GENERAL APPEARANCE: ORDERLY

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: ZIPPER TYPE
PANTS/SKIRT: UNSPECIFIED PANTS/SKIRTS
SHOE: SLIP ONS
MASK: NO MASK
GLASSES WORN: YES

TATTOOS: TAT R ANKL(COMEDY MASKS), TAT RF ARM(WORDS)

Arrest #: 21-431-AR
Call #: 21-38997

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: DIVORCED

SPOUSE'S NAME: RICHARDS, DAN
FATHER'S NAME: HEBERT, DONALD
MOTHER'S NAME: MORNEAU, MARY JO

EMPLOYER/SCHOOL: SPRINGFIELD EMERGENCY COMMUNIC
1535 ROOSEVELT AVE
SPRINGFIELD MA

OCCUPATION: DISPATCHER

[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: Sergeant Eugene D Roux DATE/TIME: 02/27/2021 @ 2242
PHONE USED: Y PHONED DATE/TIME: 02/27/2021 @ 2242
ARRESTEE SECURED: Y 02/27/2021 2242
ARRESTEE CELL #: F6

FINGERPRINTED: N
PHOTOGRAPHED: N
VIDEO: BOOKING
SUICIDE CHECK: Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

#	OFFENSE (S)	ATTEMPTED	TYPE

LOCATION TYPE: Residence/Home/Apt./Condo Zone: Sector I1 16Acr/Outer Bel
[redacted]

1 **A&B WITH DANGEROUS WEAPON** **N** **Felony**
265/15A/A 265 15A
OCCURRED: 02/27/2021 2110
WEAPON/FORCED USED: Other
AGGR. ASSAULT/HOMICIDE: Lovers' Quarrel

Arrest #: 21-431-AR
Call #: 21-38997

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	W	48	**********	[redacted]

DOB: [redacted]
EMPLOYER: CLAZNER LANDSCAPING
INJURIES: Severe Laceration
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1
RELATION TO: RICHARDS ANGELA — Boy/Girl Friend
CONTACT INFORMATION:
Home Phone (Primary) [redacted]

ADDITIONAL ASSISTING OFFICERS

Officer Oumar Keita
Sergeant Richard Rief
Officer Lannox Williams
Lieutenant Richard Randolph
Officer Edwin Torres

NARRATIVE FOR OFFICER IGOR BASOVSKIY

Ref: 21-431-AR

Entered: 02/27/2021 @ 2238 Entry ID: 100136
Modified: 02/28/2021 @ 0102 Modified ID: 100136
Approved: 02/28/2021 @ 0125 Approval ID: 109860

On February 27, 2021 at approximately 2219 hours Officer E. Torres, L. Williams, O. Keita, A. Monserrate, Sgt. R. Rief and I (Officer I. Basovskiy) under the direction Lt. R. Randolph arrested the following subject: W/M Angela M. Richards DOB: [redacted] SS# [redacted] inside of 1535 Roosevelt Avenue for the following offense:

1. A&B With Dangerous Weapon (Domestic)

On this date at approximately 2110 hours Officer E. Torres and I were dispatched to [redacted] for a report of a domestic disturbance. While en-route to the scene officers were advised that a female hit a male with a pan and that he is bleeding. Dispatch also notified officers that the caller is extremely intoxicated and is slurring his speech. Officers were also told that one of the parties involved left the scene.

Upon my arrival on scene I observed a male standing in his driveway and holding the side of his head. I immediately observed that this male had a large laceration on his head and was heavily bleeding. I then contacted dispatch in order to request an ambulance on scene. I then attempted to assist this male who was later identified as [redacted] by asking him to sit down in order for me to examine his injury and provide medical attention. During this time Mr. [redacted] was very excited and began yelling "she left". I then attempted to gain information in regards to who left and what occurred prior to my arrival. Mr. [redacted] then stated "follow me" and led me inside his home, I noticed blood drops on the kitchen floor. Mr. [redacted] then pointed out a pot that was covered with fresh blood. Mr. [redacted] then stated "she hit me with this on the head".

I then continued to attempt to calm down Mr. [redacted] while he continued to yell and walking back and forth around the kitchen and grabbing the pot that was covered in blood. At this time Officer Torres arrived on scene. Officer Torres then assisted me with talking to Mr. [redacted] and providing him with medical attention. During this time Mr. [redacted] stated to officers that his live in girlfriend of five years Angela Richards hit him on the head with the pot. Mr. [redacted] then went on to state that on this date prior to officers arrival him and Ms. Richards got into a verbal argument. Sometime during the course of this argument Ms. Richards hit him on the head with a pot causing a large laceration on the side of his head. Mr. [redacted] also had a small cut under his eye which he stated he sustained when he fell on the ground and which was not caused by Ms. Richards. Mr. [redacted] then stated that once Ms. Richards struck him with the pot she got inside her vehicle and fled the scene in an unknown direction.

At this time I was assisted on scene by Officer Williams and Sgt. Rief. Officers were advised by dispatch that Ms. Richards who is a Springfield Police Department Dispatcher was at the dispatch center which is located at 1535 Roosevelt Avenue and wanted to speak with officers. Once Mr. [redacted] was loaded into the Ambulance and was provided medical attention by AMR, and advised of his 209A rights. I then went down to the dispatch center in order to locate Ms. Richards. Upon my arrival at the dispatch center I was assisted on scene by Officers Keita, Monserrate and Lt. Randolph. Once Ms. Richards was located I spoke to her during which time I did not notice any visible signs of a struggle or injuries. During the course of my conversation with Ms. Richards she advised me that once she left her home and arrived at the dispatch center she washed up and changed her clothes. It was then determined by officers that Ms. Richards be placed under arrest for the above listed charges. Once Ms. Richards was placed under arrest she was transported to 130 Pearl Street for the booking process.

Special Victims Unit Detective T. Martin responded to the scene for photos.

BWC were utilized by Officers Torres, Keita, Monserrate, Sgt. Reif, Lt. Randolph. Officer Williams did not have his camera on due to the fact that he showed up after the incident.

Entered: 02/27/2021 @ 2238 Entry ID: 100136
Modified: 02/28/2021 @ 0102 Modified ID: 100136
Approved: 02/28/2021 @ 0125 Approval ID: 109860

Lt. A. Toledo was notified.

Respectfully Submitted,
Officer Igor Basovskiy
Employee #100136
Badge #170

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	Criminal No. 18-CR-30051-MGM
v.	)	Violation(s):
(1) GREGG A. BIGDA and (2) STEVEN M. VIGNEAULT	)	Counts One through Four: Deprivation of Rights Under Color of Law (18 U.S.C. § 242)
Defendants	)	Count Five: False Report (18 U.S.C. § 1519)

INDICTMENT

COUNT ONE
Deprivation of Rights Under Color of Law (Excessive Force)
(18 U.S.C. § 242)

The Grand Jury charges that:

On or about February 27, 2016, in Hampden County, in the District of Massachusetts, the defendant,

(1) GREGG A. BIGDA,

while acting under color of law, willfully deprived juvenile arrestee E.P. of the right, secured and protected by the Constitution and laws of the United States, to be free from unreasonable seizures, which includes the right to be free from the use of unreasonable force by a law enforcement officer. The offense resulted in bodily injury to E.P. and involved the use of a dangerous weapon.

All in violation of Title 18, United States Code, Section 242.

COUNT TWO
Deprivation of Rights Under Color of Law (Excessive Force)
(18 U.S.C. § 242)

The Grand Jury further charges that:

On or about February 27, 2016, in Hampden County, in the District of Massachusetts, the defendant,

(2) STEVEN M. VIGNEAULT,

while acting under color of law, willfully deprived juvenile arrestee D.R. of the right, secured and protected by the Constitution and laws of the United States, to be free from unreasonable seizures, which includes the right to be free from the use of unreasonable force by a law enforcement officer. The offense resulted in bodily injury to D.R. and involved the use of a dangerous weapon.

All in violation of Title 18, United States Code, Section 242.

COUNT THREE
Deprivation of Rights Under Color of Law (Abusive Interrogation)
(18 U.S.C. § 242)

The Grand Jury further charges that:

On or about February 27, 2016, in Hampden County, in the District of Massachusetts, the defendant,

(1) GREGG A. BIGDA,

while acting under color of law, willfully deprived juvenile arrestee D.R. of the right, secured and protected by the Constitution and laws of the United States, to be free from deprivation of liberty without due process of law, which includes the right to be free from police interrogation so abusive that it shocks the conscience. Specifically, within hours of the assaults on E.P. and D.R. charged in Counts One and Two, Defendant BIGDA interrogated juvenile arrestee D.R. outside the presence of his parents and without reading him Miranda warnings. During that interrogation, Defendant BIGDA threatened to, among other things, "crush [D.R.'s] skull and fucking get away with it"; "fucking bring the dog back [and] let him fucking go after" D.R.; "fucking kill [D.R.] in the parking lot"; "charge [D.R.] with killing Kennedy and fucking make it stick"; "stick a fucking kilo of coke in [D.R.'s] pocket and put [him] away for fucking 15 years"; and "kick [D.R.] right in the fucking face as soon as [they] cross the Springfield line." The offense involved the threatened use of a dangerous weapon.

All in violation of Title 18, United States Code, Section 242.

COUNT FOUR
Deprivation of Rights Under Color of Law (Abusive Interrogation)
(18 U.S.C. § 242)

The Grand Jury further charges that:

On or about February 27, 2016, in Hampden County, in the District of Massachusetts, the defendant,

(1) GREGG A. BIGDA,

while acting under color of law, willfully deprived juvenile arrestee J.T. of the right, secured and protected by the Constitution and laws of the United States, to be free from deprivation of liberty without due process of law, which includes the right to be free from police interrogation so abusive that it shocks the conscience. Specifically, within hours of the assaults on E.P. and D.R. charged in Counts One and Two, Defendant BIGDA interrogated juvenile arrestee J.T. outside the presence of his parents and without reading him Miranda warnings. During that interrogation, Defendant BIGDA threatened to, among other things, "beat the fuck out of [J.T.] when [they] get back to Springfield"; "tune [J.T.] the fuck up"; and "bloody [J.T.'s] body." At several points during the interrogation, Defendant BIGDA pointed to blood on his boot and told J.T. that if he lied to Defendant BIGDA, J.T.'s blood would be on his boot next.

All in violation of Title 18, United States Code, Section 242.

COUNT FIVE
False Report
(18 U.S.C. § 1519)

The Grand Jury further charges that:

On or about May 24, 2016, and on or about January 18, 2017, in Hampden County, in the District of Massachusetts, the defendant,

(1) GREGG A. BIGDA,

acting in relation to and in contemplation of a matter within the jurisdiction of the United States, knowingly falsified, covered up, and made false entries in records and documents with the intent to impede, obstruct, and influence the investigation and proper administration of that matter. Specifically, Defendant BIGDA wrote and filed two reports with the Internal Investigations Unit of the Springfield Police Department documenting the arrest of juvenile suspects E.P., D.R., and J.T. on February 27, 2016. The first report, dated May 24, 2016, stated, in pertinent part: "At no time did I see any Officer kick anyone nor did I kick anyone during any point of these arrests." The second report, dated January 18, 2017, stated, in pertinent part: "In regards to Mr. Vigneault's claim that I spit [sic] on an [sic] subject and yelled 'welcome to the white man's world,' this is also not true. I did not nor did I see anyone spit on anyone nor did I make or here [sic] any such comments." Those reports were false, as Defendant BIGDA then well knew, because during the course of the arrest, Defendant BIGDA kicked juvenile suspect E.P. in the head, spat on him, and said, "welcome to the white man's world."

All in violation of Title 18, United States Code, Section 1519.

A TRUE BILL

[redacted]
FOREPERSON

DEEPIKA BAINS SHUKLA
KATHARINE WAGNER
ASSISTANT UNITED STATES ATTORNEYS
DISTRICT OF MASSACHUSETTS

CHRISTOPHER J. PERRAS
TRIAL ATTORNEY
U.S. DEPARTMENT OF JUSTICE

District of Massachusetts: October 25, 2018@ 12:14 p.m.
Returned into the District Court by the Grand Jurors and filed.

Melissa H. Calderón
DEPUTY CLERK

Date/Time Printed 03-21-2021 18:18:54 Revised 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2123CR001199	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Florissa Fuentes Restricted Information	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	03/21/2021	03/19/2021	03/19/2021

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		03/22/2021 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD	21-604-AR	Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
TSPR30320004	[redacted]	[redacted]	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13M/B	A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a)

On 03/19/2021, did assault and beat [redacted] a family or household member as defined in c265 §13M(c), in violation of G.L. c 265, §13M(a).

PENALTY: house of correction not more than 2 ½ years; or fine not more than $5,000; or both such fine and imprisonment. For any violation of this section, or as a condition of a continuance without a finding, the court shall order the defendant to complete a certified batterer s intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer s intervention should not be ordered or unless the batterer s intervention program determines that the defendant is not suitable for intervention. From G.L. c258B §8: Court shall impose a $50 domestic violence prevention and victim assistance assessment, which shall be deposited in the Domestic and Sexual Violence Prevention and Victim Assistance Fund.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST: CLERK-MAGISTRATE/ ASST. CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g)(9), and*

Springfield Police Department
Arrest Report

Arrest #: 21-604-AR
Call #: 21-51513

Date/Time Reported: 03/19/2021 @ 1644
Arrest Date/Time: 03/19/2021 @ 1723
Booking Date/Time: 03/19/2021 @ 1814
Involves: Domestic Violence

OBTN: TSPR202100604
Reporting Officer: Officer Nicholas Destasio
Assisting Officer: Officer Michael Vona
Booking Officer: Sergeant Dennis Hackett
Approving Officer: Sergeant Dennis Hackett

Signature: _____

Bail For Court: Springfield Set: 03/20/2021 @ 0053
Personal Recognizance Set 40.00
Personal Recognizance Set
Bail Set By: WM CLERK WILLIAM McNAMARA
Bail Paid:
Released: 03/20/2021 @ 0055

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	FUENTES, FLORISSA LIZ	F	W	31		
	SPRINGFIELD MA 01105					

Military Active Duty: N
HEIGHT: 502 WEIGHT: 125 HAIR: BROWN EYES: HAZEL
BODY: SLIM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: SPFLD, MA
STATE ID: [redacted] FBI ID: [redacted]
LICENSE NUMBER: MA ETHNICITY: HISPANIC
LOCAL ID: 09 34 60

[CONTACT INFORMATION]

Home Phone (Primary)
Work Phone (Primary)

[APPEARANCE]

GENERAL APPEARANCE: ORDERLY

SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: PULLOVER TYPE
PANTS/SKIRT: SWEAT PANTS
SHOE: JOGGING SHOES
GLASSES WORN: NO

SCARS: SC CHK(), SC R WRIST(1" LONG)
TATTOOS: TAT L ANKL(ROSE), TAT NECK(STAFF SGT DANIEL NEWSOME)
TAT RF ARM("FAMILY" IN ARABIC), TAT BACK(FLOWER), TAT ABDOM(BUTTERFLY)

Arrest #: 21-604-AR
Call #: 21-51513

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
FUENTES	FLORISA		NOT AVAIL	[redacted]

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME:
MOTHER'S NAME:

OCCUPATION: SELF EMPLOYED

[RIGHTS/BOOKING CHECKS]

PHONE USED: Y
PHONED DATE/TIME: 03/19/2021 @ 1816
ARRESTEE SECURED: Y 03/19/2021 1817
ARRESTEE CELL #: F3

FINGERPRINTED: Y
PHOTOGRAPHED: Y
VIDEO: BOOKING
SUICIDE CHECK: Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

#	OFFENSE(S)	ATTEMPTED	TYPE
1	A&B ON FAMILY / HOUSEHOLD MEMBER	N	Misdemeanor

LOCATION TYPE: Residence/Home/Apt./Condo
Zone: Sector H1 Forest Park
[redacted]

265/13M/B
265 13M
OCCURRED: 03/19/2021 1644
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	CONFIDENTIAL					

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1							

Arrest #: 21-604-AR
Call #: 21-51513

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
2							
3							

CONTACT INFORMATION:
Home Phone
Home Phone

Arrest #: 21-604-AR
Call #: 21-51513

****
CONFIDENTIAL VICTIM REPORT
****

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	B	37		

DOB: [redacted]
EMPLOYER: PINNACLE MARKETING
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1
RELATION TO: FUENTES FLORISSA Ex-Relationship
CONTACT INFORMATION:
Home Phone (Primary)
Home Phone (Primary)
Home Phone
Home Phone
Home Phone
Work Phone (Primary)
Work Phone (Primary)
Work Phone

ADDITIONAL ASSISTING OFFICERS

Sergeant Reinaldo Bermudez

NARRATIVE FOR OFFICER NICHOLAS DESTASIO

Ref: 21-604-AR

Entered: 03/19/2021 @ 1738 Entry ID: 109275
Modified: 03/19/2021 @ 1927 Modified ID: 109275
Approved: 03/19/2021 @ 1930 Approval ID: H809

Ma'am,

On 03/19/2021 at approximately 1723 hours under the direction of Sgt. R. Bermudez, Officer M. Vona and I arrested Florissa Fuentes DOB [redacted] SSN [redacted] of [redacted] in front of 87 Garfield St. for the following offense;

1. Assault and Battery on a Household/Family Member

On 03/19/2021 at approximately 1723 hours Officer M. Vona and I were dispatched to [redacted] for a domestic disturbance. Prior to arrival officers were given information that an involved party in the incident was a Ms. Florissa Fuentes. Officer recognized the individual as former Springfield Police Officer Florissa Fuentes and requested a supervisor to respond as well.

Upon arrival officers made contact with [redacted] who stated his ex girlfriend Ms. Fuentes came to his residence for a child custody exchange. Mr. Menzie and Ms. Fuentes have two children together [redacted] and [redacted] According to Mr. [redacted] Ms. Fuentes was to take custody of [redacted] Mr. [redacted] also stated that as Ms. Fuentes was walking [redacted] to her vehicle she struck [redacted] with an open hand as a form of discipline.

Mr. [redacted] observed this happen and did not feel comfortable allowing Ms. Fuentes to take [redacted] and attempted to take him back into his residence. Mr. [redacted] stated that when he tried to take [redacted] from Ms. Fuentes she became irate and a verbal argument began. The verbal argument escalated and Ms. Fuentes followed Mr. [redacted] and [redacted] to the front door of [redacted] Mr. [redacted] also stated to officers that when Ms. Fuentes reached the front door she struck him in the face with an open hand.

While this incident was transpiring a Mr. Matthew Medina observed the incident as a passing pedestrian. Officers spoke to Mr. Medina and he stated he observed the entire incident unfold. According to Mr. Medina he observed Mr. [redacted] attempt to regain custody of the child. Mr. Medina also stated he observed the verbal argument between Ms. Fuentes and Mr. [redacted] and confirmed that Ms. Fuentes struck Mr. [redacted] in the face with an open hand when she made it to the front door of [redacted] as Mr. [redacted] was retreating to his residence. Mr. Medina also began filming the incident with his cell phone after he observed the assault. Mr. Medina showed me the video footage on his phone and it reveals the verbal argument between Mr. [redacted] and Ms. Fuentes. Mr. Medina also noted that after the assault took place Ms. Fuentes was stating that Mr. [redacted] pushed her into the doorway first and that's why she struck him. Mr. Medina stated to officers "That's not true. I witnessed the entire thing."

Officers then spoke to Ms. Fuentes and she confirmed that she was involved in a verbal argument with Mr. [redacted] Ms. Fuentes stated to officers that the argument began when she disciplined her child and Mr. [redacted] attempted to regain custody of him. Ms. Fuentes stated she disciplined the child because he was acting irate and refusing to get into her vehicle. Ms. Fuentes stated she administered one open hand slap to the child's leg as a form of discipline. Ms. Fuentes also stated to officers that the argument escalated and it became a physical altercation. According to Ms. Fuentes when she was in the front doorway to [redacted] Mr. [redacted] forcefully pushed her and she retaliated by striking him in the face. Ms. Fuentes stated "He shoved me in the door. I "mushed" him in the face." Both Ms. Fuentes and Mr. [redacted] showed no visible signs of injury and refused medical attention when offered.

Entered: 03/19/2021 @ 1738 Entry ID: 109275
Modified: 03/19/2021 @ 1927 Modified ID: 109275
Approved: 03/19/2021 @ 1930 Approval ID: H809

Ms. Fuentes was placed under arrest and transported to 130 Pearl St. Sgt. R. Bermudez, M. Vona and I, activated our body worn cameras.

209A rights advised (Mr. Menzie was advised over the phone on a department phone)
51A filed with DCF
Watch Commander Lt. J. Toledo notified

Respectfully Submitted,

Officer Nicholas DeStasio
109275/#344

Stories that make you think and topics you'll talk about. Subscribe today.

Advertisement

Boston

Off-duty probationary Massachusetts State Police trooper charged with motor vehicle homicide while under the influence following fatal Boston crash

Updated: Oct. 29, 2021, 11:21 a.m. | Published: Oct. 29, 2021, 11:21 a.m.

By **Melissa Hanson | mhanson@masslive.com**

An off-duty Massachusetts State Police trooper has been charged with motor vehicle homicide while driving under the influence following a Boston crash that left a 51-year-old Winthrop man dead Friday morning, officials said.

The crash happened shortly before 1:30 a.m. near Interstate 93 South near the Freeport Street exit. The trooper, Kristopher Carr, 25, of Monson is also charged with negligent driving and will be arraigned Friday in Dorchester District Court, according to a statement from state police.

Advertisement

Carr graduated from the academy last week and is assigned to the Westfield Barracks. State police relieved Carr of duty overnight and will terminate him Friday, the statement said.

The Winthrop man who died has been identified as Christopher Zike.

"We are deeply saddened by the loss of Mr. Zike's life and express our condolences to his family," State Police Colonel Christopher Mason said. "Upon responding to the incident Troopers immediately began an investigation that ultimately led to the determination that the probationary member was responsible and that criminal charges were warranted. We also immediately relieved him of duty and then terminated his employment as his actions, as indicated by the evidence, are in direct violation of the standards of integrity, conduct, and professionalism demanded by the Department."

It appears that Carr, driving a 2020 Ford Explorer, lost control of the SUV and struck the median barrier, coming to a stop perpendicular to the two leftmost travel lanes, the statement said.

traveling south on I-93 hit the SUV, state police said.

Zike was taken to Boston Medical Center and pronounced dead. The 24-year-old woman suffered a minor injury, state police said.

Carr was also taken to the hospital with possible minor injuries. He was released from the hospital to state police custody and has been booked at the South Boston Barracks, the statement said.

An investigation is ongoing.

Note to readers: if you purchase something through one of our affiliate links we may earn a commission.

Around the Web

Biden Should Defund States Restricting Voting Rights

MSNBC Daily | Sponsored

If You Are Above 40, this City-Building Game is Addictive. No Install Required!

Goodgame Empire | Sponsored

Roofers Tested 17 Gutter Guards... Here's What They Discovered

LeafFilter Partner | Sponsored

Overrated Quarterbacks; His Stats Don't Match His Hype

thedelite.com | Sponsored

New Kia's Finally On Sale

livingly.com | Sponsored

Teens Mock Boy At Burger King, Don't Notice Man On Bench

Sizzlfy | Sponsored

ADVANCE LOCAL

Registration on or use of this site constitutes acceptance of our User Agreement, Privacy Policy and Cookie Statement, and Your California Privacy Rights (User Agreement updated 1/1/21. Privacy Policy and Cookie Statement updated 5/1/2021).

Cookies Settings

© 2021 Advance Local Media LLC. All rights reserved (About Us).
The material on this site may not be reproduced, distributed, transmitted, cached or otherwise used, except with the prior written permission of Advance Local.

Community Rules apply to all content you upload or otherwise submit to this site.

Ad Choices

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2123CR000042	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Leon Davis [redacted]	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	01/05/2021	09/29/2020	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		04/05/2021 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
		47523016	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/15A/A	A&B WITH DANGEROUS WEAPON c265 §15A(b)

On 09/29/2020 did, by means of a dangerous weapon, a TASER, assault and beat [redacted], in violation of G.L. c.265, §15A(b).

PENALTY: state prison not more than 10 years; or house of correction not more than 2½ years; or not more than $5000 fine; or both such fine and imprisonment. District Court has final jurisdiction under G.L. c.218, §26.

COUNT	CODE	DESCRIPTION
2	265/15A/E	A&B WITH DANGEROUS WEAPON, PREGNANT VICTIM c265 §15A(c)(ii)

On 09/29/2020 did, by means of a dangerous weapon, a TASER, assault and beat [redacted] and such person was pregnant at the time of such assault and battery and the defendant knew or had reason to know that such person was pregnant, in violation of G.L. c.265, §15A(c)(ii). c)(ii).

PENALTY: state prison not more than 15 years; or house of correction not more than 2½ years; or not more than $10,000 fine; or both such fine and imprisonment. District Court has final jurisdiction under G.L. c.218, § 26.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK		DATE
X	X		
NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK	DATE
		X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

Springfield Police Department
Warrant Report

Warrant #: 21-11-WA

Requesting Officer: Captain Trent Duda
Application Date: 01/05/2021

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	DAVIS, LEON [redacted]	M	B	35	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 601 WEIGHT: - 180 HAIR: BLACK EYES: BROWN
BODY: [redacted] COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: , MA
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]
Home Phone
Work Phone (Primary)

[APPEARANCE]

GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: DAVIS, LEON
MOTHER'S NAME: MARSHALL, JOYCE

EMPLOYER/SCHOOL: SPRINGFIELD POLICE DEPT.
130 PEARL ST
SPRINGFIELD MA

OCCUPATION: POLICE RECRUIT

#	OFFENSE(S)	ATTEMPTED	TYPE
1	**A&B WITH DANGEROUS WEAPON**	N	**Felony**
	265/15A/A **265** **15A**		
	OCCURRED: 09/29/2020 0800		
	WEAPON/FORCED USED: Other		
	AGGR. ASSAULT/HOMICIDE: Other Circumstances		
2	**A&B WITH DANGEROUS WEAPON, PREGNANT VICTIM**	N	**Felony**
	265/15A/E **265** **15A/E**		
	OCCURRED: 09/29/2020 0800		
	WEAPON/FORCED USED: Other		
	AGGR. ASSAULT/HOMICIDE: Other Circumstances		

LOCATION TYPE: Hotel/Motel/Temp. Lodgings Zone: Sector E1 Metro/South End
TOWER SQUARE HOTEL
1 BOLAND WAY
SPRINGFIELD MA

Warrant #: 21-11-WA

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	F	W	27	**********	[redacted]

DOB: [redacted]
INJURIES: Apparent Minor Injury
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Non Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: DAVIS LEON Otherwise Known
CONTACT INFORMATION:
Home Phone (Primary) [redacted]

NARRATIVE FOR LIEUTENANT DANIEL J REIGNER

Ref: 21-11-WA

Entered: 01/05/2021 @ 1112 Entry ID: R750
Modified: 01/05/2021 @ 1113 Modified ID: R750

Sir/Ma'am,

Lt. D. Reigner and I respectfully request a criminal complaint against Mr. Leon Davis (dob 1[redacted] for the following charges:

1) A/B by means a Dangerous Weapon - Tazer

2) A/B by means a Dangerous Weapon (Aggravated) – Tazer

On 9/29/20 at approximately 0746hrs Springfield Police Officers J. Reyes, L. Davis, and T. Jackson were dispatched to 1 Boland Way, Tower Square Hotel, for a disturbance call. During the course of this call these officers effected an arrest for Threat to Commit a Crime, and Disorderly. The arrested individual was identified as [redacted] of [redacted], Providence, RI. Officer J. Reyes authored the following narrative for the arrest report, #20-2403-AR:

"Ma'am,

On 9-29-2020 about 8:30am, Officers T. Jackson, L. Davis and I arrested at 2 Boland Way, the Tower Square Hotel, a w/f, [redacted] of [redacted]. Providence RI for:

1)Threats to Commit a Crime
2)Disorderly

I was dispatched to 2 Boland Way for a report on Threats to Commit a Crime. Upon my arrival, I met up with the victim to the threats, Ernesto Estrada Escobar, who is the Foreman in charge of the hotel remodeling. Mr. Estrada stated that he terminated Ms [redacted]'s boyfriend, [redacted], employment. As employees, they are allowed to stay in the hotel overnight due to employees traveling from other states to work at the hotel. The hotel is not open to the public due to the construction work. Once Mr. [redacted] employment was terminated, he was told to leave the premises immediately. Mr. [redacted] complied and returned to his hotel room(#806) to notify Ms [redacted] that they needed to pack and leave. Ms [redacted] became highly irate, got in touch with Mr. Estrada through text threatening him by stating "I know where you live and I'm ten times more physco than any bitch you've ever known!" Mr. Estrada, having terminated other employees in the past, has dealt with punctured tires and other damages to his work vehicles on numerous occasions. Mr. Estrada also stated that Mr. [redacted] and Ms [redacted] have worked in his home in RI which is why he takes this threat seriously.

I knocked on the door to room #806. Ms. [redacted] looked through the peephole, observed that it was me, and began to scream and threaten,"You Fucking assholes! You called the pigs on us!? I'm going to fuck you up you piece of shit! I'm going to kick your ass you fuck! Fuck you and fuck 12!" About eight to nine employees, hearing Ms [redacted] screaming, stopped what they were doing and stepped out into the hallway to see what the commotion was all about. At this time, Officers T. Jackson and L. Davis arrived on scene and attempted to talk to Ms [redacted] to no avail. She continued to spew threats of physical harm towards Mr. Estrada yelling out "i'm gonna fuck you up! I'm going to kick your ass!" and telling officers to "fuck off you pussies!" Finally, after attempting to open the door with a coded key, Management pried the door open and we were able to push our way in. Ms [redacted] briefly

[redacted] once on the hand and twice on the shoulder. Ms [redacted] was placed in custody, brought down to the lobby area where AMR was waiting and transported to Baystate ER for her well being and due to the fact that Ms [redacted] announced that she was pregnant. Mr. [redacted] was given ample time to remove his belongings from the hotel and leave the premises without further incident.

Be advised that all officers on scene activated the BWC. Officer Davis completed taser form.

Captain S. Richard notified."

As stated in the arrest narrative, these officers were equipped with body worn cameras (BWC) which were activated. An internal audit of the body worn camera footage from this arrest shows the following:

Officer Davis has his department issued Taser in his hand. He is struggling to open the door to room 806 inside Tower Square hotel. He utilizes the Taser in drive stun mode against Ms. [redacted] hand, who is inside the room and pushing against the door to prevent officers from entering. After utilizing the Taser for the first time in drive stun mode, officers are then able to push the door open enough to enter the room.

Officer Davis enters the room first. Ms. [redacted] is sitting in the corner, behind the door, and has her hands raised in a defensive manner. She has her hands up in the air in front of her body. Ms. [redacted] states "Please don't" several times as Off. Davis states "You wanna play those games, huh?" and immediately deploys the Taser in drive stun mode to Ms. [redacted]'s right shoulder. This action is in direct violation of the Springfield Police Department's Electronic Control Weapons Policy. Per the policy, drive stun is only to be used with an active resistant person. Off. Davis states again "You wanna play games".

Off. Jackson and Davis then began to give commands for Ms. [redacted] to give them her hands. Ms. [redacted]'s manner is non-aggressive but she pulls her arms and hands tight to her chest. At this time Officer Davis utilizes his Taser again in drive stun mode on Ms. [redacted]'s upper left arm area, at which point Ms. [redacted] releases her arms from her chest. Ms. [redacted] begins to plead with officers, stating that she is sorry and also states that she is pregnant, several times. Off. Jackson and Davis continue to try and handcuff Ms. [redacted] without much room to maneuver, given the confining area of being behind the hotel room door. Off. Jackson has Ms. [redacted]'s right arm secured, as Ms. [redacted]'s left arm is pressed between her body and the wall. Off. Davis deploys the Taser again in drive stun mode to the rear of Ms. [redacted]'s right shoulder. In viewing the BWC footage it is clear that Ms. [redacted] is not in an active resistant person at this point and officers can place her in handcuffs and make the arrest.

Officer Davis uses excessive force by means of the Tazer in drive stun mode (dangerous weapon) violating department policy on 2 counts. Ms. [redacted] no longer an active resistant subject and 2) she has told officers she is pregnant several times. Utilizing the Tazer on a knowingly pregnant person is a direct violation of the Electronic Control Weapons Policy. The policy states the following instances when a Tazer should not be utilized:

a. *Deployment of the device in a punitive or coercive manner.*

b. *Use on a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.*

c. *Use in any environment where an officer knows that a potentially flammable, volatile, or explosive*

material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane). The Springfield Police department only authorizes the use of OC spray that is non-flammable and specifically formulated for use with electronic control devices.

d. In any environment where the subject's fall could reasonably result in death (such as in water or on an elevated structure).

Susceptible Populations: Officers should be aware of the greater potential for injury when using an electronic control weapon against certain individuals.

Electronic control weapons should not be used against:

a. children under the age of eighteen (18);

b. adults over the age of seventy (70);

c. women believed to be pregnant; or

d. those known to be suffering from severe mental illness.

e. those known to have pacemakers,

This drive stun use, coupled with Officer Davis' comments, indicates that this action is retaliatory in nature and constitutes excessive force while using a dangerous weapon.

Respectfully submitted,

Capt. Trent Duda #020497

NARRATIVE FOR OFFICER JOEL E REYES

Ref: 20-2403-AR

Entered: 09/29/2020 @ 0904 Entry ID: 092919
Modified: 09/29/2020 @ 1435 Modified ID: 092919
Approved: 09/29/2020 @ 1438 Approval ID: M794

Ma'am,

On 9-29-2020 about 8:30am, Officers T. Jackson, L. Davis and I arrested at 2 Boland Way, the Tower Square Hotel, a w/f, [redacted] of [redacted] Providence RI for:

1)Threats to Commit a Crime
2)Disorderly

I was dispatched to 2 Boland Way for a report on Threats to Commit a Crime. Upon my arrival, I met up with the victim to the threats, Ernesto Estrada Escobar, who is the Foreman in charge of the hotel remodeling. Mr. Estrada stated that he terminated Ms [redacted]'s boyfriend, [redacted], employment. As employees, they are allowed to stay in the hotel overnight due to employees traveling from other states to work at the hotel. The hotel is not open to the public due to the construction work. Once Mr. [redacted] employment was terminated, he was told to leave the premises immediately. Mr. [redacted] complied and returned to his hotel room(#806) to notify Ms [redacted] that they needed to pack and leave. Ms [redacted] became highly irate, got in touch with Mr. Estrada through text threatening him by stating "I know where you live and I'm ten times more physco than any bitch you've ever known!" Mr. Estrada, having terminated other employees in the past, has dealt with punctured tires and other damages to his work vehicles on numerous occasions. Mr. Estrada also stated that Mr. [redacted]d and Ms [redacted] have worked in his home in RI which is why he takes this threat seriously.

I knocked on the door to room #806. Ms. [redacted] looked through the peephole, observed that it was me, and began to scream and threaten,"You Fucking assholes! You called the pigs on us!? I'm going to fuck you up you piece of shit! I'm going to kick your ass you fuck! Fuck you and fuck 12!" About eight to nine employees, hearing Ms [redacted] screaming, stopped what they were doing and stepped out into the hallway to see what the commotion was all about. At this time, Officers T. Jackson and L. Davis arrived on scene and attempted to talk to Ms [redacted] to no avail. She continued to spew threats of physical harm towards Mr. Estrada yelling out "i'm gonna fuck you up! I'm going to kick your ass!" and telling officers to "fuck off you pussies!" Finally, after attempting to open the door with a coded key, Management pried the door open and we were able to push our way in. Ms [redacted], briefly became combative but was subdued by Officer Davis who used his department issued taser and drive stunned Ms [redacted] once on the hand and twice on the shoulder. Ms P[redacted] was placed in custody, brought down to the lobby area where AMR was waiting and transported to Baystate ER for her well being and due to the fact that Ms Parrillo announced that she was pregnant. Mr. [redacted] was given ample time to remove his belongings from the hotel and leave the premises without further incident.

Be advised that all officers on scene activated the BWC. Officer Davis completed taser form.

Captain S. Richard notified.

Respectfully Submitted,

Officer J. E. Reyes
092919/204

CRIMINAL COMPLAINT PROBATION COPY	DOCKET NUMBER 2123CR002686	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS
Luis E Delgado
[redacted]

COURT NAME & ADDRESS
Springfield District Court
50 State Street
PO Box 2421
Springfield, MA 01101
(413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	06/13/2021	06/11/2021	06/11/2021

2123CR002686

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		06/14/2021 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
		31831150	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13M/B	A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a)

On 06/11/2021, did assault and beat [redacted] a family or household member as defined in c265 §13M(c), in violation of G.L. c.265, §13M (a)

PENALTY: house of correction not more than 2 ½ years; or fine not more than $5,000; or both such fine and imprisonment. For any violation of this section, or as a condition of a continuance without a finding, the court shall order the defendant to complete a certified batterer s intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer s intervention should not be ordered or unless the batterer s intervention program determines that the defendant is not suitable for intervention. From G.L. c258B §8: Court shall impose a $50 domestic violence prevention and victim assistance assessment, which shall be deposited in the Domestic and Sexual Violence Prevention and Victim Assistance Fund.

COUNT	CODE	DESCRIPTION
2	266/127/C	DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §127

On 06/11/2021 did wilfully and maliciously destroy or injure the personal property, dwelling house or building of [redacted] the value of the property so destroyed or injured not exceeding $1200, in violation of G.L. c.266, §127.

(PENALTY: imprisonment not more than 2½ years; or fine three times the value of the damage or injury to such property.)

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST — CLERK-MAGISTRATE/ ASST. CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO.(COURT USE ONLY)

PAGE 1 of 1

Trial Court of Massachusetts
District Court Department

Springfield

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

☒ ONLY MISDEMEANOR(S), I request a hearing ☐ **WITHOUT NOTICE** because of an imminent threat of
☐ BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☐ **WITH NOTICE** to accused.
☐ ONE OR MORE FELONIES, I request a hearing ☐ **WITHOUT NOTICE** ☐ **WITH NOTICE** to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED
☒ **HAS** ☐ HAS NOT been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS	BIRTH DATE	SOCIAL SECURITY NUMBER
LUIS E DELGADO [redacted]	[redacted]	[redacted]
	PCF NO.	MARITAL STATUS: SINGLE
	DRIVERS LICENSE NO.	STATE
	GENDER: M / HEIGHT: 510 / WEIGHT: 130	EYES: BRO

HAIR	RACE	COMPLEXION	SCARS/MARKS/TATTOOS	INTERPRETER NEEDED (language)	BIRTH STATE OR COUNTRY	DAY PHONE
BRO	W	LBR			PR	[redacted]

EMPLOYER/SCHOOL	MOTHER'S MAIDEN NAME (FIRST MI LAST)	FATHER'S NAME (FIRST MI LAST)
SPRINGFIELD POLICE DEPARTMENT	DONNA CROOKS	LUIS DELGADO

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)	COMPLAINANT TYPE	PD
~~Marquez J McKreithr Gollins~~ JBROOKS	☒ POLICE ☐ CITIZEN ☐ OTHER	SPR

ADDRESS

Springfield Police Department
130 Pearl Street
Springfield, MA. 01103

PLACE OF OFFENSE: SPRINGFIELD, MA

INCIDENT REPORT NO.	OBTN
21-1378-AR	TSPR202101378

CITATION NO(S).

	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1	265/13M/B	A&B ON FAMILY / HOUSEHOLD MEMBER	06/11/2021
	VARIABLES *(e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)*	VICTIM(S): [redacted] WEAPON(S): Personal Weapons (Hands/Feet/Etc);	
2	266/127/C	DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §127	06/11/2021
	VARIABLES	VICTIM(S): [redacted] ;PROPERTY: IPHONE X;	
3	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		

REMARKS
SID#

COMPLAINANT'S SIGNATURE: X [signature]

DATE FILED: 6/14/21

COURT USE ONLY → A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON ____ AT ____ DATE OF HEARING ____ TIME OF HEARING ____ ← COURT USE ONLY

DATE	PROCESSING OF NON-ARREST APPLICATION(COURT USE ONLY)	CLERK/JUDGE
	NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:	
	NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:	
	HEARING CONTINUED TO:	
	APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE: ☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED ☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE ☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION	

DATE	COMPLAINT TO ISSUE	COMPLAINT DENIED	CLERK/JUDGE
	☐ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S). ☐ 1, ☐ 2, ☐ 3, BASED ON ☐ FACTS SET FORTH IN ATTACHED STATEMENT(S) ☐ TESTIMONY RECORDED: TAPE NO. ____ START NO. ____ END NO. ____ ☐ WARRANT ☐ SUMMONS TO ISSUE ARRAIGNMENT DATE:	☐ NO PROBABLE CAUSE FOUND ☐ REQUEST OF COMPLAINANT ☐ FAILURE TO PROSECUTE ☐ AGREEMENT OF BOTH PARTIES ☐ OTHER: COMMENT	

Springfield Police Department
Arrest Report

Arrest #: 21-1378-AR
Call #: 21-110487
Related Arrest #: 21-1377-AR

Date/Time Reported: 06/11/2021 @ 2238
Arrest Date/Time: 06/11/2021 @ 2345
Booking Date/Time: 06/12/2021 @ 0020
Involves: Domestic Violence

OBTN: TSPR202101378
Reporting Officer: Officer Marquez McKreith-Collins
Assisting Officer: Officer Dishawn Ramos-Diaz
Booking Officer: Sergeant Johnathan Torres
Approving Officer: Lieutenant Ronald Sheehan

Signature: _____

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	DELGADO, LUIS E [redacted]	M	W	32	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 510 - 511 WEIGHT: 130 - 140 HAIR: BROWN EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: , PR
LICENSE NUMBER: NOT AVAIL. ETHNICITY: HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]
Home Phone
Work Phone (Primary)

[APPEARANCE]

GENERAL APPEARANCE: NEAT

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: NO COAT OR JACKET
PANTS/SKIRT: SHORT PANTS
SHOE: SANDALS
MASK: MAKE UP
GLASSES WORN: NO

Arrest #: 21-1378-AR
Call #: 21-110487
Related Arrest #: 21-1377-AR

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: DELGADO, LUIS
MOTHER'S NAME: CROOKS, DONNA

EMPLOYER/SCHOOL: SPRINGFIELD POLICE DEPARTMENT · 413-787-6322
130 PEARL ST
SPRINGFIELD MA 01105

OCCUPATION: POLICE OFFICER

[RIGHTS/BOOKING CHECKS]

PHONE USED: N PHONED DATE/TIME: 06/12/2021 @ 0023
ARRESTEE SECURED: Y 06/12/2021 0023
ARRESTEE CELL #: M01

FINGERPRINTED: N
PHOTOGRAPHED: N
VIDEO: BOOKING
SUICIDE CHECK: Performed
PERSONS: State&Federal
NCIC VEHICLE CHECK: Not Performed
INJURY OR ILLNESS: N

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Residence/Home/Apt./Condo Zone: Sector B2 Liberty Heights

[redacted]

1 A&B ON FAMILY / HOUSEHOLD MEMBER N Misdemeanor
265/13M/B 265 13M
OCCURRED: 06/11/2021 2238
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

2 DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §12 N Misdemeanor
266/127/C 266 127
OCCURRED: 06/11/2021 2238

Arrest #: 21-1378-AR
Call #: 21-110487
Related Arrest #: 21-1377-AR

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	F	W	27	**********	[redacted]

DOB: [redacted]
EMPLOYER: UBER EATS
INJURIES: Apparent Minor Injury
ETHNICITY: Hispanic
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: DELGADO LUIS — Boy/Girl Friend
CONTACT INFORMATION:
Home Phone (Primary) [redacted]
Home Phone
Home Phone

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	CROOKS, DONNA J	WITNESS	F	W	55	[redacted]	[redacted]

843 CAREW ST
SPRINGFIELD MA 01104-2581
DOB: [redacted]

CONTACT INFORMATION:
Home Phone (Primary) [redacted]
Home Phone

2	ROSARIO-CROOKS, DANNAKEY M	WITNESS	F	W	27	[redacted]	[redacted]

843 CAREW ST
SPRINGFIELD MA 01104-2522
DOB: [redacted]

CONTACT INFORMATION:
Home Phone (Primary) [redacted]

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	IPHONE X		Destroyed/Damaged/Vandalized

QUANTITY: 1 VALUE: $1,000.00
SERIAL #: NOT AVAIL
DATE: 06/12/2021
OWNER: [redacted]

ADDITIONAL ASSISTING OFFICERS

Sergeant Daniel Johnson
Officer Ruben Negron
Officer Matthew Staples

NARRATIVE FOR SERGEANT DANIEL R JOHNSON

Ref: 21-1378-AR

Entered: 06/12/2021 @ 0052 Entry ID: 109860
Modified: 06/12/2021 @ 0222 Modified ID: 109860
Approved: 06/12/2021 @ 0305 Approval ID: S795

Ma'am,

At 2345 hours on 6/11/21 Officer McKrieth-Collins and I arrested Luis Delgado [redacted] DOB [redacted] of [redacted] at that location for the following offenses:

-A&B Household/Family Member
-Malicious Damage -$1200 (Domestic)

At approximately 2238 hours on 6/11/21 Officers McKreith-Collins and Collins were dispatched to [redacted] for a disturbance. Officer M. Collins was disregarded prior to his arrival and never arrived on scene. Officer McKreith-Collins arrived on scene and made contact with [redacted]. Ms. [redacted] stated she was involved in an incident with her ex-boyfried, Luis Delgado, who is a police officer. As soon as Officer McKreith-Collins discovered this incident involved a police officer he requested a supervisor.

At 2251 hours I arrived on scene and spoke with Ms. [redacted]. She stated her and Mr. Delgado were involved in an argument. She further stated she threw a shirt in his face and Mr. Delgado responded by grabbing her by the neck area, taking her phone and breaking it by throwing it on the floor. She showed us her phone which had severe damage to the screen. Ms. [redacted] stated that she did not think Mr. Delgado was trying to hurt her or "choke" her. She stated she believed Mr. Delgado was focused on taking her phone so he could break it. Ms. [redacted] stated she was bitten on the arm by Mr. Delgado's mother, Donna Crooks. She showed Officer McKreith-Collins a mark on her left forearm that looks consistent with a bite mark. There did not appear to be any broken skin and no blood was visible. She also had some scratch marks on the back of her left arm. Ms. Villalobos was offered medical treatment but declined.

Officers spoke with Ms. Donna Crooks and Ms. Dannakey Rosario-Crooks (Luis Delgado's sister). Ms. Crooks and Ms. Rosario-Crooks stated they were upstairs and heard a loud commotion downstairs and went downstairs to see what was going on. They both stated they did not see the initial incident between Ms. [redacted] nd Mr. Delgado. They further stated they were trying to get Ms. [redacted] to leave the house and Ms. [redacted] put her arm around Ms. Crooks' neck and physically attacked her. Ms. Crooks stated Ms. [redacted] was squeezing her neck causing her to have difficulty breathing and she felt like she was going to pass out. Ms. Crooks stated due to the actions of Ms. Villalobos she had to bite Ms. Villalobos' forearm to get her to stop strangling her. They both stated shortly after they were able to get Ms. Villalobos out of the house Officer McKreith-Collins arrived on scene.

Officers spoke with Luis Delgado who stated he and Ms. [redacted] were in his bedroom and she became upset with him because she believed he was talking to another female. He stated she "smashed" his phone and his computer on the floor of the bedroom. Mr. Delgado stated he then "smashed" her phone on the floor in retaliation for her breaking his property. Mr. Delgado stated there was no physical contact between them and aside from breaking each other's property it was just a verbal argument.

At 2332 Ms. [redacted] was placed under arrest and transported to 130 Pearl St. by Officers Negron and Ramos-Diaz who arrived to assist. At 2345 hours Mr. Delgado was placed under arrest and transported to 130 Pearl St. by Officer McKreith-Collins. While we were in the process of arresting Mr. Delgado, Ms. Crooks fainted in the kitchen. Officer McKreith-Collins called for an ambulance which was later disregarded after she

stated she felt she didn't need one. Ms. Crooks informed Officers she was distressed from the incidents that took place this evening. She was advised to call for medical assistance if her condition worsened.

Detective Staples arrived on scene to take photographs of Mr. Delgado's damaged phone and computer. He also took photographs of some redness that was observed on Ms. Crooks' neck. Detective Staples took photographs of Ms. [redacted] damaged phone, the bite mark on her forearm and the scratches on the back of her left arm at 130 Pearl St.

Mr. Delgado and Ms. [redacted] are currently not in a dating relationship but were in a relationship for approximately 1 year.

Watch Commanders Captain E. Geier and Lieutenant R. Sheehan notified
Dual arrest report submitted.
Photographs taken by Det. M. Staples
BWCs activated by Officers McKreith-Collins, Negron, Ramos-Diaz and Sergeant Johnson
BWC not activated by Det Staples because he was not involved other than taking photos

Respectfully submitted,

Sergeant D. Johnson
109860/Sgt #45

Department of State Police
PERSONNEL ORDER

Issue Date: Thursday, July 01, 2021	**Number:** 21PER414
Subject: DISHONORABLE DISCHARGE	

In accordance with M. G. L. and the Rules and Regulations governing the Massachusetts State Police, the below-named officer is hereby Dishonorably Discharged effective Monday, June 28, 2021:

KELLEY, MATTHEW T. **(ID # 3979) Trooper**

OFFICIAL:

CHRISTOPHER S. MASON
Colonel/Superintendent

CRIMINAL COMPLAINT

1713H0001427-1 ___ of ___

District Court Department

Springfield District Court
50 State St
Springfield, MA

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

☑ ONLY MISDEMEANOR(S), I request a hearing ☐ WITHOUT NOTICE because of an imminent threat of ☐ BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☑ WITH NOTICE to accused.
☐ ONE OR MORE FELONIES, I request a hearing ☐ WITHOUT NOTICE ☐ WITH NOTICE to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED
☐ HAS ☑ HAS NOT been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS
LAWRENCE V. PIETRUCCI
[redacted]

BIRTH DATE [redacted]
SOCIAL SECURITY NUMBER [redacted]
PCF NO. 2592416
MARITAL STATUS UNK
DRIVERS LICENSE NO. [redacted]
STATE MA
GENDER M
HEIGHT
WEIGHT
EYES UNK
HAIR UBK
RACE WHITE
COMPLEXION LIGHT
SCARS/MARKS/TATTOOS
BIRTH STATE OR COUNTRY UNK
DAY PHONE UNK
EMPLOYER/SCHOOL UNK
MOTHER'S MAIDEN NAME (FIRST MI LAST) UNK
FATHER'S NAME (FIRST MI LAST) UNK

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)
DETECTIVE CAPTAIN CHRISTOPHER WILCOX

COMPLAINANT TYPE ☑ POLICE ☐ CITIZEN ☐ OTHER
PD MSP

ADDRESS
STATE POLICE DETECTIVE UNIT-HAMPDDEN
1500 MAIN STREET
PO BOX 15327
SPRINGFIELD, MA 01115-5327

PLACE OF OFFENSE SPRINGFIELD, MA
INCIDENT REPORT NO. 2019-108-203
OBTN
CITATION NO(S).

	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1	265/13A/B	ASSAULT & BATTERY	4/22/2019
	VARIABLES *(e.g. victim name, controlled substance, type and value of property; other variable information; see Complaint Language Manual)*		
2	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		
3	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		

REMARKS

COMPLAINANT'S SIGNATURE X

DATE FILED

COURT USE ONLY → A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON DATE OF HEARING 10/2/19 AT TIME OF HEARING 10:00 ← COURT USE ONLY

PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY)

DATE 9/16/19 MW

NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:
NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:
HEARING CONTINUED TO:
APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:
☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED
☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE
☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION

COMPLAINT TO ISSUE

DATE 11/6/19

☑ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S). ☐ 1. ☐ 2. ☐ 3. BASED ON
☑ FACTS SET FORTH IN ATTACHED STATEMENT(S)
☑ TESTIMONY RECORDED: TAPE NO. _____
START NO. _____ END NO. _____
☐ WARRANT ☑ SUMMONS TO ISSUE
ARRAIGNMENT DATE:

COMPLAINT DENIED

☐ NO PROBABLE CAUSE FOUND
☐ REQUEST OF COMPLAINANT
☐ FAILURE TO PROSECUTE
☐ AGREEMENT OF BOTH PARTIES
☐ OTHER:
COMMENT

CLERK/JUDGE

1. On Monday, April 29, 2019, the State Police Detective Unit (SPDU) was notified of an incident that occurred on Monday, April 22, 2019, at Kiley Middle School in Springfield that involved a physical confrontation between Springfield Police Officer Lawrence PIETRUCCI, who was on-duty and assigned as a school resource officer (AKA "Quebec" officer) and a 13-year-old juvenile student. Hampden District Attorney Anthony Gulluni instructed Captain Christopher Wilcox of the SPDU to conduct an investigation.

2. Investigators learned that a report of child abuse and/or neglect, commonly referred to as a 51A, had been filed with the Department of Children and Families (DCF) on Thursday, April 25, 2019, by a medical provider in Springfield. The victim was identified as [redacted] age 13. According to the 51A report, [redacted] presented to a medical practice on April 24, 2019, for evaluation by his primary care provider (PCP). The reporter stated that [redacted] claimed to have had interactions with the police officer "Larry" at school on a weekly basis that resulted in injuries due to the officer hitting [redacted] The report indicated that [redacted] claimed that three days prior to the report the officer threw him to the floor which caused bruising to his knee, and that three months prior to the report the officer pushed him up against the lockers which resulted in bruising to his chest. The report indicated that the PCP observed a significant bruise on [redacted] knee.

3. On Thursday, May 2, 2019, investigators received and reviewed video surveillance footage purported to show the interior hallways of Kiley Middle School in Springfield around the time of the incident on Monday, April 22, 2019. The surveillance videos do not include any audio recordings.

4. One video segment is labeled "Outside Faculty Rm" and depicts a hallway corridor inside the school. At the beginning of the video clip, [redacted] can be seen seated in a chair at a table in the hallway of the school with adults standing nearby, including Vice Principal Otilio ALVARADO. At approximately 12:17:17 PM, Officer Lawrence PIETRUCCI enters the video and approaches the area where [redacted] is seated. [redacted] is observed to be slouching in the chair.

5. At approximately 12:26:52 PM, PIETRUCCI reaches out and grabs [redacted] by his right arm. PIETRUCCI lifts [redacted] to his feet and begins to move him down the hallway towards ALVARADO. PIETRUCCI appears to use both of his arms to shove [redacted] in the back, which causes him to fall forward, lose his footing, and fall to the floor. [redacted] appears to have his left arm tucked inside his shirt, which leaves him with only one arm to break his fall. [redacted] lands near the feet of ALVARADO and remains on the hallway floor. PIETRUCCI then lifts [redacted] back to his feet by his arms and begins to move him down an adjacent hallway and out of this camera's viewing range.

6. The second video segment is labeled "Outside Faculty Lounge" and depicts a hallway corridor inside the school that is adjacent to the corridor described above where [redacted] is seated at the beginning of the incident. At approximately 12:26:55 PM, [redacted] enters the camera viewing area followed by PIETRUCCI. [redacted] appears to be airborne, mid-fall as he enters the camera view. He quickly hits the floor and rolls to the feet of ALVARADO, appearing to collide with ALVARADO's left leg. [redacted] grabs a hold of his

right knee in a gesture consistent with being in pain.

7. On Friday, May 3, 2019, Trooper Sean Kenney and Trooper Noah Pack met with [redacted] mother, [redacted] at her place of employment in Springfield. [redacted] informed them that she was contacted by staff at the Kiley Middle School on the date of the incident and was told to pick up [redacted] She stated that this happens often as [redacted] has behavioral issues and is often sent home. She spoke to [redacted] that evening and he stated that he did not want to move from the hallway and Officer Larry grabbed him out of the chair, pushed the chair, and threw him out. [redacted] stated [redacted] did not go to school on Tuesday, April 23, 2019, because he was complaining of headaches and knee pain. She took him to the doctor on Wednesday, April 24, 2019.

8. [redacted] further told investigators that after the incident, she contacted the school guidance counselor's office multiple times and left messages on both April 23, 2019, and April 24, 2019, in which she stated that [redacted] had sustained injuries at school and that the injuries had been caused by Officer Larry. She requested a call back from the school in the messages and no one ever contacted her back to address the concerns. [redacted] showed investigators photographs on her cellular telephone that she stated documented the bruising to her son's knee as a result of the incident with PIETRUCCI.

9. On May 6, 2019, at approximately 10:00 AM, Trooper Noah Pack obtained search warrants from Judge Richard Carey of the Hampden Superior Court for the Kiley Middle School and the Springfield Public School administrative building located at 1550 Main Street in Springfield. During execution of the search warrants, investigators located and reviewed a new video camera angle that documented the incident. This new video is electronically titled "Outside Rm. 112". It should be noted that this third video includes the two plus minute portion that was absent from the original surveillance video as previously mentioned.

10. This new video clearly shows Officer PIETRUCCI sliding the desk that [redacted] was sitting behind to the left at approximately 12:26:06 PM. Officer PIETRUCCI then moved within two feet of [redacted] face and engaged him verbally. No other physical contact between PIETRUCCI and [redacted] is observed on this video that was not observed in the other videos and described herein.

11. During the execution of the search warrants, officers conducted several interviews of staff members. Trooper Michael McNally and Trooper Thomas Sullivan interviewed Ryan DEVINEY who is a 7th grade counselor who received two voicemails from [redacted] inquiring about her son being assaulted by a police officer at school. Mr. Deviney stated that he brought [redacted] 'S concerns to the attention of Assistant Principal ALVARADO.

12. Troopers Noah Pack and Stephen Walsh interviewed Assistant Principal Otilio ALVARADO in his office at Kiley Middle School. ALVARADO stated that he has twenty-four years of experience and is an assistant principal who is responsible for the seventh grade and other tasks at the school. ALVARADO indicated he was aware of the incident on April 22, 2019, between the school resource officer and the student. ALVARADO stated that PIETRUCCI's relationship was positive with most of the students and that PIETRUCCI was a good person.

13. ALVARADO initially gave a vague and inconsistent description of the incident, including a suggestion that he had seen [redacted] fall to the ground. ALVARADO and I reviewed the video footage together. ALVARADO then agreed with me that he had seen what happened and that the juvenile had not fallen. ALVARADO made a push/shove gesture in front of him and explained that he saw PIETRUCCI push the juvenile. ALVARADO stated that the juvenile said, "Mr. Alvarado, I'm hurt." ALVARADO stated that PIETRUCCI picked the child up and escorted him down the hall, but he fell again, and the nurse came out and took him to the nurse's office. ALVARADO stated he did not tell the nurse what had happened. Additionally, Alvarado filed a written document with the school entitled "Incident on 4/22/2018". In this written report, Mr. Alvarado writes at the police officer "had to remove [redacted] from location and escorted [redacted] to the main office area". Mr. Alvarado omitted that fact that [redacted] was thrown by the officer and caused an injury. A copy of this written document is attached to the Probable Cause Report.

14. ALVARADO admitted that he did not file a 51A report. He further admitted that he has received training on 51A reporting and that he should have filed a 51A report in this case. ALVARADO further admitted that counselor Ryan DEVINEY told him that the mother had called the school and wanted to talk about the incident. ALVARADO stated that he did not call her back.

15. On May 9, 2019, Captain Christopher Wilcox and Trooper Noah Pack attended a Multidisciplinary Team Interview of [redacted] at the Family Advocacy Center in Springfield. In short summary of the interview, [redacted] stated that he was refusing to do what PIETRUCCI (who he referred to as Officer Larry) asked him to do, was being defiant, and yelled a couple times. [redacted] stated, "He grabbed me by the arm and then he just lifted me up and threw me on the floor." [redacted] stated that his knee and his head hit the floor. [redacted] stated that he would have gotten up if he could have because he wanted to leave the school, but his leg started to hurt. [redacted] stated that he was taken to the nurse's office and he felt dizzy.

16. On May 9, 2019, Captain Wilcox telephoned Attorney Kevin Coyle and inquired if his client, Lawrence PIETRUCCI would avail himself for an interview. On May 21, 2019, Captain Wilcox received a telephone call from Attorney Joseph Moynihan of the International Brotherhood of Police Officers. Attorney Moynihan stated that he will be representing Lawrence Pietrucci in this matter. He stated he would contact Captain Wilcox in a number of days about the possibility of interviewing PIETRUCCI. No further response has been received.

17. Investigators are aware of no reports of this incident that were made (prior to the incident coming to public light) by PIETRUCCI, ALVARADO, other school personnel, or any other persons not described herein. Investigators note that the incident was witnessed by ALVARADO, who did not report the incident to authorities, did not file a 51A report with DCF despite being a mandated reporter of child abuse and/or neglect, did not respond to the juvenile victim's mother's request for explanation, and did not intervene despite, all despite observing a school resource officer involved in a physical altercation with a student in the hallway of a public school that resulted in the student being injured.

18. The information contained in this affidavit is based upon personal involvement in this investigation, training and experience, review of documents, and information provided by other law enforcement officers currently assisting with this investigation. This is a summary of facts to establish probable cause and does not include all facts and information that are known to investigators.

19. Upon review of this case by Hampden District Attorney's Office, charges are being filed by application for criminal complaint against PIETRUCCI for assault and battery [redacted]

D/Captain Christopher T. Wilcox #2289
Massachusetts State Police
Division of Investigative Services

Date/Time Printed: 10-04-2019 13:21:46 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1923CR007140	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS				COURT NAME & ADDRESS
Thomas R Normoyle [redacted]				Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600
DEFENDANT DOB [redacted]	COMPLAINT ISSUED 10/04/2019	DATE OF OFFENSE 09/27/2019	ARREST DATE	
OFFENSE CITY / TOWN Springfield	OFFENSE ADDRESS			NEXT EVENT DATE & TIME 10/30/2019 08:00 AM
POLICE DEPARTMENT Springfield PD	POLICE INCIDENT NUMBER			NEXT SCHEDULED EVENT Arraignment
OBTN	PCF NUMBER	DEFENDANT XREF ID 46391413		ROOM / SESSION Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	90/24/C	LEAVE SCENE OF PROPERTY DAMAGE c90 §24(2)(a)

On 09/27/2019, while operating a motor vehicle, did go away without stopping and making known his or her name, residence and the register number of his or her motor vehicle, after knowingly colliding with or otherwise causing injury to the vehicle or property of SAMANTHA GIORDANO, in violation of G.L. c.90, §24 (2).

PENALTY: imprisonment for not less than 2 weeks, not more than 2 years; or not less than $20, not more than $200; or both; subsequent offense may not be filed or continued without a finding except upon motion and judge's certificate that such is in the interests of justice; RMV may (and shall unless judge recommends otherwise) revoke license for 60 days or, for subsequent offenses within 3 years, for 1 year; RMV may revoke registration if defendant is owner or has exclusive control of vehicle.

COUNT	CODE	DESCRIPTION
2	89/9	STOP/YIELD, FAIL TO * c89 §9

NOTE: THIS IS A CIVIL MV INFRACTION, SET FORTH HERE FOR PROCEDURAL PURPOSES ONLY. On 09/27/2019, while operating a motor vehicle on a way: (1) when approaching a stop sign or a flashing red signal indication, did fail to stop at a clearly marked top line, or if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where he or she had a view of approaching traffic on the intersecting roadway before entering it, and after having stopped, to yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when he or she was moving across or within the intersection or junction of roadways, not

MASSACHUSETTS UNIFORM CITATION

T1642969

DATE WRITTEN (MM/DD/YY)	AGENCY CODE	OFFICER I.D. NUMBER	COURT CODE	TYPE OF CITATION
10/04/19	SPR	38572	23	☒ OPERATOR ☐ OWNER ☐ PASSENGER ☐ BICYCLIST

VIOLATOR

MOTOR VEHICLE LICENSE NO. OF VIOLATOR	STATE	CLASS	CDL LICENSE	RACE	SEX	NON-INVENTORY MV SEARCH
[redacted] 596761325	MA	D	☐ YES ☐ NO	W	M	☐ YES ☒ NO CODE

VIOLATOR [redacted] (Last)	(First)	(Initial)	BIRTH DATE (MM/DD/YY)
Normoyle	Thomas	R	[redacted]

ADDRESS	CITY/TOWN	STATE	ZIP
[redacted]	SPFLD	MA	01129

MV

PLATE TYPE	VEHICLE REGISTRATION NO.	STATE	YEAR	MAKE AND TYPE	COLOR	CDL VEHICLE	16+ PASSENGERS	PLACARDED HAZMAT
PAN	574KX7	MA	07	Toy Sed	BLK	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO

OFFENSE(S)

OFFENSE DATE (MM/DD/YY)	LOCATION OF OFFENSE (include #, st, hwy, city or town)	TIME OF OFFENSE	CRASH
09/27/19	East onto Cooley St #320 From Plaza	2349 ☐ AM ☒ PM	☐ YES ☐ NO

	CHAP/SEC/SUB		DESCRIPTION OF OFFENSE	ASSESSMENT	JUDGMENT	JUDGMENT DATE	COMMENT
A.	89-9	☒ CRIM ☐ CIVIL	Stop Sign - Fail to Stop	$			
B.	90-24-c	☐ CRIM ☒ CIVIL	Leave Scene Property Damage	$			
C.		☐ CRIM ☐ CIVIL		$			
D. SPEEDING ☐ 90/17 ☐ 90/18		CIVIL	MPH IN A ____ MPH ZONE ____ ☐ POSTED ☐ NOT POSTED ☐ LIDAR ☐ CLOCKED ☐ RADAR ☐ ESTIMATED	$			

SPEEDING ASSESSMENTS INCLUDE A $50 HEAD INJURY SURCHARGE

TOTAL DUE $

DOCKET NUMBER

OFFICER CHECK ONE ONLY ☐ ALL CIVIL INFRACTIONS (See instruction A on back) ☐ CRIMINAL APPLICATION (See instruction B on back) ☐ ARREST ☐ WARNING (No action required)

COURT ADDRESS

OFFICER CERTIFIES ☐ IN HAND TO VIOL. ☐ MAILED TO VIOL. ☐ IN HAND TO VIOLATOR'S AGENT

AGENT NAME

X [signature]

VIOLATOR/AGENT ACKNOWLEDGES RECEIPT OF CITATION

AGENT'S LICENSE NUMBER & STATE

X

AGENCY COPY (IF CIVIL) OR COURT COPY (IF CRIM.)

recyclable

Warrant #: 19-2367-WA

Requesting Officer: Sergeant Mel Kwatowski
Application Date: 10/04/2019

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	NORMOYLE, THOMAS R [redacted]	M	W	23	[redacted]	

Military Active Duty: N
HEIGHT: 508 WEIGHT: 210 HAIR: BROWN EYES: GREEN
BODY: [redacted] COMPLEXION: LIGHT
PLACE OF BIRTH: SPRINGFIELD, MA
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary)
Cell Phone (Primary) [redacted]

[APPEARANCE]

GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

FATHER'S NAME: NORMOYLE, MICHAEL
MOTHER'S NAME: BARLOW, MARGARET

EMPLOYER/SCHOOL: SPRINGFIELD POLICE DEP · 413-787-6363
130 PEARL ST
SPRINGFIELD MA 01105

OCCUPATION: POLICE RECRUIT

#	OFFENSE(S)	ATTEMPTED	TYPE
	LOCATION TYPE: Highway/Road/Alley/Street Zone: Sector I3 16Acr/Outer Bel PUBLIC WAY 320 COOLEY ST SPRINGFIELD MA		
1	**STOP/YIELD, FAIL TO** 89/9 89 9 OCCURRED: 09/27/2019 2344	N	Violation
2	**LEAVE SCENE OF PROPERTY DAMAGE** 90/24/C 90 24 OCCURRED: 09/27/2019 2344	N	Misdemeanor

Warrant #: 19-2367-WA

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	GIORDANO, SAMANTHA M 10 FERNWOOD EAST LONGMEADOW MA 01028 DOB: [redacted] ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2 RELATION TO: NORMOYLE THOMAS	F	W	19	**********	
					Stranger	
2	GIORDANO, SHARON A 10 FERNWOOD DR E LONGMEADOW MA 01028-1303 DOB: [redacted] [redacted] of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 2 RELATION TO: NORMOYLE THOMAS CONTACT INFORMATION: Home Phone (Primary) [redacted]	F	W	47	**********	[redacted]
					Stranger	

PERSONNEL NARRATIVE FOR SERGEANT MEL K KWATOWSKI

Ref: 19-2367-WA

Entered: 10/04/2019 @ 1026 Entry ID: K572
Modified: 10/04/2019 @ 1231 Modified ID: K572

I respectfully request that a hearing be assigned for W/M Thomas Normoyle, DOB-[redacted] Ma.Lic#[redacted] for the following:

1). 89-9 Stop Sign Violation (Fail to Stop).
2). 90-24 Leaving the scene of a Property Damage Accident.

On 092719 at about 2344hrs Officers R.Sierra and Shelly Whitley were dispatched to 320 Cooley St for a two car Property Damage Accident. While enroute they were notified by dispatch that one of the involved motor vehicles left the scene. Upon their arrival at 320 Cooley Street they observed a Gray SUV with front end damage across the street from the 5 Town Plaza entrance on Cooley St. That vehicle was a 2012 Ford Escape color Gray, Ma#6GS749. It was being operated by Samantha Giordano along with two passengers. Officers Sierra and Whitley spoke with Samantha Giordano to check on their well being. No one claimed injury. S.Giordano told the Officers that a Black car pulled out 5 Town Plaza exit without stopping while they were traveling South on Cooley Street. The damage to her mothers Ford Escape, along with fluid and debris in the street corroborated the event. S.Giordano stated that after the initial collision a lone white male exited the Black Motor vehicle and approached her. The male operator of the Black motor vehicle was later identified a Thomas Ryan Normoyle as listed above. He was operating a Black 2007 Toyota with MA#574KX7.
At the scene Thomas Normoyle told her that his name was Ryan Norm and that he was actually a Springfield COP. He also gave her a telephone number [redacted]. While he was talking she believed he was slurring his words and thought he was drunk. T.Normoyle continued to tell Samantha that he did not want this to go on his insurance. He just wanted to go and he would come back in 5 minutes. Thomas Normoyle then re entered his damaged motor vehicle and drove off towards Allen St.
Before he drove off Samantha Giordano took a photo of the front of his car. After he left she tried to call the phone number he left her numerous times but he no one would pick up.
Officers located a Toyota front bumper that came off the car that fled which they had pictures taken of.
The Officers on scene advised Samantha Giordano that they were not aware of anyone named Ryan Norm on the police force.
They then completed a crash report 19-3871-AC and towed the 2012 Ford Escape to CJ's.

On 09-29-19 after 0100PM Thomas Normoyle called Captain Scott Richard and advised him that he was in a accident on Cooley St Friday night and he completed a paper swap. After he explained his version of events Captain S.Richard told T.Normoyle that giving someone your name and number is not an adequate paper swap identifying yourself. He also advised him that its required that an off duty police officer notify a supervisor if the collision takes place in the city. He then told Thomas Normoyle that he needed to write a special (letter) to the Commissioner explaining what happened.

On 09-30-19 Thomas Normoyle called the Traffic Unit identifying himself. In my presence Officer H.Rivas took the call. T.Normoyle asked if he could get information related to his accident on Cooley St Friday night. He was advised that it was not complete yet.

PERSONNEL NARRATIVE FOR SERGEANT MEL K KWATOWSKI

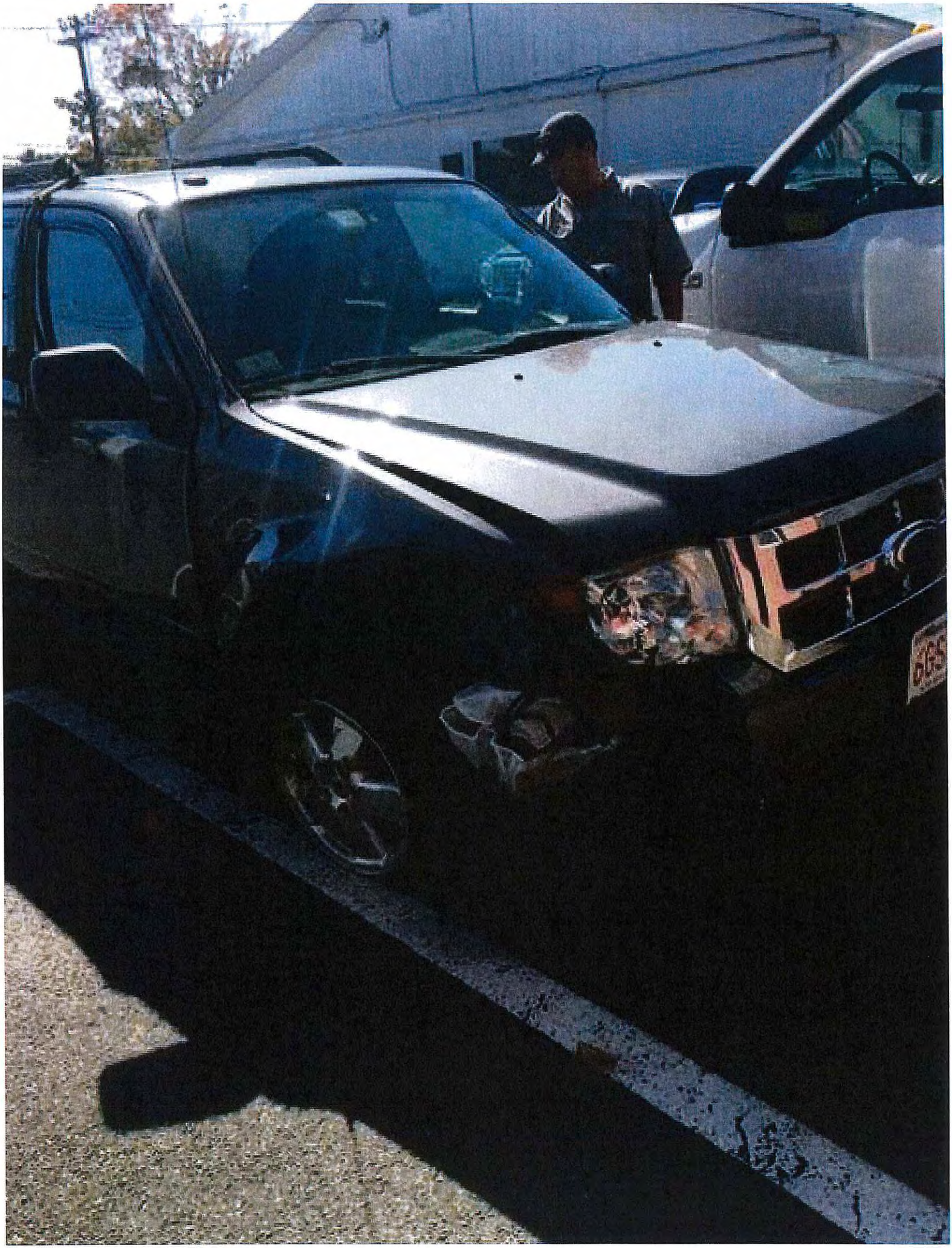
Ref: 19-2367-WA

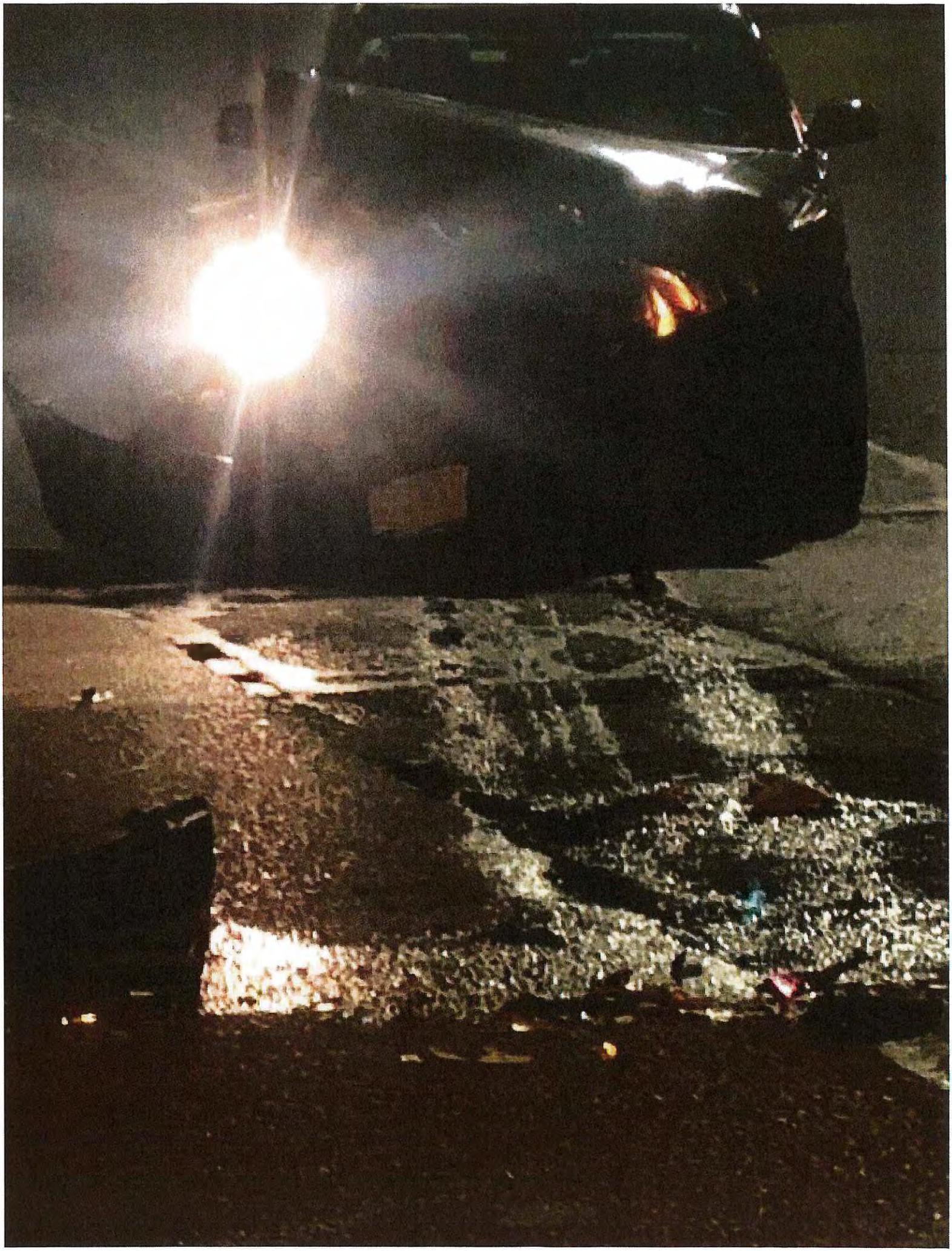
Entered: 10/04/2019 @ 1026 Entry ID: K572
Modified: 10/04/2019 @ 1231 Modified ID: K572

At about noon time on 09-30-19 Captain David Martin went to T.Normoyle's residence at [redacted] *in the city to see if he could locate the involved motor vehicle. At this location parked in an open driveway in front of the house was a Black 2007 Toyota, MA#574KX7 with heavy front end damage. The RMV listing has the owner listed as M.Normoyle of* [redacted] *The bumper cover with license plate were present but the underneath steel bumper was sheered off. The plate and damage matched the photo that Samantha Giordano took that night. Captain Martin took photos.*
A check of [redacted] *in our departmental contacts has the phone number listed as Thomas Normoyle's.*
Photos and crash report attached.
Citation issued T1642969.

Respectfully Submitted,

Sergeant M.K.Kwatowski





Police Use Only

Commonwealth of Massachusetts
Motor Vehicle Crash Police Report

RMV Document Number

Date of Crash	Time of Crash	City/Town	Number Vehicles	Number Injured	Speed Limit	Latitude	Longitude	State Police	Local Police	MBTA Police	Other
09/27/2019	2344 24HR	SPRINGFIELD	2	0	35			☐	☒	☐	

AT INTERSECTION: < LOCATION > NOT AT INTERSECTION:

14 Route# | Direction | Name of Roadway/Street
At
Route# | Direction | Name of Intersecting Roadway/Street
Also at Intersection with
21 Route# | Direction | Name of Intersecting Roadway/Street

Route# | Direction | 320 Address # | COOLEY ST Name of Roadway/Street — 2 10
Feet [N S E W] of — — — • — or — Mile Marker | Exit Number
Feet [N S E W] of Route# | Intersecting Roadway/Street
Feet [N S E W] of Landmark — 3 11

3 **Please Select One of the Following:** ☒ Vehicle 1 — 3 #Occupants — ☐ Hit/Run — ☐ Moped — Crash Report ID# **19-3871-AC**

Vehicle 1

License # [redacted] St MA DOB/Age [redacted]
Sex F Lic. Class D 19 19 Lic. Restrictions 20 CDL Endorsement
Operator GIORDANO, SAMANTHA MARIE (Last / First / Middle) — 4 2
Address 10 FERNWOOD DR
City E LONGMEADOW State MA Zip 01028-1303
Insurance Company ARBELLA MUTUAL INS
Vehicle Travel Direction: [N X E W] Responding to Emergency? 2 — 5 1
Citation # (If Issued)
Viol. 1: Ch/Sec/Sub — Viol. 2: Ch/Sec/Sub
Viol. 3: Ch/Sec/Sub — Viol. 4: Ch/Sec/Sub — 6 1

Reg # 6GS749 Reg Type PC Reg State MA
Veh Year 2012 Veh Make FORD Veh Config. 1 21
Owner GIORDANO, SHARON ANN (Last / First / Middle) — 1 12
Address 10 FERNWOOD DR
City E LONGMEADOW State MA Zip 01028-1303
Vehicle Action Prior to Crash 1 22
Event Sequence 1 23 23 23 23
Most Harmful Event 1 24
Driver Contributing Code 1 25 25
Driver Distracted by 0 26
Damaged Area Code: 2 27 27 27
Test Status: 28
Type of Test: 29
BAC Test Result: 30
Susp. Alcohol: 31 Susp. Drug: 32
Towed from scene? 1 33

Please fill out for operator and all occupants involved

Name (Last First Middle)	Address	DOB/Age	Sex	34 Seat Pos.	35 Safety System	36 Airbag Status	37 Eject Code	38 Trap Code	39 Injury Status	40 Transp. Code	Medical Facility
Operator	See Above			1	1	4	0	0	5	1	
KYLE LAFLECHE	150 N MAIN ST E LONGMEADOW, MA 01028-2323	04/21/1999	M	4	1	4	0	0	5	1	
KENDRICK LAFLECHE	150 N MAIB ST EAST LONGMEADOW, MA 01028	07/05/2003	M	4	1	4	0	0	5	1	

1 13

7 3 **Please Select One of the Following:** ☐ Vehicle 2 — 2 #Occupants — ☐ Non-Motorist A — Type 15 — Action 16 — Location 17 — Condition 18 — ☒ Hit/Run — ☐ Moped

Vehicle 2

License # [redacted] St MA DOB/Age 03/26/1996
Sex M Lic. Class 19 19 Lic. Restrictions 20 CDL Endorsement
Operator NORMOYLE, THOMAS R (Last / First / Middle) — 8 2
Address [redacted]
City [redacted] SAFECO INS
Vehicle Travel Direction: [N S X W] Responding to Emergency? 2 — 9 2
Citation # (If Issued)
Viol. 1: Ch/Sec/Sub — Viol. 2: Ch/Sec/Sub
Viol. 3: Ch/Sec/Sub — Viol. 4: Ch/Sec/Sub

Reg # 574KX7 Reg Type PC Reg State MA
Veh Year 2007 Veh Make TOYOTA Veh Config. 1 21
Owner NORMOYLE, MARGARET M (Last / First / Middle)
Address 45 STEPHANIE CIR
City SPRINGFIELD State MA Zip 01129-1961
Velicle Action Prior to Crash 6 22
Event Sequence 1 23 23 23 23
Most Harmful Event 1 24
Driver Contributing Code 4 25 25
Driver Distracted by 99 26
Damaged Area Code: 1 27 27 27
Test Status: 28
Type of Test: 29
BAC Test Result: 30
Susp. Alcohol: 31 Susp. Drug: 32
Towed from scene? 2 33

1 14

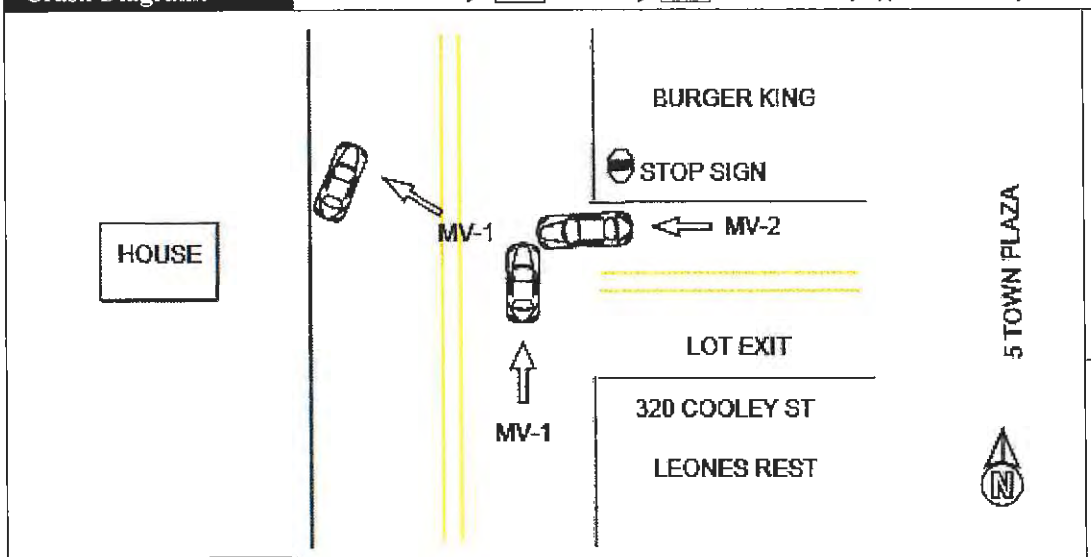
Please fill out for operator/non-motorist and all occupants involved

Name (Last First Middle)	Address	DOB/Age	Sex	34 Seat Pos.	35 Safety System	36 Airbag Status	37 Eject Code	38 Trap Code	39 Injury Status	40 Transp. Code	Medical Facility
Operator/Non-Motorist	See Above			1							

= Direction | 1 = Vehicle 1 | 2 = Vehicle 2 | = Pedestrian | = Bicycle

Crash Diagram:

ie: → 1 → 2 → →



If Crash Did Not Occur on a Public Way:

- ☐ Off-Street Parking Lot
- ☐ Garage
- ☐ Mall/Shopping Center
- ☐ Other Private Way

Indicate North by Arrow

Crash Narrative:

MV-1 WAS TRAVELING SOUTHBOUND ON COOLEY ST APPROACHING THE 5 TOWN PLAZA LOT EXIT. MV-2 WAS IN PARKING LOT OF PLAZA ABOUT TO EXIT ONTO COOLEY ST BUT FAILED TO STOP, ROLLING INTO COOLEY ST MAKING CONTACT WITH MV-1 FRONT-END. MV-1 THE SPUN OUT AND CAME TO STOP ON OPPOSITE LANE IN FRONT OF 320 COOLEY ST. MV-2 OPERATOR, ON DESCRIBED AS A WHITE MALE IN EARLY 20'S, EXITED HIS VEHICLE AND STATED HIS NAME WAS RYAN NORM (CELL# [redacted] . HE FURTHER STATED THAT HE WAS AN OFF-DUTY SPRINGFIELD POLICE OFFICER BUT HE DIDN'T WANT TO CALL POLICE AND GET IN TROUBLE. THE SUBJECT THEN GOT IN HIS VEHICLE AND FLED THE SCENE SOUTHBOUND ON COOLEY ST. THE CRASH CAUSED HIS FRONT BUMPER TO FALL OFF VEHICLE AND OFFICERS RECOVERED A VIN# WHICH CAME BACK TO MV-2 LISTED OWNER ON THIS REPORT. THE PROVIDED CELL NUMBER WAS CALLED AND THE SUBJECT DID ANSWER PHONE IN OFFICERS PRESENCE AND SPOKE ABOUT ACCIDENT WITH MV-1 OPERATOR, CONFIRMING CELL NUMBER BELONGED TO SUBJECT.

Witnesses:

Name (Last,First,Middle)	Address	Phone #	Statement

Property Damage:

Owner (Last,First,Middle)	Address	Phone #	41-Type	Description of Damaged Property

Truck and Bus Information:

Registration # _____ (From Vehicle Section)

Carrier Name _____ Bus Use 42

Address _____ City _____ St _____ Zip _____

US DOT #: _____ State Number _____ Issuing State _____ MC/MX/ICC #: _____

Interstate 43 Cargo Body Type Code 44 GVWR/GCWR 45

Trailer Reg #: _____ Reg Type _____ Reg State _____ Reg Year _____ Trailer Length 46

Hazmat Information:

Placard 47 Material 1 digit # 48 Material Name _____ Material 4 digit # _____ Release code 49

Officer Ramon Sierra	S251	Springfield Police Department	09/28/2019
Police Officer Name (Please Print)	ID/Badge #	Department	Date

Signature | Precinct/Barracks

CDP1 11-24-00

For Date: 09/27/2019 - Friday

Call Number	Time	Call Reason	Action	Priority	Duplicate
19-197301	2344	911 - Property Damage Accident	REPORT MADE	1	1

Call Taker: 110479 - Gerry, Jacquelyn
Primary Id: S251 - Sierra, Ramon
Call Closed By: S251 - Sierra, Ramon 09/28/2019 0209
Call Modified By: S251 - Sierra, Ramon
Location/Address: [01 9927] LEONE'S RESTURANT - 320 COOLEY ST
Jurisdiction: SPRINGFIELD
Party Entered By: 09/27/2019 2342 112973 - Wilson, Alfredo
Calling Party: ***UNKNOWN*** @ ***UNKNOWN*** 413-355-6462
Party Entered By: 09/27/2019 2345 110479 - Gerry, Jacquelyn
Calling Party: GIORDANO, SHARON @ ***UNKNOWN*** - SPRINGFIELD, MA
Lat: +42.0940411 Lon: -72.4985862
Ele: +0000 Con: 90 Unc: 35 413-537-6385
Post: J1G1 Sierra, Ramon
Disp-23:48:17 Arvd-00:16:00 Clrd-09/28/2019 @ 02:09:14
Whitley, Shelley
Dispatched By: 114211 - Alsina, Diana
Arrived By: P997 - Parylak, Raymond
Cleared By: S251 - Sierra, Ramon
Post: ADB71 Curran, Brendan
Disp-00:17:26 Arvd-00:28:41 Clrd-09/28/2019 @ 00:34:42
Dispatched By: P997 - Parylak, Raymond
Arrived By: 101391 - Curran, Brendan
Cleared By: 101391 - Curran, Brendan
Vehicle Entered By: 09/28/2019 0009 S251 - Sierra, Ramon
Vehicle: BLK 2009 TOYT SE CAMRY Reg: PC MA 4KS530 VIN: 4T1BK46K89U093497
Owner: NGUYEN, THAO THANH @ [redacted]
[redacted] Race: U Sex: F OLN: MA 574283518
Insurance Co: [redacted]
Policy No:
Vehicle Entered By: 09/28/2019 0010 S251 - Sierra, Ramon
Modified By: 09/28/2019 0012 S251 - Sierra, Ramon
Vehicle: GRY 2012 FORD SU ESCAPE Reg: PC MA 6GS749 VIN: 1FMCU9DG7CKB60328
Operator: GIORDANO, SAMANTHA MARIE @ 10 FERNWOOD DR - E LONGMEADOW, MA 01028-1303
SSN: [redacted] DOB [redacted]
Owner: [redacted]
SSN: [redacted] DOB: 11/05/1971 Race: U Sex: F OLN: MA [redacted]
Insurance Co: ARBELLA MUTUAL INS
Policy No:
Narrative: **09/27/2019 2342 Wilson, Alfredo**
passerby called in accident but has no information on it
besides the location

Narrative: **09/27/2019 2345 Gerry, Jacquelyn**
mva w/ fight

Narrative: **09/27/2019 2345 Gerry, Jacquelyn**
2 car mva
no inj's

Narrative: **09/27/2019 2346 Gerry, Jacquelyn**
some parties poss dk

Narrative: **09/27/2019 2346 Gerry, Jacquelyn**
1 veh leaving- no desc or dir of travel

Narrative: **09/27/2019 2346 Gerry, Jacquelyn**
nobody trapped or thrown

Narrative: **09/27/2019 2346 Gerry, Jacquelyn**
Modified By: **09/27/2019 2347 Gerry, Jacquelyn**
still a fight happening

Narrative: **09/27/2019 2347 Gerry, Jacquelyn**
no hazards

Narrative: 09/27/2019 2349 **Gerry, Jacquelyn**
Modified By: 09/27/2019 2353 **Gerry, Jacquelyn**
1 veh ls down parker twd allen/cooley twd e longmeadow
blk nissan- heavy front end damage
comp sts this male driver id'd himself as a spd offcr and
was visibly dk and slurring his words

Refer To Accident: 19-3871-AC

MASSACHUSETTS UNIFORM CITATION

T1642969

DATE WRITTEN (MM/DD/YY)	AGENCY CODE	OFFICER I.D. NUMBER	COURT CODE	TYPE OF CITATION
10 / 04 / 19	SPR	38572	23	☒ OPERATOR ☐ OWNER ☐ PASSENGER ☐ BICYCLIST

VIOLATOR

MOTOR VEHICLE [redacted] STATE MA [redacted] ☐ YES ☒ NO [redacted] SEX M NON-INVENTORY MV SEARCH ☐ YES ☒ NO

VIOLATOR NAME (Last) [redacted] (First) Thomas (Initial) R [redacted] 26

ADDRESS [redacted] CITY/TOWN SPFLD [redacted] 129

MV

PLATE TYPE PAS VEHICLE REGISTRATION NO. 574KX7 STATE MA YEAR 07 MAKE AND TYPE Toy Sed COLOR BLK CDL VEHICLE ☐ YES ☒ NO [redacted] ☐ YES ☒ NO PLACARDED HAZMAT ☐ YES ☒ NO

OFFENSE(S)

OFFENSE DATE (MM/DD/YY) 09 27 19 LOCATION OF OFFENSE (Include #, st, hwy, city, or town) East on to Cooley St #320 from Plaza TIME OF OFFENSE 2349 ☐ AM ☒ PM CRASH ☒ YES ☐ NO

	MV/REG/SUS		DESCRIPTION OF OFFENSE	ASSESSMENT
A.	89-9	☒ CRIM ☐ CIVIL	Stop Sign - Fail to Stop	$
B.	90-24-c	☒ CRIM ☐ CIVIL	Leave Scene Property Damage	$
C.		☐ CRIM ☐ CIVIL		$
D. SPEEDING ☐ 90/17 ☐ 90/18		CIVIL	MPH IN ____ A ____ MPH ZONE ☐ POSTED ☐ NOT POSTED ☐ LIDAR ☐ CLOCKED ☐ RADAR ☐ ESTIMATED	$

SPEEDING ASSESSMENTS INCLUDE A $50 HEAD INJURY SURCHARGE

TOTAL DUE $

OFFICER CHECK ONE ONLY: ☐ ALL CIVIL INFRACTIONS (See Instruction A on back) ☒ CRIMINAL APPLICATION (See Instruction B on back) ☐ ARREST ☐ WARNING (No action required)

OFFICER CERTIFIES ☐ IN HAND TO VIOL. ☐ MAILED TO VIOL. ☐ IN HAND TO VIOLATOR'S AGENT

X [redacted] AGENT NAME

VIOLATOR/AGENT ACKNOWLEDGES RECEIPT OF CITATION X

AGENT'S LICENSE NUMBER & STATE

NOTICE TO VIOLATOR
SEE REVERSE SIDE FOR INSTRUCTIONS

NOTICE TO OFFICER
ENTER ASSESSMENT $ AND TOTAL DUE $ ONLY IF YOU CHECK "ALL CIVIL INFRACTIONS". ENTER COURT ADDRESS BELOW ONLY IF YOU CHECK "CRIMINAL APPLICATION".

COURT ADDRESS
Springfield District Court
50 State Street
Springfield, MA 01103

VIOLATOR COPY

recyclable

Pisano, Caitlyn (WES)

Subject: RE: Notification - Trooper Michael Atton

From: Kelly, Siobhan (POL) [redacted]
Sent: Wednesday, June 9, 2021 1:28 PM
To: Staples, Jennifer (POL) [redacted] Alford, Pamela (NFK) [redacted]
Cc: Fitzgerald, Jennifer (WES) [redacted] Michaels, Becky (NWD) [redacted] Bell, Karen (BER) [redacted] Lazar, Ellyn (MID) [redacted]; O'Sullivan, David (EAS) [redacted] Doyle, Mary-Alice (EAS) [redacted]; Charles, Jamie (NOR) [redacted] Lewis, David (SUF) [redacted] Patalano, Donna (SUF) [redacted]; Collins, Dennis (BRI) [redacted]; Marshard, Laura (CPI) [redacted] Nevins, Patrick (PLY) [redacted]; Zanini, Jack (PLY) [redacted]
Subject: Notification - Trooper Michael Atton

Hello Everyone,

I am writing to notify you all that Trooper Michael Atton was arrested by the Wrentham Police Department on June 5, 2021 and charged with one count of A&B on a Family/Household Member. Trooper Atton was placed on administrative leave on June 7, 2021 and has a Duty Status Hearing scheduled for this coming Friday, 6/11. Trooper Atton is currently assigned to C-10, the Charlton Barracks.

Please let me know if you have any questions or would like to discuss. Thank you.

Siobhan E. Kelly
Staff Counsel
Office of Chief Legal Counsel
Massachusetts State Police
470 Worcester Road
Framingham, MA 01702
Tel: (508) 820-2337

The preceding email message (including any attachments) contains information that may be confidential, may be protected by the attorney-client or other applicable privileges, or may constitute non-public information. It is intended to be conveyed only to the designated recipient(s) named above. If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete all copies of it from your computer system. Any use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

Date/Time Printed: 05-24-2019 11:24:52 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1923CR003287	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Angel Marrero 130 Pearl Street Springfield, MA 01105	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	05/24/2019	12/03/2018	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		06/21/2019 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
SP Springfield	2019/108/108	Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
		45826393	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	269/13A	CRIME REPORT, FALSE c269 §13A

On 12/03/2018 did intentionally and knowingly make or cause to be made a false report of a crime to police officers, in violation of G.L. c.269, §13A.

PENALTY: jail or house of correction not more than 1 year; or not less than $100, not more than $500; or both.

COUNT	CODE	DESCRIPTION
2	265/13A/B	A&B c265 §13A(a)

On 12/03/2018 did assault and beat Known to Commonwealth, in violation of G.L. c.265, §13A(a).

PENALTY: house of correction not more than 2½ years; or not more than $1000 fine.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	

NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK	DATE
		X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

CRIMINAL COMPLAINT

1923CR003287 | ___ of ___

Trial Court of Massachusetts
District Court Department

Springfield District Court
50 State Street
Springfield, MA 01103

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

☑ ONLY MISDEMEANOR(S), I request a hearing ☐ **WITHOUT NOTICE** because of an imminent threat of ☐ BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☑ **WITH NOTICE** to accused.
☐ ONE OR MORE FELONIES, I request a hearing ☐ **WITHOUT NOTICE** ☐ **WITH NOTICE** to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED
☐ HAS ☑ HAS NOT been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS
Angel Marrero
130 Pearl Street
Springfield, MA 01105

BIRTH DATE [redacted] | SOCIAL SECURITY NUMBER [redacted]
PCF NO. | MARITAL STATUS
DRIVERS LICENSE NO. [redacted] | STATE MA
GENDER M | HEIGHT 604 | WEIGHT | EYES

HAIR | RACE W | COMPLEXION Fair | SCARS/MARKS/TATTOOS | BIRTH STATE OR COUNTRY | DAY PHONE [redacted]

EMPLOYER/SCHOOL
City of Springfield Police Dept.

MOTHER'S MAIDEN NAME (FIRST MI LAST)

FATHER'S NAME (FIRST MI LAST)

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)
Captain Christopher Wilcox

COMPLAINANT TYPE
☑ POLICE ☐ CITIZEN ☐ OTHER

PD
MSP

ADDRESS
Hampden State Police Detective Unit
1500 Main Street 18th Floor
Springfield, MA 01103

PLACE OF OFFENSE
Springfield, MA

INCIDENT REPORT NO.
2019-108-108

OBTN

CITATION NO(S).

	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1	269/13A	Filing A False Police Report	12/03/2018
	VARIABLES *(e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)*		
2	265/13A	Assault & Battery	12/03/2018
	VARIABLES		
3	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		

REMARKS

COMPLAINANT'S SIGNATURE
X

DATE FILED
4/23/2019

COURT USE ONLY → A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON | DATE OF HEARING 5/15/19 | AT TIME OF HEARING 1:00 pm | ← COURT USE ONLY

PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY)

DATE 5/1/19 — NOTICE SENT OF CLERK'S HEARING SCHEDULED ON: 5/15/19 — CLERK/JUDGE

NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:

HEARING CONTINUED TO:

APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:
☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED
☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE
☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION

DATE	COMPLAINT TO ISSUE	COMPLAINT DENIED	CLERK/JUDGE
5/20/19	☑ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S). ☐ 1. ☐ 2. ☐ 3. BASED ON ☑ FACTS SET FORTH IN ATTACHED STATEMENT(S) ☑ TESTIMONY RECORDED: TAPE NO. ___ START NO. ___ END NO. ___ ☐ WARRANT ☑ SUMMONS TO ISSUE ARRAIGNMENT DATE: 6/21/19 2:00pm	☐ NO PROBABLE CAUSE FOUND ☐ REQUEST OF COMPLAINANT ☐ FAILURE TO PROSECUTE ☐ AGREEMENT OF BOTH PARTIES ☐ OTHER: COMMENT	

The Commonwealth of Massachusetts
Department of State Police

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

THOMAS A. TURCO, III
SECRETARY

COLONEL KERRY A. GILPIN
SUPERINTENDENT

Detective Unit – Hampden County
1500 Main Street, 18th Floor
Springfield, MA 01115
Tel. (413) 505-5993
March 6, 2019

TO: Detective Captain Michael J. Lyver #2396
Division of Investigative Services

FROM: Captain Christopher T. Wilcox #2289
SPDU Hampden County

SUBJECT: Investigation into actions of Springfield Police Officer Angel L. Marrero
Re: Arrest of Ramon Messiah. CS#2019-108-108

1. On or about March 5, 2019, this officer met with Hampden County District Attorney Anthony Gulluni. District Attorney Gulluni informed this officer that he wanted an investigation to be conducted into the actions of a Springfield Police Officer. The officer was affecting an arrest of a high school student in the hallway of Commerce High School on December 3, 2018. There appeared to be significant discrepancies between what was authored on the arrest report, and what was captured on a school surveillance camera. At this time, this officer assigned myself to conduct the investigation.

2. This officer observed a news article that was posted on a local news media internet site known as Masslive. The article was entitled "Video contradicts police report on arrest of Springfield student in High School of Commerce hallway". This article was posted to the internet on February 27, 2019, and included a video of the actual arrest as it occurred within Commerce High School located on State Street in the City of Springfield. The news story identifies Springfield Police Officer Angel Marerro as the officer who arrests the fifteen year old student in the school on December 3, 2018. The news outlet had obtained both the surveillance video maintained by the Springfield School District which depicts the entire incident and Officer Marrero's arrest report. The reporter is critical of the officer stating "his report quickly departs from observable reality".

3. In his arrest report, Officer Marrero, a Student Resource Officer assigned that day to Commerce High School, was standing in the hallway of the school as students transitioned between classes. He stated that a student' identified as [redacted](15 yoa), walked by him and stated "You're a Pussy". Officer Marrero was "shocked by this comment". He went on to state that [redacted] then stated, "You're a pussy and I'll slap the shit out of you". The student then reportedly walked towards officer Marrero, "then with two hands reached out and pushed me in the chest area". Officer Marrero then grabbed the student by the shirt, at which point the student began resisting. [redacted] was placed under arrest and was subsequently charged as a juvenile with A&B on a Police Officer, Resisting Arrest, and Threat to Commit a Crime.

4. On March 5, 2019, Trooper Stephen Walsh and this officer went to the Springfield School Department and met with, William Baker, Director of Security for the Springfield School District. At this time, Mr. Baker provided this officer with a copy of the video which was saved shortly after the December 3rd incident. It was saved as a matter of policy in order to document the arrest of a student. Mr. Baker stated that neither he nor the Springfield School Department ever released the video to the media. He stated that the video that was released to the media appeared to be someone recording a computer monitor presumably with a cell phone. He stated that the release of the video was a violation of School Department policy, as well as, a violation of FERPA (Family Education Rights and Privacy Act). His only explanation as to how the video was released was that an unknown individual was recording the incident on their cell phone as it was being reviewed at Commerce High School. He stated that there is an audio portion of the improperly released video which captures the voices of two security guards who both work at Commerce High School. He stated that both these security guards were interviewed and confirmed that their voices were on the video because they were reviewing the video at the school. Both denied having knowledge of who replicated the video on a cell phone. These two security guards were identified as Anthony Dickerson and Catherine Green.

5. On the afternoon of March 5, 2019, this officer telephoned Attorney Maurice Powe. Attorney Powe is currently representing [redacted] in the Springfield Juvenile Court for the charges stemming from this December 3, 2018, incident. This officer informed Attorney Powe that I was conducting a criminal investigation of the officer who affected the arrest of his client on December 3, 2018. This officer stated that I wished to interview his client who appears to be a victim in this investigation. Attorney Powe stated that he would confer with his client and advise if his client was willing to speak with this officer. On March 7, 2019, I telephoned Attorney Powe and again requested an interview with his client. He stated he would telephone this officer after speaking to his client. On March 11, 2019, this officer had a third conversation with Attorney Powe. He state that he had spoken with the mother of his client. He informed this officer that she had also retained a civil attorney who was reluctant to allow [redacted] o again speak with the police. ([redacted] was interviewed by Springfield Police Department Internal Affairs Unit on February 11, 2019.)

6. On March 6, 2019, Trooper Stephen Walsh and this officer went to Commerce High School and met with Principal Dianne Bauer and Dean of Students, Andrew Balog. Also present for this meeting was William Baker and Adam Fenn both from the Security Department of the Springfield Public School Department. It was learned [redacted] was receiving an IEP

(Individualized Educational Plan) for health and behavioral related issues. Mr. Balog also stated that [redacted] was receiving service from the SEBS program (Social Emotional Behavioral Support). Mr. Balog had compiled a list of twenty-five students and four non-students who had been identified as being present on the video that was preserved from December 3, 2018. Some of the individuals appeared just prior to the incident, some appeared during the incident, and others appeared after the incident. A small portion of the students contained within the video were not positively identified. Trooper Walsh and this officer, reviewed the video again, and requested that nine of the identified students and three of the identified non-students be contacted by the school department and advised that the State Police were requesting that they avail themselves for an interview. The individuals chosen to be interviewed were determined by how likely, based on their location when the incident occurred, they would be able to witness pertinent portions of the incident. The school department was requested to make the notifications, because the majority of the students were minors, and their parents would have to give consent for the interviews.

7. On Wednesday, March 6, 2019 at approximately 6:30 PM, Trooper Stephen Walsh and this officer met with Clifford ALONSO at his residence. Officers went directly to the ALONSO residence because Clifford was no longer a student at Commerce High School. ALONSO was identified in the video as a witness who was present when the interaction between [redacted] and Officer Marrero first began. ALONSO's mother, Marilyn ROSA, was present during our interview with ALONSO. ALONSO stated the following: He was a student at Commerce High School on December 3, 2018. He said it was the second quarter of school, and he believed he was coming from gym class when he was walking down the hallway in the video. ALONSO said he was walking behind [redacted] ALONSO does not know [redacted] but he knows who he is. ALONSO said [redacted] is known around school as being funny. As [redacted] was walking down the hallway, he turned to ALONSO and the other kid next to him and said, "Watch this." Alonso said as [redacted] passed by the officer, he called him the "P" word. ALONSO saw the officer turn towards [redacted] and stand over him. ALONSO saw the officer grab [redacted] and push him into the wall. ALSONSO went in the classroom right after that. ALONSO said he went back out in the hallway for a few seconds, and recorded the officer and [redacted] with his cell phone. ALONSO said he did not share the video with anyone or post it to any social media accounts. ALONSO advised he deleted the video from his phone later that day. ALONSO said he had never seen Officer Marrero before in Commerce High School.

8. After the March 6th meeting at Commerce High School, administrators from the high school sent letters home to the parents of the students we wished to interview. The letters requested authorization from the parent or the guardian for the State Police to interview their child at the school. On the morning of March 8th, seven parents gave authorization for their child to be interviewed by the State Police.

9. On March 8, 2019, this officer telephoned Attorney Kevin Coyle who represents the Springfield Police Department Patrolman's Union. This officer informed Attorney Coyle that I wished to interview Officer Angel Marrero and Officer Lawrence Mayo regarding the December 3rd incident at Commerce High School. Attorney Coyle stated that he would get back to me after speaking to the officers. On March 11, 2019, this officer again contacted Attorney Kevin Coyle

and again requested interviews of the aforementioned two officers. At this time, Attorney Coyle stated that he would contact me on March 12, 2019.

10. On Friday, March 8, 2019 at approximately 8:44 AM, Trooper Stephen Walsh and I met with Anthony MAISONET at Commerce High School. His mother, Brenda Maisonet, was present for the interview. MAISONET stated the following: He was walking down the hallway, behind [redacted] He heard [redacted] say, "Watch this." MAISONET heard [redacted] say "Nigga", but he did not know who he said it to. [redacted] thinks he heard [redacted] say it once or twice. MAISONET saw the officer turn towards [redacted] and say something like, "What did you say?" MAISONET said he saw the officer push [redacted] into the wall and was choking him. He heard [redacted] say, "I'll slap the shit out of you." He also saw [redacted] fighting being handcuffed by the officer. Towards the end of the interview MAISONET and his mother told us that [redacted] is his cousin through his father's side of the family. They did not know this until after the incident. MAISONET only knows [redacted] from school and is not close to him. MAISONET said he does not know the officer.

11. On Friday, March 8, 2019 at approximately 9:03 AM, Trooper Stephen Walsh and I met with Daisha GARCIA at Commerce High School. GARCIA is eighteen years old and stated she was willing to speak with investigators. GARCIA told us the following: She does not know [redacted] and referred to him as "the kid" throughout our interview. GARCIA was walking down the hallway and she saw [redacted] say something to the officer. She does not know what he said. The officer turned around and said something to [redacted] GARCIA started walking back towards the commotion and took out her cell phone. GARCIA saw the officer keep slamming [redacted] against the door about four times. [redacted] was pushing the officer back and telling the officer "to get the fuck off me." GARCIA never heard [redacted] threaten the officer. GARCIA remembers hearing the officer yelling at ROMAN, but is not sure what he said. GARCIA acknowledged recording the incident with her cell phone. She stated it was on her old cell phone, which she cannot locate. GARCIA told us she would contact investigators if she located her old phone and it still contained the video. GARCIA said she does not know the officer and has never spoken with him.

12. On Friday, March 8, 2019 at approximately 9:20 AM, Trooper Stephen Walsh and I met with Jonathan CARMONA at Commerce High School. Margarita QUINTANA, CARMONA's mother, gave signed permission to speak with him. CARMONA stated the following: He was in the hallway transitioning between classes and saw [redacted] walking past the officer. CARMONA saw the officer said something to [redacted] and [redacted] said something back to the officer. He does not know what was said. He saw the officer grab [redacted] by the neck and "throw" him against the wall. It looked like [redacted] was walking away. [redacted] started fighting back and seemed surprised. The officer told ROMAN to "turn the fuck around". CARMONA said he stayed to see what happened, but was off-camera. He heard [redacted] say to the officer, "I'll slap the shit out of you." CARMONA said he knows [redacted] now because of

this incident. CARMONA said he had seen the officer before, but does not know him. CARMONA thinks he may have talked to the officer before once or twice during lunch. Investigators believe that CARMONA may be confusing Officer MARRERO with Officer MAYO because the day this occurred, was Officer MARRERO's first day at Commerce High School. Officer Mayo, the usual Commerce School Resource Officer, was involved with [redacted]'s arrest at end of the interaction.

13 On Friday, March 8, 2019 at approximately 9:38 AM, Trooper Stephen Walsh and I met with Mone' FINEGAN-NAYLOR at Commerce High School. Quinisha NAYLOR, Mone's sister gave signed permission to speak with her. FINEGAN-NAYLOR stated the following: She was in the hallway coming back from her elective class. FINEGAN-NAYLOR said she saw the officer and [redacted] talking, but was not paying much attention until the altercation started. She thought [redacted] and the officer were speaking because the officer was new. She saw the officer "throw" [redacted] against the wall. She saw Dean Charlie (Charles YOUMANS) come down the hallway and try to calm [redacted] down. The other officer (Officer MAYO) came in and tried to calm things down. FINEGAN-NAYLOR made a point of saying she did not think the second officer did anything wrong. She said they cuffed [redacted] and walked him down the hallway and it was over. FINEGAN-NAYLOR said she's talked to [redacted] before and knows him from around school, but they are not close. She also said she's never seen Officer MARRERO before and she heard it was his first day at the school.

14 On Friday, March 8, 2019 at approximately 9:49 AM, Trooper Stephen Walsh and I met with Alejandra MORALES-SOLIS at Commerce High School. Her mother, Odettsy SOLIS-TORRES, was present for the interview. MORALES-SOLIS stated the following: She was walking down the hallway with Mone' (FINEGAN-NAYLOR) between classes. MORALES-SOLIS saw [redacted] say something to the officer. She did not hear what was said. She saw the officer push [redacted] against the wall. She does not remember anything else because it happened so fast. MORALES-SOLIS could not remember anything that was said by [redacted] or the officer. She added that [redacted] is known around school for saying disrespectful things to teachers and staff, including using profanity. She said you could tell the officer was mad when he was pushing [redacted] against the wall. MORALES-SOLIS said she knows [redacted] because she had math class with him before. She had never seen the officer before. She said everyone in the school knows the tall officer (MAYO) and he is nice to the students and the students like him. She said it seemed like the tall officer (MAYO) was trying to calm things down.

15 On Friday, March 8, 2019 at approximately 10:08 AM, Trooper Stephen Walsh and I met with Mr. Michael GATANIO. GATANIO is a staff member at Commerce High School and works as a Math teacher. GATANIO said he was working in Room 249 when he heard a commotion in the hallway, outside of his room. He left his room and went out in the hallway and saw Officer MARRERO "grappling" with a student. GATANIO saw other staff members assisting the officer and noticed some of his students leaving the room to see what was going on.

He focused his attention on getting his students back in the classroom and left the officers and other staff to deal with the student. GATANIO said at no point did he see the student strike the officer, or the officer strike the student. GATANIO said he knows Officer MARRERO from working with him last year at Springfield High School. He also knows the student, [redacted] because GATANIO had him in class during the first semester of this year.

16. On Friday, March 8, 2019 at approximately 10:15 AM, Trooper Stephen Walsh and I spoke with Mr. Charles YOUMANS. YOUMANS is a retired Springfield Police Officer, who works as a mentor at Commerce High School. YOUMANS served as the School Resource Officer at Commerce High School prior to his retirement. YOUMANS told us he knows Officer MARRERO and has worked with him in the past. He further advised that the day of this incident was MARRERO's first day working at Commerce as a fill-in. YOUMANS said he was in the hallway and heard a student tell Officer MARRERO that he was a "pussy ass bitch cop and there's nothing you can do". He walked down the hall towards the student and Officer MARRERO. YOUMANS said MARRERO was trying to put handcuffs on the student when he got to them. YOUMANS tried to calm things down and he told the student that the officer was going to cuff him. Officer MAYO arrived and helped calm the student down and they were able to handcuff him and escort him out of the hallway. YOUMANS said he does not know [redacted] and has not interacted with him prior to this incident.

17. On Friday, March 8, 2019 at approximately 10:29 AM, Trooper Stephen Walsh and I met with Ivelisse VELAZQUEZ at Commerce High School. Her therapeutic mentor, Tamitrius MURRAY, was present for the interview at the request of VELAZQUEZ's mother. VELAZQUEZ stated the following: She was standing by the bathroom door, waiting for it to be unlocked. She saw a boy walk up to the officer and call him a "pussy". The officer pushed the boy up against a wall. Another officer came and brought the boy downstairs. VELAZQUEZ said she could tell the officer got mad when the boy called him a "pussy". She heard the boy say it one time. VELAZQUEZ said she knows the boy [redacted] from school, but does not talk to him. She had never seen the officer before.

18. On Friday, March 8, 2019 at approximately 5:35 PM, Trooper Stephen Walsh and I spoke with Jadianez NIEVES at her residence in Springfield. Her mother, Adianez NIEVES, was present for the interview. NIEVES stated the following: She was walking down the hallway during their after-lunch transition. She saw Officer MARRERO in the hallway when the kid [redacted] called him a "pussy ass nigga". Officer MARRERO said, "Excuse me?" [redacted] said it a second time. Officer MARRERO grabbed [redacted] near his neck and pushed him against the wall. [redacted] was telling the officer to let him go and watch what happens. [redacted] pushed his chest against MARRERO. She saw Officer Charlie (YOUMANS) come to help. He was telling [redacted] to calm down and turn around because he was going to get cuffed. NIEVES said it happened very fast. NIEVES said she knows [redacted] from having classes with him. She said [redacted] is very disrespectful and gets in trouble, often. NIEVES said she met

Officer MARRERO for the first time that day and talked to him at lunch. She said Officer MARRERO "seemed cool". NIEVES said she knows Officer MAYO from school, and he is really cool.

19. On December 21, 2018, the Springfield Police Department commenced an Internal Affairs Investigation into the December 3rd arrest of [redacted]. On February 11, 2019, [redacted] did give an interview to Sergeant Monique McCoy of the Springfield Police IAU. During this interview, [redacted] basically stated that he was walking down the hall when he saw Officer Marrero who he had never met prior. He stated "when out of nowhere", Officer Marrero, "grabbed him in front of his jacket, pushed him against the wall and punched him in the face". [redacted] denied calling the officer "pussy" and maintained that this attack was completely unprovoked.

20. On February 12, 2019, Sergeant McCoy interviewed Officer Angel Marrero. Officer Marrero authored the following report to Sergeant McCoy:

As requested I am writing this report in regards to the arrest I made on 12/03/18 of [redacted] As we discussed, on 12/03/18 I was assigned to work at Commerce High School as the Student Resource Officer with Officer. L. Mayo. I normally work at Balliet Middle School but due to roster changes I was asked if I could assist Officer Mayo at Commerce High School. I had not worked at Commerce High School prior to this day and had no working knowledge of the school and I was not familiar with any of the students.

At approximately 1331 hrs I was in the second floor hallway in the 9th grade corridor. I was just in the hallway to be a presence during class transition. While walking the hallway a student identified as [redacted] was walking past me and stated "You're a pussy!" I then took a step forward and asked him "what did you say?" as I was both shocked and perplexed as to why he would make such a comment towards me.

[redacted] then in response to my question stated "You're a pussy and I'll slap the shit out of you!". This made me fearful as I did not know [redacted] nor have I had any interactions with [redacted] prior to this occasion. This also made me fearful as I did not know what [redacted] was capable of. [redacted] then bladed his body towards me which further heightened my fear he would assault me. At this point [redacted] and I were in close proximity to one another. [redacted] then raised his left arm up striking me with his elbow in my lower torso area. Upon feeling the strike from [redacted] elbow, due to the close proximity of [redacted] and I, and also due to having just been threatened by [redacted] to be physically assaulted I perceived at that moment he had committed an assault and battery on me by pushing me with two hands in my lower torso area. Upon feeling the strike I made the decision to place [redacted] under arrest. I then reached out and grabbed [redacted] by the rear of his neck area where the top of his shirt collar sat to gain control of [redacted] I began to guide him towards the lockers which were adjacent to us so I could affect the arrest while at the same time advising him he was under arrest. Upon hearing this [redacted] immediately turned around and began physically resisting me by pushing my hands away and then by grabbing me by my uniform shirt. As I was attempting to place [redacted] under arrest I ordered him to turn around but [redacted] refused and continued to resist me. This struggle between [redacted] and I occurred for a brief moment when Officer Mayo arrived and assisted me in gaining control of [redacted] and placing him under arrest.

Once [redacted] was handcuffed Officer Mayo and I began escorting him downstairs to the main floor. As we were escorting [redacted] he began to pull away from us in an attempt to free himself from our custody. As [redacted] was attempting to free himself from our custody he looked directly at me and stated "Don't worry, once these handcuffs come off I'm going to fuck you up!". [redacted] was escorted out of the school building and placed in the rear of our marked cruiser where he was transported to 50 East St for booking.

At no time did I ever have the intention to write the arrest report of [redacted] in a manner that could be perceived as deceitful nor did I write it with the intention of being deceitful. I have been an Officer with this department for approaching nine years. During these approximate nine years I have never had any disciplinary issues. I have never had any complaints of excessive force. I have never had any complaints of being deceitful in any of my reports or in any arrests I have made or assisted in. I take great pride in my work and make every effort to perform my duties in a professional and honorable manner. The incident that occurred with [redacted] was a fast moving incident that took place in a very short period of time. I sincerely perceived in that moment when I was struck by [redacted] elbow that he had struck me with two hands in a pushing manner.

21. This officer interviewed a total of eight students and two staff members who were present when this altercation between Officer Marrero and [redacted] occurred at Commerce High School. Each of these witnesses observed the incident from different perspectives as the events unfolded in front of them. Each appeared relatively consistent in that they observed [redacted] say something to the officer that date. Some of the witnesses observed [redacted] saying something to the officer but could not hear what was said. The majority of the witnesses reported hearing [redacted] calling Officer Marrero either "Pussy", "Nigga", or a "Pussy Ass Nigga". Some of the witnesses reported that [redacted] threatened the officer by stating something to the effect of "I'll slap the shit out of you". However, the witnesses that did report this stated that [redacted] made this statement after the officer shoved him into the wall. In any event, all ten witnesses stated that [redacted] initiated the verbal contact with Officer Marrero that day.

Additionally, the witnesses stated that Officer Marrero then responded by assaulting [redacted] while grabbing him (by the neck) and pushing him violently into the wall. The video surveillance corroborates these ten witnesses.

22. The video does not corroborate Officer Marrero's report account of the events. Officer Marrero falsely states that prior to placing his hands on [redacted] he was assaulted by the student when [redacted] used two hands, reached out, and pushed him in the chest. Numerous witnesses, mostly fellow students, report that [redacted] addressed the officer with vulgarities. The video, although lacking an audible recording, reaffirms this assertion. Officer Marrero was never assaulted. He was not presented with behavior which would have resulted in an assessment that the actions of this student would result in bodily harm to the officer.

23. [redacted] is also not truthful in articulating his account of this incident. He reports to the Springfield Police IAU that he is, more or less, simply walking down the hallway minding his own business. For no reason whatsoever, he is grabbed by a uniformed police officer he never seen before. He is then pushed against the wall and punched in the face. He adamantly denies calling Officer Marrero a "pussy", even after two fellow students separately report [redacted] telling them "watch this" moments before calling Officer Marrero a "pussy".

24. On March 26, 2019, at approximately 11:45 AM, Trooper Stephen Walsh and this officer interviewed [redacted] at his attorney's office located on State Street in the City of Springfield. He was accompanied by his mother, Angela Edwards, and his attorneys, Victoria Lauro Wright and Philip Lauro. The interview was audio recorded.

25. [redacted] stated that he has lived in the City of Springfield for most of his life. He is currently a freshman at the Commerce High School in Springfield. He stated that when the incident which occurred on December 3, 2018 occurred, he was in the process of walking from gym to his next class. He stated that he recalled his cousin Anthony was in close proximity to him. [redacted] stated that police officers are routinely assigned to his school. He identified Officer Mayo as being one of the officers who he knows well and has had numerous positive interactions with. He stated that he saw the officer (Marrero) standing in the hallway. He recalled asking Officer Marrero, "what's up pussy?" The officer responded by saying, "what did you say?", to which [redacted] responded, "you know what I said." The officer then grabbed [redacted] and threw him against the wall.

26. [redacted] was adamant that he never confused Officer Marrero as being Officer Mayo. He also denied having a conversation with Officer John Lopez while he was being transported from the school that he thought it was Officer Mayo, who he routinely jokes with, as being Officer Marrero. He did however state that he has called Officer Mayo a pussy on prior occasions.

27. [redacted] stated that he wasn't injured that day. He and his mother stated that [redacted] suffers from [redacted] She stated that he suffered from these ailments prior to this incident, but feels that he now suffers from increased anxiety which she attributes to this incident.

28. [redacted] stated that he recalled being interviewed by Sergeant McCoy of the Springfield Police Department. He stated that he didn't remember what he said to her. When asked if he remembered denying that he referred to the officer as a pussy, [redacted] stated, "I probably don't remember". He also stated that the interview with Sergeant McCoy occurred on Facetime.

29. [redacted] also stated that he didn't remember telling his cousin Anthony, "watch this" moments before calling Officer Marrero a pussy.

30. The video of the incident was played during the interview. [redacted] was asked to show this officer when he was punched in the face by Officer Marrero as he reported to Sergeant McCoy. [redacted] depicted a moment in the video where both he and the officer were fully visible in the video as to when he was punched in the face. He stated that the officer utilized his left hand to punch him, but could not state whether it was an open or closed fist. Trooper Walsh and this officer could not observe the punch to the face on the video at the time [redacted] claimed it occurred.

31. The above facts and information have been forwarded to the Hampden County District Attorney's Office for consideration.

Captain Christopher Wilcox #2289
SPDU Hampden County
Springfield, MA

CRIMINAL DOCKET

DOCKET NUMBER	NO. OF COUNTS	Trial Court of Massachusetts District Court Department
1917CR002396	2	

DEFENDANT NAME AND ADDRESS	DOB	GENDER	COURT NAME & ADDRESS
Angel Marrero [redacted]	[redacted]	Male	Holyoke District Court, 20 Court Plaza, Holyoke, MA 01040
	DATE COMPLAINT ISSUED: 10/22/2019		
	PRECOMPLAINT ARREST DATE:		INTERPRETER REQUIRED:

FIRST FIVE OFFENSE COUNTS

COUNT	CODE	OFFENSE DESCRIPTION	OFFENSE DATE
1	269/13A	CRIME REPORT, FALSE c269 §13A	12/03/2018
2	265/13A/B	A&B c265 §13A(a)	12/03/2018

DEFENSE ATTORNEY	OFFENSE CITY/TOWN	POLICE DEPARTMENT
Terrence M Dunphy, Esq.	Springfield	Springfield PD

DATE & JUDGE	DOCKET ENTRY	DATE & JUDGE	FEES IMPOSED
6.21.19 K.H.	☐ Attorney appointed (SJC R. 3:10) ☐ Atty denied & Defl. Advised per 211 D §2A ☐ Waiver of Counsel found after colloquy		Counsel Fee (211D § 2A¶2) $ ☐ WAIVED
			Counsel Contribution (211D § 2) $ ☐ WAIVED
	Terms of release set: ☑ PR ☐ Bail ☑ See Docket for special condition ☐ Held (276 §58A)		Default Warrant Fee (276 § 30¶1) $ ☐ WAIVED
			Default Warrant Arrest Fee (276 § 30 ¶2) $ ☐ WAIVED
6.21.19, K.H.	**Arraigned and advised:** DWRC ☑ Potential of bail revocation (276 §58B) ☐ Right to bail to review (276 §58) ☐ Right to drug exam (111E § 10) ☐ Inquiry made by Court under 276 § 56A		Probation Supervision Fee (276 § 87A) $ ☐ WAIVED
			Bail Order Forfeited
			Advised of right to jury trial: ☐ Waiver of jury found after colloquy ☐ Does not waive
	Abuse Allegation: ☐ C276 § 56A form filed by Commonwealth ☐ Allegation of abuse under C276 § 56A found ☐ No allegation of abuse under C276 § 56A found		Advised of trial rights as pro se (Dist. Ct. Supp.R.4)
			Advised of right of appeal to Appeals Ct. (M R Crim P.R. 28)

SCHEDULING HISTORY

NO	SCHEDULED DATE	EVENT	RESULT	JUDGE	TAPE START/ STOP
1	11/19/2019	Pretrial Hearing	☑ Held ☐ Not Held but Event Resolved ☐ Cont'd ctr for PT	JT	
2	1-8-20	PT	☑ Held ☐ Not Held but Event Resolved ☑ Cont'd TR/JT	J Tyne	
3	3-18-20	TR	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd FAT covid 19 WH		
4	4-6-20	JT	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd covid-19	WH	
5	4.23.20	FAT	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd Covid-19	LoH	
6	5.7.20	JT	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd Covid-19	LoH	
7	7-8-20	Tele Conf. @ 3:00pm	☐ Held ☑ Not Held ~~but Event Resolved~~ ☑ Cont'd Tel. (A)	Lynch	WH
8	9.26.20	Tel. (A)	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd (Unavailable) Judge Tyne	J. Tyne	
9	9.2.20	TRS-vid.	☒ Held ☐ Not Held but Event Resolved ☐ Cont'd ctr for BT	Tyne	
10	9-23-20	BT	☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		

APPROVED ABBREVIATIONS

ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

A TRUE COPY ATTEST:	CLERK-MAGISTRATE / ASST CLERK	TOTAL NO. OF PAGES	ON (DATE)
	X		

CRIMINAL DOCKET DOCKET ENTRIES	DEFENDANT NAME Angel Marrero	DOCKET NUMBER 1917CR002396

DATE	DOCKET ENTRIES
6.21.19. ts	Cond. of Rel. Stay away/Incontact w/ alleged victim/Family direct/indirect. stay 100 yds away stay away alleged victim's residence. ts.tl.
11-19-19	No contact / Stay 100 yds away from V JT
1-8-20	PT - Δ's R.17 (M) Denied. Cont 3-18-20 TR, 4-6-20 JT. J Tyne
7/8/20	Did not hold A/C because case was specially assigned to Judge Tyne, transferred to Holyoke from Springfield. Clerk to contact Judge Tyne for PTC date.
9.2.20 DR	① CW MTN on character evid. allowed/no obj ② CW MTN for exhibits + surveillance reports allowed/no obj ③ CW Creighton allowed/No obj ④ A/C allowed to ask about alleged VT claim w/ Spfld ⑤ Δ waived Jury trial on the record
9.23.20	BT - ADA C. Kennington for clw, T Dunphy for Δ. CLW Exhibits: #1 DVD video of incident #2 Police arrest report authored by Δ #3 Δ's report to Internal Affairs #4 Five still images from DVD (CLW Ex. #1) #5 The Parties' Joint Stipulation of Facts
	Δ's request for copies for clw's witness Jadiane

APPROVED ABBREVIATIONS
ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate
DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

CRIMINAL DOCKET DOCKET ENTRIES	DEFENDANT NAME	DOCKET NUMBER
	Angel Marrero	1917CR2396

DATE	DOCKET ENTRIES
	Nieves - Allowed.
	Δ Exhibit #1 The Parties' Joint Stipulation to Statements made to Spkld Internal Affairs
	Capias order rescinded as witness is a minor.
	Channel 22 news request to videotape proceedings allowed.
	Verdict:
	Ct 1 - Guilty 1yr probation to 9/22/2021 with conditions incl Anger mgmt, mental health 1st Aid program, Stay Away; no contact with victim
	$500 fine; $125 surcharge. $50 Admin Prob fee/month $50 VWF
	Ct 2 - Guilty 1yr probation to 9/22/2021 concurrent with count 1
	Δ's request to transfer probation to Spkld - Denied. Prob is administrative. - J Lyne.

APPROVED ABBREVIATIONS
ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance without finding scheduled to terminate PRD = Probation scheduled to terminate
DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

Date/Time Printed: 10-16-2019 10:57:48

Version 2.0 - 11.08

1879CR00299 Commonwealth vs. Cintron, Daniel Juan

- Case Type:
- Indictment
- Case Status:
- Open
- File Date
- 06/19/2018
- DCM Track:
- C - Most Complex
- Initiating Action:
- RAPE OF CHILD WITH FORCE c265 §22A
- Status Date:
- 07/08/2020
- Case Judge:
- Wilkins, Hon. Douglas H
- Next Event:
-

All Information | Party | Charge | Event | Tickler | Docket | Disposition

Party Information

Hampden County District Attorney
- Prosecutor

Alias

Party Attorney
- Attorney
- Eramo, Esq., Rachael T
- Bar Code
- 647866
- Address
- [redacted]
- Phone Number
- (413)747-1000
- Attorney
- Vasiliades, Esq., Elizabeth
- Bar Code
- 569084
- Address
- Hampden District Attorney
  Hall of Justice
  50 State Street
  Springfield, MA 01102
- Phone Number
- (413)747-1000

More Party Information

Cintron, Daniel Juan
- Defendant

Alias

Party Attorney
- Attorney
- Smith, III, Esq., Joe A
- Bar Code
- 680310
- Address
- Law Office of Joe A. Smith III
  20 Maple St 2nd Floor
  Springfield, MA 01103
- Phone Number
- (413)788-0040

More Party Information

Party Charge Information

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 1:
  265/22A/A-1 - Felony RAPE OF CHILD WITH FORCE c265 §22A

- Original Charge
  - 265/22A/A-1 RAPE OF CHILD WITH FORCE c265 §22A (Felony)
  - Indicted Charge
  -
  - Amended Charge
  -

Charge Disposition
Disposition Date
Disposition
04/23/2021
Not Guilty Finding

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 2:
  265/22A/A-1 - Felony RAPE OF CHILD WITH FORCE c265 §22A

- Original Charge
  - 265/22A/A-1 RAPE OF CHILD WITH FORCE c265 §22A (Felony)
  - Indicted Charge
  -
  - Amended Charge
  -

Charge Disposition
Disposition Date
Disposition
04/22/2021
Dismissed

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 3:
  265/13B/A-5 - Felony INDECENT A&B ON CHILD UNDER 14 c265 §13B

- Original Charge
  - 265/13B/A-5 INDECENT A&B ON CHILD UNDER 14 c265 §13B (Felony)
  - Indicted Charge
  -
  - Amended Charge
  -

Charge Disposition
Disposition Date
Disposition
04/23/2021
Not Guilty Finding

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 4:
  265/13B/A-5 - Felony INDECENT A&B ON CHILD UNDER 14 c265 §13B

- Original Charge
  - 265/13B/A-5 INDECENT A&B ON CHILD UNDER 14 c265 §13B (Felony)
  - Indicted Charge
  -
  - Amended Charge
  -

Charge Disposition
Disposition Date
Disposition
04/23/2021
Not Guilty Finding

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 5:
  268/13B/A-5 - Felony WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B

- Original Charge
  - 268/13B/A-5 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B (Felony)
- Indicted Charge
  -
- Amended Charge
  -

Charge Disposition
Disposition Date
Disposition
04/23/2021
Not Guilty Finding

Load Party Charges 6 through 10 Load All 28 Party Charges

Events

Date	Session	Location	Type	Event Judge	Result
07/13/2018 09:01 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Arraignment	Callan, Hon. Michael K	Held as Scheduled
07/18/2018 09:31 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	58A Dangerousness Hearing	Callan, Hon. Michael K	Held as Scheduled
11/07/2018 09:19 AM	Criminal 1 - Ct. Rm. 8		Pre-Trial Hearing		Rescheduled
11/07/2018 09:29 AM	Criminal 1 - Ct. Rm. 8		Bail Hearing		Held as Scheduled
12/03/2018 09:19 AM	Criminal 1 - Ct. Rm. 8		Pre-Trial Hearing		Held as Scheduled
06/06/2019 09:23 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Hearing on Motion to Continue	Carey, Hon. Richard J	Held as Scheduled
06/06/2019 09:39 AM	Criminal 1 - Ct. Rm. 8		Final Pre-Trial Conference		Not Held
06/20/2019 09:07 AM	Criminal 1 - Ct. Rm. 8		Jury Trial		Not Held
06/20/2019 09:35 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Conference to Review Status	Carey, Hon. Richard J	Held as Scheduled
08/12/2019 09:39 AM	Criminal 1 - Ct. Rm. 8		Final Pre-Trial Conference		Not Held
08/19/2019 09:30 AM	CR Session 6 - Ct. Rm 6		Motion Hearing	Wilkins, Hon. Douglas H	Rescheduled
08/26/2019 09:00 AM	CR Session 6 - Ct. Rm 6		Jury Trial	Wilkins, Hon. Douglas H	Rescheduled
08/26/2019 09:07 AM	Criminal 1 - Ct. Rm. 8		Jury Trial		Not Held
08/27/2019 09:23 AM	CR Session 6 - Ct. Rm 6		Motion Hearing	Wilkins, Hon. Douglas H	Held as Scheduled
08/27/2019 09:39 AM	CR Session 6 - Ct. Rm 6		Final Pre-Trial Conference	Wilkins, Hon. Douglas H	Held as Scheduled
09/04/2019 09:00 AM	CR Session 6 - Ct. Rm 6		Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/05/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/10/2019 09:07 AM	CR Session 6 - Ct. Rm 6		Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/11/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled

Date	Session	Location	Type	Event Judge	Result
09/12/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/13/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Not Held
09/16/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/17/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/18/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/19/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/20/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/23/2019 12:00 PM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Motion Hearing	Wilkins, Hon. Douglas H	Held as Scheduled
09/25/2019 09:29 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Bail Hearing	Reardon, Jr., Hon. James G	Held as Scheduled
09/25/2019 12:00 PM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Conference to Review Status	Wilkins, Hon. Douglas H	Held as Scheduled
09/30/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Waived Trial	Wilkins, Hon. Douglas H	Not Held
12/02/2019 09:35 AM	Criminal 1 - Ct. Rm. 8		Conference to Review Status		Not Held
12/04/2019 09:35 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Conference to Review Status	Wrenn, Hon. Daniel M	Held as Scheduled
12/09/2019 09:07 AM	Criminal 1 - Ct. Rm. 8		Jury Trial		Rescheduled
01/13/2020 02:00 PM	CR Session 5 - Ct. Rm 3	SPRF-3rd FL, CR 6 (SC)	Conference to Review Status	Ritter, Hon. William J	Held as Scheduled
01/27/2020 09:07 AM	Criminal 1 - Ct. Rm. 8		Jury Trial		Not Held
02/20/2020 09:30 AM	CR Session 5 - Ct. Rm 3	SPRF-3rd FL, CR 2 (SC)	Conference to Review Status	Ritter, Hon. William J	Held as Scheduled
03/30/2020 09:00 AM	CR Session 5 - Ct. Rm 3	SPRF-3rd FL, CR 6 (SC)	Jury Waived Trial	Ritter, Hon. William J	Rescheduled-Covid-19 emergency
04/14/2020 09:35 AM	Criminal 1 - Ct. Rm. 8		Conference to Review Status		Rescheduled-Covid-19 emergency
05/18/2020 09:35 AM	Criminal 1 - Ct. Rm. 8		Conference to Review Status	Ritter, Hon. William J	Rescheduled-Covid-19 emergency
06/15/2020 09:35 AM	Criminal 1 - Ct. Rm. 8		Conference to Review Status	Callan, Hon. Michael K	Held as Scheduled
08/25/2020 09:35 AM	Criminal 1 - Ct. Rm. 8		Conference to Review Status	Ritter, Hon. William J	Not Held
09/28/2020 09:07 AM	Criminal 1 - Ct. Rm. 8		Jury Waived Trial	Ritter, Hon. William J	Not Held
12/28/2020 09:00 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Bail Hearing	Wilkins, Hon. Douglas H	Held as Scheduled
01/08/2021 09:30 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Motion Hearing	Wilkins, Hon. Douglas H	Held as Scheduled
03/15/2021 09:00 AM	Criminal 1 - Ct. Rm. 8		Motion Hearing	Wilkins, Hon. Douglas H	Held as Scheduled

Date	Session	Location	Type	Event Judge	Result
03/15/2021 09:00 AM	Criminal 1 - Ct. Rm. 8		Final Pre-Trial Conference	Wilkins, Hon. Douglas H	Held as Scheduled
04/08/2021 12:00 PM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Conference to Review Status	Wilkins, Hon. Douglas H	Held as Scheduled
04/20/2021 09:00 AM	Criminal 1 - Ct. Rm. 8		Jury Waived Trial	Wilkins, Hon. Douglas H	Held as Scheduled
04/21/2021 09:00 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Jury Waived Trial	Wilkins, Hon. Douglas H	Held as Scheduled
04/22/2021 09:00 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Jury Waived Trial	Wilkins, Hon. Douglas H	Held as Scheduled
04/23/2021 09:00 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Jury Waived Trial	Wilkins, Hon. Douglas H	Held as Scheduled
04/30/2021 02:00 PM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Hearing for Sentence Imposition	McDonough, Jr., Hon. Edward J	Held as scheduled

Ticklers

Tickler	Start Date	Due Date	Days Due	Completed Date
Pre-Trial Hearing	07/13/2018	01/09/2019	180	12/03/2018
Final Pre-Trial Conference	07/13/2018	06/24/2019	346	08/27/2019
Case Disposition	07/13/2018	07/08/2019	360	04/30/2021

Docket Information

Docket Date	*Docket Text*	File Ref Nbr.	*Image Avail.*
06/19/2018	Indictment(s) returned	1	Image
06/27/2018	Attorney appearance On this date Rachael T Eramo, Esq. added as Attorney for the Commonwealth for Prosecutor Hampden County District Attorney		
07/12/2018	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 07/13/2018 09:01 AM Arraignment. Please Have Deft. here at 9AM		
07/13/2018	Event Result:: Arraignment scheduled on: 07/13/2018 09:01 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Michael K Callan, Presiding Appeared: Staff: Sara Adams, Court Monitor Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
07/13/2018	Defendant arraigned before Court. Judge: Callan, Hon. Michael K		
07/13/2018	Defendant waives reading of indictment Judge: Callan, Hon. Michael K		
07/13/2018	Plea of not guilty entered on all charges. Judge: Callan, Hon. Michael K		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
07/13/2018	The defendant\petitioner is committed without bail for the following reason: Per Order of the Court. without prejudice; Next date: 7/18/18 Judge: Callan, Hon. Michael K	2	
07/13/2018	Scheduled: Judge: Callan, Hon. Michael K Event: Bail (58A) Date: 07/18/2018 Time: 09:31 AM Result: Held as Scheduled		
07/13/2018	Attorney appearance On this date Joe A Smith, III, Esq. added as Appointed - Indigent Defendant for Defendant Daniel Juan Cintron Appointment made for the purpose of Case in Chief by Judge Hon. Michael K Callan.		
07/13/2018	Commonwealth 's Motion for a dangerous hearing	3	
07/13/2018	Endorsement on Commonwealth 's Motion for a dangerous hearing, (#3.0): ALLOWED Judge: Callan, Hon. Michael K		Image
07/13/2018	Commonwealth 's Motion for court order regarding discovery of recording of child interview	4	
07/13/2018	Endorsement on Commonwealth 's Motion for court order regarding discovery of recording of child interview, (#4.0): ALLOWED by agreement Judge: Callan, Hon. Michael K		Image
07/18/2018	Case assigned to: DCM Track C - Most Complex was added on 07/18/2018		
07/18/2018	Event Result:: Bail (58A) scheduled on: 07/18/2018 09:31 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Michael K Callan, Presiding Appeared: Staff: Sara Adams, Court Monitor Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
07/18/2018	The defendant\petitioner is committed without bail for the following reason: Held due to dangerousness C.276 § 58A. defendant stipulates to dangerousness held without right to bail 120 days. Next Date: 11/7/18 Judge: Callan, Hon. Michael K	5	
07/18/2018	Commonwealth 's Motion to impound materials submitted during dangerousness hearing	6	Image
07/18/2018	Endorsement on Motion to impound materials submitted during dangerousness hearing, (#5.0): ALLOWED Judge: Callan, Hon. Michael K		Image
08/27/2018	Defendant 's Motion for funds for an investigator and affidavit in support	7	
09/05/2018	Endorsement on Motion for funds for an investigator and affidavit in support, (#7.0): ALLOWED and sealed Judge: Callan, Hon. Michael K		
11/07/2018	Event Result:: Pre-Trial Hearing scheduled on: 11/07/2018 09:19 AM Has been: Rescheduled For the following reason: Joint request of parties Comments: FTR 1 Hon. Daniel M Wrenn, Presiding Appeared: Staff: Amy (DIGITAL RECORDING DEVICE) Foulks, Court Monitor		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
	Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
11/07/2018	Event Result:: Bail Hearing scheduled on: 11/07/2018 09:29 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Daniel M Wrenn, Presiding Appeared: Staff: Amy (DIGITAL RECORDING DEVICE) Foulks, Court Monitor Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
11/07/2018	Bail warnings read		
11/07/2018	Bail set at $0.00 Surety, $50,000.00 Cash. conditions 1) GPS zero curfew with windows for legal/medical/religious 2) to reside with mother 3) no contact direct/indirect with victims 4) no contact direct/indirect with witnesses 5) abide by all restraining order Next Date: 09/25/19	8	
12/03/2018	Event Result:: Pre-Trial Hearing scheduled on: 12/03/2018 09:19 AM Has been: Held as Scheduled Comments: FTR 1 Lauramarie Sirois, Presiding Appeared: Staff: Brian Dolaher, Assistant Clerk Magistrate Amy (DIGITAL RECORDING DEVICE) Foulks, Court Monitor Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
12/03/2018	Pre-trial conference report filed	9	
06/05/2019	Commonwealth 's Motion to convert trial date to status. and affidavit	10	Image
06/05/2019	Commonwealth 's Motion to impound affidavit related to motion to convert trial date to status.	11	Image
06/05/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 06/06/2019 09:23 AM Hearing on Motion to Continue. Please have defendant here by 9am		
06/06/2019	Event Result:: Hearing on Motion to Continue scheduled on: 06/06/2019 09:23 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
06/06/2019	Event Result:: Final Pre-Trial Conference scheduled on: 06/06/2019 09:39 AM Has been: Not Held For the following reason: Request of Commonwealth Comments: FTR 1 Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
06/06/2019	Event Result:: Jury Trial scheduled on: 06/20/2019 09:07 AM Has been: Not Held For the following reason: Request of Commonwealth Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
06/06/2019	Endorsement on Commonwealth 's Motion to convert trial date to status. and affidavit, (#10.0): ALLOWED		Image
06/06/2019	Endorsement on Commonwealth 's Motion to impound affidavit related to motion to convert trial date to status, (#11.0): ALLOWED		Image
06/07/2019	Docket Note: N ADA Eramo via tin re motions 10 and 11.		
06/20/2019	Event Result:: Conference to Review Status scheduled on: 06/20/2019 09:35 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
06/25/2019	Event Result:: Jury Trial scheduled on: 08/26/2019 09:07 AM Has been: Not Held For the following reason: Transferred to another session Hon. Richard J Carey, Presiding		
08/09/2019	Defendant 's Motion to continue.	12	Image
08/09/2019	Affidavit of support of motion to continue.	12.1	Image
08/12/2019	Event Result:: Final Pre-Trial Conference scheduled on: 08/12/2019 09:39 AM Has been: Not Held For the following reason: Joint request of parties Comments: FTR 1 (MTC is allowed, MTC to be filed in writing) Hon. James G Reardon, Jr., Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
08/12/2019	Event Result:: Motion Hearing scheduled on: 08/19/2019 09:30 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding		
08/12/2019	Event Result:: Jury Trial scheduled on: 08/26/2019 09:00 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding Staff: Terrence C Ginley, Assistant Clerk Magistrate		
08/19/2019	Event Result:: Jury Trial scheduled on: 09/10/2019 09:07 AM Has been: Not Held For the following reason: Joint request of parties Hon. Douglas H Wilkins, Presiding		
08/19/2019	Other Rachael T Eramo, Esq., Joe A Smith, III, Esq.'s Joint Motion to Advance Trial Date For Purposes of Empanelment	13	
08/19/2019	Endorsement on , (#13.0): ALLOWED Judge: Wilkins, Hon. Douglas H		
08/27/2019	Event Result:: Motion Hearing scheduled on: 08/27/2019 09:23 AM Has been: Held as Scheduled Comments: FTR6 Foley Hon. Douglas H Wilkins, Presiding Staff: Terrence C Ginley, Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
08/27/2019	Event Result:: Final Pre-Trial Conference scheduled on: 08/27/2019 09:39 AM Has been: Held as Scheduled Comments: FTR6 Foley Hon. Douglas H Wilkins, Presiding Staff: Terrence C Ginley, Assistant Clerk Magistrate		
08/27/2019	Joint Pre-Trial Memorandum filed:	14	Image
08/27/2019	Commonwealth 's Motion in limine to admit substitute first complaint testimony	15	Image
08/27/2019	Commonwealth 's Motion for joinder of related offenses for trial pursuant to Massachusetts rules of criminal procedure 9(a)	16	Image
08/27/2019	Endorsement on Motion for joinder of related offenses for trial pursuant to Massachusetts rules of criminal procedure 9(a), (#16.0): ALLOWED by agreement		Image
08/27/2019	Hampden County District Attorney's Memorandum in support of its motion for joinder or related offenses for trial	17	Image
08/27/2019	Defendant 's Motion for additional funds for an investigator and affidavit in support	18	Image
08/27/2019	Endorsement on Motion for additional funds for an investigator and affidavit in support, (#18.0): ALLOWED to $2,500. Judge: Wilkins, Hon. Douglas H		Image
08/27/2019	Commonwealth 's Motion for voir dire questions	19	Image
08/27/2019	Commonwealth 's Motion in limine to admit evidence of prior bad acts of the defendant	20	Image
08/27/2019	Defendant 's Motion for attorney conducted individual voir dire of prospective jurors	21	Image
08/27/2019	Defendant 's Motion to preclude reference to complainants as "victims"	22	Image
08/27/2019	Commonwealth 's Motion for joinder of related offenses for trial pursuant to Massachusetts rules of criminal procedure 9(a)	23	Image
08/27/2019	Endorsement on Motion for joinder of related offenses for trial pursuant to Massachusetts rules of criminal procedure 9(a), (#23.0): ALLOWED by agreement		Image
08/27/2019	Hampden County District Attorney's Memorandum in support of its motion for joinder of related offenses for trial Judge: Wilkins, Hon. Douglas H	24	Image
09/03/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/04/2019 09:00 AM Jury Trial. Please Have Deft. Here at 9AM		
09/04/2019	Event Result:: Jury Trial scheduled on: 09/04/2019 09:00 AM Has been: Held as Scheduled Comments: FTR 8- C Aarons Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/04/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/05/2019 09:00 AM Jury Trial. Please Have Deft. here at 9AM		
09/05/2019	Event Result:: Jury Trial scheduled on: 09/05/2019 09:00 AM Has been: Held as Scheduled Comments: FTR 8- C. Aarons Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/10/2019	Event Result:: Jury Trial scheduled on: 09/10/2019 09:07 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/10/2019	Defendant 's Motion to sequester witnesses.	26	Image
09/10/2019	Endorsement on Motion to sequester witnesses., (#26.0): ALLOWED Judge: Wilkins, Hon. Douglas H		Image
09/11/2019	Event Result:: Jury Trial scheduled on: 09/11/2019 09:00 AM Has been: Held as Scheduled Comments: C. Aarons is the FTR monitor Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/12/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/13/2019 09:00 AM Jury Trial. Please Have Deft. Here at 9AM		
09/12/2019	Event Result:: Jury Trial scheduled on: 09/12/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/12/2019	Event Result:: Jury Trial scheduled on: 09/13/2019 09:00 AM Has been: Not Held For the following reason: Request of Defendant Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/12/2019	MEMORANDUM & ORDER: on impoundment of supplemental juror questionnaires Judge: Wilkins, Hon. Douglas H	43	
09/13/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/16/2019 09:00 AM Jury Trial. Please have Deft. here at 9AM		
09/16/2019	Event Result:: Jury Trial scheduled on: 09/16/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/16/2019	Defendant 's Motion (renewed) for required finding of not guilty	34	Image
09/16/2019	Endorsement on Defendant 's Motion (renewed) for required finding of not guilty, (#34.0): DENIED		Image
09/17/2019	Event Result:: Jury Trial scheduled on: 09/17/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/17/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/18/2019 09:00 AM Jury Trial. Please have defendant here by 9am		
09/18/2019	Event Result:: Jury Trial scheduled on: 09/18/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/19/2019	Event Result:: Jury Trial scheduled on: 09/19/2019 09:00 AM Has been: Held as Scheduled Comments: FTR CR #8 - C. Aarons, monitor Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/19/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/20/2019 09:00 AM Jury Trial. Please have defendant here by 9am		
09/20/2019	Offense Disposition:: Charge #6 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 09/17/2019 Judge: Hon. Douglas H Wilkins By: Other Court Event Dismissed by Court in response to jury question- see record Charge #16 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 09/17/2019 Judge: Hon. Douglas H Wilkins By: Other Court Event Dismissed by Court in response to jury question- see record		
09/20/2019	Event Result:: Jury Trial scheduled on: 09/20/2019 09:00 AM Has been: Held as Scheduled- ENDS IN PARTIAL MISTRIAL Comments: FTR#8-T. Foley-CM/L. Sirois-ACM Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/20/2019	Offense Disposition:: Charge #6 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 09/17/2019 Judge: Hon. Douglas H Wilkins By: Other Court Event Dismissed Charge #10 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 09/20/2019 Judge: Hon. Douglas H Wilkins By: Jury Trial Not Guilty Verdict Charge #16 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 09/17/2019 By: Other Court Event Dismissed Charge #22 OBSCENE MATTER TO MINOR c272 §28 On: 09/20/2019 Judge: Hon. Douglas H Wilkins By: Jury Trial Not Guilty Verdict Charge #24 RAPE OF CHILD WITH FORCE c265 §22A On: 09/20/2019 Judge: Hon. Douglas H Wilkins By: Jury Trial Not Guilty Verdict Charge #28 CHILD IN SEXUAL ACT, POSE/EXHIBIT c272 §29A(b) On: 09/20/2019 Judge: Hon. Douglas H Wilkins By: Jury Trial Not Guilty Verdict ALL OTHER COUNTS RESULTS IN MISTRIAL		
09/20/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/23/2019 12:00 PM Motion Hearing. Judge: Wilkins, Hon. Douglas H	25	

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/20/2019	List of exhibits	27	Image
09/20/2019	List of jurors filed.	35	Image
09/20/2019	List of exhibits	36	Image
09/20/2019	Verdict affirmed, verdict slip filed Count 10 - Not Guilty	37	Image
09/20/2019	Verdict affirmed, verdict slip filed Count 22 - Not Guilty	38	Image
09/20/2019	Verdict affirmed, verdict slip filed Count 24 - Not Guilty	39	Image
09/20/2019	Verdict affirmed, verdict slip filed Count 28 - Not Guilty	40	Image
09/23/2019	Event Result:: Motion Hearing scheduled on: 09/23/2019 12:00 PM Has been: Held as Scheduled Comments: FTR#8/C. Aarons Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/23/2019	Waiver of trial by jury	41	Image
09/23/2019	Defendant 's Motion for additional funds for an investigator	42	Image
09/23/2019	Affidavit of counsel in support of Defendant 's Motion for additional funds for an investigator	42.1	Image
09/24/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/25/2019 12:00 PM Conference to Review Status. Please Have Deft. Here at 9AM		
09/25/2019	Event Result:: Conference to Review Status scheduled on: 09/25/2019 12:00 PM Has been: Held as Scheduled Comments: FTR-1 Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/25/2019	Event Result:: Bail Hearing scheduled on: 09/25/2019 09:29 AM Has been: Held as Scheduled Comments: FTR-1 Hon. James G Reardon, Jr., Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
09/25/2019	Bail set at $0.00 Surety, $5,000.00 Cash. conditions 1) GPS zero curfew with windows for legal/medical/religious 2) to reside with mother 3) no contact direct/indirect with victims 4) no contact direct/indirect with witnesses 5) abide by all restraining order With Added Conditions: That defendant to have No Unsupervised contact with Children Under 18. Also Defendant may live with girlfriend in Monson if her address is compatible with GPS. defendant must have GPS affixed before release. Next Date: 12/2/19		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/25/2019	Event Result:: Jury Waived Trial scheduled on: 09/30/2019 09:00 AM Has been: Not Held For the following reason: By Court prior to date Comments: FTR-1 Hon. James G Reardon, Jr., Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/25/2019	The following form was generated: Release from Custody Order Sent On: 09/25/2019 14:52:47	29	Image
09/25/2019	Commonwealth 's Motion to continue (and Affidavit).	30	Image
09/25/2019	Endorsement on Motion to continue., (#30.0): ALLOWED Judge: Reardon, Jr., Hon. James G		Image
09/25/2019	Commonwealth 's Motion to impound affidavit submitted in connection with Commonwealth's Motion to continue.	31	Image
09/25/2019	Endorsement on Motion to impound affidavit submitted in connection with Commonwealth's motion to continue., (#31.0): ALLOWED Judge: Reardon, Jr., Hon. James G		Image
09/25/2019	ORDER: of GPS supervision conditions. Judge: Wilkins, Hon. Douglas H	32	Image
09/25/2019	ORDER of Pre-Trial Conditions of Release Judge: Wilkins, Hon. Douglas H	33	Image
09/27/2019	Endorsement on Defendant 's Motion for additional funds for an investigator, (#42.0): ALLOWED n. given in hand		Image
12/02/2019	Event Result:: Conference to Review Status scheduled on: 12/02/2019 09:35 AM Has been: Not Held For the following reason: Joint request of parties Kevin J Claffey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Shana Wilson, Assistant Clerk Magistrate		
12/04/2019	Event Result:: Conference to Review Status scheduled on: 12/04/2019 09:35 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Daniel M Wrenn, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Shana Wilson, Assistant Clerk Magistrate		
12/04/2019	Event Result:: Jury Trial scheduled on: 12/09/2019 09:07 AM Has been: Rescheduled For the following reason: Joint request of parties Comments: FTR 1 Hon. Daniel M Wrenn, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Shana Wilson, Assistant Clerk Magistrate		
12/04/2019	Commonwealth, Defendant 's Joint Motion to continue	44	Image
12/04/2019	Endorsement on Motion to continue (joint), (#44.0): ALLOWED Judge: Wrenn, Hon. Daniel M		Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
01/02/2020	Event Result:: Jury Trial scheduled on: 01/27/2020 09:07 AM Has been: Not Held For the following reason: Transferred to another session Comments: Sent to J. Ritter's session Hon. Daniel M Wrenn, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
01/13/2020	Event Result:: Conference to Review Status scheduled on: 01/13/2020 02:00 PM Has been: Held as Scheduled Comments: FTR #6 - A. Foulks Hon. William J Ritter, Presiding Staff: Lauramarie Sirois, Assistant Clerk Magistrate		
01/13/2020	Defendant 's Motion to amend pre-trial terms of release	45	Image
01/13/2020	Endorsement on Motion to amend pre-trial terms of release, (#45.0): ALLOWED (copy to atty joe smith and probation dept) Judge: Ritter, Hon. William J		Image
02/20/2020	Witness list Applies To: Hampden County District Attorney (Prosecutor)	46	
02/20/2020	Commonwealth 's Motion in limine to Admit Substitute First Complaint Testimony	47	
02/20/2020	Commonwealth 's Motion in limine to Admit First Complaint Testimony	48	
02/20/2020	Commonwealth 's Motion in limine to Admit Evidence of Prior Bad Acts of the Defendant	49	
02/20/2020	Defendant 's Motion to Amend Defendant's Pretrial Terms of Release	50	
02/20/2020	Defendant 's Motion to Sequester Witnesses	51	
02/20/2020	Event Result:: Conference to Review Status scheduled on: 02/20/2020 09:30 AM Has been: Held as Scheduled Comments: FTR # 2- S. Adams Hon. William J Ritter, Presiding Staff: Lauramarie Sirois, Assistant Clerk Magistrate		
02/20/2020	Endorsement on Motion to Amend Defendant's Pretrial Terms of Release, (#50.0): ALLOWED curfew to be lifted to the extent defendant needs to meet with counsel for trial preparation: stay away, no contact with witnesses and address of 64 Emmett Street, Chicopee. Judge: Ritter, Hon. William J		
02/20/2020	The following form was generated: A Clerk's Notice was generated and sent to: Attorney: Joe A Smith, III, Esq. Attorney: Rachael T Eramo, Esq. Surety: Caitlyn Elizabeth Constantino		
03/20/2020	Court orders rescheduling due to State of Emergency surrounding the Covid-19 virus.: Jury Waived Trial scheduled on: 03/30/2020 09:00 AM Has been: Rescheduled-Covid-19 emergency Hon. William J Ritter, Presiding Staff: Lauramarie Sirois, Assistant Clerk Magistrate		
04/09/2020	Court orders rescheduling due to State of Emergency surrounding the Covid-19 virus.: Conference to Review Status scheduled on: 04/14/2020 09:35 AM Has been: Rescheduled-Covid-19 emergency Hon. Michael K Callan, Presiding		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
04/30/2020	Court orders rescheduling due to State of Emergency surrounding the Covid-19 virus.: Conference to Review Status scheduled on: 05/18/2020 09:35 AM Has been: Rescheduled-Covid-19 emergency Hon. Michael K Callan, Presiding		
06/15/2020	Event Result:: Conference to Review Status scheduled on: 06/15/2020 09:35 AM Has been: Held as Scheduled Hon. Michael K Callan, Presiding		
08/21/2020	Event Result:: Conference to Review Status scheduled on: 08/25/2020 09:35 AM Has been: Not Held For the following reason: Transferred to another session Comments: case before Judge Wilkins Hon. Francis E Flannery, Presiding Staff: Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
09/15/2020	Commonwealth 's Motion to Continue Trial Date	52	Image
09/15/2020	Affidavit of Assistant District Attorney Eileen Sears in Support of Motion to Continue Trial	52.1	Image
09/15/2020	Event Result:: Jury Waived Trial scheduled on: 09/28/2020 09:07 AM Has been: Not Held For the following reason: Request of Commonwealth Hon. Douglas H Wilkins, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Shana Wilson, Assistant Clerk Magistrate		
09/15/2020	Endorsement on Motion to Continue Trial, (#52.0): ALLOWED Trial continued to a date in December with assent of the defendant conditioned on the undersigned presiding at the bench trial. Judge: Wilkins, Hon. Douglas H		Image
12/08/2020	Commonwealth 's Notice of appearance	53	Image
12/08/2020	Attorney appearance On this date Elizabeth Vasiliades, Esq. added for Prosecutor Hampden County District Attorney		
12/28/2020	Event Result:: Bail Hearing scheduled on: 12/28/2020 09:00 AM Has been: Held as Scheduled Comments: FTR- T. Foley Hon. Douglas H Wilkins, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Shana Wilson, Assistant Clerk Magistrate		
12/28/2020	Released on Personal Recognizance with the following conditions: Other Special Condition conditions 1) GPS zero curfew with windows for legal/medical/religious 2) to reside with mother 3) no contact direct/indirect with victims 4) no contact direct/indirect with witnesses 5) abide by all restraining order With Added Conditions: That defendant to have No Unsupervised contact with Children Under 18. Also Defendant may live with girlfriend in Monson if her address is compatible with GPS. defendant must have GPS affixed before release		
12/28/2020	Bail recognizance form filed.	54	
12/31/2020	Defendant 's Motion to modify pretrial conditions of release emailed n to Wilkins, J.	55	Image
12/31/2020	Endorsement on Motion to Motion to modify pretrial conditions of release, (#55.0): Other action taken The Commonwealth shall file any response by 1/7/21 Judge: Wilkins, Hon. Douglas H		Image
01/06/2021	Opposition to to Defendant's Motion to Amend Conditions of Pre-Trial Release filed by Hampden County District Attorneyn. N. Judge Wilkins 1/6/21	56	Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
01/06/2021	Endorsement on Commonwealth's Opposition to Defendant's Motion to Amend Conditions of Pre-Trial Release, (#56.0): Other action taken Mark for hearing. Notice also to mother of newborn child. Judge: Wilkins, Hon. Douglas H		
01/08/2021	Event Result:: Motion Hearing scheduled on: 01/08/2021 09:30 AM Has been: Held as Scheduled Comments: FTR remote (S. Adams) Hon. Douglas H Wilkins, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate		
01/08/2021	Endorsement on Motion to amend conditions of pre trial release, (#55.0): Other action taken modified as set forth on the record, see clerk's log-no unsupervised contact with children under 18 except for daughter Amelia Cintron, stay in Monson Ma., except for legal/medical appointments, curfew from 10pm-6am, Defendant must be at 40 Palmer road, monson ma, Defendant has the option to reside in Springfield with his mother with notice to probation		Image
02/03/2021	Witness list (Supplemental) Applies To: Hampden County District Attorney (Prosecutor)	57	Image
02/03/2021	Commonwealth 's Motion for Admission of Expert Testimony	58	Image
02/12/2021	Commonwealth 's Motion in limine to admit evidence of prior bad acts of the defendant	59	Image
02/12/2021	Commonwealth 's Notice to substitute first complaint testimony	60	Image
03/02/2021	Defendant 's Motion to Preclude Reference to Complainants as "Victims"	61	Image
03/02/2021	Witness list Applies To: Cintron, Daniel Juan (Defendant)	62	Image
03/02/2021	Defendant 's Motion to Sequester Witnesses Applies To: Cintron, Daniel Juan (Defendant)	63	Image
03/15/2021	Event Result:: Final Pre-Trial Conference scheduled on: 03/15/2021 09:00 AM Has been: Held as Scheduled Comments: FTR 6 Hon. Douglas H Wilkins, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Susan Joaquin, Assistant Clerk		
03/15/2021	Event Result:: Motion Hearing scheduled on: 03/15/2021 09:00 AM Has been: Held as Scheduled Comments: FTR 6 Hon. Douglas H Wilkins, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Susan Joaquin, Assistant Clerk		
03/15/2021	Witness list Supplemental Witness List Applies To: Cintron, Daniel Juan (Defendant)	64	Image
03/15/2021	Joint Pre-Trial Memorandum filed: Applies To: Cintron, Daniel Juan (Defendant)	65	

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
04/08/2021	Defendant 's Motion for funds for Investigator.	66	Image
04/08/2021	Affidavit of In support of Motion for funds for Investigator.	66.1	Image
04/08/2021	Endorsement on Motion for funds for Investigator., (#66.0): ALLOWED Judge: Partyka, Edward		Image
04/08/2021	Event Result:: Conference to Review Status scheduled on: 04/08/2021 12:00 PM Has been: Held as Scheduled Comments: FTR -remote (T. Foley) Hon. Douglas H Wilkins, Presiding Staff: Susan Joaquin, Assistant Clerk Edward Partyka, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
04/15/2021	Commonwealth 's Motion in limine for First Complaint Testimony	67	Image
04/20/2021	Event Result:: Jury Waived Trial scheduled on: 04/20/2021 09:00 AM Has been: Held as Scheduled Comments: FTR # 1 Hon. Douglas H Wilkins, Presiding Staff: Susan Joaquin, Assistant Clerk Edward Partyka, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
04/21/2021	Event Result:: Jury Waived Trial scheduled on: 04/21/2021 09:00 AM Has been: Held as Scheduled Comments: FTR #1 Hon. Douglas H Wilkins, Presiding Staff: Susan Joaquin, Assistant Clerk Edward Partyka, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
04/22/2021	Event Result:: Jury Waived Trial scheduled on: 04/22/2021 09:00 AM Has been: Held as Scheduled Comments: FTR #1 Hon. Douglas H Wilkins, Presiding Staff: Susan Joaquin, Assistant Clerk Edward Partyka, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
04/22/2021	Defendant 's Motion for required finding of not guilty	68	Image
04/22/2021	Endorsement on Motion for required finding of not guilty, (#68.0): Other action taken Denied without prejudice, except allowed as to counts 2 and 18 for reasons stated on the record.		Image
04/22/2021	Defendant 's Motion for required finding of not guilty (renewed motion)	69	Image
04/22/2021	Endorsement on Motion for required finding of not guilty - renewed motion, (#69.0): DENIED without prejudice after the close of all of the evidence.		Image
04/23/2021	Event Result:: Jury Waived Trial scheduled on: 04/23/2021 09:00 AM Has been: Held as Scheduled Comments: FTR 1 Amy F. Hon. Douglas H Wilkins, Presiding Staff: Susan Joaquin, Assistant Clerk Edward Partyka, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
04/23/2021	Offense Disposition:: Charge #1 RAPE OF CHILD WITH FORCE c265 §22A On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #2 RAPE OF CHILD WITH FORCE c265 §22A On: 04/22/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Dismissed Charge #3 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #4 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #5 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #6 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 09/17/2019 Judge: Hon. Douglas H Wilkins By: Other Court Event Dismissed Charge #7 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #8 RAPE OF CHILD WITH FORCE c265 §22A On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #9 RAPE OF CHILD WITH FORCE c265 §22A On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #10 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 09/20/2019 By: Jury Trial Not Guilty Verdict Charge #11 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #12 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #13 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #14 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #15 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #16 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 09/17/2019 By: Other Court Event Dismissed Charge #17 RAPE OF CHILD WITH FORCE c265 §22A On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
	Charge #18 RAPE OF CHILD WITH FORCE c265 §22A On: 04/22/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Dismissed Charge #19 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Guilty Finding Charge #20 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Guilty Finding Charge #21 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #22 OBSCENE MATTER TO MINOR c272 §28 On: 09/20/2019 By: Jury Trial Not Guilty Verdict Charge #23 RAPE OF CHILD WITH FORCE c265 §22A On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #24 RAPE OF CHILD WITH FORCE c265 §22A On: 09/20/2019 By: Jury Trial Not Guilty Verdict Charge #25 INDECENT A&B ON CHILD UNDER 14 c265 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Guilty Finding Charge #26 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Guilty Finding Charge #27 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B On: 04/23/2021 Judge: Hon. Douglas H Wilkins By: Jury Waived Trial Not Guilty Finding Charge #28 CHILD IN SEXUAL ACT, POSE/EXHIBIT c272 §29A(b) On: 09/20/2019 By: Jury Trial Not Guilty Verdict		
04/23/2021	List of exhibits	70	Image
04/23/2021	Verdict affirmed, verdict slip filed	71	Image
04/30/2021	Event Result:: Hearing for Sentence Imposition scheduled on: 04/30/2021 02:00 PM Has been: Held as scheduled Comments: FTR # 2 Hon. Douglas H Wilkins, Presiding Staff: Susan Joaquin, Assistant Clerk Edward Partyka, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
04/30/2021	files sentence recommendation Judge: Wilkins, Hon. Douglas H	72	Image
04/30/2021	Notice given to defendant of duty to register as a sex offender. Judge: Wilkins, Hon. Douglas H		
04/30/2021	Acknowledgment of Notification of duty to provide DNA sample received. Judge: Wilkins, Hon. Douglas H		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
04/30/2021	Defendant notified of right of appeal to the Appelate Division of the Superior Court within ten (10) days. Judge: Wilkins, Hon. Douglas H		
04/30/2021	Defendant notified of right of appeal to the Appeals Court within thirty (30) days. Judge: Wilkins, Hon. Douglas H		
04/30/2021	Defendant sentenced:: Sentence Date: 04/30/2021 Judge: Hon. Douglas H Wilkins Charge #: 19 INDECENT A&B ON CHILD UNDER 14 c265 §13B State Prison Sentence Not Less Than: 2 Years, 0 Months, 0 Days Not More Than: 3 Years, 0 Months, 0 Days Charge #: 25 INDECENT A&B ON CHILD UNDER 14 c265 §13B State Prison Sentence Not Less Than: 2 Years, 0 Months, 0 Days Not More Than: 3 Years, 0 Months, 0 Days Served Concurrently Charge # 19 Case 18-299 Committed to MCI - Cedar Junction (at Walpole) Credits 496 Days Financials: Victim/Witness Assessment on felony G.L. c. 258B, § 8. Amount $90.00 Further Orders of the Court: Credit by Agreement & Order of the Court		
04/30/2021	Issued on this date: Mittimus for Sentence (All Charges) Sent On: 04/30/2021 15:31:55	73	Image
04/30/2021	Defendant sentenced:: Sentence Date: 04/30/2021 Judge: Hon. Douglas H Wilkins Charge #: 20 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B Served Consecutively Charge # 19 Case 18-299 Charge #: 26 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B Served Consecutively Charge # 19 Case 18-299 Further Orders of the Court: Standard Probation Contract EVALUATION FOR SEX OFFENDER TREATMENT AND COUNSELING ATTEND & COMPLETE SEX OFFENDER TREATMENT IF ORDERED REGISTER AS A SEX OFFENDER STAY AWAY, NO CONTACT WITH VICTIM OR VICTIMS FAMILY NO UNSUPERVISED CONTACT WITH CHILDREN UNDER 16 NOT TO RESIDE OR CARE FOR CHILDREN UNDER 16 Probation: Risk/Need Probation Duration: 3 Years, 0 Months, 0 Days		
04/30/2021	Notice of appeal filed. Applies To: Cintron, Daniel Juan (Defendant); Smith, III, Esq., Joe A (Attorney) on behalf of Cintron, Daniel Juan (Defendant)	74	Image

Case Disposition

Disposition	Date	Case Judge
Disposed by Jury Verdict	04/30/2021	Wilkins, Hon. Douglas H

1879CR00322 Commonwealth vs. Cintron, Daniel Juan

- Case Type:
- Indictment
- Case Status:
- Open
- File Date
- 07/02/2018
- DCM Track:
- C - Most Complex
- Initiating Action:
- RAPE OF CHILD WITH FORCE c265 §22A
- Status Date:
- 07/13/2018
- Case Judge:
- Wilkins, Hon. Douglas H
- Next Event:
-

All Information | Party | Charge | Event | Tickler | Docket | Disposition

Party Information

Hampden County District Attorney
- Prosecutor

Alias

Party Attorney
- Attorney
- Eramo, Esq., Rachael T
- Bar Code
- 647866
- Address
- [redacted]
- Phone Number
- (413)747-1000
- Attorney
- Vasiliades, Esq., Elizabeth
- Bar Code
- 569084
- Address
- Hampden District Attorney
  Hall of Justice
  50 State Street
  Springfield, MA 01102
- Phone Number
- (413)747-1000

More Party Information

Cintron, Daniel Juan
- Defendant

Alias

Party Attorney
- Attorney
- Smith, III, Esq., Joe A
- Bar Code
- 680310
- Address
- Law Office of Joe A. Smith III
  20 Maple St 2nd Floor
  Springfield, MA 01103
- Phone Number
- (413)788-0040

More Party Information

Party Charge Information

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 1:
  265/22A/A-1 - Felony RAPE OF CHILD WITH FORCE c265 §22A

- Original Charge
- 265/22A/A-1 RAPE OF CHILD WITH FORCE c265 §22A (Felony)
- Indicted Charge
-
- Amended Charge
-

Charge Disposition
Disposition Date
Disposition
09/20/2019
Not Guilty Verdict

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 2:
  265/13H-3 - Felony INDECENT A&B ON PERSON 14 OR OVER c265 §13H

- Original Charge
- 265/13H-3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H (Felony)
- Indicted Charge
-
- Amended Charge
-

Charge Disposition
Disposition Date
Disposition
09/20/2019
Not Guilty Verdict

- **Cintron, Daniel Juan**
- - Defendant
  Charge # 3:
  265/13H-3 - Felony INDECENT A&B ON PERSON 14 OR OVER c265 §13H

- Original Charge
- 265/13H-3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H (Felony)
- Indicted Charge
-
- Amended Charge
-

Charge Disposition
Disposition Date
Disposition
09/20/2019
Not Guilty Verdict

Events

Date	Session	Location	Type	Event Judge	Result
07/13/2018 09:01 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Arraignment	Callan, Hon. Michael K	Held as Scheduled
07/18/2018 09:31 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	58A Dangerousness Hearing	Callan, Hon. Michael K	Held as Scheduled
11/07/2018 09:19 AM	Criminal 1 - Ct. Rm. 8		Pre-Trial Hearing		Not Held
11/07/2018 09:29 AM	Criminal 1 - Ct. Rm. 8		Bail Hearing		Held as Scheduled
12/03/2018 09:19 AM	Criminal 1 - Ct. Rm. 8		Pre-Trial Hearing		Held as Scheduled

Date	Session	Location	Type	Event Judge	Result
06/06/2019 09:23 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Hearing on Motion to Continue	Carey, Hon. Richard J	Held as Scheduled
06/06/2019 09:39 AM	Criminal 1 - Ct. Rm. 8		Final Pre-Trial Conference		Not Held
06/20/2019 09:07 AM	Criminal 1 - Ct. Rm. 8		Jury Trial		Not Held
06/20/2019 09:35 AM	Criminal 1 - Ct. Rm. 8	SPRF-3rd FL, CR 1 (SC)	Conference to Review Status	Carey, Hon. Richard J	Held as Scheduled
08/12/2019 09:39 AM	Criminal 1 - Ct. Rm. 8		Final Pre-Trial Conference		Not Held
08/19/2019 09:30 AM	CR Session 6 - Ct. Rm 6		Motion Hearing	Wilkins, Hon. Douglas H	Rescheduled
08/26/2019 09:00 AM	CR Session 6 - Ct. Rm 6		Jury Trial	Wilkins, Hon. Douglas H	Rescheduled
08/26/2019 09:07 AM	Criminal 1 - Ct. Rm. 8		Jury Trial		Not Held
08/27/2019 09:23 AM	CR Session 6 - Ct. Rm 6		Motion Hearing	Wilkins, Hon. Douglas H	Held as Scheduled
08/27/2019 09:39 AM	CR Session 6 - Ct. Rm 6		Final Pre-Trial Conference	Wilkins, Hon. Douglas H	Held as Scheduled
09/04/2019 09:00 AM	CR Session 6 - Ct. Rm 6		Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/05/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/10/2019 09:07 AM	CR Session 6 - Ct. Rm 6		Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/11/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/12/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/13/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Not Held
09/16/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/17/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/18/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/19/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled
09/20/2019 09:00 AM	CR Session 6 - Ct. Rm 6	SPRF-2nd FL, CR 8 (SC)	Jury Trial	Wilkins, Hon. Douglas H	Held as Scheduled

Ticklers

Tickler	Start Date	Due Date	Days Due	Completed Date
Pre-Trial Hearing	07/13/2018	01/09/2019	180	12/03/2018
Final Pre-Trial Conference	07/13/2018	06/24/2019	346	08/27/2019
Case Disposition	07/13/2018	07/08/2019	360	09/20/2019

Docket Information

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
07/02/2018	Indictment(s) returned	1	Image
07/10/2018	Attorney appearance On this date Rachael T Eramo, Esq. added as Attorney for the Commonwealth for Prosecutor Hampden County District Attorney		
07/13/2018	Event Result:: Arraignment scheduled on: 07/13/2018 09:01 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Michael K Callan, Presiding Appeared: Staff: Sara Adams, Court Monitor Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
07/13/2018	Defendant arraigned before Court. Judge: Callan, Hon. Michael K		
07/13/2018	Defendant waives reading of indictment Judge: Callan, Hon. Michael K		
07/13/2018	Plea of not guilty entered on all charges. Judge: Callan, Hon. Michael K		
07/13/2018	The defendant\petitioner is committed without bail for the following reason: Per Order of the Court. without prejudice; Next date: 7/18/18 Judge: Callan, Hon. Michael K	2	
07/13/2018	Commonwealth 's Motion for a dangerous hearing	3	
07/13/2018	Endorsement on Commonwealth 's Motion for a dangerous hearing, (#3.0): ALLOWED Judge: Callan, Hon. Michael K		Image
07/13/2018	Commonwealth 's Motion for court order regarding discovery of recording of child interview	4	
07/13/2018	Endorsement on Commonwealth 's Motion for court order regarding discovery of recording of child interview, (#4.0): ALLOWED by agreement Judge: Callan, Hon. Michael K		Image
07/13/2018	Scheduled: Judge: Callan, Hon. Michael K Event: Bail (58A) Date: 07/18/2018 Time: 09:31 AM Result: Held as Scheduled		
07/13/2018	Attorney appearance On this date Joe A Smith, III, Esq. added as Appointed - Indigent Defendant for Defendant Daniel Juan Cintron Appointment made for the purpose of Case in Chief by Judge Hon. Michael K Callan.		
07/17/2018	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 07/18/2018 09:31 AM Bail (58A). Please Have Deft. here at 9AM		
07/18/2018	Case assigned to: DCM Track C - Most Complex was added on 07/18/2018		
07/18/2018	Event Result:: Bail (58A) scheduled on: 07/18/2018 09:31 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Michael K Callan, Presiding Appeared: Staff: Sara Adams, Court Monitor Brian Dolaher, Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
	Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
07/18/2018	The defendant\petitioner is committed without bail for the following reason: Held due to dangerousness C.276 § 58A. defendant stipulates to dangerousness held without right to bail for 120 days. Next date: 11/7/18 Judge: Callan, Hon. Michael K	5	
07/18/2018	Commonwealth 's Motion to impound materials submitted during dangerousness hearing	6	Image
07/18/2018	Endorsement on Motion to impound materials submitted during dangerousness hearing, (#6.0): ALLOWED Judge: Callan, Hon. Michael K		Image
08/27/2018	Defendant 's Motion for funds for an investigator and affidavit in support	7	Image
10/04/2018	Endorsement on Motion for funds for an investigator and affidavit in support, (#7.0): ALLOWED (n. via mail) Judge: Wrenn, Hon. Daniel M		Image
11/06/2018	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 11/07/2018 09:19 AM Pre-Trial Hearing. Please Have Deft. here at 9AM		
11/07/2018	Event Result:: Pre-Trial Hearing scheduled on: 11/07/2018 09:19 AM Has been: Not Held For the following reason: Joint request of parties Comments: FTR 1 (oral mtc pth hearing allowed) Hon. Daniel M Wrenn, Presiding Appeared: Staff: Amy (DIGITAL RECORDING DEVICE) Foulks, Court Monitor Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
11/07/2018	Event Result:: Bail Hearing scheduled on: 11/07/2018 09:29 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Daniel M Wrenn, Presiding Appeared: Staff: Amy (DIGITAL RECORDING DEVICE) Foulks, Court Monitor Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
11/07/2018	Bail warnings read		
11/07/2018	Bail set at $0.00 Surety, $50,000.00 Cash. with conditions 1) GPS, zero curfew with windows for legal/medical/religious 2) to reside with mother 3) no contact direct/indirect with the victims 4) no contact direct/indirect with witnesses 5) abide by all restraining orders Next Date: next date: 9/20/19	8	
11/07/2018	Defendant oral motion to continue PTH allowed j. wrenn Judge: Wrenn, Hon. Daniel M		
11/30/2018	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 12/03/2018 09:19 AM Pre-Trial Hearing. Please Have Deft. Here at 9AM		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
12/03/2018	Event Result:: Pre-Trial Hearing scheduled on: 12/03/2018 09:19 AM Has been: Held as Scheduled Comments: FTR 1 Lauramarie Sirois, Presiding Appeared: Staff: Brian Dolaher, Assistant Clerk Magistrate Amy (DIGITAL RECORDING DEVICE) Foulks, Court Monitor Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
06/05/2019	Commonwealth 's Motion to convert trial date to status and affidavit..	9	Image
06/05/2019	Commonwealth 's Motion to impound affidavit related to motion to convert trial date to status.	10	Image
06/06/2019	Event Result:: Hearing on Motion to Continue scheduled on: 06/06/2019 09:23 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
06/06/2019	Event Result:: Final Pre-Trial Conference scheduled on: 06/06/2019 09:39 AM Has been: Not Held For the following reason: Request of Commonwealth Comments: FTR 1 Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
06/06/2019	Event Result:: Jury Trial scheduled on: 06/20/2019 09:07 AM Has been: Not Held For the following reason: Request of Commonwealth Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
06/06/2019	Endorsement on Commonwealth 's Motion to convert trial date to status and affidavit.., (#9.0): ALLOWED		Image
06/06/2019	Endorsement on Commonwealth 's Motion to impound affidavit related to motion to convert trial date to status., (#10.0): ALLOWED		Image
06/20/2019	Event Result:: Conference to Review Status scheduled on: 06/20/2019 09:35 AM Has been: Held as Scheduled Comments: FTR 1 Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		
06/25/2019	Event Result:: Jury Trial scheduled on: 08/26/2019 09:07 AM Has been: Not Held For the following reason: Transferred to another session Hon. Richard J Carey, Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate Lauramarie Sirois, Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
08/09/2019	Defendant 's Motion to continue.	11	Image
08/09/2019	Affidavit of support of motion to continue.	11.1	Image
08/12/2019	Event Result:: Final Pre-Trial Conference scheduled on: 08/12/2019 09:39 AM Has been: Not Held For the following reason: Joint request of parties MTC is allowed MTC to be filed in writing Comments: FTR 1 Hon. James G Reardon, Jr., Presiding Staff: Brian Dolaher, Assistant Clerk Magistrate Michael T Sarnacki, Esq., Assistant Clerk Magistrate		
08/12/2019	Event Result:: Motion Hearing scheduled on: 08/19/2019 09:30 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding		
08/12/2019	Event Result:: Jury Trial scheduled on: 08/26/2019 09:00 AM Has been: Rescheduled For the following reason: By Court prior to date Hon. Douglas H Wilkins, Presiding Staff: Terrence C Ginley, Assistant Clerk Magistrate		
08/19/2019	Joe A Smith, III, Esq., Rachael T Eramo, Esq.'s Joint Motion to Advance Trial Date For Purposes of Empanelment	12	
08/19/2019	Endorsement on , (#12.0): ALLOWED Judge: Wilkins, Hon. Douglas H		
08/26/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 08/27/2019 09:23 AM Motion Hearing. Please Have deft. here at 9AM		
08/27/2019	Event Result:: Motion Hearing scheduled on: 08/27/2019 09:23 AM Has been: Held as Scheduled Comments: FTR6 Foley Hon. Douglas H Wilkins, Presiding Staff: Terrence C Ginley, Assistant Clerk Magistrate		
08/27/2019	Event Result:: Final Pre-Trial Conference scheduled on: 08/27/2019 09:39 AM Has been: Held as Scheduled Comments: FTR6 Foley Hon. Douglas H Wilkins, Presiding Staff: Terrence C Ginley, Assistant Clerk Magistrate		
08/27/2019	Defendant 's Motion for additional funds for an investigator and affidavit in support	13	Image
08/27/2019	Endorsement on Motion for additional funds for an investigator and affidavit in support, (#13.0): ALLOWED to $2,500. (n via mail)		Image
08/27/2019	Defendant 's Motion for attorney conducted individual voir dire of prospective jurors	14	Image
08/27/2019	Commonwealth 's Motion for voir dire questions	15	Image
08/27/2019	Commonwealth 's Motion in limine to admit evidence of prior bad acts of the defendant	16	Image
08/27/2019	Defendant 's Motion to preclude reference to complainants as "victims"	17	Image
08/27/2019	Endorsement on Motion to preclude reference to complainants as "victims", (#17.0): ALLOWED		Image
08/27/2019	Commonwealth 's Motion for joinder of related offenses for trial pursuant to Massachusetts rules of criminal procedure 9(a)	18	Image

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
08/27/2019	Endorsement on Motion for joinder of related offenses for trial pursuant to Massachusetts rules of criminal procedure 9(a), (#18.0): ALLOWED by agreement		Image
08/27/2019	Hampden County District Attorney's Memorandum in support of its motion for joinder or related offenses for trial pursuant to Massachusetts rules of criminal procedure 9(a)	19	Image
08/27/2019	Joint Pre-Trial Memorandum filed: Judge: Wilkins, Hon. Douglas H	20	Image
09/04/2019	Event Result:: Jury Trial scheduled on: 09/04/2019 09:00 AM Has been: Held as Scheduled Comments: FTR 8- Aarons Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/05/2019	Event Result:: Jury Trial scheduled on: 09/05/2019 09:00 AM Has been: Held as Scheduled Comments: FTR 8- C. Aarons Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/09/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/10/2019 09:07 AM Jury Trial. Please have Deft. Here at 9AM		
09/10/2019	Event Result:: Jury Trial scheduled on: 09/10/2019 09:07 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/10/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/11/2019 09:00 AM Jury Trial. Please Have Deft. Here at 9AM		
09/10/2019	Defendant 's Motion to sequester witnesses.	21	Image
09/10/2019	Endorsement on Motion to sequester witnesses., (#21.0): ALLOWED Judge: Wilkins, Hon. Douglas H		Image
09/10/2019	Defendant 's Motion to sequester witnesses	21.1	Image
09/10/2019	Endorsement on Defendant 's Motion to sequester witnesses, (#21.1): ALLOWED		Image
09/11/2019	Event Result:: Jury Trial scheduled on: 09/11/2019 09:00 AM Has been: Held as Scheduled Comments: C. Aarons is the FTR monitor Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/11/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/12/2019 09:00 AM Jury Trial. Please Have Deft. here at 9AM		
09/12/2019	Event Result:: Jury Trial scheduled on: 09/12/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/12/2019	Event Result:: Jury Trial scheduled on: 09/13/2019 09:00 AM Has been: Not Held For the following reason: Request of Defendant Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/16/2019	Event Result:: Jury Trial scheduled on: 09/16/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/16/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/17/2019 09:00 AM Jury Trial. Please Have Deft. here at 9AM		
09/16/2019	Defendant 's Motion for requiring finding of not guilty	22	Image
09/16/2019	Endorsement on Motion for requiring finding of not guilty , (#22.0): DENIED Judge: Wilkins, Hon. Douglas H		Image
09/16/2019	Defendant 's Motion for requiring finding of not guilty (renewed).	23	
09/16/2019	Endorsement on Motion for requiring finding of not guilty , (#23.0): DENIED Judge: Wilkins, Hon. Douglas H		Image
09/16/2019	Defendant 's Motion for required finding of not guilty	23.1	Image
09/16/2019	Endorsement on Defendant 's Motion for required finding of not guilty, (#23.1): DENIED		Image
09/17/2019	Event Result:: Jury Trial scheduled on: 09/17/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/18/2019	Event Result:: Jury Trial scheduled on: 09/18/2019 09:00 AM Has been: Held as Scheduled Comments: FTR8CA Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/18/2019	Habeas Corpus for defendant issued to Hampshire County House of Correction returnable for 09/19/2019 09:00 AM Jury Trial. Please have defendant here by 9am		
09/19/2019	Event Result:: Jury Trial scheduled on: 09/19/2019 09:00 AM Has been: Held as Scheduled Comments: FTR CR #8 - C. Aarons, monitor Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		
09/20/2019	Event Result:: Jury Trial scheduled on: 09/20/2019 09:00 AM Has been: Held as Scheduled Comments: FTR#8-T. Foley-CM/L. Sirois-ACM Hon. Douglas H Wilkins, Presiding Staff: William T Walsh, Jr., Assistant Clerk Magistrate		

Docket Date	Docket Text	File Ref Nbr.	Image Avail.
09/20/2019	Offense Disposition:: Charge #1 RAPE OF CHILD WITH FORCE c265 §22A On: 09/20/2019 Judge: Hon. Douglas H Wilkins By: Jury Trial Not Guilty Verdict Charge #2 INDECENT A&B ON PERSON 14 OR OVER c265 §13H On: 09/20/2019 Judge: Hon. Douglas H Wilkins By: Jury Trial Not Guilty Verdict Charge #3 INDECENT A&B ON PERSON 14 OR OVER c265 §13H On: 09/20/2019 Judge: Hon. Douglas H Wilkins By: Jury Trial Not Guilty Verdict		
09/20/2019	List of exhibits	24	Image
09/20/2019	Verdict affirmed, verdict slip filed	25	Image
09/20/2019	Verdict affirmed, verdict slip filed	26	Image
09/20/2019	Verdict affirmed, verdict slip filed	27	Image
12/10/2020	Attorney appearance On this date Elizabeth Vasiliades, Esq. added for Prosecutor Hampden County District Attorney	28	Image

Case Disposition

Disposition	Date	Case Judge
Disposed by Jury Verdict	09/20/2019	Wilkins, Hon. Douglas H

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

17 [illegible]-1

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
UNARMED ROBBERY

GENERAL LAWS CHAPTER 265, SECTION 19(b)

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of December 2017. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Chicopee in the County of Hampden, on or about August 20, 2017 at SPRINGFIELD in the County of Hampden, by force and violence or by assault and putting in fear, did rob, steal, or take from the person of [redacted] or from his immediate control, personal property, namely: a phone, in violation of General Laws chapter 265, section 19(b).

Foreperson of the Grand Jury

A TRUE BILL

Asst District Attorney

==========

RETURN

HAMPDEN, ss On this 14th day of December, 2017, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: _____ Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

17 6[illegible]-2

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
ASSAULT & BATTERY
GENERAL LAWS CHAPTER 265, SECTION 13A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of December 2017. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Chicopee in the County of Hampden, on or about August 20, 2017 at SPRINGFIELD in the County of Hampden, did assault and beat [redacted] in violation of General Laws chapter 265, section 13A.

Foreperson of the Grand Jury

A TRUE BILL

ASST District Attorney

RETURN

HAMPDEN, ss On this 14th day of December, 2017, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dolan Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.
17 614-3

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
ASSAULT & BATTERY
GENERAL LAWS CHAPTER 265, SECTION 13A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of December 2017. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Chicopee in the County of Hampden, on or about August 20, 2017 at SPRINGFIELD in the County of Hampden, did assault and beat [redacted], in violation of General Laws chapter 265, section 13A.

Foreperson of the Grand Jury

A TRUE BILL

District Attorney

RETURN

HAMPDEN, ss On this 14th day of December, 2017, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Gold Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

17 .61[illegible]-4

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of December 2017. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Chicopee in the County of Hampden, on or about August 20, 2017 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known his intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

A TRUE BILL

Foreperson of the Grand Jury

District Attorney

RETURN

HAMPDEN, ss On this 14th day of December, 2017, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: _____ Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.
17 61[illegible]-5

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of December 2017. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Chicopee in the County of Hampden, on or about August 20, 2017 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known his intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

Foreperson of the Grand Jury

A TRUE BILL

Asst District Attorney

RETURN

HAMPDEN, ss On this 14th day of December, 2017, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian LaMalva Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH

VS.

DANIEL CINTRON

17 6[illegible]-6

INDICTMENT

INTIMIDATION OF A WITNESS

GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of December 2017. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Chicopee in the County of Hampden, on or about August 20, 2017 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known his intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

A TRUE BILL

Foreperson of the Grand Jury

District Attorney

RETURN

HAMPDEN, ss On this 14th day of December, 2017, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Gold Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.

17 01[illegible]-7

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of December 2017. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Chicopee in the County of Hampden, on or about August 20, 2017 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known his intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

A TRUE BILL

Foreperson of the Grand Jury

ASST District Attorney

RETURN

HAMPDEN, ss On this 14th day of December, 2017, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: _____ Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.
18 299-1

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet Plumt
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Evans
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dolan Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.
18 290-2

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eramo
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Dalton Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.
18 299-3

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael J. Eisner
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Walsh Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 299-4

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eramo
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dolan Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 299-5

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and April 13, 2018 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known her intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Crane
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dalal Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 299-6

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B(b)

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between April 14, 2018 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (i) threaten, attempt or cause physical, emotional or economic injury or property damage to; (ii) convey a gift, offer or promise of anything of value to; or (iii) mislead, intimidate, or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is a: (A) witness or potential witness; (B) person who is or was aware of information, records, documents or objects that relate to a violation of a criminal law or a violation of conditions of probation, parole, bail or other court order; (C) judge, juror, grand juror, attorney, victim witness advocate, police officer, correction officer, federal agent, investigator, clerk, court officer, court reporter, court interpreter, probation officer or parole officer; (D) person who is or was attending or a person who had made known her intention to attend a proceeding described in this section; or (E) family member of a person described in this section, with the intent to or with reckless disregard for the fact that it may; (1) impede, obstruct, delay, prevent or otherwise interfere with: a criminal investigation at any stage, a grand jury proceeding, a dangerousness hearing, a motion hearing, a trial or other criminal proceeding of any type or a parole hearing, parole violation proceeding or probation violation proceeding; or an administrative hearing or a probate or family court proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation or any other civil proceeding of any type; or (2) punish, harm or otherwise retaliate against any such person described in this section for such person or such person's family member's participation in any of the proceedings described in this section, in violation of General Laws chapter 268, section 13B(b).

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Evans
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dalal Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 299-7

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Evans
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Jakab Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 220-8

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eramo
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Golak Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.
18 299-9

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

A TRUE BILL

Janet Peluso
Foreperson of the Grand Jury

Rachael S. Evans
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Walsh Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 299-10

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet Plenk
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eccles
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Dalak Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 290-11

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael J. Evans
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Dalton Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 299-12

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Evans
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian K Clark Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 239 -13

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet P. Lamb
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Evans
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Jalak Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 239 - 14

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet P. Ebenstein
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Eaton
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L. Dalton Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 299 -15

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and April 13, 2018 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known her intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

A TRUE BILL

Janet Plumb
Foreperson of the Grand Jury

Rachael S. Eiano
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Dalal Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.
18 239 -16

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B(b)

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between April 14, 2018 and May 18, 2018 at SPRINGFIELD in the County of Hampden, did, directly or indirectly, willfully (i) threaten, attempt or cause physical, emotional or economic injury or property damage to; (ii) convey a gift, offer or promise of anything of value to; or (iii) mislead, intimidate, or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is a: (A) witness or potential witness; (B) person who is or was aware of information, records, documents or objects that relate to a violation of a criminal law or a violation of conditions of probation, parole, bail or other court order; (C) judge, juror, grand juror, attorney, victim witness advocate, police officer, correction officer, federal agent, investigator, clerk, court officer, court reporter, court interpreter, probation officer or parole officer; (D) person who is or was attending or a person who had made known her intention to attend a proceeding described in this section; or (E) family member of a person described in this section, with the intent to or with reckless disregard for the fact that it may; (1) impede, obstruct, delay, prevent or otherwise interfere with: a criminal investigation at any stage, a grand jury proceeding, a dangerousness hearing, a motion hearing, a trial or other criminal proceeding of any type or a parole hearing, parole violation proceeding or probation violation proceeding; or an administrative hearing or a probate or family court proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation or any other civil proceeding of any type; or (2) punish, harm or otherwise retaliate against any such person described in this section for such person or such person's family member's participation in any of the proceedings described in this section, in violation of General Laws chapter 268, section 13B(b).

A TRUE BILL

Janet P Lamb
Foreperson of the Grand Jury

Rachael J. Eaner
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Dalal Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN; SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 289-17

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eramo
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Dalak Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 289 - 18

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet P. Lamb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eisner
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Dalton Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 239 - 19

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet P. Krumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Cramer
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Dale Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 299-20

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and April 13, 2018 at CHICOPEE in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known her intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

Janet P. Lumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eaton
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Dale Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 290 -21

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B(b)

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between April 14, 2018 and May 18, 2018 at CHICOPEE in the County of Hampden, did, directly or indirectly, willfully (i) threaten, attempt or cause physical, emotional or economic injury or property damage to; (ii) convey a gift, offer or promise of anything of value to; or (iii) mislead, intimidate, or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is a: (A) witness or potential witness; (B) person who is or was aware of information, records, documents or objects that relate to a violation of a criminal law or a violation of conditions of probation, parole, bail or other court order; (C) judge, juror, grand juror, attorney, victim witness advocate, police officer, correction officer, federal agent, investigator, clerk, court officer, court reporter, court interpreter, probation officer or parole officer; (D) person who is or was attending or a person who had made known her intention to attend a proceeding described in this section; or (E) family member of a person described in this section, with the intent to or with reckless disregard for the fact that it may; (1) impede, obstruct, delay, prevent or otherwise interfere with: a criminal investigation at any stage, a grand jury proceeding, a dangerousness hearing, a motion hearing, a trial or other criminal proceeding of any type or a parole hearing, parole violation proceeding or probation violation proceeding; or an administrative hearing or a probate or family court proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation or any other civil proceeding of any type; or (2) punish, harm or otherwise retaliate against any such person described in this section for such person or such person's family member's participation in any of the proceedings described in this section, in violation of General Laws chapter 268, section 13B(b).

Janet P Sleuth
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Eisner
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Dale Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 [illegible]-22

INDICTMENT
DISSEMINATION OF MATTER HARMFUL TO MINORS
GENERAL LAWS CHAPTER 272, SECTION 28

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did purposefully disseminate to a person he knows or believes to be a minor any matter harmful to minors, as defined in section thirty-one, knowing it to be harmful to minors, or had in his possession any such matter with the intent to disseminate the same to a person he knows or believes to be a minor, in violation of General Laws chapter 272, section 28.

Janet Pilumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Eramo
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Galvin Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 299 -23

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Evans
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dolan Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 259 -24

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet Pilenko
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Cramer
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Walsh Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 239-25

INDICTMENT
INDECENT ASSAULT & BATTERY - CHILD UNDER 14
GENERAL LAWS CHAPTER 265, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a child under the age of fourteen years, in violation of General Laws chapter 265, section 13B.

Janet P Leonard
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Evans
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian L Galek Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 239 -26

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and April 13, 2018 at CHICOPEE in the County of Hampden, did, directly or indirectly, willfully (a) threaten, or attempt or cause physical injury, emotional injury, economic injury or property damage to; (b) convey a gift, offer or promise of anything of value to; or (c) mislead, intimidate or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is: (i) a witness or potential witness at any stage of a criminal investigation, grand jury proceeding, trial or other criminal proceeding of any type; (ii) a person who is or was aware of information, records, documents or objects that relate to a violation of a criminal statute, or a violation of conditions of probation, parole or bail; (iii) a judge, juror, grand juror, prosecutor, police officer, federal agent, investigator, defense attorney, clerk, court officer, probation officer or parole officer; (iv) a person who is furthering a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court ordered mediation, any other civil proceeding of any type; or (v) a person who is or was attending or had made known her intention to attend a civil or criminal proceeding, including criminal investigation, grand jury proceeding, trial, other criminal proceeding of any type, probate and family proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation, any other civil proceeding of any type with the intent to impede, obstruct, delay, harm, punish or otherwise interfere thereby, or did so with reckless disregard, with such a proceeding, in violation of General Laws chapter 268, section 13B.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Eaton
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dolak Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT
INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 [illegible]-27

INDICTMENT
INTIMIDATION OF A WITNESS
GENERAL LAWS CHAPTER 268, SECTION 13B(b)

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between April 14, 2018 and May 18, 2018 at CHICOPEE in the County of Hampden, did, directly or indirectly, willfully (i) threaten, attempt or cause physical, emotional or economic injury or property damage to; (ii) convey a gift, offer or promise of anything of value to; or (iii) mislead, intimidate, or harass [redacted] a person whose name is otherwise known to the Grand Jurors who is a: (A) witness or potential witness; (B) person who is or was aware of information, records, documents or objects that relate to a violation of a criminal law or a violation of conditions of probation, parole, bail or other court order; (C) judge, juror, grand juror, attorney, victim witness advocate, police officer, correction officer, federal agent, investigator, clerk, court officer, court reporter, court interpreter, probation officer or parole officer; (D) person who is or was attending or a person who had made known her intention to attend a proceeding described in this section; or (E) family member of a person described in this section, with the intent to or with reckless disregard for the fact that it may; (1) impede, obstruct, delay, prevent or otherwise interfere with: a criminal investigation at any stage, a grand jury proceeding, a dangerousness hearing, a motion hearing, a trial or other criminal proceeding of any type or a parole hearing, parole violation proceeding or probation violation proceeding; or an administrative hearing or a probate or family court proceeding, juvenile proceeding, housing proceeding, land proceeding, clerk's hearing, court-ordered mediation or any other civil proceeding of any type; or (2) punish, harm or otherwise retaliate against any such person described in this section for such person or such person's family member's participation in any of the proceedings described in this section, in violation of General Laws chapter 268, section 13B(b).

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael S. Cramer
Assistant District Attorney

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dalal Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

COMMONWEALTH
VS.
DANIEL CINTRON

18 299-28

INDICTMENT
ENGAGING CHILDREN IN SEXUAL CONDUCT
GENERAL LAWS CHAPTER 272, SECTION 29A(b)

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of June 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, that the said defendant, either with knowledge that a person is a child under eighteen years of age or while in possession of such facts that he should have reason to know that such person is a child under eighteen years of age, hired, coerced, solicited or enticed, employed, procured, used, caused, encouraged, or knowingly permitted such child to participate or engage in an act that depicted, described or represented sexual conduct for the purpose of representation or reproduction in any visual material, or to engage in any live performance involving sexual conduct, in violation of General Laws chapter 272, section 29A(b).

Janet Pilenti
Foreperson of the Grand Jury

A TRUE BILL

Rachael L. Eaton
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 19th day of June, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Dalton Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 32[illegible]-I

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
FORCIBLE RAPE OF A CHILD
GENERAL LAWS CHAPTER 265, SECTION 22A

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of July 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did have sexual intercourse or unnatural sexual intercourse with [redacted] a person whose name is otherwise known to the Grand Jurors, a child under sixteen years of age, and compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by force and against her will, or compelled said [redacted] a person whose name is otherwise known to the Grand Jurors to submit by threat of bodily injury, in violation of General Laws chapter 265, section 22A.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael Eaton
Assistant District Attorney

RETURN

HAMPDEN, ss On this 2nd day of July, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian J. Dalton Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 322-2

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - PERSON OVER 14
GENERAL LAWS CHAPTER 265, SECTION 13H

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of July 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a person who has attained age fourteen, in violation of General Laws chapter 265, section 13H.

Janet Plumb
Foreperson of the Grand Jury

A TRUE BILL

Rachael Eiamo
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 2nd day of July, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dolan Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, SS

SUPERIOR COURT

INDICTMENT NO.

18 322-3

COMMONWEALTH
VS.
DANIEL CINTRON

INDICTMENT
INDECENT ASSAULT & BATTERY - PERSON OVER 14
GENERAL LAWS CHAPTER 265, SECTION 13H

At the Superior Court, begun and holden at Springfield, within and for the County of Hampden, on the first Tuesday of July 2018. The GRAND JURORS for the Commonwealth of Massachusetts on their oath present that:

DANIEL CINTRON

defendant herein, of Monson in the County of Hampden, on or about between May 10, 2015 and May 18, 2018 at CHICOPEE in the County of Hampden, did indecently assault and beat [redacted] a person whose name is otherwise known to the Grand Jurors, a person who has attained age fourteen, in violation of General Laws chapter 265, section 13H.

Janet Pierce
Foreperson of the Grand Jury

A TRUE BILL

Rachael Eaton
Assistant District Attorney

==========

RETURN

HAMPDEN, ss On this 2nd day of July, 2018, this indictment was returned and presented to said Superior Court by the Grand Jury, and ordered to be filed and filed.

ATTEST: Brian Dalal Assistant Clerk

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1523CR005954	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Daniel Bradley [redacted]	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	08/26/2015	08/26/2015	08/26/2015

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		08/26/2015 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
TSPR201502956	2947466	6899789	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13D/A	A&B ON POLICE OFFICER c265 §13D

On 08/26/2015 did assault and beat [redacted] a police officer who was then engaged in the performance of his or her duties, in violation of G.L. c.265, §13D.

PENALTY: house of correction not less than 90 days, not more than 2½ years; or not less than $500, not more than $5000.

COUNT	CODE	DESCRIPTION
2	268/32B	RESIST ARREST c268 §32B

On 08/26/2015 did knowingly prevent or attempt to prevent a police officer, as defined in G.L. c. 268, §32B(c), who was acting under color of his or her official authority, from effecting an arrest, by: (1) using or threatening to use physical force or violence against the police officer or another; or (2) using some other means which created a substantial risk of causing bodily injury to such police officer or another, in violation of G.L. c. 268, §32B.

PENALTY: jail or house of correction for not more than 2½ years; or not more than $500; or both.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST: CLERK-MAGISTRATE/ ASST. CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

Arrest #: 15-2956-AR
Call #: 15-133226

Date/Time Reported: 08/26/2015 @ 0210
Arrest Date/Time: 08/26/2015 @ 0254
Booking Date/Time: 08/26/2015 @ 0259

OBTN: TSPR201502956
Court: Springfield
Court Date: 08/26/2015 @ 0542
Reporting Officer: Officer Christian Cicero
Assisting Officer: Officer Joseph Dunn
Booking Officer: Sergeant Philip McBride
Approving Officer: Sergeant Philip McBride

[redacted]

Signature: _____

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	B	28	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 509 WEIGHT: 200 - 205 HAIR: BROWN EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: SPRINGFIELD, MA
STATE ID: [redacted] FBI ID: [redacted]
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
LOCAL ID: [redacted]

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: NO COAT OR JACKET
PANTS/SKIRT: SWEAT PANTS
SHOE: TENNIS / HIGH TOPS
MASK: NO MASK
GLASSES WORN: NO

SCARS: SC R SHLD()

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
DOUGH BOY			NOT AVAIL	NOT AVAIL
DOUGH BOY	X		NOT AVAIL	NOT AVAIL

Arrest #: 15-2956-AR
Call #: 15-133226

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

MOTHER'S NAME: [redacted]

EMPLOYER/SCHOOL: UNEMPLOYEED

OCCUPATION: UNEMPLOYED

[RIGHTS/BOOKING CHECKS]

PHONE USED: Y PHONED DATE/TIME: 08/26/2015 & 0300
ARRESTEE SECURED: Y 08/26/2015 0304
ARRESTEE CELL #: M11

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Highway/Road/Alley/Street Zone: Sector F2 Old&Upper Hill
KING ST @ LOGAN ST
SPRINGFIELD MA

1 A&B ON POLICE OFFICER — N — Misdemeanor
265/13D/A 265 13D - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)
AGGR. ASSAULT/HOMICIDE: Other Circumstances

2 RESIST ARREST — N — Misdemeanor
268/32B 268 32B - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	W	29	NOT AVAIL	**********

130 PEARL ST
SPRINGFIELD MA 01105
DOB: **********
EMPLOYER: CITY OF SPRINGFIELD **********
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: [redacted] Stranger

NARRATIVE FOR OFFICER JOSEPH A DUNN

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

I then grabbed onto his right hand and began to move it to his back as he kicked me in the right shin area with his right foot and then pushed his body against Officer Moynahan and myself in an attempt to flee. Mr. [redacted] was told that he was under arrest and to put his hands behind his back which he refused. Mr. [redacted] was then shoved against the car and told to stop resisting arrest as attempts were made to place him into handcuffs. Mr. [redacted] continued to move his arms towards his stomach as he attempted to turn his body. Mr. [redacted] was eventually overpowered and placed into custody. As I escorted Mr. [redacted] to the rear of my cruiser he was actively resisting by pulling his body away from me and refusing to move forward. I again had to overpower Mr. [redacted] and continue to pull him to my cruiser, once the cruiser door was opened Mr. [redacted] refused to get into the vehicle which resulted in me having to push him by the chest to get into the cruiser. No weapons or contraband were located on Mr. [redacted] during the booking procedures.

An administrative inventory of the vehicle revealed an open Hennessy liquor bottle on the rear driver side floorboard and Ms. Robinson was informed that she would be receiving a citation and that a criminal application would be filed for the open container, stop sign violation, and the use without authority of the rental vehicle (15-2754-WA). The vehicle was towed via CJ's towing after several attempts to contact Thrifty Car Rental to no avail. Mr. [redacted] was transported to 130 Pearl Street for processing.

Respectfully Submitted,

Officer Joseph A Dunn
Emp#103517 Badge#302

COMPLETED

Processed by Orlow Kent Nygren,
09/22/15, SPD/IT

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION
(E-mail request to:Irequest@springfieldpolice.net)

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 09/04/2015
Please Respond on or before: 9/17/15
Next Court Date: 09/04/2015

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St.

Check off Division(s):

CAD: _____ _____

Check off applicable below requested item(s):

CFS – Call for Service Printout
CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _____ _____ Victim Injury Photos __xx_Crime Scene Photos _____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ xx__ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: __see comments

Now: COMMUNITY ACTION UNIT
Traffic Bureau: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER:
COMMENTS: __any IOD, use of force, or injured prisoner reports associated with this incident

Forward to Officer_____

NO PHOTOS AVAILABLE

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION
(E-mail request to:Irequest@springfieldpolice.net)

DB

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 12/30/2015
Please Respond on or before: 2/9/16
Next Court Date: 02/09/2016

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St

Check off Division(s):

Check off applicable below requested item(s):

CAD:
_____ CFS – Call for Service Printout
_____ CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _xx___ _____ Victim Injury Photos _xx_Crime Scene Photos _if any) ____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: _____

Now: COMMUNITY ACTION UNIT
Traffic Bureau: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER:
COMMENTS: __also looking for any IOD, use of force, or injured prisoner reports – second request_____

Forward to Officer_____

Springfield Police Department
Arrest Report

Arrest #: 15-2956-AR
Call #: 15-133226

[redacted]

Date/Time Reported: 08/26/2015 @ 0210
Arrest Date/Time: 08/26/2015 @ 0254
Booking Date/Time: 08/26/2015 @ 0259

OBTN: TSPR201502956
Court: Springfield
Court Date: 08/26/2015 @ 0542
Reporting Officer: Officer Christian Cicero
Assisting Officer: Officer Joseph Dunn
Booking Officer: Sergeant Philip McBride
Approving Officer: Sergeant Philip McBride

Signature: _____
Released To: Court
Released: 08/26/2015 @ 0645

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	B	28	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 509 WEIGHT: 200 - 205 HAIR: BROWN EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: SPRINGFIELD, MA
STATE ID: [redacted] FBI ID: [redacted]
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
LOCAL ID: [redacted]

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: NO COAT OR JACKET
PANTS/SKIRT: SWEAT PANTS
SHOE: TENNIS / HIGH TOPS
MASK: NO MASK
GLASSES WORN: NO

SCARS: SC R SHLD()

Arrest #: 15-2956-AR
Call #: 15-133226

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
DOUGH BOY			NOT AVAIL	NOT AVAIL
DOUGH BOY	X		NOT AVAIL	NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

MOTHER'S NAME: [redacted]

EMPLOYER/SCHOOL: UNEMPLOYEED

OCCUPATION: UNEMPLOYED

[RIGHTS/BOOKING CHECKS]

PHONE USED: Y PHONED DATE/TIME: 08/26/2015 @ 0300
ARRESTEE SECURED: Y 08/26/2015 0304
ARRESTEE CELL #: M11

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Highway/Road/Alley/Street Zone: Sector F2 Old&Upper Hill
KING ST @ LOGAN ST
SPRINGFIELD MA

1 A&B ON POLICE OFFICER — N — Misdemeanor
265/13D/A 265 13D - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)
AGGR. ASSAULT/HOMICIDE: Other Circumstances

2 RESIST ARREST — N — Misdemeanor
268/32B 268 32B - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

1 DUNN, JOSEPH A — M — W — 29 — NOT AVAIL — **********
130 PEARL ST
SPRINGFIELD MA 01105
DOB: **********
EMPLOYER: CITY OF SPRINGFIELD · **********
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: BRADLEY DANIEL — Stranger

NARRATIVE FOR OFFICER JOSEPH A DUNN

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

Sir,

This is to respectfully inform you that on Wednesday, August 26, 2015 at approximately 0245 hours, Officers C. Lariviere, J. Bienvenue, D. Moynahan, T. Ellison, C. Cicero and I (J. Dunn) arrested [redacted] at the intersection of King and Logan Streets for the following offenses:

1) Assault and Battery on Police Officer
2) Resist Arrest

On August 26, 2015 at approximately 0210 hours, Officer C. Cicero and I were operating our marked Springfield Police cruiser 98 South on Northampton Avenue behind a gray 2015 Chrysler 200 color gray bearing New York registration [redacted]. The vehicle approached the intersection of Northampton Avenue and King Street and failed to stop at the stop sign located at the intersection as it turned westbound onto King Street. Officer Cicero activated our emergency overhead lights to effect a traffic stop which took place at the intersection of King and Logan Streets.

Officer Cicero approached the operator of the vehicle and asked for their driver's license and the vehicles registration. The operator, [redacted] provided her Massachusetts drivers license but was unable to provide the registration and stated that it was a rental vehicle. The rental agreement states that the vehicle is currently under agreement to [redacted] with no other operators listed as additional drivers. The rental agreement also stated that it had expired on August 7, 2015.

Ms. [redacted] was advised that she was operating the vehicle without authority and that the agreement was expired. Ms. [redacted] was advised that the vehicle would be towed and a citation would be issued. As the conversation continued I observed the rear passenger, later identified as Mr. [redacted] begin to shuffle in his seat to the left and then towards his right side while moving his right hand from his shorts to the door jam of the rear passenger door out of my field of view. Please note that the Gunn Square/King Street area is well known to officers for numerous firearms and narcotics arrests as well as numerous Shot Spotter activations. Fearing that Mr. [redacted] may have been attempting to conceal or reach for something, the door was opened and Mr. [redacted] was asked to step from the vehicle.

Mr. [redacted] was moved to the rear of the vehicle where a pat frisk was conducted of his person as no items appeared to be in the door jam area. Immediately at the onset of the pat frisk, Mr. [redacted] began to push his hips and back against Officer Moynahan and myself while clenching his fists and telling officers to leave him alone. Mr. [redacted] was told to relax his body and cooperate with us. Officer Moynahan informed Mr. [redacted] that he was going to pat frisk his front waistband and crotch area. This area is a common for concealing firearms, allowing immediate access and concealment. Once Officer Moynahan informed him and began to pat the area, Mr. [redacted] immediately pressed his body forward against the vehicle, trapping Officer Moynahans hand between the body and the vehicle. Given these observations and the demeanor of Mr. [redacted] he was advised that he was being detained and I removed my handcuffs from my duty belt. Mr. [redacted] began to flex his arms while continuing to clench his fists and refused to move his hands.

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

I then grabbed onto his right hand and began to move it to his back as he kicked me in the right shin area with his right foot and then pushed his body against Officer Moynahan and myself in an attempt to flee. Mr. [redacted] was told that he was under arrest and to put his hands behind his back which he refused. Mr. [redacted] was then shoved against the car and told to stop resisting arrest as attempts were made to place him into handcuffs. Mr. [redacted] continued to move his arms towards his stomach as he attempted to turn his body. Mr. [redacted] was eventually overpowered and placed into custody. As I escorted Mr. [redacted] to the rear of my cruiser he was actively resisting by pulling his body away from me and refusing to move forward. I again had to overpower Mr. [redacted] and continue to pull him to my cruiser, once the cruiser door was opened Mr. [redacted] refused to get into the vehicle which resulted in me having to push him by the chest to get into the cruiser. No weapons or contraband were located on Mr. [redacted] during the booking procedures.

An administrative inventory of the vehicle revealed an open Hennessy liquor bottle on the rear driver side floorboard and Ms. [redacted] was informed that she would be receiving a citation and that a criminal application would be filed for the open container, stop sign violation, and the use without authority of the rental vehicle (15-2754-WA). The vehicle was towed via CJ's towing after several attempts to contact Thrifty Car Rental to no avail. Mr. [redacted] was transported to 130 Pearl Street for processing.

Respectfully Submitted,

Officer Joseph A Dunn
Emp#103517 Badge#302

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION

(E-mail request to:Irequest@springfieldpolice.net)

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 12/30/2015
Please Respond on or before: 2/9/16
Next Court Date: 02/09/2016

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St

Check off Division(s):

CAD: _____
_____

Check off applicable below requested item(s):

CFS – Call for Service Printout
CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _xx_ _____ Victim Injury Photos _xx_Crime Scene Photos _if any) ____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: _____

Now: COMMUNITY ACTION UNIT
[redacted]: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER;
COMMENTS: __also looking for any IOD, use of force, or injured prisoner reports – second request_____

Forward to Officer No Photos Attached. Booking only

Booking Photo only

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1523CR005954	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS
[redacted]

COURT NAME & ADDRESS
Springfield District Court
50 State Street
PO Box 2421
Springfield, MA 01101
(413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	08/26/2015	08/26/2015	08/26/2015

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		08/26/2015 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
TSPR201502956	2947466	6899789	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13D/A	A&B ON POLICE OFFICER c265 §13D

On 08/26/2015 did assault and beat JOSEPH DUNN, a police officer who was then engaged in the performance of his or her duties, in violation of G.L. c.265, §13D.

PENALTY: house of correction not less than 90 days, not more than 2½ years; or not less than $500, not more than $5000.

COUNT	CODE	DESCRIPTION
2	268/32B	RESIST ARREST c268 §32B

On 08/26/2015 did knowingly prevent or attempt to prevent a police officer, as defined in G.L. c. 268, §32B(c), who was acting under color of his or her official authority, from effecting an arrest, by: (1) using or threatening to use physical force or violence against the police officer or another; or (2) using some other means which created a substantial risk of causing bodily injury to such police officer or another, in violation of G.L. c. 268, §32B.

PENALTY: jail or house of correction for not more than 2½ years; or not more than $500; or both.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK / DATE
		X

Notice to Defendant: 42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.

Springfield Police Department
Arrest Report

Arrest #: 15-2956-AR
Call #: 15-133226

Date/Time Reported: 08/26/2015 @ 0210
Arrest Date/Time: 08/26/2015 @ 0254
Booking Date/Time: 08/26/2015 @ 0259

OBTN: TSPR201502956
Court: Springfield
Court Date: 08/26/2015 @ 0542
Reporting Officer: Officer Christian Cicero
Assisting Officer: Officer Joseph Dunn
Booking Officer: Sergeant Philip McBride
Approving Officer: Sergeant Philip McBride

[redacted]

Signature: _____

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	B	28	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 509 WEIGHT: 200 - 205 HAIR: BROWN EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: SPRINGFIELD, MA
STATE ID: [redacted] FBI ID: [redacted]
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
LOCAL ID: [redacted]

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: NO COAT OR JACKET
PANTS/SKIRT: SWEAT PANTS
SHOE: TENNIS / HIGH TOPS
MASK: NO MASK
GLASSES WORN: NO

SCARS: SC R SHLD()

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
DOUGH BOY			NOT AVAIL	NOT AVAIL
DOUGH BOY	X		NOT AVAIL	NOT AVAIL

Arrest #: 15-2956-AR
Call #: 15-133226

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

MOTHER'S NAME: [redacted]

EMPLOYER/SCHOOL: UNEMPLOYEED

OCCUPATION: UNEMPLOYED

[RIGHTS/BOOKING CHECKS]

PHONE USED: Y PHONED DATE/TIME: 08/26/2015 & 0300
ARRESTEE SECURED: Y 08/26/2015 0304
ARRESTEE CELL #: M11

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Highway/Road/Alley/Street Zone: Sector F2 Old&Upper Hill
KING ST @ LOGAN ST
SPRINGFIELD MA

1 A&B ON POLICE OFFICER — N — Misdemeanor
265/13D/A 265 13D - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)
AGGR. ASSAULT/HOMICIDE: Other Circumstances

2 RESIST ARREST — N — Misdemeanor
268/32B 268 32B - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

1 DUNN, JOSEPH A — M — W — 29 — NOT AVAIL — **********
130 PEARL ST
SPRINGFIELD MA 01105
DOB: **********
EMPLOYER: CITY OF SPRINGFIELD **********
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: BRADLEY DANIEL — Stranger

NARRATIVE FOR OFFICER JOSEPH A DUNN

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

I then grabbed onto his right hand and began to move it to his back as he kicked me in the right shin area with his right foot and then pushed his body against Officer Moynahan and myself in an attempt to flee. Mr. [redacted] was told that he was under arrest and to put his hands behind his back which he refused. Mr. [redacted] was then shoved against the car and told to stop resisting arrest as attempts were made to place him into handcuffs. Mr. [redacted] continued to move his arms towards his stomach as he attempted to turn his body. Mr. [redacted] was eventually overpowered and placed into custody. As I escorted Mr. [redacted] to the rear of my cruiser he was actively resisting by pulling his body away from me and refusing to move forward. I again had to overpower Mr. [redacted] and continue to pull him to my cruiser, once the cruiser door was opened Mr. [redacted] refused to get into the vehicle which resulted in me having to push him by the chest to get into the cruiser. No weapons or contraband were located on Mr. [redacted] during the booking procedures.

An administrative inventory of the vehicle revealed an open Hennessy liquor bottle on the rear driver side floorboard and Ms. [redacted] was informed that she would be receiving a citation and that a criminal application would be filed for the open container, stop sign violation, and the use without authority of the rental vehicle (15-2754-WA). The vehicle was towed via CJ's towing after several attempts to contact Thrifty Car Rental to no avail. Mr. BRADLEY was transported to 130 Pearl Street for processing.

Respectfully Submitted,

Officer Joseph A Dunn
Emp#103517 Badge#302

BAYSTATE LAW CENTER

Law Offices of Richard S. Ravosa

603 Sumner Avenue
Springfield, MA 01108
(413) 733-2221 *Telephone*
(413) 304-2730 *Facsimile*

Richard S. Ravosa, Esq.*
Justin M. Lavelle, Esq.

*Also licensed in Connecticut

September 15, 2015

Criminal Clerk's Office
Springfield District Court
50 State Street
P.O. Box 2421
Springfield, MA 01101-2421

****FIRST CLASS MAIL****

Re: *Commonwealth of Massachusetts v.* [redacted]
Springfield District Court, Docket No. 1523CR5954

Dear Clerk:

In connection with the above referenced matter, please find the following for filing:

1. Defendant's Motion for Discovery of Physical, Documentary, Scientific and Expert Evidence.

The defendant requests that these motions be marked for hearing at his pretrial hearing, which is currently scheduled for **Wednesday, September 23, 2015 in Courtroom 2.**

Thank you for your courteous attention. Please do not hesitate to contact me should any concerns arise.

Sincerely,

Justin Lavelle

Enclosure
cc: John Wendell, Esq.

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

DEFENDANT'S MOTION FOR DISCOVERY OF PHYSICAL, DOCUMENTARY, SCIENTIFIC AND EXPERT EVIDENCE

NOW COMES the defendant in the above captioned matter and respectfully moves that this Honorable Court direct the Commonwealth to provide the defendant's counsel copies and/or permit defendant's counsel to inspect and copy the following:

1. Color copies of any photograph(s) taken by the Springfield Police Department of the defendant's injuries or scene; COPY
2. Police station videos of the defendant (booking, garage dock, dashboard, body camera, etc.);
3. Names, addresses and dates if birth of any percipient witnesses and any video/audio tapes of said witnesses and/or witness statements;
4. Injured Prisoner Reports;
5. Use of Force Reports;
6. Injured on Duty (IOD) Reports;
7. 911 turret audio recordings and/or C.A.D. tapes/transcripts;
8. Any and all other physical and documentary evidence that the Commonwealth plans to introduce at trial; and,

9. A summary of any expert testimony, the basis for that opinion, the expert's Curriculum Vitae and the name and address of any expert whom the Commonwealth intends to call at trial.

Respectfully submitted,
The Defendant, by counsel,

Dated: 9/15/15

Justin M. Lavelle, Esq.
BBO # 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone: (413) 733-2221
Facsimile: (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 9/15, 2015, I have caused the foregoing document to be served on the Commonwealth by forwarding the original copy of the same via ~~in hand delivery~~ 1st class mail to the following counsel of record:

John Wendell, Esq.
District Attorney's Office
50 State Street
Springfield, MA 01102

Justin M. Lavelle, Esq.

NOTICE OF MOTION

The undersigned requests that the foregoing motion be marked for hearing on the previously scheduled pretrial hearing: **Wednesday, September 23, 2015** at **9:00** in the forenoon of that day or as soon thereafter as counsel may be heard.

Justin M. Lavelle, Esq.

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

AFFIDAVIT OF COUNSEL

I, Justin M. Lavelle, Esq., do state and depose the following under oath:

1. I am counsel for the above captioned defendant.

2. Defendant's Counsel asserts that the production of the requested discovery is relevant, reasonably calculated to lead to the discovery of admissible evidence, and is necessary for his defense.

Signed under pains and penalties of perjury, this 15th *day of* September, *2015.*

Justin M. Lavelle, Esq.

BAYSTATE LAW CENTER

Law Offices of Richard S. Ravosa

603 Sumner Avenue
Springfield, MA 01108
(413) 733-2221 *Telephone*
(413) 304-2730 *Facsimile*

Richard S. Ravosa, Esq.*
Justin M. Lavelle, Esq.

*Also licensed in Connecticut

April 7, 2016

****IN HAND DELIVERY****

John Wendel, Esq.
Springfield District Attorney's Office
50 State Street
Springfield, MA 01103

Re: ***Commonwealth of Massachusetts v.*** [redacted]
Springfield District Court, Docket No. 1523CR 5954

Dear Atty. Wendel:

In connection with the above referenced matter, please find the following:

1. Defendant's Notice of Additional Discovery.

Thank you for your courteous attention. Please do not hesitate to contact me should any concerns arise.

Sincerely,

Justin Lavelle

Enclosure

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN,ss. SPRINGFIELD DISTRICT COURT
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

DEFENDANT'S NOTICE OF ADDITIONAL DISCOVERY

NOW COMES the defendant in the above entitled action and provides the following additional discovery pursuant to Rule 14, Mass.R.Crim.P. The defendant reserves his right to supplement discovery if and when additional information becomes available.

1. Photographs (defendant injury).

Respectfully submitted,
The Defendant, by counsel,

Dated: 4/8/16

Justin M. Lavelle, Esq.
BBO # 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone: (413) 733-2221
Facsimile: (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 4/6, 2016, I have caused the foregoing document to be served on the Commonwealth/all counsel of record by forwarding the original/true and accurate copy of the same via in hand delivery, to the following counsel of record:

John Wendel, Esq.
District Attorney's Office
50 State Street
Springfield, MA 01102

Justin M. Lavelle

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION

(E-mail request to:Irequest@springfieldpolice.net)

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 12/30/2015
Please Respond on or before: 2/9/16
Next Court Date: 02/09/2016

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St

Check off Division(s):

CAD:

Check off applicable below requested item(s):

_____ CFS – Call for Service Printout
_____ CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _xx___ _____ Victim Injury Photos _xx_Crime Scene Photos _if any) ____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: _____

Now: COMMUNITY ACTION UNIT
[redacted]: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER;
COMMENTS: __also looking for any IOD, use of force, or injured prisoner reports – second request_____

Forward to Officer_____ No Photos Attached. Booking only

Booking Photo only

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO. 1523CR5954

COMMONWEALTH

V.

[redacted]

STIPULATION OF THE PARTIES

The parties stipulate as follows: on or about August 26-27, 2015, following his arrest on August 26, 2015, the Defendant [redacted] sought and received medical attention. The attached records are the medical records generated by the healthcare providers who provided that medical attention.

John A. Wendel
Assistant District Attorney
Hampden District Attorney's Office

Justin M. Lavelle
Law Offices of Richard S. Ravosa
Counsel for Daniel Bradley

Date:_____

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

DEFENDANT'S SUPPLEMENTAL LIST OF POTENTIAL WITNESSES

The Defendant announces the following list of witnesses who may be called to testify at trial:

1. James Laster (private investigator), Investigators, LLC, 1350 Main Street, Springfield, MA 01103;
2. [redacted]
3. [redacted]
4. The defendant; and,
5. Any and all witnesses called by the Commonwealth.

The inclusion of an individual's name on the above list reflects the defendant's present intention to have such witness available to testify. However, each witness may not, in fact, testify. The Defendant reserves his/her right to supplement this list in a timely manner should addition witnesses be discovered.

Respectfully submitted,
The Defendant, by counsel,

Dated: 7/29/16

Justin M. Lavelle, Esq.
BBO # 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone: (413) 733-2221
Facsimile: (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 7/20, 2016, I have caused the foregoing document to be served on the Commonwealth by forwarding the original copy of the same via in hand del. to the following counsel of record:

John Wendel, Esq.
District Attorney's Office
50 State Street
Springfield, MA 01102

Justin M. Lavelle, Esq.

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

AFFIDAVIT IN ACCORDANCE WITH M.G.L. c. 233, §79G

I, Justin M. Lavelle, Esq,. counsel for the Defendant, do hereby certify that I gave notice of my intention to offer in evidence at the trial of the above-captioned matter by serving on John Wendel, Esq., Springfield District Attorney's Office, 50 State Street, Springfield, MA 01103, copies of certified medical records from Hampden County Correctional Center Department; which was mailed to counsel by certified mail, return receipt requested, and for which ORIGINAL return receipts are attached to this Affidavit.

Signed under the pains and penalties of perjury this 3/23, 2016.

Justin M. Lavelle, Esq.
BBO#: 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone (413) 733-2221
Facsimile (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 3/24/16, I caused the foregoing document to be served on the Commonwealth by forwarding a true and accurate copy of the same via in hand del. to the following counsel of record:

John Wendell, Esq.
Springfield District Attorney's Office
50 State Street
Springfield, MA 01108

Justin M. Lavelle

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Springfield D.A.'s office
- District CT Div -
ATTN: John Wendell, Esq.
50 State Street
Springfield, MA 01103

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

SPRINGFIELD MASS MAIN STN 2016 24 1 FEB

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number (Transfer from service lab) 7012 1640 0001 0833 4529

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®
SPRINGFIELD MA 01103

OFFICIAL USE

Postage	$3.45
Certified Fee	$2.80
Return Receipt Fee (Endorsement Required)	$0.00
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$7.18

3101 04

POSTMASTER SPRINGFIELD MA STATION FEB 22 2016 Postmark

02/22/2016

Sent To: John Wendell Esq.
Street, Apt. No.; or PO Box No.: 50 State Street, Springfield, MA
City, State, ZIP+4: Springfield, MA 01103

PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 0833 4529

BAYSTATE LAW CENTER

Law Offices of Richard S. Ravosa

603 Sumner Avenue
Springfield, MA 01108
(413) 733-2221 *Telephone*
(413) 304-2730 *Facsimile*

Richard S. Ravosa, Esq.*
Justin M. Lavelle, Esq.

*Also licensed in Connecticut

February 22, 2016

Springfield District Attorney's Office
District Court Division
ATTN: John Wendell, Esq.
P.O. Box 2421
Springfield, MA 01101-2421

Certified Mail

Re: *Commonwealth of Massachusetts v.* [redacted]
Springfield District Court, Docket No. 1523CR5954

Dear Atty. Wendell:

In connection with the above referenced matter, please be advised that the following medical records are sent pursuant to M.G.L. c. 233, § 79G:

1. Certified Medical Records from American Medical Response.

Thank you for your courteous attention. Please do not hesitate to contact me should any concerns arise.

Sincerely,

Justin Lavelle

Enclosure
Certified Mail, Return Receipt Requested
No.: 7012 1640 0001 0833 4529

THE COMMONWEALTH OF MASSACHUSETTS

HAMPDEN COUNTY SHERIFF'S DEPARTMENT

AND CORRECTIONAL CENTER

627 RANDALL ROAD

LUDLOW, MASSACHUSETTS 01056-1079

MICHAEL J. ASHE, JR.
SHERIFF

(413) 547-8000

CERTIFIED MEDICAL RECORDS

Name of Provider	:	Hampden County Correctional Center Department of Health Services
Address of Provider	:	627 Randall Road Ludlow, MA 01056
Name of Patient	:	[redacted]
Date of Birth	:	[redacted]
Person Number:	:	[redacted]

I, the undersigned, hereby certify that I am a duly authorized agent of the above referenced provider which rendered medical services to the above patient, that it was duly licensed to provide medical services under the laws of the jurisdiction within which such services were rendered at the time they were rendered; and that the attached are true and correct copies of the medical record and/or reports relating to said patient for the time period of August 26, 2015, to present.

The total number of attached pages is 13.

Subscribed and sworn to under the penalties of perjury this TWENTY NINTH DAY OF SEPTEMBER, 2015.

Paula Wells
Health Services Department

(pw/cmr)

13839/

AUTHORIZATION TO USE OR DISCLOSE PROTECTED HEALTH INFORMATION
(HIPAA RULE - SECTION 164.508)

Patient Name: [redacted]

Date of Birth: [redacted] SSN #: [redacted]

1. I authorize the use or disclosure of the above-named individual's health information as described below.

2. The following individual or organization is authorized to make the disclosure:
Hampden County Jail/HOC - Medical Unit, 627 Randall Rd., Ludlow, MA 01056
[Dr. Records]

3. The type and amount of information to be used or disclosed is as follows: CERTIFIED COPIES OF THE X ENTIRE medical record(s) ~~and Billing(s)~~ from 8/26/15 to date, ***INCLUDING*** any and all information related to all items listed in No. 4 below.

4. *I understand that the information in my health record may include information relative to sexually transmitted disease, acquired immunodeficiency syndrome (AIDS), or human immunodeficiency virus (HIV). It may also include information about behavioral or mental health services, and treatment for alcohol and drug abuse.*

5. This information may be disclosed to and used by the following individual or organization: Justin M. Lavelle, Esq., Law Offices of Richard S. Ravosa or its agents located at 603 Sumner Avenue, Springfield, MA 01108, for the purpose of either negotiating or litigating a settlement of my personal injury, worker's compensation, motor vehicle accident and/or criminal matter.

6. I understand I have the right to revoke this authorization at any time. I understand if I revoke this authorization I must do so in writing and present my written revocation to the health information management department. I understand the revocation will not apply to information that has already been released in response to this authorization. I understand the revocation will not apply to my insurance company when the law provides my insurer with the right to contest a claim under my policy. Unless otherwise revoked, this authorization will expire on the following date, event or condition: SETTLEMENT, DECISION and/or FINAL VERDICT.

7. I understand that authorizing the disclosure of this health information is voluntary. I can refuse to sign this authorization. I need not sign this form in order to assure treatment. I understand I may inspect or copy the information to be used or disclosed, as provided in CFR 164.524. I understand any disclosure of information carries with it the potential for an unauthorized re-disclosure and the information may not be protected by federal confidentiality rules. If I have questions about disclosure of my health information, I can contact my health care provider directly.

A photocopy of this authorization is as good as an original.

Date: 9/22/15 [redacted]
Signature of Patient or Legal Representative

Please note that as of December 12, 1990, health care providers, including but not limited to physicians, surgeons, chiropractors, dentists and nurses are required by Massachusetts General Law, Chapter 112, Section 12, to provide at a reasonable cost a copy of the patient's records to the patient of his authorized representative. A charge in excess of $.25 per page or a clerical fee in excess of $25.00 per hour is considered excessive by the Massachusetts Board of Registration in Medicine, 243 CMR 2.07(13).

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DANIEL BRADLEY, Plaintiff	)	
v.	)	CIVIL ACTION NO.
CHRISTIAN CICERO, JOSEPH DUNN, and DANIEL MOYNAHAN, Defendants	)	

COMPLAINT

INTRODUCTION

1. This is an action for money damages brought pursuant to the Federal Civil Rights Act, 42 U.S.C. §§ 1983 and 1988, the Fourth and Fourteenth Amendments to the United States Constitution, the Massachusetts Civil Rights Act, M.G.L. c. 12 §§ 11H and 11I, Article 14 of the Massachusetts Declaration of Rights, and under the common law of the Commonwealth of Massachusetts, against Christian Cicero, Joseph Dunn, and Daniel Moynahan, police officers of the City of Springfield, in their individual capacities. Jurisdiction is based upon 28 U.S.C. §§ 1331 and 1343, and on the pendent jurisdiction of this Court to entertain claims arising under state law.

2. It is alleged that the Defendants made an unreasonable seizure of the person of the Plaintiff, Daniel Bradley, and that the Defendants assaulted and battered the Plaintiff in violation of his rights under the Fourth and Fourteenth Amendments to the United States Constitution and Article 14 of the Massachusetts Declaration of Rights.

PARTIES

3. The Plaintiff, Daniel Bradley, is an individual residing at 5 West Laramee Green, Indian

Orchard, MA 01151.

4. The Defendants, Christian Cicero ("Officer Cicero"), Joseph Dunn ("Officer Dunn") and Daniel Moynahan ("Officer Moynahan"), were at all times relevant to the allegations of this Complaint duly appointed and acting officers of the police department of the City of Springfield, acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs and usages of the Commonwealth of Massachusetts and/or the City of Springfield.

STATEMENT OF FACTS

5. On August 26, 2015, at approximately 2:00 AM, the Plaintiff was traveling in a motor vehicle on Northampton Avenue in the City of Springfield, Massachusetts.

6. The Plaintiff was seated in the rear of the vehicle on the passenger side.

7. The vehicle was being operated by Daeshavana Robinson ("Ms. Robinson").

8. Barbara Murphy was seated in the front passenger seat.

9. Savon Tucker was seated in the rear of the vehicle on the driver's side to the left of the Plaintiff.

10. After coming to a complete stop at the intersection of Northampton Avenue and King Street, Ms. Robinson took a right hand turn onto King Street.

11. Shortly thereafter, Officers Cicero and Dunn, who were traveling behind Ms. Robinson's vehicle in a fully marked police cruiser, activated their cruiser's emergency lights, signaling for Ms. Robinson to pull over.

12. Ms. Robinson promptly pulled her vehicle to the side of the roadway.

13. Officers Cicero and Dunn radioed for backup.

14. Officer Moynahan, along with Officers T. Ellison, J. Bienvenue, and C. Lariviere,

responded to the call and arrived on the scene.

15. Officer Cicero exited his cruiser and approached the driver's side of the vehicle.

16. Officers Dunn and Moynahan exited their cruisers and approached the passenger side of the vehicle.

17. Officer Cicero made contact with Ms. Robinson.

18. Ms. Robinson provided Officer Cicero with her driver's license and the rental agreement for the vehicle.

19. The Defendants returned to their cruisers to check Ms. Robinson's documentation.

20. The Defendants came back and informed Ms. Robinson that the rental agreement was expired and that she was not listed as an authorized driver.

21. The Defendants then asked the Plaintiff for his identification.

22. The Plaintiff provided his identification to the Defendants.

23. The Defendants returned to their cruisers.

24. A few minutes later, the Defendants returned to the Plaintiff's vehicle.

25. Officers Dunn and Moynahan opened the rear passenger door and forcibly pulled the Plaintiff out of the vehicle by the arm.

26. Officer Dunn immediately handcuffed the Plaintiff with his arms behind his back.

27. Officers Dunn and Moynahan searched the Plaintiff's pockets and emptied the contents into the backseat of the vehicle.

28. During the search of the Plaintiff's person, Officer Moynahan firmly grabbed the Plaintiff's genitals in the palm of his hand.

29. The Plaintiff felt violated and immediately questioned why Officer Moynahan had grabbed his genitals.

30. The Plaintiff verbally protested to the way he was being treated and told the Defendants that they were violating his civil rights.

31. Officer Moynahan told the Plaintiff to "shut up" and shoved him against the side of the vehicle.

32. Officers Dunn and Moynahan led the Plaintiff to their cruiser.

33. Officer Dunn punched the Plaintiff in the face while he was still handcuffed with his arms behind his back.

34. The blow caused the Plaintiff to fall face-first onto the rear floorboard of the police cruiser.

35. Officers Dunn and Moynahan then proceeded to stomp on the Plaintiff's back with their boots.

36. Officers Cicero and Dunn transported the Plaintiff in their cruiser to the Springfield Police Station for booking.

37. During the booking process, the Plaintiff asked to speak to a captain to report how he had been assaulted by the Defendants.

38. The booking officer, Sergeant Philip McBride, ignored the Plaintiff's repeated requests to report the assault to a captain.

39. The Defendants sought a criminal complaint against the Plaintiff, charging him with one count of Assault and Battery on a Police Officer and one count of Resisting Arrest.

40. Later that day on August 26, 2015, Complaint Docket No. 1523CR5954 was issued and the Plaintiff was arraigned before the Springfield District Court.

41. At arraignment, bail was set in the amount of $10,000.00 over the objection of the Plaintiff.

42. The Plaintiff was unable to post said bail and was consequently held at the Hampden County Corrections Center in Ludlow, Massachusetts.

43. On September 25, 2015, the court lowered the Plaintiff's bail to $1,000.00, which the Plaintiff posted that day.

44. From August 2, 2016 through August 3, 2016, a jury trial was conducted in the Springfield District Court.

45. The jury returned a verdict of not guilty on all counts.

46. As a direct result of his unlawful arrest at the hands of the Defendants and subsequent malicious prosecution, the Plaintiff was incarcerated from August 26, 2015 through September 25, 2015 for a total of 30 days.

47. As a direct result of the excessive force used by the Defendants against the Plaintiff at the time of his arrest, the Plaintiff suffered injuries to his lip and back.

48. As a direct result of his unlawful arrest and imprisonment and the use of excessive force against him, the Plaintiff suffered severe emotional distress.

COUNT I – UNLAWFUL SEIZURE AND ARREST (42 U.S.C. §§ 1983 and 1988)

49. The Plaintiff realleges and incorporates herein Paragraphs 1-48.

50. The Defendants, acting under color of law, intentionally and unlawfully seized the Plaintiff by conducting a traffic stop of the motor vehicle he was a passenger in without reasonable suspicion that the occupants of the vehicle were engaged in criminal activity and/or the operator of the vehicle had committed a motor vehicle infraction.

51. The Defendants, acting under color of law, intentionally and unlawfully seized the Plaintiff by forcibly removing him from the vehicle, handcuffing him, and searching his person without reasonable suspicion that he was either engaged in criminal activity or

posed a danger to the Defendants.

52. The Defendants, acting under color of law, intentionally and unlawfully exceeded the scope of a routine pat-frisk by firmly grabbing the Plaintiff's genitals during their search of the Plaintiff's person.

53. The Defendants, acting under color of law, intentionally and unlawfully arrested the Plaintiff without probable cause to believe that he had committed a crime.

54. The Defendants' actions deprived the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by the Fourth Amendment to the United States Constitution.

55. As a direct result, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

56. The Plaintiff is therefore entitled to damages pursuant to 42 U.S.C. §§ 1983 and 1988.

COUNT II – UNLAWFUL SEIZURE AND ARREST (M.G.L. c. 12 §§ 11H and 11I)

57. The Plaintiff realleges and incorporates herein Paragraphs 1-56.

58. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully seized the Plaintiff by conducting a traffic stop of the motor vehicle he was a passenger in without reasonable suspicion that the occupants of the vehicle were engaged in criminal activity and/or the operator of the vehicle had committed a motor vehicle infraction.

59. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully seized the Plaintiff by forcibly removing him from the vehicle, handcuffing him, and searching his person without reasonable suspicion that he was either engaged in criminal activity or posed a danger to the Defendants.

60. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully exceeded the scope of a routine pat-frisk by firmly grabbing the Plaintiff's genitals during their search of the Plaintiff's person.

61. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully arrested the Plaintiff without probable cause to believe that he had committed a crime.

62. The Defendants' actions deprived the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by Article 14 of the Massachusetts Declaration of Rights.

63. As a direct result, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

64. The Plaintiff is therefore entitled to damages pursuant to the Massachusetts Civil Rights Act, M.G.L. c. 12 §§ 11H and 11I.

COUNT III – FALSE IMPRISONMENT (COMMON LAW)

65. The Plaintiff realleges and incorporates herein Paragraphs 1-64.

66. The Defendants, acting under color of law, intentionally and unlawfully confined the Plaintiff against his will.

67. The Plaintiff was conscious of said unconsented-to confinement, deprived of his liberty, and suffered physical, emotional, and financial harm as a direct result.

68. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT IV – FALSE ARREST (COMMON LAW)

69. The Plaintiff realleges and incorporates herein Paragraphs 1-68.

70. The Defendants, acting under color of law, intentionally and unlawfully arrested the

Plaintiff without probable cause to believe that he had committed a crime.

71. As a direct result, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

72. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT V – EXCESSIVE FORCE (42 U.S.C. §§ 1983 and 1988)

73. The Plaintiff realleges and incorporates herein Paragraphs 1-72.

74. The Defendants, acting under color of law, used excessive and unreasonable force in the course of detaining the Plaintiff and placing the Plaintiff under arrest, thereby depriving the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by the Fourth Amendment to the United States Constitution.

75. The Plaintiff suffered physical and emotional harm as a direct result.

76. The Plaintiff is therefore entitled to damages pursuant to 42 U.S.C. §§ 1983 and 1988.

COUNT VI – EXCESSIVE FORCE (M.G.L. c. 12 §§ 11H and 11I)

77. The Plaintiff realleges and incorporates herein Paragraphs 1-76.

78. The Defendants, by means of threats, intimidation, and coercion, used excessive and unreasonable force in the course of detaining the Plaintiff and placing the Plaintiff under arrest, thereby depriving the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by Article 14 of the Massachusetts Declaration of Rights.

79. The Plaintiff suffered physical and emotional harm as a direct result.

80. The Plaintiff is therefore entitled to damages pursuant to the MCRA, M.G.L. c. 12 §§ 11H and 11I.

COUNT VII - ASSAULT AND BATTERY (COMMON LAW)

81. The Plaintiff realleges and incorporates herein Paragraphs 1-80.

82. The Defendants intentionally touched the Plaintiff without legal justification.

83. Said touching was unreasonable, offensive, unconsented to by the Plaintiff, and caused physical injury to the Plaintiff.

84. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT VIII – MALICIOUS PROSECUTION (42 U.S.C. §§ 1983 and 1988)

85. The Plaintiff realleges and incorporates herein Paragraphs 1-84.

86. The Defendants, acting under color of law and motivated by malice towards the Plaintiff, initiated criminal proceedings against the Plaintiff without probable cause to believe that he had committed a crime.

87. The Plaintiff was found not guilty of the criminal charges brought by the Defendants.

88. As a direct result of the Defendants' malicious actions, the Plaintiff was confined against his will during the pendency of the criminal case, and was therefore deprived of his liberty and the right to be free from unreasonable search and seizure as guaranteed by the Fourth Amendment to the United States Constitution.

89. As a direct result of the Defendants' malicious actions, the Plaintiff suffered physical, emotional, and financial harm.

90. The Plaintiff is therefore entitled to damages pursuant to 42 U.S.C. §§ 1983 and 1988.

COUNT IX – MALICIOUS PROSECUTION (COMMON LAW)

91. The Plaintiff realleges and incorporates herein Paragraphs 1-90.

92. The Defendants, motivated by malice towards the Plaintiff, initiated criminal proceedings against the Plaintiff without probable cause to believe that he had committed a crime.

93. The Plaintiff was found not guilty of the criminal charges brought by the Defendants.

94. As a direct result of the Defendants' malicious actions, the Plaintiff was confined against

his will during the pendency of the criminal case and suffered physical, emotional, and financial harm.

95. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT X – ABUSE OF PROCESS (COMMON LAW)

96. The Plaintiff realleges and incorporates herein Paragraphs 1-95.

97. The Defendants initiated criminal proceedings against the Plaintiff.

98. The Defendants initiated said criminal process for an ulterior and/or illegitimate purpose, to wit: (1) to cover up their unlawful detention, arrest, and imprisonment of the Plaintiff and their use of excessive and unreasonable force in carrying out said detention, arrest, and imprisonment, (2) to protect themselves from criminal and civil liability for their illegal actions, and (3) to frustrate the Plaintiff from pursuing legal remedies available to him.

99. As a direct result of the Defendants' actions, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

100. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT XI – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (COMMON LAW)

101. The Plaintiff realleges and incorporates herein Paragraphs 1-100.

102. The Defendants' actions of unlawfully detaining, arresting, and imprisoning the Plaintiff; using excessive and unreasonable force against the Plaintiff; and maliciously filing false criminal charges against the Plaintiff directly caused the Plaintiff to suffer severe emotional distress.

103. Said conduct was extreme and outrageous.

104. The Defendants either intended that the Plaintiff suffer emotional distress, or knew or

should have known that emotional distress was a likely consequence of their conduct.

105. The Plaintiff is therefore entitled to damages under Massachusetts common law.

WHEREFORE, the Plaintiff prays that this Honorable Court enter judgment on his behalf and:

1. Award appropriate compensatory damages to him from the Defendants jointly and severally in an amount to be determined by the Court;
2. Award him interest, costs, and attorney's fees; and
3. Award such other relief as this Court deems just, equitable, and appropriate.

THE PLAINTIFF HEREBY DEMANDS A JURY TRIAL.

Dated: March 15, 2018

By: */s/ Peter A. Slepchuk*

Peter Alexander Slepchuk, BBO#: 682078
Attorney for the Plaintiff
155 Maple St., Suite 405
Springfield, MA 01105
Tel: (413) 736-3649; Fax: (413) 747-9022
E-mail: peter.alexander@slepchuklaw.com

EXHIBIT B

United States District Court
District of Massachusetts (Springfield)
CIVIL DOCKET FOR CASE #: 3:18-cv-30039-MGM

Bradley v. Cicero et al
Assigned to: Judge Mark G. Mastroianni
Cause: 42:1983 Civil Rights Act

Date Filed: 03/15/2018
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Daniel Bradley

represented by **Peter A. Slepchuk**
Law Offices of Peter Slepchuk Jr.
155 Maple Street
Suite 405
Springfield, MA 01105
413-736-3649
Email: peter.slepchuk@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter P. Slepchuk , Jr.
Law Office of Peter P. Slepchuk Jr.
Suite 405
155 Maple Street
Springfield, MA 01105
413-736-3649
Fax: 413-747-9022
Email: peter@slepchuklaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

Christian Cicero

represented by **Kevin B. Coyle**
935 Main Street
Springfield, MA 01103
413-787-1524
Fax: 413-787-1703
Email: attycoyle@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeremy Saint Laurent
City of Springfield
36 Court Street
Springfield, MA 01103
413-886-5198
Email: jsaintlaurent@springfieldcityhall.com
ATTORNEY TO BE NOTICED

Lisa C. deSousa
Law Department, City of Springfield
1600 East Columbus Ave.
Springfield, MA 01103
413-886-5206
Email: ldesousa@springfieldcityhall.com
ATTORNEY TO BE NOTICED

Defendant

Joseph Dunn

represented by **Cary L. Szafranski**
City of Springfield, Law Department
1600 E. Columbus Avenue, 2nd Flr.

Springfield, MA 01129
413−750−2264
Email: cszafranski@springfieldcityhall.com
ATTORNEY TO BE NOTICED

Jeremy Saint Laurent
(See above for address)
ATTORNEY TO BE NOTICED

Kathleen E. Sheehan
Keyes & Donnellan
293 Bridge Street, Suite 600
Springfield, MA 01103
413−781−6540
Fax: 413−739−3502
Email: ksheehan@keyesanddonnellan.com
TERMINATED: 02/15/2019
ATTORNEY TO BE NOTICED

Lisa C. deSousa
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Daniel Moynahan represented by

Jeremy Saint Laurent
(See above for address)
ATTORNEY TO BE NOTICED

Lisa C. deSousa
(See above for address)
ATTORNEY TO BE NOTICED

Robert A. Schmidt
Law Office of Thomas A. Kenefice, III
73 Chestnut Street
Springfield, MA 01103
413−734−7000
Fax: 413−731−1302
Email: attyschmidt@gmail.com
ATTORNEY TO BE NOTICED

ADR Provider

Kenneth P. Neiman
TERMINATED: 04/29/2019

Date Filed	#	Docket Text
03/15/2018	1	COMPLAINT against All Defendants Filing fee: $ 400, receipt number 0101−7051211 (Fee Status: Filing Fee paid), filed by Daniel Bradley. (Attachments: # 1 Civil Cover sheet, # 2 Civil Category Form)(Slepchuk, Peter) (Entered: 03/15/2018)
03/16/2018	2	ELECTRONIC NOTICE of Case Assignment. Judge Mark G. Mastroianni assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Katherine A. Robertson. (Lindsay, Maurice) (Entered: 03/16/2018)
03/16/2018	3	Summons Issued as to Christian Cicero, Joseph Dunn, Daniel Moynahan. **Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.** (Lindsay, Maurice) (Entered: 03/16/2018)

03/28/2018	4	WAIVER OF SERVICE Returned Executed by Christian Cicero. Christian Cicero waiver sent on 3/22/2018, answer due 5/21/2018. (Sheehan, Kathleen) (Entered: 03/28/2018)
03/28/2018	5	WAIVER OF SERVICE Returned Executed by Joseph Dunn. Joseph Dunn waiver sent on 3/22/2018, answer due 5/21/2018. (Sheehan, Kathleen) (Entered: 03/28/2018)
03/28/2018	6	WAIVER OF SERVICE Returned Executed by Daniel Moynahan. Daniel Moynahan waiver sent on 3/22/2018, answer due 5/21/2018. (Sheehan, Kathleen) (Entered: 03/28/2018)
04/04/2018	7	NOTICE of Appearance by Lisa C. deSousa on behalf of Daniel Moynahan (deSousa, Lisa) (Entered: 04/04/2018)
04/04/2018	8	CERTIFICATION pursuant to Local Rule 16.1 . (deSousa, Lisa) (Entered: 04/04/2018)
04/04/2018	9	NOTICE of Appearance by Kathleen E. Sheehan on behalf of Joseph Dunn (Sheehan, Kathleen) (Entered: 04/04/2018)
04/04/2018	10	CERTIFICATION pursuant to Local Rule 16.1 . (Sheehan, Kathleen) (Entered: 04/04/2018)
04/18/2018	11	ANSWER to 1 Complaint with Jury Demand by Joseph Dunn.(Sheehan, Kathleen) (Entered: 04/18/2018)
04/18/2018	12	ANSWER to 1 Complaint with Jury Demand by Daniel Moynahan.(deSousa, Lisa) (Entered: 04/18/2018)
04/19/2018	13	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered REFERRING CASE to Magistrate Judge Katherine A. Robertson. Referred for: Full Pretrial, No Dispositive Motions (ptn). (Bartlett, Timothy) (Entered: 04/19/2018)
05/21/2018	14	NOTICE of Scheduling Conference ISSUED: A Scheduling Conference is set for **6/25/2018 at 2:45 PM** in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint Statement due by **6/18/2018**. See attached Notice for complete details. (Calderon, Melissa) (Entered: 05/21/2018)
05/21/2018	15	NOTICE of Appearance by Kevin B. Coyle on behalf of Christian Cicero (Coyle, Kevin) (Entered: 05/21/2018)
05/21/2018	16	ANSWER to 1 Complaint with Jury Demand by Christian Cicero.(Coyle, Kevin) (Entered: 05/21/2018)
06/04/2018	17	JOINT STATEMENT re scheduling conference . (Slepchuk, Peter) (Entered: 06/04/2018)
06/25/2018	18	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Scheduling Conference held on 6/25/2018. Attorneys Present: Peter A. Slepchuk, Kevin B. Coyle, Kathleen E. Sheehan and Lisa C. deSousa. Colloquy re: status of the case. Counsel were reminded that pursuant to the Local Rules, the issue of consent/declination needs to be addressed. The parties were given two weeks, or not later than **7/10/2018**, to file the appropriate form. A schedule was established. Scheduling order to issue. If the parties would like to participate in court−sponsored mediation, a joint notice requesting an ADR conference should be filed. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate−Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov.) (Calderon, Melissa) (Entered: 06/26/2018)
06/26/2018	19	Refusal to Consent to Proceed Before a US Magistrate Judge. . (Slepchuk, Peter) (Entered: 06/26/2018)
06/26/2018	20	Magistrate Judge Katherine A. Robertson: ORDER entered. SCHEDULING ORDER: Motions for Leave to Amend the Pleadings to add parties, claims, or defenses due by 8/1/2018. Non−Expert Discovery to be completed by 1/3/2019. Case Management Conference set for 1/8/2019 02:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson., Expert Depositions to be completed by 3/29/2019. Dispositive Motions due by 5/10/2019. Responses due by 6/7/2019. Replies, if any,

		due by 6/26/2019. (Finn, Mary) (Entered: 06/26/2018)
06/26/2018	21	Set/Reset Hearings: Case Management Conference set for 1/8/2019 02:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 06/26/2018)
09/19/2018	22	NOTICE of Appearance by Jeremy Saint Laurent on behalf of Joseph Dunn, Daniel Moynahan (Saint Laurent, Jeremy) (Entered: 09/19/2018)
12/20/2018	23	MOTION for Extension of Time to 2/3/19 to Complete Discovery by Daniel Bradley.(Slepchuk, Peter) (Entered: 12/20/2018)
12/26/2018	24	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiff's Assented to 23 Motion for Extension of Time to Complete Discovery. Non−Expert Discovery extended to 2/15/2019 for the purpose of taking the Depositions of three Fact Witnesses. The Case Management Conference is continued to 2/19/2019 at 2:00 p.m. All other deadlines remain as set in the June 26, 2018 Scheduling Order. (Finn, Mary) (Entered: 12/26/2018)
12/26/2018	25	Set/Reset Deadlines: Non−Expert Discovery to be completed by 2/15/2019. Case Management Conference re set to 2/19/2019 02:00 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 12/26/2018)
02/14/2019	26	NOTICE of Withdrawal of Appearance by Kathleen E. Sheehan (Sheehan, Kathleen) (Entered: 02/14/2019)
02/19/2019	27	Assented to MOTION to Compel *Deposition Testimony* by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Attachments: # 1 Exhibit Subp. and Notices, # 2 Exhibit Depo Trans.)(Saint Laurent, Jeremy) (Entered: 02/19/2019)
02/19/2019	28	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Case Management Conference held on 2/19/2019. Attorneys Present: Peter A. Slepchuk, Kevin B. Coyle and Jeremy Saint Laurent. Colloquy re: status of the case. Defendants' Assented to Motion to Compel Deposition Testimony shall be filed by no later than **2/22/2019**. The parties expressed interest in court−sponsored mediation, specifically with Magistrate Judge Kenneth P. Neiman. The clerk shall reach out to Judge Neiman to verify his availability. Once confirmed, an order referring the matter to mediation shall issue. An Initial Pretrial Conference is set for **5/29/2019 at 2:00 PM** in Franklin Courtroom before Judge Mark G. Mastroianni. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate−Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov.) (Calderon, Melissa) (Entered: 02/19/2019)
02/22/2019	29	ORDER REFERRING CASE to Alternative Dispute Resolution. Referred to: Magistrate Judge Kenneth P. Neiman. (Calderon, Melissa) (Entered: 02/22/2019)
03/06/2019	30	ELECTRONIC NOTICE of ADR Conference: Alternative Dispute Resolution Hearing set for 4/25/2019 at 10:00 AM in Hampden Courtroom before Magistrate Judge Kenneth P. Neiman. (Figueroa, Tamara) (Entered: 03/06/2019)
03/06/2019	31	Magistrate Judge Kenneth P. Neiman: ORDER entered. Order with Respect to Mediation re 30 Notice of ADR Conference. **Memos due no later than 4/18/19. See Order for Details**. (Figueroa, Tamara) (Entered: 03/06/2019)
03/07/2019	32	Assented to MOTION to Continue mediation by Daniel Bradley. (Attachments: # 1 Affidavit)(Slepchuk, Peter) (Entered: 03/07/2019)
03/11/2019	33	Magistrate Judge Kenneth P. Neiman: ELECTRONIC ORDER entered granting 32 Motion to Continue Mediation to April 29th, 2019 at 10:00 AM with **Memos due no later than April 23rd, 2019**. (Figueroa, Tamara) (Entered: 03/11/2019)
03/11/2019	34	ELECTRONIC NOTICE OF RESCHEDULING: Alternative Dispute Resolution Hearing set for 4/25/19 has been **rescheduled to 4/29/2019,** at 10:00 AM in Hampden Courtroom before Magistrate Judge Kenneth P. Neiman. (Figueroa, Tamara) (Entered: 03/11/2019)

04/16/2019	35	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony. The defendants shall have to **May 24, 2019** to complete the depositions of Deashevana Robinson, Savon Tucker, and Barbara Murphy. The amount of time to complete each of these depositions is restricted to a total of three hours of direct examination by the parties jointly, exclusive of breaks. Orders requiring these non–party witnesses to appear for deposition are attached hereto as Exhibits A, B and C, and will be docketed separately. The parties' right to take these depositions is subject to the limitations that questioning not be conducted "in bad faith or in a manner that unreasonably annoys, embarrasses, or oppresses the deponent," Fed. R. Civ. P. 30(d)(1)(3)(A), and that they avoid imposing undue burdens or expense on these non–parties. *See* Fed. R. Civ. P. 45(d). It is likely that these unrepresented witnesses lack an appreciation of their obligations (and their rights) in their position as non–party deponents. (*See* attached Order for complete details.) (Attachments: # 1 Exhibit A, # 2 Exhibit B and # 3 Exhibit C) (Calderon, Melissa) (Entered: 04/16/2019)
04/16/2019	36	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER re Order (Dkt. No. 35) on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony as to Deashevana Robinson. *See* attached Order for complete details. (Calderon, Melissa) (Entered: 04/16/2019)
04/16/2019	37	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER re Order (Dkt. No. 35) on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony as to Savon Tucker. *See* attached Order for complete details. (Calderon, Melissa) (Entered: 04/16/2019)
04/16/2019	38	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER re Order (Dkt. No. 35) on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony as to Barbara Murphy. *See* attached Order for complete details. (Calderon, Melissa) (Entered: 04/16/2019)
04/26/2019	39	NOTICE of Appearance by Peter P. Slepchuk, Jr on behalf of Daniel Bradley (Slepchuk, Peter) (Entered: 04/26/2019)
04/29/2019	41	REPORT of Alternative Dispute Resolution Provider. (Figueroa, Tamara) (Entered: 05/02/2019)
05/28/2019	42	MOTION for Extension of Time to 7/23/2019 to Disclose Expert Witness by Christian Cicero, Joseph Dunn, Daniel Moynahan.(deSousa, Lisa) (Entered: 05/28/2019)
05/29/2019	43	ELECTRONIC NOTICE OF RESCHEDULING **CHANGE TO COURTROOM LOCATION ONLY** Initial Pretrial Conference set for **5/29/2019 at 2:00 PM in Hampden Courtroom** before Judge Mark G. Mastroianni. (Bartlett, Timothy) (Entered: 05/29/2019)
05/29/2019	44	Judge Mark G. Mastroianni: AMENDED SCHEDULING ORDER entered as follows: Defendants shall designate expert witnesses and serve expert reports pursuant toFed. R. Civ. P. 26(a)(2) by July 15, 2019, A final pretrial conference will be held on November 18, 2019 at 11:00 a.m. in Franklin Courtroom before Judge Mark G. Mastroianni, and Trial will begin on December 9, 2019. The parties anticipate the trial will last 5 days. See the attached scheduling order for more dates and complete details. (Lindsay, Maurice) (Entered: 05/29/2019)
05/29/2019	46	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Initial Pretrial Conference held on 5/29/2019. Present: Atty Peter A. Slepchuk for pltf, Attys deSousa, Saint Laurent for defts. Court has colloquy with counsel re scheduling. Order to issue (see Dkt. No. 44). (Court Reporter: Alice Moran at alice.moran@verizon.net.) (Bartlett, Timothy) Modified to correct hearing type on 5/31/2019 (Bartlett, Timothy). (Entered: 05/31/2019)
05/30/2019	45	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING IN PART and DENYING IN PART 42 Defendants' Motion for Extension of Time to Disclose Expert Witness. Per the Amended Scheduling Order (Dkt. No. 44), Defendants' deadline to disclose expert witnesses and serve expert reports is extended to July 15, 2019. (Lindsay, Maurice) (Entered: 05/30/2019)
07/10/2019	47	Case no longer referred to Magistrate Judge Katherine A. Robertson. (Rivera, Melissa) (Entered: 07/10/2019)

09/03/2019	48	Judge Mark G. Mastroianni: PRETRIAL PROCEDURAL ORDER entered as follows: TheFinal Pretrial Conference is set for 11/18/2019 at 11:00 AM in Franklin Courtroom, and Trial is scheduled to commence on December 9, 2019 at 9:00 a.m. in Franklin Courtroom before Judge Mark G. Mastroianni. See the attached pretrial procedural order for complete details. (Lindsay, Maurice) (Entered: 09/03/2019)
10/03/2019	49	MOTION for Leave to File *Certain Motions In Limine Under Seal* by Daniel Bradley.(Slepchuk, Peter) (Entered: 10/03/2019)
10/04/2019	50	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING 49 Plaintiff's Assented–To Motion for Leave to File Certain Motions in Limine Under Seal. The Pretrial Procedural Order (Dkt. No. 48) requires each party to file its motions in limine together in a single document with a cover page and table of contents. Each motion in limine shall be numbered. Plaintiff may file two such documents: one containing his motions in limine that will be publicly available, and a second that will be filed under seal and will contain the three motions and accompanying exhibits discussed in his motion for leave to file under seal. The motions in limine in the sealed document shall be numbered "Plaintiff's Motion in Limine 1," "Plaintiff's Motion in Limine 2," and "Plaintiff's Motion in Limine 3." Plaintiff's motions in limine filed on the public docket shall be numbered "Plaintiff's Motion in Limine 4," "Plaintiff's Motion in Limine 5," etc. (Rivera, Christina) (Entered: 10/04/2019)
10/17/2019	51	NOTICE of Appearance by Cary L. Szafranski on behalf of Joseph Dunn (Szafranski, Cary) (Entered: 10/17/2019)
10/18/2019	53	MOTION in Limine by Daniel Bradley. (Attachments: # 1 SJC Best Practices ForJury Selection)(Slepchuk, Peter) (Entered: 10/18/2019)
10/21/2019	54	MOTION in Limine by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 10/21/2019)
11/04/2019	55	Opposition re 53 MOTION in Limine filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 11/04/2019)
11/07/2019	58	ELECTRONIC NOTICE Canceling Hearing. The December 9, 2019, Jury Trial is hereby CONTINUED. All other dates and deadlines remain in effect. The Court will discuss dates for rescheduling trial in 2020 at the November 18, 2019, Pretrial Conference. (Bartlett, Timothy) (Entered: 11/07/2019)
11/08/2019	59	Proposed Jury Instructions by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 11/08/2019)
11/08/2019	60	Proposed Voir Dire by All Defendants. (Saint Laurent, Jeremy) (Entered: 11/08/2019)
11/08/2019	61	Proposed Jury Instructions by Daniel Bradley. (Slepchuk, Peter) (Entered: 11/08/2019)
11/08/2019	62	Proposed Jury Questions by Daniel Bradley . (Slepchuk, Peter) (Entered: 11/08/2019)
11/08/2019	63	Proposed Jury Verdict by Daniel Bradley. (Slepchuk, Peter) (Entered: 11/08/2019)
11/08/2019	64	Proposed Jury Verdict by All Defendants. (Saint Laurent, Jeremy) (Entered: 11/08/2019)
11/08/2019	65	PRETRIAL MEMORANDUM by Daniel Bradley. (Slepchuk, Peter) (Entered: 11/08/2019)
11/16/2019	66	NOTICE of Appearance by Robert A. Schmidt on behalf of Daniel Moynahan (Schmidt, Robert) (Entered: 11/16/2019)
11/18/2019	68	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ruling on 53 Plaintiff's Motions in Limine and 54 Defendants' Motions in Limine, for the reasons discussed on the record during the hearing. The court is ALLOWING IN PART and DENYING IN PART **Plaintiff's Motion in Limine No. 5** to exclude evidence of Plaintiff's past criminal convictions. The court is ALLOWING Plaintiff's request to exclude his 12/13/05, 10/20/09, and 1/4/10 convictions. With respect to the 9/22/17 conviction, Plaintiff's request is ALLOWED only with respect to resisting arrest and is otherwise DENIED. The court is ALLOWING **Plaintiff's Motion in Limine No. 6** to exclude

		evidence of Plaintiff's open criminal cases and periods of incarceration prior to and subsequent to August 26, 2015 through September 25, 2015 and **Plaintiff's Motion No. 7** for sequestration of Defendants' witnesses. The court is ALLOWING **Plaintiff's Motion No. 8** for attorney−conducted panel voir dire. Counsel for Plaintiff and Defendants are to discuss the logistics of the panel voir dire with the Clerk's Office. The court is ALLOWING **Defendants' Motion in Limine No. 1** to exclude Defendants' Motion in Limine to Exclude IIU History of the Defendant Officers and **Defendants' Motion in Limine No. 2** to exclude Defendant Christian Cicero's prior indictments. The court GRANTS leave to Plaintiff to supplement his proposed voir dire questions in light of the court's rulings on the motions in limine. The court GRANTS leave to Plaintiff to file late a motion in limine addressing the issue of judicial admission by Defendants. Plaintiff shall file the motion within 10 days, and Defendants shall have 10 days to respond. (Lindsay, Maurice) (Entered: 11/18/2019)
11/18/2019	76	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel appear for Final Pretrial Conference held on 11/18/2019. Arguments re: outstanding motions. Trial date set. Court will use the jury selection process currently used by the state court as it relates to the voir dire process of potential jurors. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Szafranski, Coyle, Saint Laurent) (entered late due to clerical error)(Healy, Bethaney) (Entered: 12/31/2019)
11/21/2019	69	MOTION in Limine *To Bind Defendants To Judicial Admissions Made By Defense Counsel And To Exclude Contrary Evidence* by Daniel Bradley.(Slepchuk, Peter) (Entered: 11/21/2019)
11/25/2019	70	Exhibit List by Daniel Bradley.. (Slepchuk, Peter) (Entered: 11/25/2019)
11/25/2019	71	Supplemental Proposed Jury Questions by Daniel Bradley . (Slepchuk, Peter) (Entered: 11/25/2019)
11/26/2019	72	Opposition re 69 MOTION in Limine *To Bind Defendants To Judicial Admissions Made By Defense Counsel And To Exclude Contrary Evidence* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 11/26/2019)
12/02/2019	73	Exhibit List by All Defendants.. (Saint Laurent, Jeremy) (Entered: 12/02/2019)
12/03/2019	74	MOTION for Leave to File *Reply* by Daniel Bradley. (Attachments: # 1 Proposed Reply)(Slepchuk, Peter) (Entered: 12/03/2019)
12/03/2019	75	MOTION to Continue Trial to a date in February by Daniel Moynahan.(Schmidt, Robert) (Entered: 12/03/2019)
12/31/2019	77	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 75 Motion to Continue Trial. ALLOWED. The Jury Trial is set for 2/10/2020 at 9:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Healy, Bethaney) (Entered: 12/31/2019)
01/28/2020	78	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING 74 Plaintiff's Motion for Leave to File Reply and DENYING 69 Plaintiff's Motion in Limine to Bind Defendants to Judicial Admissions Made by Defense Counsel and to Exclude Contrary Evidence. The possible judicial admission at issue is that Defendants asked Plaintiff to produce his identification and returned to their cruiser to check the identification provided. Defendants included the statement as factual background in their various motion in limine briefs. Plaintiff asks the court to hold that Defendants are bound to this statement by judicial admission. Because Plaintiff is already well aware that Defendants testified contrary to the supposed judicial admission in the underlying criminal trial (Dkt. No. 72, at 2), and because Defendants represent that the supposed judicial admission was "an inadvertent misstatement" in the motion in limine papers (Dkt. No. 72, at 1), the court denies Plaintiff's motion. *See U.S. v. Belculfine*, 527 F.2d 941, 944 (1st Cir. 1975) ("Unlike ordinary admissions, which are admissible but can be rebutted by other evidence, judicial admissions are conclusive on the party making them. Because of their binding consequences, judicial admissions generally

		arise only from deliberate voluntary waivers that expressly concede for the purposes of trial the truth of an alleged fact.... As we have noted, the policy of encouraging judicial admissions is served by giving trial judges broad discretion in these matters, and here we see no basis for concluding that the district court abused its discretion."). (Lindsay, Maurice) (Entered: 01/28/2020)
01/29/2020	79	ELECTRONIC NOTICE of Hearing ISSUED. Jury Selection shall be held on 2/11/2020 at 9:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. Jury Trial (openings and evidence) shall begin on 2/18/2020 at 9:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Healy, Bethaney) (Entered: 01/29/2020)
01/31/2020	80	Assented to MOTION to Take Deposition from Mr. Eli Silverman by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 01/31/2020)
02/06/2020	81	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 80 Assented to MOTION to Take Deposition from Mr. Eli Silverman. ALLOWED. (Lindsay, Maurice) (Entered: 02/06/2020)
02/07/2020	82	Supplemental Proposed Jury Questions by Daniel Bradley . (Slepchuk, Peter) (Entered: 02/07/2020)
02/10/2020	83	Objection to 82 Proposed Jury Questions by Christian Cicero, Joseph Dunn, Daniel Moynahan . (Saint Laurent, Jeremy) (Entered: 02/10/2020)
02/11/2020	84	MOTION in Limine *To Introduce Prior Sworn Testimony Of Unavailable Witnesses* by Daniel Bradley.(Slepchuk, Peter) (Entered: 02/11/2020)
02/11/2020	85	MEMORANDUM in Support re 84 MOTION in Limine *To Introduce Prior Sworn Testimony Of Unavailable Witnesses* filed by Daniel Bradley. (Attachments: # 1 Exhibit "A", vol. 1 of trial transcript, # 2 Exhibit "B", vol. 2 of trial transcript, # 3 Exhibit "C", return of service − Robinson, # 4 Exhibit "D", return of service − Tucker, # 5 Exhibit "E", affidavit of counsel)(Slepchuk, Peter) (Entered: 02/11/2020)
02/11/2020	86	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel appear for Jury Selection held on 2/11/2020. Attorney Saint Laurent addresses issue related to video deposition. Deposition is set for 2/12/2020. Parties will submit by close of business on Friday, February 14, 2020 any memoranda re: objections/arguments as well as a copy of the transcript from the deposition. Counsel shall file the documents in ECF as well as provide a copy by email to the court's law clerk. Court anticipates it will rule on the matter by 2/17/2020. Jury selection held. Jury sworn in and remainder of jury pool is dismissed. Jurors instructed to report for jury duty on Tuesday, February 18, 2020, at 8:45 a.m. Jury trial to commence with preliminary instructions and openings at 9:00 a.m. on February 18, 2020. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Schmidt, Szafranski, Saint Laurant) (Healy, Bethaney) (Entered: 02/12/2020)
02/14/2020	87	Opposition re 84 MOTION in Limine *To Introduce Prior Sworn Testimony Of Unavailable Witnesses* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 02/14/2020)
02/14/2020	88	MEMORANDUM OF LAW by Daniel Bradley. (Attachments: # 1 Transcript of deposition testimony of Eli Silverman)(Slepchuk, Peter) (Entered: 02/14/2020)
02/14/2020	89	MOTION Defendants' Objections to Portions of the Deposition of Dr. Eli Silverman by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 02/14/2020)
02/18/2020	90	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 84] Plaintiff's Motion in Limine to Introduce Prior Sworn Testimony of Unavailable Witnesses. First, the court finds that Ms. Robinson and Ms. Tucker, who previously testified at the Plaintiff's criminal trial in Commonwealth v. Daniel Bradley, Docket No. 1523CR5954, are unavailable to testify at the trial of this case. The court finds they are unavailable based on the representation of good−faith effort and inability by Attorney Slepchuk to effectuate in−hand service for February 18, 2020, the fact that previous in−hand service was made for a trial date that was later moved by the court and the witnesses' failure to appear, and the fact that Attorney Slepchuk spoke with one of the

		witnesses, Ms. Tucker, who told him that she would not appear. *See* Slepchuk Aff. 214, 1718, Dkt. No. 85−5. The court also notes in support of the witnesses' unavailability that, in February 2019, Defendants had to move to compel the deposition testimony of Ms. Robinson and Ms. Tucker, which the court granted, and the deposition of these witnesses never occurred. *See* Slepchuk Aff. 1516, Dkt. No. 85−5; M.J. Robertson Order, Dkt. No. 35. Next, the court finds that there is "sufficient identity of issues to ensure that cross examination in the former case was directed to the issues presently relevant," namely, the issues of the occurrence of a traffic violation and the aggressiveness and/or behavior of Plaintiff and Defendants. *Kam−O'Donoghue v. Tully*, No. 16−11054−MLW, 2019 WL 4273686, at *3 n.2 (D. Mass. Sept. 10, 2019). In this case, the Commonwealth had the same motive and interest in developing the facts underlying those issues such that the Commonwealth was Defendants' predecessor−in−interest for purposes of Federal Rule of Evidence 804(b)(1). *See id.* Accordingly, the court will allow Plaintiff to introduce the prior sworn testimony of Ms. Robinson and Ms. Tucker, under Rule 804(b)(1). The court will entertain an instruction to the jury that these witnesses have willfully evaded appearing in court to give live testimony in spite of several attempts to have them served with a subpoena. (Lindsay, Maurice) (Entered: 02/18/2020)
02/18/2020	91	Judge Mark G. Mastroianni: ORDER ENTERED Permitting Cellular Phone retention by Jurors. (Copy provided to USMS this date.)(Healy, Bethaney) (Entered: 02/18/2020)
02/18/2020	92	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING−IN−PART and DENYING−IN−PART 89 Defendants' Objections from Dr. Eli Silvermans Video Deposition. Defendants' objections are overruled except for their third objection, which objects to the testimony at page 54 line 9 through page 54 line 18 as misrepresentative. The court is sustaining that objection, and that portion of Dr. Silverman's testimony must be redacted. (Lindsay, Maurice) (Entered: 02/18/2020)
02/18/2020	98	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel and parties appear for Jury Trial Day 2 held on 2/18/2020. Preliminary instructions given to jury. Openings heard. Plaintiff's evidence begins with testimony from Daniel Bradley. Witness sworn, testimony heard. Exhibits 1−7 marked and admitted. Witness testimony read into record for Daeshavana Robinson and Savon Tucker. (Both witnesses failed to appear for trial.) Plaintiff rests. Sidebar conference held. Defendants move for motion for judgment as a matter of law. Motion granted as to Counts 5, 6, and 7. Defendant's case commences with testimony from Christian Cicero. Witness sworn, testimony heard. Testimony from Joseph Dunn. Witness sworn, testimony heard. Testimony concludes at 4:00 p.m. Conference with counsel. Court adjourned for the day, to commence on February 19, 2020, at 9:00 a.m. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Saint Laurant, Schmidt, Szafranski) (Healy, Bethaney) Modified on 2/20/2020 (Healy, Bethaney). (Entered: 02/20/2020)
02/19/2020	93	Supplemental Proposed Jury Instructions by All Defendants. (Saint Laurent, Jeremy) (Entered: 02/19/2020)
02/19/2020	94	Set/Reset Hearings: Jury Trial set for 2/19/2020 09:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. Jury Trial set for 2/20/2020 09:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Healy, Bethaney) (Entered: 02/19/2020)
02/19/2020	95	MOTION Defendants' Motion for a Mistrial or in the Alternative Additional Limiting and Curative Instructions Addressing Plaintiff's Closing Arguments by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 02/19/2020)
02/19/2020	99	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel and parties appear for Jury Trial Day Three held on 2/19/2020. Defendant's case continues with testimony from Daniel Moynahan. Witness sworn, testimony heard. Video deposition of Dr. Eli Silverman presented in court. Defendants rest. Plaintiff recalls Daniel Bradley. Both sides rest. Jury excused for lunch. Plaintiff moves for directed verdict. Motion denied. Defendants move orally for motion for

		judgment as a matter of law. Motion allowed as to all counts as to Defendant Cicero, with the exception to those portions of Counts 1 and 2 as to traffic stop only. Closings heard. Sidebar conference re: Defendants' objections to three subjects raised in Plaintiff's closings. Arguments heard. Jury excused for the day. Court and counsel meet to discuss outstanding motions and jury instructions. Court adjourned for the day to recommence at 9:00 a.m. with counsel on February 20, 2020. Jury shall report at 9:30 a.m. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Saint Laurant, Schmidt, Szafranski) (Healy, Bethaney) (Entered: 02/20/2020)
02/20/2020	96	Opposition re 95 MOTION Defendants' Motion for a Mistrial or in the Alternative Additional Limiting and Curative Instructions Addressing Plaintiff's Closing Arguments filed by Daniel Bradley. (Slepchuk, Peter) (Entered: 02/20/2020)
02/20/2020	97	Set/Reset Hearings: Jury Trial set for 2/20/2020 09:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Rivera, Christina) (Entered: 02/20/2020)
02/20/2020	100	MOTION for Judgment as a Matter of Law by Daniel Bradley.(Slepchuk, Peter) (Entered: 02/20/2020)
02/20/2020	101	MEMORANDUM in Support re 100 MOTION for Judgment as a Matter of Law filed by Daniel Bradley. (Slepchuk, Peter) (Entered: 02/20/2020)
02/20/2020	106	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Jury Trial held on 2/20/2020. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Szafranski, Saint Laurent,) (Healy, Bethaney) (Entered: 03/07/2020)
02/20/2020	108	Jury Instructions. (Rivera, Christina) (Entered: 03/11/2020)
02/21/2020	107	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel and parties appear for Jury Trial Day Five on 2/21/2020.Jury deliberations continue. Jury verdict returned at 1:40 p.m. Verdict read into record. (Court Reporter: Linda Walsh at lwalshsteno@gmail.com.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Saint Laurent, Szafranski) (Healy, Bethaney) (Entered: 03/07/2020)
03/06/2020	102	Transcript of Jury Trial − Day Four (Jury Verdict) held on February 21, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Linda Walsh at lwalshsteno@gmail.com Redaction Request due 3/27/2020. Redacted Transcript Deadline set for 4/6/2020. Release of Transcript Restriction set for 6/4/2020. (Scalfani, Deborah) (Entered: 03/06/2020)
03/06/2020	103	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above−captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general−info.htm (Scalfani, Deborah) (Entered: 03/06/2020)
03/06/2020	104	MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* by Daniel Bradley.(Slepchuk, Peter) (Entered: 03/06/2020)
03/06/2020	105	MEMORANDUM in Support re 104 MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* filed by Daniel Bradley. (Attachments: # 1 Demand letter dated 5/22/18, # 2 E−mail dated 5/29/19, # 3 Affidavit of Peter Slepchuk Jr., # 4 Affidavit of Peter Alexander Slepchuk, # 5 Affidavit of David Hoose, # 6 Itemized times sheets, # 7 itemized costs and expenses)(Slepchuk, Peter) (Entered: 03/06/2020)
03/11/2020	109	Supplemental MOTION for Bill of Costs by Daniel Bradley. (Attachments: # 1 invoice, # 2 affidavit of counsel)(Slepchuk, Peter) (Entered: 03/11/2020)
03/16/2020	110	Transcript of Jury Trial Day Four held on February 20, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kristin Kelley at kmob929@gmail.com Redaction Request due 4/6/2020. Redacted Transcript Deadline set for 4/16/2020. Release of Transcript Restriction set for 6/15/2020. (Scalfani, Deborah) (Entered: 03/16/2020)

03/16/2020	111	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above−captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general−info.htm (Scalfani, Deborah) (Entered: 03/16/2020)
03/20/2020	112	Opposition re 104 MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Szafranski, Cary) (Entered: 03/20/2020)
03/20/2020	113	MEMORANDUM in Support re 104 MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Szafranski, Cary) (Entered: 03/20/2020)
03/23/2020	114	Redacted Transcript of Jury Trial Day One (Redacted Jury Selection) held on February 11, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	115	SEALED Transcript of Jury Trial Day One (Jury Selection) held on February 11, 2020, before Judge Mark G. Mastroianni. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	116	Transcript of Jury Trial Day Two held on February 18, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	117	Transcript of Jury Trial Day Three held on February 19, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	118	Transcript of Jury Trial Day Four (Afternoon Session) held on February 20, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	119	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above−captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general−info.htm (Scalfani, Deborah) (Entered: 03/23/2020)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DANIEL BRADLEY, Plaintiff, v. CHRISTIAN CICERO, JOSEPH DUNN, and DANIEL MOYNAHAN, Defendants.	No. 18-cv-30039-MGM

VERDICT FORM

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
UNREASONABLE SEZIURE

1. Do you find that the Defendant **Christian Cicero** unlawfully seized (under the Fourth Amendment) the Plaintiff by conducting an unlawful traffic stop?

   Yes: _____ No: X

2. Do you find that the Defendant **Joseph Dunn** unlawfully seized (under the Fourth Amendment) the Plaintiff by conducting an unlawful traffic stop, or by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

   Yes: _____ No: X

3. Do you find that the Defendant **Daniel Moynahan** unlawfully seized (under the Fourth Amendment) the Plaintiff by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

   Yes: X No: _____

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
UNLAWFUL ARREST

4. Do you find that the Defendant **Joseph Dunn** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

5. Do you find that the Defendant **Daniel Moynahan** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
EXCESSIVE FORCE

6. Do you find that the Defendant **Joseph Dunn** used excessive force in effecting the seizure or arrest of the Plaintiff?

Yes: X No: _____

7. Do you find that the Defendant **Daniel Moynahan** used excessive force in effecting the seizure or arrest of the Plaintiff?

Yes: _____ No: X

MASSACHSUETTS CIVIL RIGHTS ACT (G.L. c. 12, §§ 11H & 11I)
UNREASONABLE SEIZURE

8. Do you find that the Defendant **Christian Cicero**, by means of threats, intimidation, or coercion, unlawfully seized (under the Fourth Amendment or Article 14) the Plaintiff by conducting an unlawful traffic stop?

Yes: _____ No: X

9. Do you find that the Defendant **Joseph Dunn**, by means of threats, intimidation, or coercion, unlawfully seized (under the Fourth Amendment or Article 14) the Plaintiff by conducting an unlawful traffic stop, or by asking for identification without reasonable suspicion of criminal activity, or by unlawfully removing him from the vehicle without reasonable suspicion that he may have engaged in criminal activity, or by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

Yes: X No: _____

10. Do you find that the Defendant **Daniel Moynahan**, by means of threats, intimidation, or coercion, unlawfully seized (under the Fourth Amendment or Article 14) the Plaintiff by unlawfully removing him from the vehicle without reasonable suspicion that he may have engaged in criminal activity, or by asking for identification without reasonable suspicion of criminal activity, or by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

Yes: X No: _____

MASSACHSUETTS CIVIL RIGHTS ACT (G.L. c. 12, §§ 11H & 11I)
UNLAWFUL ARREST

11. Do you find that the Defendant **Joseph Dunn**, by means of threats, intimidation, or coercion, unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

12. Do you find that the Defendant **Daniel Moynahan**, by means of threats, intimidation, or coercion, unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

MASSACHSUETTS CIVIL RIGHTS ACT (G.L. c. 12, §§ 11H & 11I)
EXCESSIVE FORCE

13. Do you find that the Defendant **Joseph Dunn**, by means of threats, intimidation, or coercion, used excessive force in effecting the seizure or arrest of the Plaintiff?

Yes: X No: _____

14. Do you find that the Defendant **Daniel Moynahan**, by means of threats, intimidation, or coercion, used excessive force in effecting the seizure or arrest of the Plaintiff?

Yes: _____ No: X

MASSACHUSETTS COMMON LAW
FALSE ARREST

15. Do you find that the Defendant **Joseph Dunn** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

16. Do you find that the Defendant **Daniel Moynahan** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

MASSACHUSETTS COMMON LAW
FALSE IMPRISONMENT

17. Do you find that the Defendant **Joseph Dunn** unlawfully confined the Plaintiff under Massachusetts law?

Yes: X No: _____

18. Do you find that the Defendant **Daniel Moynahan** unlawfully confined the Plaintiff under Massachusetts law?

Yes: X No: _____

MASSACHUSETTS COMMON LAW
ASSAULT AND BATTERY

19. Do you find that Defendant **Joseph Dunn** committed an assault and battery on the Plaintiff?

Yes: X No: _____

20. Do you find that the Defendant **Daniel Moynahan** committed an assault and battery on the Plaintiff?

Yes: _____ No: X

See Jury Instr. 4th Amend

MASSACHUSETTS COMMON LAW
MALICIOUS PROSECUTION

Docket + Transcript

21. Do you find that the Defendant **Joseph Dunn**, with malice, initiated criminal proceedings against the Plaintiff without probable cause in violation of Massachusetts law?

Yes: X No: _____

22. Do you find that the Defendant **Daniel Moynahan**, with malice, initiated criminal proceedings against the Plaintiff without probable cause in violation of Massachusetts law?

Yes: _____ No: X

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
MALICIOUS PROSECUTION

23. Do you find that the Defendant **Joseph Dunn**, intentionally or recklessly, initiated criminal proceedings against the Plaintiff without probable cause resulting in Plaintiff's incarceration in violation of the Fourth Amendment?

Yes: X No: _____

24. Do you find that the Defendant **Daniel Moynahan**, intentionally or recklessly, initiated criminal proceedings against the Plaintiff without probable cause resulting in Plaintiff's incarceration in violation of the Fourth Amendment?

Yes: _____ No: X

Docket - Mag. finding Not Guilty

MASSACHUSETTS COMMON LAW
ABUSE OF PROCESS

25. Do you find that the Defendant **Joseph Dunn** initiated criminal proceedings against the Plaintiff for an ulterior or illegitimate purpose?

Yes: _____ No: X

26. Do you find that the Defendant **Daniel Moynahan** initiated criminal proceedings against the Plaintiff for an ulterior or illegitimate purpose?

Yes: _____ No: X

MASSACHUSETTS COMMON LAW
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

27. Do you find that the Defendant **Joseph Dunn** intentionally inflicted emotional distress upon the Plaintiff?

Yes: _____ No: X

28. Do you find that the Defendant **Daniel Moynahan** intentionally inflicted emotional distress upon the Plaintiff?

Yes: _____ No: X

COMPENSATORY DAMAGES

29. If you answered "Yes" to any or all of questions 1 and 8, what amount if any do you award as compensatory damages as to **Christian Cicero**?

0

30. If you answered "Yes" to any or all of questions 2, 4, 6, 9, 11, 13, 15, 17, 19, 21, 23, 25, and 27, what amount if any do you award as compensatory damages as to **Joseph Dunn**?

$60,000

31. If you answered "Yes" to any or all of questions 3, 5, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, and 28, what amount if any do you award as compensatory damages as to **Daniel Moynahan**?

$15,000

32. If you are awarding compensatory damages, are you awarding pre-judgment interest?

Yes: X No: _____

33. If you found that Plaintiff has proved one or more of his claims but not actual damages, what amount if any do you award as nominal damages?

0

34. If you answered "Yes" to any or all of questions 1 and 8, and you find the conduct was malicious, oppressive, or in reckless disregard, what amount if any do you award as punitive damages as to **Christian Cicero**?

0

35. If you answered "Yes" to any or all of questions 2, 4, 6, 9, 11, 13, and 23, and you find the conduct was malicious, oppressive, or in reckless disregard, what amount if any do you award as punitive damages as to **Joseph Dunn**?

$120,000

36. If you answered "Yes" to **any or all of** questions 3, 5, 7, 10, 12, 14, and 24, and you find the conduct **was** malicious, **oppressive, or in reckless disregard, what** amount if **any** do you award as punitive damages **as to Daniel Moynahan?**

$30,000

Date/Time Printed: 01-12-2021 14:14:41 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2143CR000062	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Eddie Sierra [redacted]	Palmer District Court 235 Sykes Street - Suite 3 Palmer, MA 01069 (413)283-8916

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	01/12/2021	01/11/2021	01/11/2021

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Wilbraham	1990 Boston Rd , Wilbraham Ma 01095	N

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Wilbraham PD	21-10-AR	

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
	[redacted]	[redacted]	

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13M/B	A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a)

On 01/11/2021, did assault and beat [redacted], a family or household member as defined in c265 §13M(c), in violation of G.L. c.265, §13M (a).

PENALTY: house of correction not more than 2 ½ years; or fine not more than $5,000; or both such fine and imprisonment. For any violation of this section, or as a condition of a continuance without a finding, the court shall order the defendant to complete a certified batterer s intervention program unless, upon good cause shown, the court issues specific written findings describing the reasons that batterer s intervention should not be ordered or unless the batterer s intervention program determines that the defendant is not suitable for intervention. From G.L. c258B §8: Court shall impose a $50 domestic violence prevention and victim assistance assessment, which shall be deposited in the Domestic and Sexual Violence Prevention and Victim Assistance Fund.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK		DATE
X	X		
NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK	DATE
		X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

Wilbraham Police Department
Summons Report

Summons #: 21-10-AR
Call #: 21-764
Incident #: 21-25-OF

Date/Time Reported: 01/11/2021 @ 1233
Arrest Date/Time: 01/11/2021 @ 1450
Involves: Juveniles

OBTN: TWIL202100010
Court: PALMER DIST. COURT
Court Date: 01/12/2021 @ 0830
Reporting Officer: Sergeant SHAWN BALDWIN
Assisting Officer: Patrolman JUSTIN WALL

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	**SIERRA, EDDIE** [redacted]	M	W	28	[redacted]	

Military Active Duty: N
HEIGHT: 508 WEIGHT: 300 HAIR: BLACK EYES: BROWN
BODY: STOCKY COMPLEXION: NOT AVAIL.
DOB: [redacted] PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: HISPANIC

[APPEARANCE]

GLASSES WORN: NO

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
GONZALEZ	EDDIE		[redacted]	[redacted]

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

EMPLOYER/SCHOOL: SPRINGFIELD POLICE

#	OFFENSE(S)	ATTEMPTED	TYPE
1	**A&B ON FAMILY / HOUSEHOLD MEMBER**	N	**Misdemeanor**

LOCATION TYPE: Drug Store/Doctor's Office/ Zone: DISTRICT FOUR
CVS #2566
1990 BOSTON RD
WILBRAHAM MA 01095

265/13M/B **265** **13M**
OCCURRED: 01/11/2021 1233
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

Summons #: 21-10-AR
Call #: 21-764
Incident #: 21-25-OF

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	F	W	30	[redacted]	

DOB: [redacted]
INJURIES: None
ETHNICITY: Hispanic
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1
RELATION TO: SIERRA EDDIE [redacted]
CONTACT INFORMATION:
Home Phone (Primary) [redacted]

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	PARTICIPANT	M	W	3	NOT AVAIL	[redacted]

EMPLOYER: SPRINGFIELD POLICE DEPART
CONTACT INFORMATION:
Home Phone (Primary) [redacted]

1) On 01/11/21 at approx. 1233hrs. the Wilbraham Police Dept. received a 911 call from a male party who stated that there was an incident at CVS that had just occurred and he believed a male party had taken a child against his will. This party further stated that he observed a young male "screaming" as this older male was trying to place him into the rear of white pick-up truck bearing MA reg. 367L30. As this was occurring the caller stated that a female party was trying to stop the male and that she looked extremely upset and was also crying (this caller later provided a written statement about his observations). As this call was being taken Officer Korzec radioed that he had just been approached by a female who was extremely upset, crying and yelling that her son had just been taken by her ex-husband who was driving a white pick up truck and headed to Springfield on Boston Rd. Due to the excited state of this female, Officer Korzec was unable to obtain any further information.

2) After speaking with the witness it was determined that the vehicle involved belonged to a female party out of Springfield with the last name of Sierra. An in-house check of the Wilbraham Police Data base discovered that the possible parties involved were Eddie Sierra and [redacted] who are both known to the Wilbraham Police Dept. for having an ongoing domestic issue with the custody of their young son. All of this information was relayed to the Springfield Police Dept. who later arrived at the registered address of the white truck, [redacted]. Springfield Police then confirmed that the parties involved were in fact Eddie Sierra and [redacted]. Due to the fact that the incident occurred in Wilbraham. Ms. [redacted] was directed to go to the Wilbraham Police Dept. and file a report about the incident that had occurred.

3) At approx. 1351hrs. Ms. [redacted] came to the Wilbraham Police Dept. to report the incident that had occurred. At this time Sgt. Baldwin spoke with Ms. [redacted] who was still upset and crying while speaking with Sgt. Baldwin. Ms. [redacted] stated that she and her ex-husband, Eddie Sierra, have joint custody of their 3 year old son [redacted] and that Eddie sees [redacted] on days which had been agreed upon through Probate Court. At approx. 1219hrs. today Ms. [redacted] stated that she had been contacted by Eddie and the two had agreed to meet at the CVS parking lot in Wilbraham so that they could exchange custody of [redacted] As Eddie approached the vehicle and began to remove [redacted] Ms. [redacted] stated that [redacted] began screaming and yelling that he did not want to go with his father. Ms. [redacted] further stated that this is an ongoing issue and that she has had to contact the police in the past to help mediate the situation. Ms. [redacted] also stated that she has been working with Eddie and trying to make the transition with [redacted] easier so that he can see his father without issue. Due to the extreme behavior of [redacted] and his unwillingness to go with Eddie, Ms. [redacted] stated that she got out of her vehicle and told Eddie to stop and leave [redacted] as he was obviously upset. Ms. [redacted] stated that Eddie continued to remove [redacted] from the vehicle at which point he then walked to his truck and began placing [redacted] inside the back seat area all while [redacted] continued screaming and calling for his mother. Ms. [redacted] then stated that she went over to the back seat area and again tried to reason with Eddie who at this point drove his shoulder into her upper shoulder and chest area knocking her away from the truck at which time he entered the vehicle and sped out of the parking lot. Ms. [redacted] stated that she immediately got into her vehicle and started after Eddie while trying to call the police. It was at this time that she observed a Wilbraham Police cruiser parked on the side of the road. Ms. [redacted] stated that she pulled up to the cruiser and began frantically telling the officer what had occured before starting after Eddie again.

4) After speaking with Ms. [redacted] Sgt. Baldwin advised her of her rights under 209A which she stated she understood and requested an emergency order. Due to the court still being in session Ms. [redacted] was instructed to go to Palmer District Court and apply for the order which she did with her father who had come to the Wilbraham Police Department to assist her.

5) Based on the above mentioned information Sgt. Baldwin has Probable Cause that Eddie Sierra did commit an Assault and Battery on his ex-wife [redacted].

6) Sgt. Baldwin made contact with Mr. Sierra several times and requested he come to the Wilbraham Police Department in regards to this incident. The last time Sgt. Baldiwn spoke with Mr. Sierra was at approx. 1620hrs at which point Mr. Sierra stated that he would not be coming to the Wilbraham Police Dept. and that Sgt. Baldwin could contact his Atty should he have any further questions.

7) At approx. 1630hrs. Sgt. Baldwin contacted the Watch Commanders office of the Springfield Police Department and advised the Lieutenant that Probable Cause existed for the arrest of Mr. Sierra who was believed to be staying at [redacted].

8) On 01/11/21 at approx. 1715hrs. Sgt. Baldwin contacted the Department of Children and Families and reported the above incident. A 51A was also filed and later faxed to DCF.

9) On 01/11/21 at approx. 1650hrs. Ms. [redacted] came to the Wilbraham Police Dept. to obtain an Emergency Order due to the fact that the court had closed. Officer Gagnon assisted Ms. [redacted] with this process which resulted with an Emergency Order being issues by Judge Phillips at approx. 1820hrs.

Wilbraham Police Department

Witness Statement Form

Statement of Matthew Bengle Date: 1/11/21 Time: 1455

Taken By: Ofc Wall At: WPD

Concerning _____ Case#: _____

I, Matt Bengle MAKE THE FOLLOWING TRUE

STATEMENT, OF MY OWN FREE WILL AND ACCORD, CONCERNING THE ABOVE INCIDENT:

I was just finished selling Pepsi @ CVS on Boston Rd in Wilbraham. I was sitting in my car in parking lot and looked up and noticed a white pickup truck blocking my exit. I noticed the driver (a hispanic male) was also parked behind a woman's car parked in front of building. I heard a young child crying and I noticed the gentleman putting child in back seat of pickup truck. A woman came around the truck screaming at him and went to rear of truck, put tailgate down and started slamming tailgate with her fists. That's when I knew something was wrong. Right after that I took plate number down. The man driving sped off out of parking lot heading west on Boston Rd. The followed him. Right after they left I called 911.

SIGNED Matt Bengle

2143CR000062 Commonwealth vs. Sierra, Eddie

- Case Type:
- Criminal
- Case Status:
- Closed
- File Date
- 01/12/2021
- DCM Track:
-
- Initiating Action:
- A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a)
- Status Date:
- 04/28/2021
- Case Judge:
-
- Next Event:
-

All Information | Party | Charge | Event | Docket | Disposition

Docket Information

Docket Date	*Docket Text*	*Image Avail.*
01/12/2021	Charges Disposed:: Charge # 1 A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a) On: 01/12/2021 Judge: Angelique Crevier Probable Cause Found	
01/12/2021	Criminal Complaint issued from Electronic Application: Originating Court: Palmer District Court Case Number: 2143AC000039-AR Receiving Court: Palmer District Court ;	
01/12/2021	Complaint issued with arrest warrant.	
01/12/2021	Statement of facts filed.	Image
01/12/2021	Warrant Issued: Straight Warrant issued on 01/12/2021 for Sierra, Eddie	
01/12/2021	Warrant recalled: Straight Warrant cancelled on 01/12/2021 for Sierra, Eddie	
01/12/2021	Appearance filed On this date Jared Olanoff, Esq. added as Private Counsel for Defendant Eddie Sierra	
01/12/2021	Event Resulted: Arraignment scheduled on: 01/12/2021 03:00 PM Has been: Held - Bail or Conditions of Release ordered Hon. Michael E Mulcahy, Presiding	
01/12/2021	Defendant arraigned before Court, advised of right to counsel. Judge: Mulcahy, Hon. Michael E	
01/12/2021	Defendant before court voluntarily after issuance of warrant and warrant cancelled Judge: Mulcahy, Hon. Michael E	
01/12/2021	Plea of Not Guilty entered on all charges. Judge: Mulcahy, Hon. Michael E	
01/12/2021	Bail revocation warning (276/58) given to the defendant Judge: Mulcahy, Hon. Michael E	

Docket Date	Docket Text	Image Avail.
01/12/2021	Release on personal recognizance with pre-trial conditions, to wit: Compliance with restraining order Judge: Mulcahy, Hon. Michael E	
03/22/2021	Event Resulted: Pretrial Hearing scheduled on: 03/26/2021 08:30 AM Has been: Reschedule of Hearing For the following reason: COVID EMERGENCY- Judge ruling without a hearing Hon. Michael E Mulcahy, Presiding	
04/22/2021	Event Resulted: Pretrial Hearing scheduled on: 08/25/2021 08:30 AM Has been: Reschedule of Hearing For the following reason: Brought forward Hon. Michael E Mulcahy, Presiding	
04/27/2021	Event Resulted: Motion to Dismiss scheduled on: 04/27/2021 08:30 AM Has been: Held - under advisement Hon. Michael E Mulcahy, Presiding	
04/27/2021	Taken under advisement Judge: Mulcahy, Hon. Michael E	
04/27/2021	Event Resulted: Hearing to Review Status scheduled on: 04/27/2021 04:00 PM Has been: Held - Dismiss or to be Dismiss All Charges Hon. Michael E Mulcahy, Presiding	
04/27/2021	Motion to Dismiss ALLOWED. Judge: Mulcahy, Hon. Michael E	Image
04/28/2021	Charges Disposed:: Charge # 1 A&B ON FAMILY / HOUSEHOLD MEMBER c265 §13M(a) On: 04/27/2021 Judge: Hon. Michael E Mulcahy Dismissed	
04/28/2021	Event Resulted: Pretrial Hearing scheduled on: 08/25/2021 08:30 AM Has been: Event Cancelled For the following reason: All Charges disposed or Dismissed Hon. Michael E Mulcahy, Presiding	
04/28/2021	All charges disposed - No future events - Defendant discharged. Judge: Mulcahy, Hon. Michael E	
04/28/2021	Docket report of court proceedings to date Judge: Mulcahy, Hon. Michael E	Image

Date/Time Printed: 04-22-2019 11:24:24 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1923CR002448	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Jefferson Petrie 130 Pearl St Springfield, MA 01105	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	04/22/2019	06/29/2017	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		05/24/2019 08:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
	-	[redacted]	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13A/B	A&B c265 §13A(a)

On 06/29/2017 did assault and beat [redacted] in violation of G.L. c.265, §13A(a).

PENALTY: house of correction not more than 2½ years; or not more than $1000 fine.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST — CLERK-MAGISTRATE/ ASST. CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

FINDING OF MAGISTRATE AFTER HEARING UNDER C218/35A

DOCKET NUMBER	COUNT	Trial Court of Massachusetts Department
1923AC000077-	1	

19-2448

CASE NAME: [redacted] vs. Petrie Jefferson Springfield PD

NAME & ADDRESS OF ACCUSED PARTY:
Petrie Jefferson Springfield PD
130 Pearl Street
Springfield, MA 01109

JEFFERSON PETRIE

COURT NAME & ADDRESS:
Springfield District Court
50 State Street
PO Box 2421
Springfield, MA 01101

NAME OF APPLICANT/ POLICE: Jerry Bellamy

INCIDENT REPORT#:

DATE & TIME HEARING:SCHEDULED: 04/09/2019 at 10:30 AM

LICENSE NO.:

STATE.:

LOCATION OF OFFENSE: Springfield

MAGISTRATE'S CONDUCTING HEARING: Chaffee

Ct Rm 5 +/- 12:53 pm

REGISTRATION NO.:

STATE.:

POLICE DEPARTMENT:

"X" IF APPLICABLE
- ☐ DEFENDANT FAILED TO APPEAR
- ☐ COMPLAINANT NOT PRESENT
- ☐ NEITHER PARTY PRESENT
- ☐ RESOLVED W/O HEARING

OFFICER ID:

CD RECORDING LOG
START: _____ END: _____

VIOLATION CODE CITATION NO.	VIOLATION DESCRIPTION	OFFENSE DATE/ RANGE	CLERK DISPOSITION
265/13A/B	A&B c265 §13A(a)	06/29/2017	PC

Offense Disposition Codes:

***NPC**- No Probable Cause- denied; **PC**-Probable Cause found; **RCMV**-Responsible - CMVI C90C/3; **NRCMV**- Not Responsible - CMVI C90C/3; **SFF35A**- Sufficient Facts Found for Probable Cause; **AFDNH**- Application - Filed and Denied; **WD**- Withdrawn.*

Application Process ordered by Court: ☒ Complaint and Summons 5/24/19 ☐ Complaint and Warrant

☐ Sufficient Facts found- Hearing continued for compliance to _____

☐ Application denied-Defendant complied with conditions of continuance order.

DATE ISSUED: 4/16/19

CLERK-MAGISTRATE:

Date/Time Printed: 03-22-2019 15:49:21

FINDING OF MAGISTRATE AFTER HEARING UNDER C218/35A	DOCKET NUMBER	COUNT	Trial Court of Massachusetts Department
	1923AC000077-	1	

CASE NAME: [redacted] vs. Petrie Jefferson Springfield PD

NAME & ADDRESS OF ACCUSED PARTY:	COURT NAME & ADDRESS:
Petrie Jefferson Springfield PD 130 Pearl Street Springfield, MA 01109	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101

NAME OF APPLICANT/ POLICE:	INCIDENT REPORT#	DATE & TIME HEARING:SCHEDULED
Jerry Bellamy		03/27/2019 at 10:00 AM

LICENSE NO.	STATE.	LOCATION OF OFFENSE	MAGISTRATE'S CONDUCTING HEARING:
		Springfield	

REGISTRATION NO.	STATE.	POLICE DEPARTMENT	"X" IF APPLICABLE
			☐ DEFENDANT FAILED TO APPEAR ☐ COMPLAINANT NOT PRESENT ☐ NEITHER PARTY PRESENT ☐ RESOLVED W/O HEARING

OFFICER ID	CD RECORDING LOG: START: _____ END: _____

VIOLATION CODE CITATION NO.	VIOLATION DESCRIPTION	OFFENSE DATE/ RANGE	CLERK DISPOSITION
265/13A/B	A&B c265 §13A(a)	06/29/2017	
3/22/19	Cnj 4/9/19 10:30 Mots & Ltr Bail CMC		

Offense Disposition Codes:

***NPC**- No Probable Cause- denied; **PC**-Probable Cause found; **RCMV**-Responsible - CMVI C90C/3; **NRCMV**- Not Responsible - CMVI C90C/3; **SFF35A**- Sufficient Facts Found for Probable Cause; **AFDNH**- Application - Filed and Denied; **WD**- Withdrawn.*

Application Process ordered by Court: ☐ Complaint and Summons _____ ☐ Complaint and Warrant

☐ Sufficient Facts found- Hearing continued for compliance to _____

☐ Application denied-Defendant complied with conditions of continuance order.

DATE ISSUED	CLERK-MAGISTRATE

Date/Time Printed: 02-28-2019 13:20:23

CRIMINAL COMPLAINT

1923AC000077 | ___ of ___

District Court Department

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

☐ ONLY MISDEMEANOR(S), I request a hearing ☐ **WITHOUT NOTICE** because of an imminent threat of ☐ BODILY INJURY ☐ COMMISSION OF A CRIME ☐ FLIGHT ☐ **WITH NOTICE** to accused.

☐ ONE OR MORE FELONIES, I request a hearing ☐ **WITHOUT NOTICE** ☐ **WITH NOTICE** to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED
☐ **HAS** ☐ **HAS NOT** been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS: ~~Petrie T. Jefferson~~ JEFFERSON PETRIE
Springfield Police Department
130 Pearl St
Springfield MASS 01109

BIRTH DATE [redacted] | SOCIAL SECURITY NUMBER

PCF NO. | MARITAL STATUS

DRIVERS LICENSE NO. | STATE MASS

GENDER | HEIGHT | WEIGHT | EYES

HAIR | RACE | COMPLEXION | SCARS/MARKS/TATTOOS | INTERPRETER NEEDED (language) | BIRTH STATE OR COUNTRY | DAY PHONE [redacted]

EMPLOYER/SCHOOL | MOTHER'S MAIDEN NAME (FIRST MI LAST) | FATHER'S NAME (FIRST MI LAST)

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST) [redacted]

COMPLAINANT TYPE ☐ POLICE ☑ CITIZEN ☐ OTHER | PD

ADDRESS [redacted]

PLACE OF OFFENSE

INCIDENT REPORT NO. | OBTN

CITATION NO(S).

	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1		Assault & Battery	6/29/2017
	VARIABLES *(e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)*		
2	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		
3	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		

REMARKS [redacted] | DATE FILED 1/23/19

COURT USE ONLY → A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON: DATE OF HEARING 3/27/19 AT TIME OF HEARING 10:00 ← COURT USE ONLY

PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY)

DATE 3/11/19 (illegible)

NOTICE SENT OF CLERK'S HEARING SCHEDULED ON: 2/27/19

NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:

HEARING CONTINUED TO:

APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:
☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED
☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE
☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION

CLERK/JUDGE (illegible)

DATE | COMPLAINT TO ISSUE | COMPLAINT DENIED | CLERK/JUDGE

DATE: 4/16/19

☑ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S)
NO(S). ☒ 1. ☐ 2. ☐ 3. BASED ON
☑ FACTS SET FORTH IN ATTACHED STATEMENT(S)
☐ TESTIMONY RECORDED: TAPE NO. _____
START NO. _____ END NO. _____
☐ WARRANT ☐ SUMMONS TO ISSUE
SCHEDULED ARRAIGNMENT DATE:

☐ NO PROBABLE CAUSE FOUND
☐ REQUEST OF COMPLAINANT
☐ FAILURE TO PROSECUTE
☐ AGREEMENT OF BOTH PARTIES
☐ OTHER:

COMMENT

CLERK/JUDGE (illegible)

STATEMENT OF FACTS
IN SUPPORT OF
APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. *(court use only)*

PAGE ___ OF ___

Trial Court of Massachusetts
District Court Department

COURT DIVISION

The undersigned alleges the following as a ☑ full or ☐ partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.

On June 29th 2017, I [redacted] walked into the SPRINGFIELD MASS POLICE Department, I approached the window with A TICKET 750 dollars in my hand. I asked to Speak to A Sargent / White Shirt. I was asked by the window officer what my Problem wa I replied I want to Speak to A White Shirt Againe. The officer asked what my Problem was A 2ND time, then I told him. ~~He Came from behind the~~ I wanted to file A Complaint. He did not like what I said he came from behind the Desk & Started Punching & Grabbing at my face & NECK Area. I was forced backwards out the door then The Desk offic & 2 other officers jumped me. They jumped on me AND beat me repeatly in my BACK NECK SIDE & Head. Afte several minutes of trying to protect myself from th Assault I gave the officer my Right hand and the off put the cuffs on so tight they cut the circulation off to my Right hand. The cuffs were so tight I had a Large cut all the way to the Bone. There are 2 more Tapes & Pictures The POLICE will not give US, That Shows the Beating

(Use additional sheets if necessary)

[redacted]

I AM A:
☐ LAW ENFORCEMENT OFFICER
☑ CIVILIAN COMPLAINANT OR WITNESS
JUDGE BASED ON ORAL TESTIMONY

DATE SIGNED 1/23/19

REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE	DATE SIGNED
	X	

DC-CR-34 (7/04)

STATEMENT OF FACTS
IN SUPPORT OF
APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. *(court use only)*

PAGE ___ OF ___

Trial Court of Massachusetts
District Court Department

The undersigned alleges the following as a ☐ full or ☐ partial statement of the factual basis for the offense(s) for which a criminal complaint is sought.

COURT DIVISION

As a results of my investigation It has been determined by one of court documents that the persons that Assaulted me was Jefferson J. Patrie A Springfield Police officer. There were 2 more individuals that has not been name as of yet But Charges will be filled Against them As well.

(Use additional sheets if necessary)

[redacted]

I AM A:
☐ LAW ENFORCEMENT OFFICER
☒ CIVILIAN COMPLAINANT OR WITNESS

DATE SIGNED
4/23/19

ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK / JUDGE BASED ON ORAL TESTIMONY

REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE	DATE SIGNED
	X	

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO. 1923 AC 77

[redacted]
(Complainant)
v.

JEFFERSON PETRIE
(Respondent)

DECISION

ALLEGED OFFENSE

A Show Cause hearing concerning the above-referenced matter was held on April 9, 2019 on Application for Criminal Complaint, charging JEFFERSON PETRIE with:

(1) Assault and Battery (June 29, 2017).

The hearing was held in courtroom 5 at the Springfield District Court.

The hearing was conducted during the following times:
12:53pm – 3:02pm,

WITNESSES

1. [redacted]
2. Jefferson Petrie
3. Colin Cochrane
4. Ruben Borrero
5. Thomas Sheehan

EXHIBITS

1. Police Report (1 page narrative),
2. Springfield P. D. General Order – Use of Force (5 pages),
3. Photographs (2 photos on 1 page),
4. Photographs (2 photos on 1 page),
5. DVD (4 separate videos) and
6. DVD (1 continuous video).

FINDINGS

On June 29, 2017 (early afternoon), Mr. [redacted] (hereinafter referred to as [redacted]) entered the Springfield Police Department lobby carrying a parking ticket in his left hand and walked straight ahead directly to the community service window. At the time of [redacted] arrival, Officer Jefferson Petrie (hereinafter referred to as "Petrie"), in uniform and on duty, was stationed behind a window at the community service area designated to assist the public. When [redacted] approached the window he placed both of his hands on the counter in front of the window and requested of Petrie to speak with a "white shirt". Bellamy's use of the words "white shirt" was a request to speak with a supervisor and Petrie understood [redacted] request. In an effort to determine why [redacted] was requesting to speak with a supervisor, Petrie asked [redacted] "What is the problem?" [redacted] admittedly angry, frustrated and loudly responded to Petrie's inquiry with profanity. Specifically, [redacted] said something to the effect of "I'm tired of you motherfuckers issuing me fake parking tickets". That same day, shortly before arriving at the police station, [redacted] was issued a parking ticket that he disagreed with. The verbal exchange between [redacted] and Petrie through the window was extremely brief. Within 10-12 seconds of [redacted]'s initial arrival at the window, Petrie vacated the community service area and entered the lobby through a door to [redacted]'s left. Petrie admittedly did not make any verbal commands to defuse the situation prior to entering the lobby. Upon entering the lobby, Petrie immediately took 5 steps towards [redacted] and grabbed [redacted]'s right arm/right shoulder with his left hand. Upon being grabbed on his right arm/right shoulder, [redacted] shed Petrie's grab, took 3 steps backwards and stopped with both hands down, looking in Petrie's direction. Simultaneously with [redacted] taking the 3 retreating steps, Petrie, without any hesitation took 3 steps in [redacted]'s direction and grabbed [redacted]'s throat with both of his hands. When [redacted] was grabbed by the throat by Petrie, both of [redacted]'s hands were down by his waist. After making contact with [redacted]'s throat, Petrie continued to have his hands on [redacted]'s left arm and chest while he walked [redacted] approximately 12-15 steps backwards to the front entrance of the police station. As [redacted] was walked backwards outside, [redacted] had belongings in both of his hands, including the parking ticket in his left hand. While Petrie was walking [redacted] backwards to the entrance, Officer Colin Cochrane (hereinafter referred to as "Cochrane") entered the lobby area through the same door that Petrie entered the lobby and followed Petrie and [redacted] to the outside of the police station. Upon breaking the threshold of the outside door, while Petrie had his left hand on the outside door and his right hand on [redacted]'s chest, [redacted] thrust his right forearm into Petrie's shoulder/neck/chin area. [redacted]'s strike on Petrie was observed by Cochrane. After being struck by [redacted] outside the front door of the police station, Petrie immediately attempted to grab [redacted] to effectuate an arrest. [redacted] continued to step backwards to elude Petrie and Cochrane. A few seconds after [redacted] struck Petrie, Officer Ruben Borrero (hereinafter referred to as "Borrero") entered the lobby from inside the police station and also exited the station through the front door in an effort to assist Petrie and Cochrane. Petrie continued to try to put a grasp on [redacted] but [redacted] continued to elude apprehension while peddling backwards towards the road in front of the police station. When

[redacted] reached the tree belt area of the road, the three officers circled [redacted] and brought him to the ground to effectuate an arrest. While on the ground, [redacted] admittedly resisted arrest for an extended period of time. While [redacted] was resisting arrest, Officer Thomas Sheehan (hereinafter referred to as "Sheehan") exited the police station and trotted to the tree belt area to assist the other three officers with [redacted]. [redacted] resisted arrest on the ground for approximately 90 seconds and then finally acquiesced. Petrie placed handcuffs on [redacted] and [redacted] was brought to his feet. Officers Petrie and Sheehan escorted [redacted] back inside the station through the front door to be booked. As [redacted] was being escorted back to the station, [redacted] began yelling at Petrie in close proximity to Petrie's face. Petrie pushed [redacted]'s face away from his. While the confrontation was happening on the tree belt area some passing vehicles stopped. Additionally, two police cruisers with flashing lights responded to the scene to assist.

Petrie's police report narrative (See Exhibit 1) inaccurately stated [redacted] "threw a parking ticket through the pass-through in the window". Rather, the videos (See Exhibits 5 and 6) support [redacted]'s assertion that he did not throw the ticket at Petrie. The parking ticket was in [redacted]'s left hand when he arrived at the police station and remained in his left hand after Petrie initiated physical force.

CONCLUSION

Petrie's actions in dealing with the disgruntled citizen, namely [redacted], did not comply with the mandates of the General Order of the Springfield Police pertaining to Use of Force (See Exhibit 2). Petrie's response to [redacted]'s profanity was excessive and not "objectionably reasonable" taking into consideration a reasonable perception of the risk/threat presented. Petrie lacked any measurable effort to attempt communication to defuse [redacted]'s displeasure with the Springfield Police Department. Rather than to attempt to deescalate the situation through communication, Petrie resorted to physical force to stifle [redacted]'s use of profanity. Petrie's use of physical force escalated the situation.

While not the focus of this hearing, once [redacted] was backed out of the police station, [redacted] committed an assault and battery on a police officer, namely Petrie, when he thrust his forearm into Petrie's neck/chin. Following the assault and battery on Petrie, Petrie's use of force, along with the three assisting officers to apprehend [redacted] and place him under arrest was reasonable. [redacted]'s extended resistance and confrontation following his assault and battery on Petrie was conduct justifying additional charges of resisting arrest and disorderly conduct.

After hearing, a review of the evidence, including but not limited to all exhibits set forth above and a review of the applicable law, it is determined that probable cause exists to issue criminal process against Jefferson Petrie for the alleged offense of Assault and Battery (MGL 265/13A).

Kenneth H. Chaffee
Clerk-Magistrate

April 16, 2019

CRIMINAL DOCKET

DOCKET NUMBER	NO. OF COUNTS
1923CR002448	1

Trial Court of Massachusetts
District Court Department

DEFENDANT NAME AND ADDRESS
Jefferson Petrie
130 Pearl St
Springfield, MA 01105

GENDER: [redacted]

DATE COMPLAINT ISSUED: 04/22/2019

PRECOMPLAINT ARREST DATE:

COURT NAME & ADDRESS
Springfield District Court
50 State Street
PO Box 2421
Springfield, MA 01101

INTERPRETER REQUIRED:

FIRST FIVE OFFENSE COUNTS

COUNT	CODE	OFFENSE DESCRIPTION	OFFENSE DATE
1	265/13A/B	A&B c265 §13A(a)	06/29/2017

DEFENSE ATTORNEY: Dolan (PT)

OFFENSE CITY/TOWN: Springfield

POLICE DEPARTMENT:

DATE & JUDGE	DOCKET ENTRY	DATE & JUDGE	FEES IMPOSED
MAY 2 4 2019 Payne, J QW	☐ Attorney appointed (SJC R. 3:10) ☐ Atty denied & Deft. Advised per 211 D §2A ☐ Waiver of Counsel found after colloquy		Counsel Fee (211D § 2A¶2) $ ☐ WAIVED
	Terms of release set: ☑ PR ☐ Bail ☑ See Docket for special condition ☐ Held (276 §58A) *Stay away/ No Contact while on duty		Counsel Contribution (211D § 2) $ ☐ WAIVED
			Default Warrant Fee (276 § 30¶1) $ ☐ WAIVED
			Default Warrant Arrest Fee (276 § 30 ¶2) $ ☐ WAIVED
MAY 2 4 2019 Payne, J QW	Arraigned and advised: ☑ Potential of bail revocation (276 §58B) ☐ Right to bail to review (276 §58) ☐ Right to drug exam (111E § 10) ☐ Inquiry made by Court under 276 § 56A		Probation Supervision Fee (276 § 87A) $ ☐ WAIVED
			Bail Order Forfeited
			Advised of right to jury trial: ☐ Waiver of jury found after colloquy ☐ Does not waive
	Abuse Allegation: ☐ C276 § 56A form filed by Commonwealth ☐ Allegation of abuse under C276 § 56A found ☐ No allegation of abuse under C276 § 56A found		Advised of trial rights as pro se (Dist. Ct. Supp.R.4)
			Advised of right of appeal to Appeals Ct. (M.R. Crim P.R. 28)

SCHEDULING HISTORY

NO.	SCHEDULED DATE	EVENT	RESULT	JUDGE	TAPE START/ STOP
1	05/24/2019	Arraignment	☑ Held ☐ Not Held but Event Resolved ☐ Cont'd	Payne, J	
2	7.17.19	PTH #2	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd	Santangelo, J	
3	10.1.19	PTH #2	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd	Grace, J	
4	12.6.19	PTH #2	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd	Grace, J	
5	2/4/20	PTH #2 / MLH	☐ Held ☐ Not Held but Event Resolved ☑ Cont'd	Ouimet-Brooks, J	
6	3.9.20	PTH #2	☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		
7			☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		
8			☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		
9			☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		
10			☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		

APPROVED ABBREVIATIONS
ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate
DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

A TRUE COPY ATTEST:	CLERK-MAGISTRATE / ASST CLERK	TOTAL NO. OF PAGES	ON (DATE)
	X		

#2 11:17 ADA Kemp Atty Dolan

CRIMINAL DOCKET - OFFENSES

DEFENDANT NAME: Jefferson Petrie

DOCKET NUMBER: 1923CR002448

COUNT / OFFENSE: 1 A&B c265 §13A(a)

DISPOSITION DATE AND JUDGE: MAR 09 2020 Murphy

DISPOSITION METHOD
- ☐ Guilty Plea or ☒ Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
- ☐ Bench Trial
- ☐ Jury Trial
- ☐ Dismissed upon:
  - ☐ Request of Commonwealth ☐ Request of Victim
  - ☐ Request of Defendant ☐ Failure to prosecute
  - ☐ Other:
- ☐ Filed with Defendant's consent
- ☐ Nolle Prosequi
- ☐ Decriminalized (277 §70 C)

FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
HEAD INJURY ASMT	**RESTITUTION**	**V/W ASSESSMENT**	**BATTERER'S FEE**	**OTHER**
		50		

SENTENCE OR OTHER DISPOSITION
- ☐ Sufficient facts found but continued without a finding until: 3-9-21
- ☐ Defendant placed on probation until:
  - ☐ Risk/Need or OUI ☒ Administrative Supervision
- ☐ Defendant placed on pretrial probation (276 §87) until:
- ☐ To be dismissed if court costs / restitution paid by:
  - SA, NC by (V) – unless professional conduct

- Attend & complete Anger management
- Mental health/ 1st Aid class

FINDING
- ☐ Guilty ☐ Not Guilty
- ☐ Responsible ☐ Not Responsible
- ☐ Probable Cause ☐ No Probable Cause

FINAL DISPOSITION — JUDGE — DATE
- ☐ Dismissed on recommendation of Probation Dept.
- ☐ Probation terminated: defendant discharged
- ☐ Sentence or disposition revoked (see cont'd page)

COUNT / OFFENSE:

DISPOSITION DATE AND JUDGE:

DISPOSITION METHOD
- ☐ Guilty Plea or ☐ Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
- ☐ Bench Trial
- ☐ Jury Trial
- ☐ Dismissed upon:
  - ☐ Request of Commonweaith ☐ Request of Victim
  - ☐ Request of Defendant ☐ Failure to prosecute
  - ☐ Other:
- ☐ Filed with Defendant's consent
- ☐ Nolle Prosequi
- ☐ Decriminalized (277 §70 C)

FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
HEAD INJURY ASMT	**RESTITUTION**	**V/W ASSESSMENT**	**BATTERER'S FEE**	**OTHER**
				travel restr. waived

SENTENCE OR OTHER DISPOSITION
- ☐ Sufficient facts found but continued without a finding until:
- ☐ Defendant placed on probation until:
  - ☐ Risk/Need or OUI ☐ Administrative Supervision
- ☐ Defendant placed on pretrial probation (276 §87) until:
- ☐ To be dismissed if court costs / restitution paid by:

- PSF – $50/month
- moves by 9-9-20

FINDING
- ☐ Guilty ☐ Not Guilty
- ☐ Responsible ☐ Not Responsible
- ☐ Probable Cause ☐ No Probable Cause

FINAL DISPOSITION — JUDGE — DATE
- ☐ Dismissed on recommendation of Probation Dept.
- ☐ Probation terminated: defendant discharged
- ☐ Sentence or disposition revoked (see cont'd page)

COUNT / OFFENSE:

DISPOSITION DATE AND JUDGE:

DISPOSITION METHOD
- ☐ Guilty Plea or ☐ Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
- ☐ Bench Trial
- ☐ Jury Trial
- ☐ Dismissed upon:
  - ☐ Request of Commonwealth ☐ Request of Victim
  - ☐ Request of Defendant ☐ Failure to prosecute
  - Other:
- ☐ Filed with Defendant's consent
- ☐ Nolle Prosequi
- ☐ Decriminalized (277 §70 C)

FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
HEAD INJURY ASMT	**RESTITUTION**	**V/W ASSESSMENT**	**BATTERER'S FEE**	**OTHER**

SENTENCE OR OTHER DISPOSITION
- ☐ Sufficient facts found but continued without a finding until:
- ☐ Defendant placed on probation until:
  - ☐ Risk/Need or OUI ☐ Administrative Supervision
- ☐ Defendant placed on pretrial probation (276 §87) until:
- ☐ To be dismissed if court costs / restitution paid by:

FINDING
- ☐ Guilty ☐ Not Guilty
- ☐ Responsible ☐ Not Responsible
- ☐ Probable Cause ☐ No Probable Cause

FINAL DISPOSITION — JUDGE — DATE
- ☐ Dismissed on recommendation of Probation Dept.
- ☐ Probation terminated: defendant discharged
- ☐ Sentence or disposition revoked (see cont'd page)

CRIMINAL DOCKET DOCKET ENTRIES	DEFENDANT NAME Jefferson Petrie	DOCKET NUMBER 1923CR002448

DATE	DOCKET ENTRIES
FEB 04 2020	Δ before the court. Atty Dolan / ADA Kemp
9:27:03 #2	Comm's Response to Defense "Consolidated Motion for Discovery and Inspection" filed
	Comm's Certificate of Discovery Compliance filed
	Appearance by ADA Kelly Kemp filed
	Consolidated Motion for Discovery and Inspection filed
	Dvirt Proto J
9/9/20	C 3/9/21 Outside date CD

APPROVED ABBREVIATIONS
ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate
DFTA = Defendant failed to appear & was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
ATTORNEY GENERAL

TEL: (617) 727-2200
www.mass.gov/ago

April 11, 2019

The Honorable Anthony D. Gulluni
District Attorney for the Hampden District
50 State Street
Springfield, Massachusetts 01102

Re: *Commonwealth v. John Wajdula*, Docket Numbers 1979CR00167 1985CR00112

Dear District Attorney Gulluni:

I am writing to notify you of the substance of the allegations that gave rise to the above-referenced indictment against Springfield Police Officer John Wajdula.

On March 27, 2019, the Statewide Grand Jury sitting in Worcester charged Officer Wajdula with one count of Perjury, in violation of G.L. c. 268, § 1; one count of Misleading a Police Officer, in violation of G.L. c. 268, § 13B; and one count of Making a False Report, in violation of G.L. c. 269, § 13A. The indictment alleges that, on March 26, 2018, Officer Wajdula made false statements under oath to the Grand Jury that he knew were false when he made them and that were material to the matter under investigation by the Grand Jury. Specifically, Officer Wajdula testified falsely regarding actions he took regarding criminal background checks that he personally conducted of several victims of a physical assault that occurred after a confrontation at Nathan Bill's Bar and Restaurant in Springfield, on or about April 8, 2015, and the reasons for those actions. The indictment further alleges that, on or about August 31-September 1, 2015, and again on or about May 18, 2017, Officer Wajdula intentionally provided superior officers and federal agents a materially false version of his actions and the reasons for them, described above, that reasonably could have led those officers to pursue a materially different course in their investigation. As a result of these indictments, Officer Wajdula has been suspended without pay.

I hope that this information is helpful to you. Should you have questions or require clarification, you can reach me at (617) 963-2864.

Yours sincerely,

Kimberly P. West
Chief, Criminal Bureau

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
ATTORNEY GENERAL

TEL: (617) 727-2200
www.mass.gov/ago

May 3, 2021

The Honorable Anthony D. Gulluni
District Attorney for the Hampden District
50 State Street, Springfield, Massachusetts 01102

Re: Potential Exculpatory Evidence Related to the Nathan Bill's Investigation

Dear District Attorney Gulluni:

On April 11, 2019, the Criminal Bureau of the Attorney General's Office provided you formal written notice of the substance of the allegations that gave rise to indictments against then-current or former officers of the Springfield Police Department, specifically, Daniel Billingsley, Nathanael Perez, John Wajdula, Louis Bortolussi, Derrick Gentry-Mitchell, Jose Diaz, Anthony Cicero, Melissa Rodriguez, Darren Nguyen, James D'Amour, Shavonne Lewis, Christian Cicero, Igor Basovskiy, and Jameson Williams.

In light of the Supreme Judicial Court's recent opinion, *In the Matter of a Grand Jury Investigation*, 485 Mass. 641 (2020), I write to further notify you of the following potentially exculpatory information learned about one officer since April 2019 and not covered by previous disclosures, namely, John Wajdula:

John Wajdula, a Springfield police officer, was one of the indicted officers about whom prior disclosure was made regarding the substance of the allegations underlying his indictments. During pre-trial proceedings, the Commonwealth learned of additional potential exculpatory information about defendant Officer Wajdula. In particular, Officer Wajdula has claimed to have substantial deficits in his ability to perceive and recall events. In addition to the materials disclosed under the protective order enclosed herein pertaining to these claims, Officer Wajdula also testified regarding them at a public, recorded pre-trial evidentiary hearing at the Hampden Superior Court, courtroom 8, on February 14, 2020, before the Honorable Mark Mason.

Save for the aforementioned public testimony, these disclosures are not for public dissemination and are accompanied by a protective order under Docket No. 2179GJ39 issued by the Hampden Superior Court. I have included the Court's order along with this correspondence.

I hope that this information is helpful to you. Should you have questions or require clarification, you can reach me at (617) 963-2957.

Yours sincerely,

Gina Kwon, Chief, Criminal Bureau

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DANIEL BRADLEY, Plaintiff	)	
v.	)	CIVIL ACTION NO.
CHRISTIAN CICERO, JOSEPH DUNN, and DANIEL MOYNAHAN, Defendants	)	

COMPLAINT

INTRODUCTION

1. This is an action for money damages brought pursuant to the Federal Civil Rights Act, 42 U.S.C. §§ 1983 and 1988, the Fourth and Fourteenth Amendments to the United States Constitution, the Massachusetts Civil Rights Act, M.G.L. c. 12 §§ 11H and 11I, Article 14 of the Massachusetts Declaration of Rights, and under the common law of the Commonwealth of Massachusetts, against Christian Cicero, Joseph Dunn, and Daniel Moynahan, police officers of the City of Springfield, in their individual capacities. Jurisdiction is based upon 28 U.S.C. §§ 1331 and 1343, and on the pendent jurisdiction of this Court to entertain claims arising under state law.

2. It is alleged that the Defendants made an unreasonable seizure of the person of the Plaintiff, Daniel Bradley, and that the Defendants assaulted and battered the Plaintiff in violation of his rights under the Fourth and Fourteenth Amendments to the United States Constitution and Article 14 of the Massachusetts Declaration of Rights.

PARTIES

3. The Plaintiff, Daniel Bradley, is an individual residing at 5 West Laramee Green, Indian

Orchard, MA 01151.

4. The Defendants, Christian Cicero ("Officer Cicero"), Joseph Dunn ("Officer Dunn") and Daniel Moynahan ("Officer Moynahan"), were at all times relevant to the allegations of this Complaint duly appointed and acting officers of the police department of the City of Springfield, acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs and usages of the Commonwealth of Massachusetts and/or the City of Springfield.

STATEMENT OF FACTS

5. On August 26, 2015, at approximately 2:00 AM, the Plaintiff was traveling in a motor vehicle on Northampton Avenue in the City of Springfield, Massachusetts.

6. The Plaintiff was seated in the rear of the vehicle on the passenger side.

7. The vehicle was being operated by Daeshavana Robinson ("Ms. Robinson").

8. Barbara Murphy was seated in the front passenger seat.

9. Savon Tucker was seated in the rear of the vehicle on the driver's side to the left of the Plaintiff.

10. After coming to a complete stop at the intersection of Northampton Avenue and King Street, Ms. Robinson took a right hand turn onto King Street.

11. Shortly thereafter, Officers Cicero and Dunn, who were traveling behind Ms. Robinson's vehicle in a fully marked police cruiser, activated their cruiser's emergency lights, signaling for Ms. Robinson to pull over.

12. Ms. Robinson promptly pulled her vehicle to the side of the roadway.

13. Officers Cicero and Dunn radioed for backup.

14. Officer Moynahan, along with Officers T. Ellison, J. Bienvenue, and C. Lariviere,

responded to the call and arrived on the scene.

15. Officer Cicero exited his cruiser and approached the driver's side of the vehicle.

16. Officers Dunn and Moynahan exited their cruisers and approached the passenger side of the vehicle.

17. Officer Cicero made contact with Ms. Robinson.

18. Ms. Robinson provided Officer Cicero with her driver's license and the rental agreement for the vehicle.

19. The Defendants returned to their cruisers to check Ms. Robinson's documentation.

20. The Defendants came back and informed Ms. Robinson that the rental agreement was expired and that she was not listed as an authorized driver.

21. The Defendants then asked the Plaintiff for his identification.

22. The Plaintiff provided his identification to the Defendants.

23. The Defendants returned to their cruisers.

24. A few minutes later, the Defendants returned to the Plaintiff's vehicle.

25. Officers Dunn and Moynahan opened the rear passenger door and forcibly pulled the Plaintiff out of the vehicle by the arm.

26. Officer Dunn immediately handcuffed the Plaintiff with his arms behind his back.

27. Officers Dunn and Moynahan searched the Plaintiff's pockets and emptied the contents into the backseat of the vehicle.

28. During the search of the Plaintiff's person, Officer Moynahan firmly grabbed the Plaintiff's genitals in the palm of his hand.

29. The Plaintiff felt violated and immediately questioned why Officer Moynahan had grabbed his genitals.

30. The Plaintiff verbally protested to the way he was being treated and told the Defendants that they were violating his civil rights.

31. Officer Moynahan told the Plaintiff to "shut up" and shoved him against the side of the vehicle.

32. Officers Dunn and Moynahan led the Plaintiff to their cruiser.

33. Officer Dunn punched the Plaintiff in the face while he was still handcuffed with his arms behind his back.

34. The blow caused the Plaintiff to fall face-first onto the rear floorboard of the police cruiser.

35. Officers Dunn and Moynahan then proceeded to stomp on the Plaintiff's back with their boots.

36. Officers Cicero and Dunn transported the Plaintiff in their cruiser to the Springfield Police Station for booking.

37. During the booking process, the Plaintiff asked to speak to a captain to report how he had been assaulted by the Defendants.

38. The booking officer, Sergeant Philip McBride, ignored the Plaintiff's repeated requests to report the assault to a captain.

39. The Defendants sought a criminal complaint against the Plaintiff, charging him with one count of Assault and Battery on a Police Officer and one count of Resisting Arrest.

40. Later that day on August 26, 2015, Complaint Docket No. 1523CR5954 was issued and the Plaintiff was arraigned before the Springfield District Court.

41. At arraignment, bail was set in the amount of $10,000.00 over the objection of the Plaintiff.

42. The Plaintiff was unable to post said bail and was consequently held at the Hampden County Corrections Center in Ludlow, Massachusetts.

43. On September 25, 2015, the court lowered the Plaintiff's bail to $1,000.00, which the Plaintiff posted that day.

44. From August 2, 2016 through August 3, 2016, a jury trial was conducted in the Springfield District Court.

45. The jury returned a verdict of not guilty on all counts.

46. As a direct result of his unlawful arrest at the hands of the Defendants and subsequent malicious prosecution, the Plaintiff was incarcerated from August 26, 2015 through September 25, 2015 for a total of 30 days.

47. As a direct result of the excessive force used by the Defendants against the Plaintiff at the time of his arrest, the Plaintiff suffered injuries to his lip and back.

48. As a direct result of his unlawful arrest and imprisonment and the use of excessive force against him, the Plaintiff suffered severe emotional distress.

COUNT I – UNLAWFUL SEIZURE AND ARREST (42 U.S.C. §§ 1983 and 1988)

49. The Plaintiff realleges and incorporates herein Paragraphs 1-48.

50. The Defendants, acting under color of law, intentionally and unlawfully seized the Plaintiff by conducting a traffic stop of the motor vehicle he was a passenger in without reasonable suspicion that the occupants of the vehicle were engaged in criminal activity and/or the operator of the vehicle had committed a motor vehicle infraction.

51. The Defendants, acting under color of law, intentionally and unlawfully seized the Plaintiff by forcibly removing him from the vehicle, handcuffing him, and searching his person without reasonable suspicion that he was either engaged in criminal activity or

posed a danger to the Defendants.

52. The Defendants, acting under color of law, intentionally and unlawfully exceeded the scope of a routine pat-frisk by firmly grabbing the Plaintiff's genitals during their search of the Plaintiff's person.

53. The Defendants, acting under color of law, intentionally and unlawfully arrested the Plaintiff without probable cause to believe that he had committed a crime.

54. The Defendants' actions deprived the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by the Fourth Amendment to the United States Constitution.

55. As a direct result, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

56. The Plaintiff is therefore entitled to damages pursuant to 42 U.S.C. §§ 1983 and 1988.

COUNT II – UNLAWFUL SEIZURE AND ARREST (M.G.L. c. 12 §§ 11H and 11I)

57. The Plaintiff realleges and incorporates herein Paragraphs 1-56.

58. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully seized the Plaintiff by conducting a traffic stop of the motor vehicle he was a passenger in without reasonable suspicion that the occupants of the vehicle were engaged in criminal activity and/or the operator of the vehicle had committed a motor vehicle infraction.

59. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully seized the Plaintiff by forcibly removing him from the vehicle, handcuffing him, and searching his person without reasonable suspicion that he was either engaged in criminal activity or posed a danger to the Defendants.

60. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully exceeded the scope of a routine pat-frisk by firmly grabbing the Plaintiff's genitals during their search of the Plaintiff's person.

61. The Defendants, by means of threats, intimidation, and coercion, intentionally and unlawfully arrested the Plaintiff without probable cause to believe that he had committed a crime.

62. The Defendants' actions deprived the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by Article 14 of the Massachusetts Declaration of Rights.

63. As a direct result, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

64. The Plaintiff is therefore entitled to damages pursuant to the Massachusetts Civil Rights Act, M.G.L. c. 12 §§ 11H and 11I.

COUNT III – FALSE IMPRISONMENT (COMMON LAW)

65. The Plaintiff realleges and incorporates herein Paragraphs 1-64.

66. The Defendants, acting under color of law, intentionally and unlawfully confined the Plaintiff against his will.

67. The Plaintiff was conscious of said unconsented-to confinement, deprived of his liberty, and suffered physical, emotional, and financial harm as a direct result.

68. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT IV – FALSE ARREST (COMMON LAW)

69. The Plaintiff realleges and incorporates herein Paragraphs 1-68.

70. The Defendants, acting under color of law, intentionally and unlawfully arrested the

Plaintiff without probable cause to believe that he had committed a crime.

71. As a direct result, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

72. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT V – EXCESSIVE FORCE (42 U.S.C. §§ 1983 and 1988)

73. The Plaintiff realleges and incorporates herein Paragraphs 1-72.

74. The Defendants, acting under color of law, used excessive and unreasonable force in the course of detaining the Plaintiff and placing the Plaintiff under arrest, thereby depriving the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by the Fourth Amendment to the United States Constitution.

75. The Plaintiff suffered physical and emotional harm as a direct result.

76. The Plaintiff is therefore entitled to damages pursuant to 42 U.S.C. §§ 1983 and 1988.

COUNT VI – EXCESSIVE FORCE (M.G.L. c. 12 §§ 11H and 11I)

77. The Plaintiff realleges and incorporates herein Paragraphs 1-76.

78. The Defendants, by means of threats, intimidation, and coercion, used excessive and unreasonable force in the course of detaining the Plaintiff and placing the Plaintiff under arrest, thereby depriving the Plaintiff of the right to be free from unreasonable search and seizure as guaranteed by Article 14 of the Massachusetts Declaration of Rights.

79. The Plaintiff suffered physical and emotional harm as a direct result.

80. The Plaintiff is therefore entitled to damages pursuant to the MCRA, M.G.L. c. 12 §§ 11H and 11I.

COUNT VII - ASSAULT AND BATTERY (COMMON LAW)

81. The Plaintiff realleges and incorporates herein Paragraphs 1-80.

82. The Defendants intentionally touched the Plaintiff without legal justification.

83. Said touching was unreasonable, offensive, unconsented to by the Plaintiff, and caused physical injury to the Plaintiff.

84. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT VIII – MALICIOUS PROSECUTION (42 U.S.C. §§ 1983 and 1988)

85. The Plaintiff realleges and incorporates herein Paragraphs 1-84.

86. The Defendants, acting under color of law and motivated by malice towards the Plaintiff, initiated criminal proceedings against the Plaintiff without probable cause to believe that he had committed a crime.

87. The Plaintiff was found not guilty of the criminal charges brought by the Defendants.

88. As a direct result of the Defendants' malicious actions, the Plaintiff was confined against his will during the pendency of the criminal case, and was therefore deprived of his liberty and the right to be free from unreasonable search and seizure as guaranteed by the Fourth Amendment to the United States Constitution.

89. As a direct result of the Defendants' malicious actions, the Plaintiff suffered physical, emotional, and financial harm.

90. The Plaintiff is therefore entitled to damages pursuant to 42 U.S.C. §§ 1983 and 1988.

COUNT IX – MALICIOUS PROSECUTION (COMMON LAW)

91. The Plaintiff realleges and incorporates herein Paragraphs 1-90.

92. The Defendants, motivated by malice towards the Plaintiff, initiated criminal proceedings against the Plaintiff without probable cause to believe that he had committed a crime.

93. The Plaintiff was found not guilty of the criminal charges brought by the Defendants.

94. As a direct result of the Defendants' malicious actions, the Plaintiff was confined against

his will during the pendency of the criminal case and suffered physical, emotional, and financial harm.

95. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT X – ABUSE OF PROCESS (COMMON LAW)

96. The Plaintiff realleges and incorporates herein Paragraphs 1-95.

97. The Defendants initiated criminal proceedings against the Plaintiff.

98. The Defendants initiated said criminal process for an ulterior and/or illegitimate purpose, to wit: (1) to cover up their unlawful detention, arrest, and imprisonment of the Plaintiff and their use of excessive and unreasonable force in carrying out said detention, arrest, and imprisonment, (2) to protect themselves from criminal and civil liability for their illegal actions, and (3) to frustrate the Plaintiff from pursuing legal remedies available to him.

99. As a direct result of the Defendants' actions, the Plaintiff was deprived of his liberty and suffered physical, emotional, and financial harm.

100. The Plaintiff is therefore entitled to damages under Massachusetts common law.

COUNT XI – INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS (COMMON LAW)

101. The Plaintiff realleges and incorporates herein Paragraphs 1-100.

102. The Defendants' actions of unlawfully detaining, arresting, and imprisoning the Plaintiff; using excessive and unreasonable force against the Plaintiff; and maliciously filing false criminal charges against the Plaintiff directly caused the Plaintiff to suffer severe emotional distress.

103. Said conduct was extreme and outrageous.

104. The Defendants either intended that the Plaintiff suffer emotional distress, or knew or

should have known that emotional distress was a likely consequence of their conduct.

105. The Plaintiff is therefore entitled to damages under Massachusetts common law.

WHEREFORE, the Plaintiff prays that this Honorable Court enter judgment on his behalf and:

1. Award appropriate compensatory damages to him from the Defendants jointly and severally in an amount to be determined by the Court;
2. Award him interest, costs, and attorney's fees; and
3. Award such other relief as this Court deems just, equitable, and appropriate.

THE PLAINTIFF HEREBY DEMANDS A JURY TRIAL.

Dated: March 15, 2018

By: */s/ Peter A. Slepchuk*

Peter Alexander Slepchuk, BBO#: 682078
Attorney for the Plaintiff
155 Maple St., Suite 405
Springfield, MA 01105
Tel: (413) 736-3649; Fax: (413) 747-9022
E-mail: peter.alexander@slepchuklaw.com

EXHIBIT B

United States District Court
District of Massachusetts (Springfield)
CIVIL DOCKET FOR CASE #: 3:18−cv−30039−MGM

Bradley v. Cicero et al
Assigned to: Judge Mark G. Mastroianni
Cause: 42:1983 Civil Rights Act

Date Filed: 03/15/2018
Jury Demand: Both
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Daniel Bradley

represented by **Peter A. Slepchuk**
Law Offices of Peter Slepchuk Jr.
155 Maple Street
Suite 405
Springfield, MA 01105
413−736−3649
Email: peter.slepchuk@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Peter P. Slepchuk , Jr.
Law Office of Peter P. Slepchuk Jr.
Suite 405
155 Maple Street
Springfield, MA 01105
413−736−3649
Fax: 413−747−9022
Email: peter@slepchuklaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

Christian Cicero

represented by **Kevin B. Coyle**
935 Main Street
Springfield, MA 01103
413−787−1524
Fax: 413−787−1703
Email: attycoyle@aol.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeremy Saint Laurent
City of Springfield
36 Court Street
Springfield, MA 01103
413−886−5198
Email: jsaintlaurent@springfieldcityhall.com
ATTORNEY TO BE NOTICED

Lisa C. deSousa
Law Department, City of Springfield
1600 East Columbus Ave.
Springfield, MA 01103
413−886−5206
Email: ldesousa@springfieldcityhall.com
ATTORNEY TO BE NOTICED

Defendant

Joseph Dunn

represented by **Cary L. Szafranski**
City of Springfield, Law Department
1600 E. Columbus Avenue, 2nd Flr.

Springfield, MA 01129
413−750−2264
Email: cszafranski@springfieldcityhall.com
ATTORNEY TO BE NOTICED

Jeremy Saint Laurent
(See above for address)
ATTORNEY TO BE NOTICED

Kathleen E. Sheehan
Keyes & Donnellan
293 Bridge Street, Suite 600
Springfield, MA 01103
413−781−6540
Fax: 413−739−3502
Email: ksheehan@keyesanddonnellan.com
TERMINATED: 02/15/2019
ATTORNEY TO BE NOTICED

Lisa C. deSousa
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Daniel Moynahan represented by

Jeremy Saint Laurent
(See above for address)
ATTORNEY TO BE NOTICED

Lisa C. deSousa
(See above for address)
ATTORNEY TO BE NOTICED

Robert A. Schmidt
Law Office of Thomas A. Kenefice, III
73 Chestnut Street
Springfield, MA 01103
413−734−7000
Fax: 413−731−1302
Email: attyschmidt@gmail.com
ATTORNEY TO BE NOTICED

ADR Provider

Kenneth P. Neiman
TERMINATED: 04/29/2019

Date Filed	#	Docket Text
03/15/2018	1	COMPLAINT against All Defendants Filing fee: $ 400, receipt number 0101−7051211 (Fee Status: Filing Fee paid), filed by Daniel Bradley. (Attachments: # 1 Civil Cover sheet, # 2 Civil Category Form)(Slepchuk, Peter) (Entered: 03/15/2018)
03/16/2018	2	ELECTRONIC NOTICE of Case Assignment. Judge Mark G. Mastroianni assigned to case. If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Katherine A. Robertson. (Lindsay, Maurice) (Entered: 03/16/2018)
03/16/2018	3	Summons Issued as to Christian Cicero, Joseph Dunn, Daniel Moynahan. **Counsel receiving this notice electronically should download this summons, complete one for each defendant and serve it in accordance with Fed.R.Civ.P. 4 and LR 4.1. Summons will be mailed to plaintiff(s) not receiving notice electronically for completion of service.** (Lindsay, Maurice) (Entered: 03/16/2018)

03/28/2018	4	WAIVER OF SERVICE Returned Executed by Christian Cicero. Christian Cicero waiver sent on 3/22/2018, answer due 5/21/2018. (Sheehan, Kathleen) (Entered: 03/28/2018)
03/28/2018	5	WAIVER OF SERVICE Returned Executed by Joseph Dunn. Joseph Dunn waiver sent on 3/22/2018, answer due 5/21/2018. (Sheehan, Kathleen) (Entered: 03/28/2018)
03/28/2018	6	WAIVER OF SERVICE Returned Executed by Daniel Moynahan. Daniel Moynahan waiver sent on 3/22/2018, answer due 5/21/2018. (Sheehan, Kathleen) (Entered: 03/28/2018)
04/04/2018	7	NOTICE of Appearance by Lisa C. deSousa on behalf of Daniel Moynahan (deSousa, Lisa) (Entered: 04/04/2018)
04/04/2018	8	CERTIFICATION pursuant to Local Rule 16.1 . (deSousa, Lisa) (Entered: 04/04/2018)
04/04/2018	9	NOTICE of Appearance by Kathleen E. Sheehan on behalf of Joseph Dunn (Sheehan, Kathleen) (Entered: 04/04/2018)
04/04/2018	10	CERTIFICATION pursuant to Local Rule 16.1 . (Sheehan, Kathleen) (Entered: 04/04/2018)
04/18/2018	11	ANSWER to 1 Complaint with Jury Demand by Joseph Dunn.(Sheehan, Kathleen) (Entered: 04/18/2018)
04/18/2018	12	ANSWER to 1 Complaint with Jury Demand by Daniel Moynahan.(deSousa, Lisa) (Entered: 04/18/2018)
04/19/2018	13	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered REFERRING CASE to Magistrate Judge Katherine A. Robertson. Referred for: Full Pretrial, No Dispositive Motions (ptn). (Bartlett, Timothy) (Entered: 04/19/2018)
05/21/2018	14	NOTICE of Scheduling Conference ISSUED: A Scheduling Conference is set for **6/25/2018 at 2:45 PM** in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. Joint Statement due by **6/18/2018**. See attached Notice for complete details. (Calderon, Melissa) (Entered: 05/21/2018)
05/21/2018	15	NOTICE of Appearance by Kevin B. Coyle on behalf of Christian Cicero (Coyle, Kevin) (Entered: 05/21/2018)
05/21/2018	16	ANSWER to 1 Complaint with Jury Demand by Christian Cicero.(Coyle, Kevin) (Entered: 05/21/2018)
06/04/2018	17	JOINT STATEMENT re scheduling conference . (Slepchuk, Peter) (Entered: 06/04/2018)
06/25/2018	18	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Scheduling Conference held on 6/25/2018. Attorneys Present: Peter A. Slepchuk, Kevin B. Coyle, Kathleen E. Sheehan and Lisa C. deSousa. Colloquy re: status of the case. Counsel were reminded that pursuant to the Local Rules, the issue of consent/declination needs to be addressed. The parties were given two weeks, or not later than **7/10/2018**, to file the appropriate form. A schedule was established. Scheduling order to issue. If the parties would like to participate in court−sponsored mediation, a joint notice requesting an ADR conference should be filed. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate−Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov.) (Calderon, Melissa) (Entered: 06/26/2018)
06/26/2018	19	Refusal to Consent to Proceed Before a US Magistrate Judge. . (Slepchuk, Peter) (Entered: 06/26/2018)
06/26/2018	20	Magistrate Judge Katherine A. Robertson: ORDER entered. SCHEDULING ORDER: Motions for Leave to Amend the Pleadings to add parties, claims, or defenses due by 8/1/2018. Non−Expert Discovery to be completed by 1/3/2019. Case Management Conference set for 1/8/2019 02:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson., Expert Depositions to be completed by 3/29/2019. Dispositive Motions due by 5/10/2019. Responses due by 6/7/2019. Replies, if any,

		due by 6/26/2019. (Finn, Mary) (Entered: 06/26/2018)
06/26/2018	21	Set/Reset Hearings: Case Management Conference set for 1/8/2019 02:30 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 06/26/2018)
09/19/2018	22	NOTICE of Appearance by Jeremy Saint Laurent on behalf of Joseph Dunn, Daniel Moynahan (Saint Laurent, Jeremy) (Entered: 09/19/2018)
12/20/2018	23	MOTION for Extension of Time to 2/3/19 to Complete Discovery by Daniel Bradley.(Slepchuk, Peter) (Entered: 12/20/2018)
12/26/2018	24	Magistrate Judge Katherine A. Robertson: ELECTRONIC ORDER entered granting the Plaintiff's Assented to 23 Motion for Extension of Time to Complete Discovery. Non−Expert Discovery extended to 2/15/2019 for the purpose of taking the Depositions of three Fact Witnesses. The Case Management Conference is continued to 2/19/2019 at 2:00 p.m. All other deadlines remain as set in the June 26, 2018 Scheduling Order. (Finn, Mary) (Entered: 12/26/2018)
12/26/2018	25	Set/Reset Deadlines: Non−Expert Discovery to be completed by 2/15/2019. Case Management Conference re set to 2/19/2019 02:00 PM in Hampshire Courtroom before Magistrate Judge Katherine A. Robertson. (Finn, Mary) (Entered: 12/26/2018)
02/14/2019	26	NOTICE of Withdrawal of Appearance by Kathleen E. Sheehan (Sheehan, Kathleen) (Entered: 02/14/2019)
02/19/2019	27	Assented to MOTION to Compel *Deposition Testimony* by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Attachments: # 1 Exhibit Subp. and Notices, # 2 Exhibit Depo Trans.)(Saint Laurent, Jeremy) (Entered: 02/19/2019)
02/19/2019	28	Electronic Clerk's Notes for proceedings held before Magistrate Judge Katherine A. Robertson: Case Management Conference held on 2/19/2019. Attorneys Present: Peter A. Slepchuk, Kevin B. Coyle and Jeremy Saint Laurent. Colloquy re: status of the case. Defendants' Assented to Motion to Compel Deposition Testimony shall be filed by no later than **2/22/2019**. The parties expressed interest in court−sponsored mediation, specifically with Magistrate Judge Kenneth P. Neiman. The clerk shall reach out to Judge Neiman to verify his availability. Once confirmed, an order referring the matter to mediation shall issue. An Initial Pretrial Conference is set for **5/29/2019 at 2:00 PM** in Franklin Courtroom before Judge Mark G. Mastroianni. (Court Reporter: Digital Recording. To order a copy of this Digital Recording, please go to http://www.mad.uscourts.gov/attorneys/Magistrate−Audio.htm . For a transcript of this proceeding, contact Deborah Scalfani by email at deborah_scalfani@mad.uscourts.gov.) (Calderon, Melissa) (Entered: 02/19/2019)
02/22/2019	29	ORDER REFERRING CASE to Alternative Dispute Resolution. Referred to: Magistrate Judge Kenneth P. Neiman. (Calderon, Melissa) (Entered: 02/22/2019)
03/06/2019	30	ELECTRONIC NOTICE of ADR Conference: Alternative Dispute Resolution Hearing set for 4/25/2019 at 10:00 AM in Hampden Courtroom before Magistrate Judge Kenneth P. Neiman. (Figueroa, Tamara) (Entered: 03/06/2019)
03/06/2019	31	Magistrate Judge Kenneth P. Neiman: ORDER entered. Order with Respect to Mediation re 30 Notice of ADR Conference. **Memos due no later than 4/18/19. See Order for Details**. (Figueroa, Tamara) (Entered: 03/06/2019)
03/07/2019	32	Assented to MOTION to Continue mediation by Daniel Bradley. (Attachments: # 1 Affidavit)(Slepchuk, Peter) (Entered: 03/07/2019)
03/11/2019	33	Magistrate Judge Kenneth P. Neiman: ELECTRONIC ORDER entered granting 32 Motion to Continue Mediation to April 29th, 2019 at 10:00 AM with **Memos due no later than April 23rd, 2019**. (Figueroa, Tamara) (Entered: 03/11/2019)
03/11/2019	34	ELECTRONIC NOTICE OF RESCHEDULING: Alternative Dispute Resolution Hearing set for 4/25/19 has been **rescheduled to 4/29/2019,** at 10:00 AM in Hampden Courtroom before Magistrate Judge Kenneth P. Neiman. (Figueroa, Tamara) (Entered: 03/11/2019)

04/16/2019	35	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony. The defendants shall have to **May 24, 2019** to complete the depositions of Deashevana Robinson, Savon Tucker, and Barbara Murphy. The amount of time to complete each of these depositions is restricted to a total of three hours of direct examination by the parties jointly, exclusive of breaks. Orders requiring these non–party witnesses to appear for deposition are attached hereto as Exhibits A, B and C, and will be docketed separately. The parties' right to take these depositions is subject to the limitations that questioning not be conducted "in bad faith or in a manner that unreasonably annoys, embarrasses, or oppresses the deponent," Fed. R. Civ. P. 30(d)(1)(3)(A), and that they avoid imposing undue burdens or expense on these non–parties. *See* Fed. R. Civ. P. 45(d). It is likely that these unrepresented witnesses lack an appreciation of their obligations (and their rights) in their position as non–party deponents. (*See* attached Order for complete details.) (Attachments: # 1 Exhibit A, # 2 Exhibit B and # 3 Exhibit C) (Calderon, Melissa) (Entered: 04/16/2019)
04/16/2019	36	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER re Order (Dkt. No. 35) on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony as to Deashevana Robinson. *See* attached Order for complete details. (Calderon, Melissa) (Entered: 04/16/2019)
04/16/2019	37	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER re Order (Dkt. No. 35) on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony as to Savon Tucker. *See* attached Order for complete details. (Calderon, Melissa) (Entered: 04/16/2019)
04/16/2019	38	Magistrate Judge Katherine A. Robertson: ORDER entered. ORDER re Order (Dkt. No. 35) on Defendants' Assented–to 27 MOTION to Compel Deposition Testimony as to Barbara Murphy. *See* attached Order for complete details. (Calderon, Melissa) (Entered: 04/16/2019)
04/26/2019	39	NOTICE of Appearance by Peter P. Slepchuk, Jr on behalf of Daniel Bradley (Slepchuk, Peter) (Entered: 04/26/2019)
04/29/2019	41	REPORT of Alternative Dispute Resolution Provider. (Figueroa, Tamara) (Entered: 05/02/2019)
05/28/2019	42	MOTION for Extension of Time to 7/23/2019 to Disclose Expert Witness by Christian Cicero, Joseph Dunn, Daniel Moynahan.(deSousa, Lisa) (Entered: 05/28/2019)
05/29/2019	43	ELECTRONIC NOTICE OF RESCHEDULING **CHANGE TO COURTROOM LOCATION ONLY** Initial Pretrial Conference set for **5/29/2019 at 2:00 PM in Hampden Courtroom** before Judge Mark G. Mastroianni. (Bartlett, Timothy) (Entered: 05/29/2019)
05/29/2019	44	Judge Mark G. Mastroianni: AMENDED SCHEDULING ORDER entered as follows: Defendants shall designate expert witnesses and serve expert reports pursuant toFed. R. Civ. P. 26(a)(2) by July 15, 2019, A final pretrial conference will be held on November 18, 2019 at 11:00 a.m. in Franklin Courtroom before Judge Mark G. Mastroianni, and Trial will begin on December 9, 2019. The parties anticipate the trial will last 5 days. See the attached scheduling order for more dates and complete details. (Lindsay, Maurice) (Entered: 05/29/2019)
05/29/2019	46	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Initial Pretrial Conference held on 5/29/2019. Present: Atty Peter A. Slepchuk for pltf, Attys deSousa, Saint Laurent for defts. Court has colloquy with counsel re scheduling. Order to issue (see Dkt. No. 44). (Court Reporter: Alice Moran at alice.moran@verizon.net.) (Bartlett, Timothy) Modified to correct hearing type on 5/31/2019 (Bartlett, Timothy). (Entered: 05/31/2019)
05/30/2019	45	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING IN PART and DENYING IN PART 42 Defendants' Motion for Extension of Time to Disclose Expert Witness. Per the Amended Scheduling Order (Dkt. No. 44), Defendants' deadline to disclose expert witnesses and serve expert reports is extended to July 15, 2019. (Lindsay, Maurice) (Entered: 05/30/2019)
07/10/2019	47	Case no longer referred to Magistrate Judge Katherine A. Robertson. (Rivera, Melissa) (Entered: 07/10/2019)

09/03/2019	48	Judge Mark G. Mastroianni: PRETRIAL PROCEDURAL ORDER entered as follows: TheFinal Pretrial Conference is set for 11/18/2019 at 11:00 AM in Franklin Courtroom, and Trial is scheduled to commence on December 9, 2019 at 9:00 a.m. in Franklin Courtroom before Judge Mark G. Mastroianni. See the attached pretrial procedural order for complete details. (Lindsay, Maurice) (Entered: 09/03/2019)
10/03/2019	49	MOTION for Leave to File *Certain Motions In Limine Under Seal* by Daniel Bradley.(Slepchuk, Peter) (Entered: 10/03/2019)
10/04/2019	50	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING 49 Plaintiff's Assented–To Motion for Leave to File Certain Motions in Limine Under Seal. The Pretrial Procedural Order (Dkt. No. 48) requires each party to file its motions in limine together in a single document with a cover page and table of contents. Each motion in limine shall be numbered. Plaintiff may file two such documents: one containing his motions in limine that will be publicly available, and a second that will be filed under seal and will contain the three motions and accompanying exhibits discussed in his motion for leave to file under seal. The motions in limine in the sealed document shall be numbered "Plaintiff's Motion in Limine 1," "Plaintiff's Motion in Limine 2," and "Plaintiff's Motion in Limine 3." Plaintiff's motions in limine filed on the public docket shall be numbered "Plaintiff's Motion in Limine 4," "Plaintiff's Motion in Limine 5," etc. (Rivera, Christina) (Entered: 10/04/2019)
10/17/2019	51	NOTICE of Appearance by Cary L. Szafranski on behalf of Joseph Dunn (Szafranski, Cary) (Entered: 10/17/2019)
10/18/2019	53	MOTION in Limine by Daniel Bradley. (Attachments: # 1 SJC Best Practices ForJury Selection)(Slepchuk, Peter) (Entered: 10/18/2019)
10/21/2019	54	MOTION in Limine by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 10/21/2019)
11/04/2019	55	Opposition re 53 MOTION in Limine filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 11/04/2019)
11/07/2019	58	ELECTRONIC NOTICE Canceling Hearing. The December 9, 2019, Jury Trial is hereby CONTINUED. All other dates and deadlines remain in effect. The Court will discuss dates for rescheduling trial in 2020 at the November 18, 2019, Pretrial Conference. (Bartlett, Timothy) (Entered: 11/07/2019)
11/08/2019	59	Proposed Jury Instructions by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 11/08/2019)
11/08/2019	60	Proposed Voir Dire by All Defendants. (Saint Laurent, Jeremy) (Entered: 11/08/2019)
11/08/2019	61	Proposed Jury Instructions by Daniel Bradley. (Slepchuk, Peter) (Entered: 11/08/2019)
11/08/2019	62	Proposed Jury Questions by Daniel Bradley . (Slepchuk, Peter) (Entered: 11/08/2019)
11/08/2019	63	Proposed Jury Verdict by Daniel Bradley. (Slepchuk, Peter) (Entered: 11/08/2019)
11/08/2019	64	Proposed Jury Verdict by All Defendants. (Saint Laurent, Jeremy) (Entered: 11/08/2019)
11/08/2019	65	PRETRIAL MEMORANDUM by Daniel Bradley. (Slepchuk, Peter) (Entered: 11/08/2019)
11/16/2019	66	NOTICE of Appearance by Robert A. Schmidt on behalf of Daniel Moynahan (Schmidt, Robert) (Entered: 11/16/2019)
11/18/2019	68	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ruling on 53 Plaintiff's Motions in Limine and 54 Defendants' Motions in Limine, for the reasons discussed on the record during the hearing. The court is ALLOWING IN PART and DENYING IN PART **Plaintiff's Motion in Limine No. 5** to exclude evidence of Plaintiff's past criminal convictions. The court is ALLOWING Plaintiff's request to exclude his 12/13/05, 10/20/09, and 1/4/10 convictions. With respect to the 9/22/17 conviction, Plaintiff's request is ALLOWED only with respect to resisting arrest and is otherwise DENIED. The court is ALLOWING **Plaintiff's Motion in Limine No. 6** to exclude

		evidence of Plaintiff's open criminal cases and periods of incarceration prior to and subsequent to August 26, 2015 through September 25, 2015 and **Plaintiff's Motion No. 7** for sequestration of Defendants' witnesses. The court is ALLOWING **Plaintiff's Motion No. 8** for attorney−conducted panel voir dire. Counsel for Plaintiff and Defendants are to discuss the logistics of the panel voir dire with the Clerk's Office. The court is ALLOWING **Defendants' Motion in Limine No. 1** to exclude Defendants' Motion in Limine to Exclude IIU History of the Defendant Officers and **Defendants' Motion in Limine No. 2** to exclude Defendant Christian Cicero's prior indictments. The court GRANTS leave to Plaintiff to supplement his proposed voir dire questions in light of the court's rulings on the motions in limine. The court GRANTS leave to Plaintiff to file late a motion in limine addressing the issue of judicial admission by Defendants. Plaintiff shall file the motion within 10 days, and Defendants shall have 10 days to respond. (Lindsay, Maurice) (Entered: 11/18/2019)
11/18/2019	76	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel appear for Final Pretrial Conference held on 11/18/2019. Arguments re: outstanding motions. Trial date set. Court will use the jury selection process currently used by the state court as it relates to the voir dire process of potential jurors. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Szafranski, Coyle, Saint Laurent) (entered late due to clerical error)(Healy, Bethaney) (Entered: 12/31/2019)
11/21/2019	69	MOTION in Limine *To Bind Defendants To Judicial Admissions Made By Defense Counsel And To Exclude Contrary Evidence* by Daniel Bradley.(Slepchuk, Peter) (Entered: 11/21/2019)
11/25/2019	70	Exhibit List by Daniel Bradley.. (Slepchuk, Peter) (Entered: 11/25/2019)
11/25/2019	71	Supplemental Proposed Jury Questions by Daniel Bradley . (Slepchuk, Peter) (Entered: 11/25/2019)
11/26/2019	72	Opposition re 69 MOTION in Limine *To Bind Defendants To Judicial Admissions Made By Defense Counsel And To Exclude Contrary Evidence* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 11/26/2019)
12/02/2019	73	Exhibit List by All Defendants.. (Saint Laurent, Jeremy) (Entered: 12/02/2019)
12/03/2019	74	MOTION for Leave to File *Reply* by Daniel Bradley. (Attachments: # 1 Proposed Reply)(Slepchuk, Peter) (Entered: 12/03/2019)
12/03/2019	75	MOTION to Continue Trial to a date in February by Daniel Moynahan.(Schmidt, Robert) (Entered: 12/03/2019)
12/31/2019	77	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 75 Motion to Continue Trial. ALLOWED. The Jury Trial is set for 2/10/2020 at 9:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Healy, Bethaney) (Entered: 12/31/2019)
01/28/2020	78	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING 74 Plaintiff's Motion for Leave to File Reply and DENYING 69 Plaintiff's Motion in Limine to Bind Defendants to Judicial Admissions Made by Defense Counsel and to Exclude Contrary Evidence. The possible judicial admission at issue is that Defendants asked Plaintiff to produce his identification and returned to their cruiser to check the identification provided. Defendants included the statement as factual background in their various motion in limine briefs. Plaintiff asks the court to hold that Defendants are bound to this statement by judicial admission. Because Plaintiff is already well aware that Defendants testified contrary to the supposed judicial admission in the underlying criminal trial (Dkt. No. 72, at 2), and because Defendants represent that the supposed judicial admission was "an inadvertent misstatement" in the motion in limine papers (Dkt. No. 72, at 1), the court denies Plaintiff's motion. *See U.S. v. Belculfine*, 527 F.2d 941, 944 (1st Cir. 1975) ("Unlike ordinary admissions, which are admissible but can be rebutted by other evidence, judicial admissions are conclusive on the party making them. Because of their binding consequences, judicial admissions generally

		arise only from deliberate voluntary waivers that expressly concede for the purposes of trial the truth of an alleged fact.... As we have noted, the policy of encouraging judicial admissions is served by giving trial judges broad discretion in these matters, and here we see no basis for concluding that the district court abused its discretion."). (Lindsay, Maurice) (Entered: 01/28/2020)
01/29/2020	79	ELECTRONIC NOTICE of Hearing ISSUED. Jury Selection shall be held on 2/11/2020 at 9:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. Jury Trial (openings and evidence) shall begin on 2/18/2020 at 9:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Healy, Bethaney) (Entered: 01/29/2020)
01/31/2020	80	Assented to MOTION to Take Deposition from Mr. Eli Silverman by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 01/31/2020)
02/06/2020	81	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 80 Assented to MOTION to Take Deposition from Mr. Eli Silverman. ALLOWED. (Lindsay, Maurice) (Entered: 02/06/2020)
02/07/2020	82	Supplemental Proposed Jury Questions by Daniel Bradley . (Slepchuk, Peter) (Entered: 02/07/2020)
02/10/2020	83	Objection to 82 Proposed Jury Questions by Christian Cicero, Joseph Dunn, Daniel Moynahan . (Saint Laurent, Jeremy) (Entered: 02/10/2020)
02/11/2020	84	MOTION in Limine *To Introduce Prior Sworn Testimony Of Unavailable Witnesses* by Daniel Bradley.(Slepchuk, Peter) (Entered: 02/11/2020)
02/11/2020	85	MEMORANDUM in Support re 84 MOTION in Limine *To Introduce Prior Sworn Testimony Of Unavailable Witnesses* filed by Daniel Bradley. (Attachments: # 1 Exhibit "A", vol. 1 of trial transcript, # 2 Exhibit "B", vol. 2 of trial transcript, # 3 Exhibit "C", return of service − Robinson, # 4 Exhibit "D", return of service − Tucker, # 5 Exhibit "E", affidavit of counsel)(Slepchuk, Peter) (Entered: 02/11/2020)
02/11/2020	86	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel appear for Jury Selection held on 2/11/2020. Attorney Saint Laurent addresses issue related to video deposition. Deposition is set for 2/12/2020. Parties will submit by close of business on Friday, February 14, 2020 any memoranda re: objections/arguments as well as a copy of the transcript from the deposition. Counsel shall file the documents in ECF as well as provide a copy by email to the court's law clerk. Court anticipates it will rule on the matter by 2/17/2020. Jury selection held. Jury sworn in and remainder of jury pool is dismissed. Jurors instructed to report for jury duty on Tuesday, February 18, 2020, at 8:45 a.m. Jury trial to commence with preliminary instructions and openings at 9:00 a.m. on February 18, 2020. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Schmidt, Szafranski, Saint Laurant) (Healy, Bethaney) (Entered: 02/12/2020)
02/14/2020	87	Opposition re 84 MOTION in Limine *To Introduce Prior Sworn Testimony Of Unavailable Witnesses* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Saint Laurent, Jeremy) (Entered: 02/14/2020)
02/14/2020	88	MEMORANDUM OF LAW by Daniel Bradley. (Attachments: # 1 Transcript of deposition testimony of Eli Silverman)(Slepchuk, Peter) (Entered: 02/14/2020)
02/14/2020	89	MOTION Defendants' Objections to Portions of the Deposition of Dr. Eli Silverman by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 02/14/2020)
02/18/2020	90	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered granting 84] Plaintiff's Motion in Limine to Introduce Prior Sworn Testimony of Unavailable Witnesses. First, the court finds that Ms. Robinson and Ms. Tucker, who previously testified at the Plaintiff's criminal trial in Commonwealth v. Daniel Bradley, Docket No. 1523CR5954, are unavailable to testify at the trial of this case. The court finds they are unavailable based on the representation of good−faith effort and inability by Attorney Slepchuk to effectuate in−hand service for February 18, 2020, the fact that previous in−hand service was made for a trial date that was later moved by the court and the witnesses' failure to appear, and the fact that Attorney Slepchuk spoke with one of the

		witnesses, Ms. Tucker, who told him that she would not appear. *See* Slepchuk Aff. 214, 1718, Dkt. No. 85−5. The court also notes in support of the witnesses' unavailability that, in February 2019, Defendants had to move to compel the deposition testimony of Ms. Robinson and Ms. Tucker, which the court granted, and the deposition of these witnesses never occurred. *See* Slepchuk Aff. 1516, Dkt. No. 85−5; M.J. Robertson Order, Dkt. No. 35. Next, the court finds that there is "sufficient identity of issues to ensure that cross examination in the former case was directed to the issues presently relevant," namely, the issues of the occurrence of a traffic violation and the aggressiveness and/or behavior of Plaintiff and Defendants. *Kam−O'Donoghue v. Tully*, No. 16−11054−MLW, 2019 WL 4273686, at *3 n.2 (D. Mass. Sept. 10, 2019). In this case, the Commonwealth had the same motive and interest in developing the facts underlying those issues such that the Commonwealth was Defendants' predecessor−in−interest for purposes of Federal Rule of Evidence 804(b)(1). *See id.* Accordingly, the court will allow Plaintiff to introduce the prior sworn testimony of Ms. Robinson and Ms. Tucker, under Rule 804(b)(1). The court will entertain an instruction to the jury that these witnesses have willfully evaded appearing in court to give live testimony in spite of several attempts to have them served with a subpoena. (Lindsay, Maurice) (Entered: 02/18/2020)
02/18/2020	91	Judge Mark G. Mastroianni: ORDER ENTERED Permitting Cellular Phone retention by Jurors. (Copy provided to USMS this date.)(Healy, Bethaney) (Entered: 02/18/2020)
02/18/2020	92	Judge Mark G. Mastroianni: ELECTRONIC ORDER entered ALLOWING−IN−PART and DENYING−IN−PART 89 Defendants' Objections from Dr. Eli Silvermans Video Deposition. Defendants' objections are overruled except for their third objection, which objects to the testimony at page 54 line 9 through page 54 line 18 as misrepresentative. The court is sustaining that objection, and that portion of Dr. Silverman's testimony must be redacted. (Lindsay, Maurice) (Entered: 02/18/2020)
02/18/2020	98	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel and parties appear for Jury Trial Day 2 held on 2/18/2020. Preliminary instructions given to jury. Openings heard. Plaintiff's evidence begins with testimony from Daniel Bradley. Witness sworn, testimony heard. Exhibits 1−7 marked and admitted. Witness testimony read into record for Daeshavana Robinson and Savon Tucker. (Both witnesses failed to appear for trial.) Plaintiff rests. Sidebar conference held. Defendants move for motion for judgment as a matter of law. Motion granted as to Counts 5, 6, and 7. Defendant's case commences with testimony from Christian Cicero. Witness sworn, testimony heard. Testimony from Joseph Dunn. Witness sworn, testimony heard. Testimony concludes at 4:00 p.m. Conference with counsel. Court adjourned for the day, to commence on February 19, 2020, at 9:00 a.m. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Saint Laurant, Schmidt, Szafranski) (Healy, Bethaney) Modified on 2/20/2020 (Healy, Bethaney). (Entered: 02/20/2020)
02/19/2020	93	Supplemental Proposed Jury Instructions by All Defendants. (Saint Laurent, Jeremy) (Entered: 02/19/2020)
02/19/2020	94	Set/Reset Hearings: Jury Trial set for 2/19/2020 09:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. Jury Trial set for 2/20/2020 09:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Healy, Bethaney) (Entered: 02/19/2020)
02/19/2020	95	MOTION Defendants' Motion for a Mistrial or in the Alternative Additional Limiting and Curative Instructions Addressing Plaintiff's Closing Arguments by Christian Cicero, Joseph Dunn, Daniel Moynahan.(Saint Laurent, Jeremy) (Entered: 02/19/2020)
02/19/2020	99	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel and parties appear for Jury Trial Day Three held on 2/19/2020. Defendant's case continues with testimony from Daniel Moynahan. Witness sworn, testimony heard. Video deposition of Dr. Eli Silverman presented in court. Defendants rest. Plaintiff recalls Daniel Bradley. Both sides rest. Jury excused for lunch. Plaintiff moves for directed verdict. Motion denied. Defendants move orally for motion for

		judgment as a matter of law. Motion allowed as to all counts as to Defendant Cicero, with the exception to those portions of Counts 1 and 2 as to traffic stop only. Closings heard. Sidebar conference re: Defendants' objections to three subjects raised in Plaintiff's closings. Arguments heard. Jury excused for the day. Court and counsel meet to discuss outstanding motions and jury instructions. Court adjourned for the day to recommence at 9:00 a.m. with counsel on February 20, 2020. Jury shall report at 9:30 a.m. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Saint Laurant, Schmidt, Szafranski) (Healy, Bethaney) (Entered: 02/20/2020)
02/20/2020	96	Opposition re 95 MOTION Defendants' Motion for a Mistrial or in the Alternative Additional Limiting and Curative Instructions Addressing Plaintiff's Closing Arguments filed by Daniel Bradley. (Slepchuk, Peter) (Entered: 02/20/2020)
02/20/2020	97	Set/Reset Hearings: Jury Trial set for 2/20/2020 09:00 AM in Hampden Courtroom before Judge Mark G. Mastroianni. (Rivera, Christina) (Entered: 02/20/2020)
02/20/2020	100	MOTION for Judgment as a Matter of Law by Daniel Bradley.(Slepchuk, Peter) (Entered: 02/20/2020)
02/20/2020	101	MEMORANDUM in Support re 100 MOTION for Judgment as a Matter of Law filed by Daniel Bradley. (Slepchuk, Peter) (Entered: 02/20/2020)
02/20/2020	106	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Jury Trial held on 2/20/2020. (Court Reporter: Alice Moran alice.moran@verizon.net.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Szafranski, Saint Laurent,) (Healy, Bethaney) (Entered: 03/07/2020)
02/20/2020	108	Jury Instructions. (Rivera, Christina) (Entered: 03/11/2020)
02/21/2020	107	Electronic Clerk's Notes for proceedings held before Judge Mark G. Mastroianni: Counsel and parties appear for Jury Trial Day Five on 2/21/2020.Jury deliberations continue. Jury verdict returned at 1:40 p.m. Verdict read into record. (Court Reporter: Linda Walsh at lwalshsteno@gmail.com.)(Attorneys present: Slepchuk, Slepchuk, Coyle, Saint Laurent, Szafranski) (Healy, Bethaney) (Entered: 03/07/2020)
03/06/2020	102	Transcript of Jury Trial − Day Four (Jury Verdict) held on February 21, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Linda Walsh at lwalshsteno@gmail.com Redaction Request due 3/27/2020. Redacted Transcript Deadline set for 4/6/2020. Release of Transcript Restriction set for 6/4/2020. (Scalfani, Deborah) (Entered: 03/06/2020)
03/06/2020	103	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above−captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general−info.htm (Scalfani, Deborah) (Entered: 03/06/2020)
03/06/2020	104	MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* by Daniel Bradley.(Slepchuk, Peter) (Entered: 03/06/2020)
03/06/2020	105	MEMORANDUM in Support re 104 MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* filed by Daniel Bradley. (Attachments: # 1 Demand letter dated 5/22/18, # 2 E−mail dated 5/29/19, # 3 Affidavit of Peter Slepchuk Jr., # 4 Affidavit of Peter Alexander Slepchuk, # 5 Affidavit of David Hoose, # 6 Itemized times sheets, # 7 itemized costs and expenses)(Slepchuk, Peter) (Entered: 03/06/2020)
03/11/2020	109	Supplemental MOTION for Bill of Costs by Daniel Bradley. (Attachments: # 1 invoice, # 2 affidavit of counsel)(Slepchuk, Peter) (Entered: 03/11/2020)
03/16/2020	110	Transcript of Jury Trial Day Four held on February 20, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Kristin Kelley at kmob929@gmail.com Redaction Request due 4/6/2020. Redacted Transcript Deadline set for 4/16/2020. Release of Transcript Restriction set for 6/15/2020. (Scalfani, Deborah) (Entered: 03/16/2020)

03/16/2020	111	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above−captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general−info.htm (Scalfani, Deborah) (Entered: 03/16/2020)
03/20/2020	112	Opposition re 104 MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Szafranski, Cary) (Entered: 03/20/2020)
03/20/2020	113	MEMORANDUM in Support re 104 MOTION for Attorney Fees , *Costs, Expenses, and Prejudgment Interest* filed by Christian Cicero, Joseph Dunn, Daniel Moynahan. (Szafranski, Cary) (Entered: 03/20/2020)
03/23/2020	114	Redacted Transcript of Jury Trial Day One (Redacted Jury Selection) held on February 11, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	115	SEALED Transcript of Jury Trial Day One (Jury Selection) held on February 11, 2020, before Judge Mark G. Mastroianni. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	116	Transcript of Jury Trial Day Two held on February 18, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	117	Transcript of Jury Trial Day Three held on February 19, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	118	Transcript of Jury Trial Day Four (Afternoon Session) held on February 20, 2020, before Judge Mark G. Mastroianni. The Transcript may be purchased through the Court Reporter, viewed at the public terminal, or viewed through PACER after it is released. Court Reporter Name and Contact Information: Alice Moran at alice.moran@verizon.net Redaction Request due 4/13/2020. Redacted Transcript Deadline set for 4/23/2020. Release of Transcript Restriction set for 6/22/2020. (Scalfani, Deborah) (Entered: 03/23/2020)
03/23/2020	119	NOTICE is hereby given that an official transcript of a proceeding has been filed by the court reporter in the above−captioned matter. Counsel are referred to the Court's Transcript Redaction Policy, available on the court website at http://www.mad.uscourts.gov/attorneys/general−info.htm (Scalfani, Deborah) (Entered: 03/23/2020)

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DANIEL BRADLEY,

Plaintiff,

v.

CHRISTIAN CICERO, JOSEPH DUNN, and DANIEL MOYNAHAN,

Defendants.

No. 18-cv-30039-MGM

VERDICT FORM

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
UNREASONABLE SEZIURE

1. Do you find that the Defendant **Christian Cicero** unlawfully seized (under the Fourth Amendment) the Plaintiff by conducting an unlawful traffic stop?

   Yes: _____ No: X

2. Do you find that the Defendant **Joseph Dunn** unlawfully seized (under the Fourth Amendment) the Plaintiff by conducting an unlawful traffic stop, or by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

   Yes: _____ No: X

3. Do you find that the Defendant **Daniel Moynahan** unlawfully seized (under the Fourth Amendment) the Plaintiff by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

   Yes: X No: _____

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
UNLAWFUL ARREST

4. Do you find that the Defendant **Joseph Dunn** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

   Yes: X No: _____

5. Do you find that the Defendant **Daniel Moynahan** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

   Yes: X No: _____

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
EXCESSIVE FORCE

6. Do you find that the Defendant **Joseph Dunn** used excessive force in effecting the seizure or arrest of the Plaintiff?

   Yes: X No: _____

7. Do you find that the Defendant **Daniel Moynahan** used excessive force in effecting the seizure or arrest of the Plaintiff?

   Yes: _____ No: X

MASSACHSUETTS CIVIL RIGHTS ACT (G.L. c. 12, §§ 11H & 11I)
UNREASONABLE SEIZURE

8. Do you find that the Defendant **Christian Cicero**, by means of threats, intimidation, or coercion, unlawfully seized (under the Fourth Amendment or Article 14) the Plaintiff by conducting an unlawful traffic stop?

Yes: _____ No: X

9. Do you find that the Defendant **Joseph Dunn**, by means of threats, intimidation, or coercion, unlawfully seized (under the Fourth Amendment or Article 14) the Plaintiff by conducting an unlawful traffic stop, or by asking for identification without reasonable suspicion of criminal activity, or by unlawfully removing him from the vehicle without reasonable suspicion that he may have engaged in criminal activity, or by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

Yes: X No: _____

10. Do you find that the Defendant **Daniel Moynahan**, by means of threats, intimidation, or coercion, unlawfully seized (under the Fourth Amendment or Article 14) the Plaintiff by unlawfully removing him from the vehicle without reasonable suspicion that he may have engaged in criminal activity, or by asking for identification without reasonable suspicion of criminal activity, or by unlawfully conducting a pat frisk without reasonable suspicion that Plaintiff was armed and dangerous?

Yes: X No: _____

MASSACHSUETTS CIVIL RIGHTS ACT (G.L. c. 12, §§ 11H & 11I)
UNLAWFUL ARREST

11. Do you find that the Defendant **Joseph Dunn**, by means of threats, intimidation, or coercion, unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

12. Do you find that the Defendant **Daniel Moynahan**, by means of threats, intimidation, or coercion, unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

MASSACHSUETTS CIVIL RIGHTS ACT (G.L. c. 12, §§ 11H & 11I)
EXCESSIVE FORCE

13. Do you find that the Defendant **Joseph Dunn**, by means of threats, intimidation, or coercion, used excessive force in effecting the seizure or arrest of the Plaintiff?

Yes: X No: _____

14. Do you find that the Defendant **Daniel Moynahan**, by means of threats, intimidation, or coercion, used excessive force in effecting the seizure or arrest of the Plaintiff?

Yes: _____ No: X

MASSACHUSETTS COMMON LAW
FALSE ARREST

15. Do you find that the Defendant **Joseph Dunn** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

16. Do you find that the Defendant **Daniel Moynahan** unlawfully arrested the Plaintiff without probable cause to believe he committed a crime?

Yes: X No: _____

MASSACHUSETTS COMMON LAW
FALSE IMPRISONMENT

17. Do you find that the Defendant **Joseph Dunn** unlawfully confined the Plaintiff under Massachusetts law?

Yes: X No: _____

18. Do you find that the Defendant **Daniel Moynahan** unlawfully confined the Plaintiff under Massachusetts law?

Yes: X No: _____

MASSACHUSETTS COMMON LAW
ASSAULT AND BATTERY

19. Do you find that Defendant **Joseph Dunn** committed an assault and battery on the Plaintiff?

Yes: X No: _____

20. Do you find that the Defendant **Daniel Moynahan** committed an assault and battery on the Plaintiff?

Yes: _____ No: X

See Jury Instruction 4th Amend

MASSACHUSETTS COMMON LAW
MALICIOUS PROSECUTION

Docket + Transcript.

21. Do you find that the Defendant **Joseph Dunn**, with malice, initiated criminal proceedings against the Plaintiff without probable cause in violation of Massachusetts law?

Yes: X No: _____

22. Do you find that the Defendant **Daniel Moynahan**, with malice, initiated criminal proceedings against the Plaintiff without probable cause in violation of Massachusetts law?

Yes: _____ No: X

FEDERAL CIVIL RIGHTS ACT (42 U.S.C. § 1983)
MALICIOUS PROSECUTION

23. Do you find that the Defendant **Joseph Dunn**, intentionally or recklessly, initiated criminal proceedings against the Plaintiff without probable cause resulting in Plaintiff's incarceration in violation of the Fourth Amendment?

Yes: X No: _____

24. Do you find that the Defendant **Daniel Moynahan**, intentionally or recklessly, initiated criminal proceedings against the Plaintiff without probable cause resulting in Plaintiff's incarceration in violation of the Fourth Amendment?

Yes: _____ No: X

Docket - M/Rep. finding Not Guilty

MASSACHUSETTS COMMON LAW
ABUSE OF PROCESS

25. Do you find that the Defendant **Joseph Dunn** initiated criminal proceedings against the Plaintiff for an ulterior or illegitimate purpose?

Yes: _____ No: X

26. Do you find that the Defendant **Daniel Moynahan** initiated criminal proceedings against the Plaintiff for an ulterior or illegitimate purpose?

Yes: _____ No: X

MASSACHUSETTS COMMON LAW
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

27. Do you find that the Defendant **Joseph Dunn** intentionally inflicted emotional distress upon the Plaintiff?

Yes: _____ No: X

28. Do you find that the Defendant **Daniel Moynahan** intentionally inflicted emotional distress upon the Plaintiff?

Yes: _____ No: X

COMPENSATORY DAMAGES

29. If you answered "Yes" to any or all of questions 1 and 8, what amount if any do you award as compensatory damages as to **Christian Cicero**?

0

30. If you answered "Yes" to any or all of questions 2, 4, 6, 9, 11, 13, 15, 17, 19, 21, 23, 25, and 27, what amount if any do you award as compensatory damages as to **Joseph Dunn**?

$60,000

31. If you answered "Yes" to any or all of questions 3, 5, 7, 10, 12, 14, 16, 18, 20, 22, 24, 26, and 28, what amount if any do you award as compensatory damages as to **Daniel Moynahan**?

$15,000

32. If you are awarding compensatory damages, are you awarding pre-judgment interest?

Yes: X No: _____

33. If you found that Plaintiff has proved one or more of his claims but not actual damages, what amount if any do you award as nominal damages?

0

34. If you answered "Yes" to any or all of questions 1 and 8, and you find the conduct was malicious, oppressive, or in reckless disregard, what amount if any do you award as punitive damages as to **Christian Cicero**?

0

35. If you answered "Yes" to any or all of questions 2, 4, 6, 9, 11, 13, and 23, and you find the conduct was malicious, oppressive, or in reckless disregard, what amount if any do you award as punitive damages as to **Joseph Dunn**?

$120,000

36. If you answered "Yes" to any or all of questions 3, 5, 7, 10, 12, 14, and 24, and you find the conduct was malicious, oppressive, or in reckless disregard, what amount if any do you award as punitive damages as to **Daniel Moynahan**?

$30,000

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1523CR005954	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS
[redacted]

COURT NAME & ADDRESS
Springfield District Court
50 State Street
PO Box 2421
Springfield, MA 01101
(413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	08/26/2015	08/26/2015	08/26/2015

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		08/26/2015 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
TSPR201502956	[redacted]	[redacted]	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13D/A	A&B ON POLICE OFFICER c265 §13D

On 08/26/2015 did assault and beat JOSEPH DUNN, a police officer who was then engaged in the performance of his or her duties, in violation of G.L. c.265, §13D.

PENALTY: house of correction not less than 90 days, not more than 2½ years; or not less than $500, not more than $5000.

COUNT	CODE	DESCRIPTION
2	268/32B	RESIST ARREST c268 §32B

On 08/26/2015 did knowingly prevent or attempt to prevent a police officer, as defined in G.L. c. 268, §32B(c), who was acting under color of his or her official authority, from effecting an arrest, by: (1) using or threatening to use physical force or violence against the police officer or another; or (2) using some other means which created a substantial risk of causing bodily injury to such police officer or another, in violation of G.L. c. 268, §32B.

PENALTY: jail or house of correction for not more than 2½ years; or not more than $500; or both.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST: CLERK-MAGISTRATE/ ASST. CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

Arrest #: 15-2956-AR
Call #: 15-133226

Date/Time Reported: 08/26/2015 @ 0210
Arrest Date/Time: 08/26/2015 @ 0254
Booking Date/Time: 08/26/2015 @ 0259

[redacted]

OBTN: TSPR201502956
Court: Springfield
Court Date: 08/26/2015 @ 0542
Reporting Officer: Officer Christian Cicero
Assisting Officer: Officer Joseph Dunn
Booking Officer: Sergeant Philip McBride
Approving Officer: Sergeant Philip McBride

Signature: _____

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	B	28	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 509 WEIGHT: 200 - 205 HAIR: BROWN EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: SPRINGFIELD, MA
STATE ID: [redacted] FBI ID: [redacted]
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
LOCAL ID: [redacted]

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: NO COAT OR JACKET
PANTS/SKIRT: SWEAT PANTS
SHOE: TENNIS / HIGH TOPS
MASK: NO MASK
GLASSES WORN: NO

SCARS: SC R SHLD()

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
DOUGH BOY			NOT AVAIL	NOT AVAIL
DOUGH BOY	X		NOT AVAIL	NOT AVAIL

Arrest #: 15-2956-AR
Call #: 15-133226

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

MOTHER'S NAME: BROXTON, LINETTE

EMPLOYER/SCHOOL: UNEMPLOYEED

OCCUPATION: UNEMPLOYED

[RIGHTS/BOOKING CHECKS]

PHONE USED: Y PHONED DATE/TIME: 08/26/2015 & 0300
ARRESTEE SECURED: Y 08/26/2015 0304
ARRESTEE CELL #: M11

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Highway/Road/Alley/Street Zone: Sector F2 Old&Upper Hill
KING ST @ LOGAN ST
SPRINGFIELD MA

1 A&B ON POLICE OFFICER — N — Misdemeanor
265/13D/A 265 13D - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)
AGGR. ASSAULT/HOMICIDE: Other Circumstances

2 RESIST ARREST — N — Misdemeanor
268/32B 268 32B - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

1 DUNN, JOSEPH A — M — W — 29 — NOT AVAIL — **********
130 PEARL ST
SPRINGFIELD MA 01105
DOB: **********
EMPLOYER: CITY OF SPRINGFIELD **********
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: BRADLEY DANIEL — Stranger

NARRATIVE FOR OFFICER JOSEPH A DUNN

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

I then grabbed onto his right hand and began to move it to his back as he kicked me in the right shin area with his right foot and then pushed his body against Officer Moynahan and myself in an attempt to flee. Mr. [redacted] was told that he was under arrest and to put his hands behind his back which he refused. Mr. [redacted] was then shoved against the car and told to stop resisting arrest as attempts were made to place him into handcuffs. Mr. [redacted] continued to move his arms towards his stomach as he attempted to turn his body. Mr. [redacted] was eventually overpowered and placed into custody. As I escorted Mr. [redacted] to the rear of my cruiser he was actively resisting by pulling his body away from me and refusing to move forward. I again had to overpower Mr. [redacted] and continue to pull him to my cruiser, once the cruiser door was opened Mr. [redacted] refused to get into the vehicle which resulted in me having to push him by the chest to get into the cruiser. No weapons or contraband were located on Mr. [redacted] during the booking procedures.

An administrative inventory of the vehicle revealed an open Hennessy liquor bottle on the rear driver side floorboard and Ms. Robinson was informed that she would be receiving a citation and that a criminal application would be filed for the open container, stop sign violation, and the use without authority of the rental vehicle (15-2754-WA). The vehicle was towed via CJ's towing after several attempts to contact Thrifty Car Rental to no avail. Mr. [redacted] was transported to 130 Pearl Street for processing.

Respectfully Submitted,

Officer Joseph A Dunn
Emp#103517 Badge#302

COMPLETED

Processed by Orlow Kent Nygren, 09/22/15, SPD/IT

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION
(E-mail request to:Irequest@springfieldpolice.net)

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 09/04/2015
Please Respond on or before: 9/17/15
Next Court Date: 09/04/2015

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St.

Check off Division(s):

CAD: _____ _____

Check off applicable below requested item(s):

CFS – Call for Service Printout
CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _____ _____ Victim Injury Photos __xx_Crime Scene Photos _____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ xx__ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: __see comments

Now: COMMUNITY ACTION UNIT
Traffic Bureau: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER:
COMMENTS: __any IOD, use of force, or injured prisoner reports associated with this incident

Forward to Officer_____

NO PHOTOS AVAILABLE

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION
(E-mail request to:Irequest@springfieldpolice.net)

DB

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 12/30/2015
Please Respond on or before: 2/9/16
Next Court Date: 02/09/2016

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St

Check off Division(s):

Check off applicable below requested item(s):

CAD:
_____ CFS – Call for Service Printout
_____ CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _xx___ _____ Victim Injury Photos _xx_Crime Scene Photos _if any) ____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: _____

Now: COMMUNITY ACTION UNIT
Traffic Bureau: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER:
COMMENTS: __also looking for any IOD, use of force, or injured prisoner reports – second request_____

Forward to Officer_____

Springfield Police Department
Arrest Report

Arrest #: 15-2956-AR
Call #: 15-133226

[redacted]

Date/Time Reported: 08/26/2015 @ 0210
Arrest Date/Time: 08/26/2015 @ 0254
Booking Date/Time: 08/26/2015 @ 0259

OBTN: TSPR201502956
Court: Springfield
Court Date: 08/26/2015 @ 0542
Reporting Officer: Officer Christian Cicero
Assisting Officer: Officer Joseph Dunn
Booking Officer: Sergeant Philip McBride
Approving Officer: Sergeant Philip McBride

Signature: _____
Released To: Court
Released: 08/26/2015 @ 0645

Signature: _____

#	DEFENDANT (S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	B	28	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 509 WEIGHT: 200 - 205 HAIR: BROWN EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: SPRINGFIELD, MA
STATE ID: [redacted] FBI ID: [redacted]
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
LOCAL ID: [redacted]

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: NO COAT OR JACKET
PANTS/SKIRT: SWEAT PANTS
SHOE: TENNIS / HIGH TOPS
MASK: NO MASK
GLASSES WORN: NO

SCARS: SC R SHLD()

Arrest #: 15-2956-AR
Call #: 15-133226

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
DOUGH BOY			NOT AVAIL	NOT AVAIL
DOUGH BOY	X		NOT AVAIL	NOT AVAIL

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

MOTHER'S NAME: BROXTON, LINETTE

EMPLOYER/SCHOOL: UNEMPLOYEED

OCCUPATION: UNEMPLOYED

[RIGHTS/BOOKING CHECKS]

PHONE USED: Y PHONED DATE/TIME: 08/26/2015 @ 0300
ARRESTEE SECURED: Y 08/26/2015 0304
ARRESTEE CELL #: M11

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Highway/Road/Alley/Street Zone: Sector F2 Old&Upper Hill
KING ST @ LOGAN ST
SPRINGFIELD MA

1 A&B ON POLICE OFFICER — N — Misdemeanor
265/13D/A 265 13D - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)
AGGR. ASSAULT/HOMICIDE: Other Circumstances

2 RESIST ARREST — N — Misdemeanor
268/32B 268 32B - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

1 DUNN, JOSEPH A — M — W — 29 — NOT AVAIL — **********
130 PEARL ST
SPRINGFIELD MA 01105
DOB: **********
EMPLOYER: CITY OF SPRINGFIELD · **********
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: BRADLEY DANIEL — Stranger

NARRATIVE FOR OFFICER JOSEPH A DUNN

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

Sir,

This is to respectfully inform you that on Wednesday, August 26, 2015 at approximately 0245 hours, Officers C. Lariviere, J. Bienvenue, D. Moynahan, T. Ellison, C. Cicero and I (J. Dunn) arrested [redacted] at the intersection of King and Logan Streets for the following offenses:

1) Assault and Battery on Police Officer
2) Resist Arrest

On August 26, 2015 at approximately 0210 hours, Officer C. Cicero and I were operating our marked Springfield Police cruiser 98 South on Northampton Avenue behind a gray 2015 Chrysler 200 color gray bearing New York registration GYM4752. The vehicle approached the intersection of Northampton Avenue and King Street and failed to stop at the stop sign located at the intersection as it turned westbound onto King Street. Officer Cicero activated our emergency overhead lights to effect a traffic stop which took place at the intersection of King and Logan Streets.

Officer Cicero approached the operator of the vehicle and asked for their driver's license and the vehicles registration. The operator, [redacted], provided her Massachusetts drivers license but was unable to provide the registration and stated that it was a rental vehicle. The rental agreement states that the vehicle is currently under agreement to [redacted] with no other operators listed as additional drivers. The rental agreement also stated that it had expired on August 7, 2015.

Ms. Robinson was advised that she was operating the vehicle without authority and that the agreement was expired. Ms. Robinson was advised that the vehicle would be towed and a citation would be issued. As the conversation continued I observed the rear passenger, later identified as Mr. [redacted], begin to shuffle in his seat to the left and then towards his right side while moving his right hand from his shorts to the door jam of the rear passenger door out of my field of view. Please note that the Gunn Square/King Street area is well known to officers for numerous firearms and narcotics arrests as well as numerous Shot Spotter activations. Fearing that Mr. [redacted] may have been attempting to conceal or reach for something, the door was opened and Mr. [redacted] was asked to step from the vehicle.

Mr. [redacted] was moved to the rear of the vehicle where a pat frisk was conducted of his person as no items appeared to be in the door jam area. Immediately at the onset of the pat frisk, Mr. [redacted] began to push his hips and back against Officer Moynahan and myself while clenching his fists and telling officers to leave him alone. Mr. [redacted] was told to relax his body and cooperate with us. Officer Moynahan informed Mr. [redacted] that he was going to pat frisk his front waistband and crotch area. This area is a common for concealing firearms, allowing immediate access and concealment. Once Officer Moynahan informed him and began to pat the area, Mr. [redacted] immediately pressed his body forward against the vehicle, trapping Officer Moynahans hand between the body and the vehicle. Given these observations and the demeanor of Mr. [redacted], he was advised that he was being detained and I removed my handcuffs from my duty belt. Mr. [redacted] began to flex his arms while continuing to clench his fists and refused to move his hands.

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

I then grabbed onto his right hand and began to move it to his back as he kicked me in the right shin area with his right foot and then pushed his body against Officer Moynahan and myself in an attempt to flee. Mr. [redacted] was told that he was under arrest and to put his hands behind his back which he refused. Mr. [redacted] was then shoved against the car and told to stop resisting arrest as attempts were made to place him into handcuffs. Mr. [redacted] continued to move his arms towards his stomach as he attempted to turn his body. Mr. [redacted] was eventually overpowered and placed into custody. As I escorted Mr. [redacted] to the rear of my cruiser he was actively resisting by pulling his body away from me and refusing to move forward. I again had to overpower Mr. [redacted] and continue to pull him to my cruiser, once the cruiser door was opened Mr. [redacted] refused to get into the vehicle which resulted in me having to push him by the chest to get into the cruiser. No weapons or contraband were located on Mr. [redacted] during the booking procedures.

An administrative inventory of the vehicle revealed an open Hennessy liquor bottle on the rear driver side floorboard and Ms. Robinson was informed that she would be receiving a citation and that a criminal application would be filed for the open container, stop sign violation, and the use without authority of the rental vehicle (15-2754-WA). The vehicle was towed via CJ's towing after several attempts to contact Thrifty Car Rental to no avail. Mr. [redacted] was transported to 130 Pearl Street for processing.

Respectfully Submitted,

Officer Joseph A Dunn
Emp#103517 Badge#302

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION

(E-mail request to:Irequest@springfieldpolice.net)

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 12/30/2015
Please Respond on or before: 2/9/16
Next Court Date: 02/09/2016

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St

Check off Division(s):

CAD: _____
_____

Check off applicable below requested item(s):

CFS – Call for Service Printout
CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _xx_ _____ Victim Injury Photos _xx_Crime Scene Photos _if any) ____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: _____

Now: COMMUNITY ACTION UNIT
[redacted]: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER;
COMMENTS: __also looking for any IOD, use of force, or injured prisoner reports – second request_____

Forward to Officer No Photos Attached. Booking only

Booking Photo only

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1523CR005954	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS
[redacted]

COURT NAME & ADDRESS
Springfield District Court
50 State Street
PO Box 2421
Springfield, MA 01101
(413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	08/26/2015	08/26/2015	08/26/2015

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		08/26/2015 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
TSPR201502956	[redacted]	[redacted]	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13D/A	A&B ON POLICE OFFICER c265 §13D

On 08/26/2015 did assault and beat JOSEPH DUNN, a police officer who was then engaged in the performance of his or her duties, in violation of G.L. c.265, §13D.

PENALTY: house of correction not less than 90 days, not more than 2½ years; or not less than $500, not more than $5000.

COUNT	CODE	DESCRIPTION
2	268/32B	RESIST ARREST c268 §32B

On 08/26/2015 did knowingly prevent or attempt to prevent a police officer, as defined in G.L. c. 268, §32B(c), who was acting under color of his or her official authority, from effecting an arrest, by: (1) using or threatening to use physical force or violence against the police officer or another; or (2) using some other means which created a substantial risk of causing bodily injury to such police officer or another, in violation of G.L. c. 268, §32B.

PENALTY: jail or house of correction for not more than 2½ years; or not more than $500; or both.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK / DATE
		X

Notice to Defendant: 42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.

Springfield Police Department
Arrest Report

Arrest #: 15-2956-AR
Call #: 15-133226

Date/Time Reported: 08/26/2015 @ 0210
Arrest Date/Time: 08/26/2015 @ 0254
Booking Date/Time: 08/26/2015 @ 0259

OBTN: TSPR201502956
Court: Springfield
Court Date: 08/26/2015 @ 0542
Reporting Officer: Officer Christian Cicero
Assisting Officer: Officer Joseph Dunn
Booking Officer: Sergeant Philip McBride
Approving Officer: Sergeant Philip McBride

[redacted]

Signature: _____

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	B	28	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 509 WEIGHT: 200 - 205 HAIR: BROWN EYES: BROWN
BODY: MEDIUM COMPLEXION: LIGHT BROWN
DOB: [redacted] PLACE OF BIRTH: SPRINGFIELD, MA
STATE ID: [redacted] FBI ID: [redacted]
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
LOCAL ID: [redacted]

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GENERAL APPEARANCE: DISORDERLY

HAT: NO HAT
SHIRT: T-SHIRT
SWEATERS/COATS/JACKETS: NO COAT OR JACKET
PANTS/SKIRT: SWEAT PANTS
SHOE: TENNIS / HIGH TOPS
MASK: NO MASK
GLASSES WORN: NO

SCARS: SC R SHLD()

ALIAS LAST NAME	FIRST NAME	MIDDLE NAME	SSN	DOB
DOUGH BOY			NOT AVAIL	NOT AVAIL
DOUGH BOY	X		NOT AVAIL	NOT AVAIL

Arrest #: 15-2956-AR
Call #: 15-133226

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: SINGLE

MOTHER'S NAME: BROXTON, LINETTE

EMPLOYER/SCHOOL: UNEMPLOYEED

OCCUPATION: UNEMPLOYED

[RIGHTS/BOOKING CHECKS]

PHONE USED: Y PHONED DATE/TIME: 08/26/2015 & 0300
ARRESTEE SECURED: Y 08/26/2015 0304
ARRESTEE CELL #: M11

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Highway/Road/Alley/Street Zone: Sector F2 Old&Upper Hill
KING ST @ LOGAN ST
SPRINGFIELD MA

1 A&B ON POLICE OFFICER — N — Misdemeanor
265/13D/A 265 13D - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)
AGGR. ASSAULT/HOMICIDE: Other Circumstances

2 RESIST ARREST — N — Misdemeanor
268/32B 268 32B - SIMPLE
OCCURRED: 08/26/2015 0210
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

1 DUNN, JOSEPH A — M — W — 29 — NOT AVAIL — **********
130 PEARL ST
SPRINGFIELD MA 01105
DOB: **********
EMPLOYER: CITY OF SPRINGFIELD **********
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2
RELATION TO: BRADLEY DANIEL — Stranger

NARRATIVE FOR OFFICER JOSEPH A DUNN

Ref: 15-2956-AR

Entered: 08/26/2015 @ 0256 Entry ID: 103517
Modified: 08/26/2015 @ 0412 Modified ID: 103517
Approved: 08/26/2015 @ 0445 Approval ID: M794

I then grabbed onto his right hand and began to move it to his back as he kicked me in the right shin area with his right foot and then pushed his body against Officer Moynahan and myself in an attempt to flee. Mr. [redacted] was told that he was under arrest and to put his hands behind his back which he refused. Mr. [redacted] was then shoved against the car and told to stop resisting arrest as attempts were made to place him into handcuffs. Mr. [redacted] continued to move his arms towards his stomach as he attempted to turn his body. Mr. [redacted] was eventually overpowered and placed into custody. As I escorted Mr. [redacted] to the rear of my cruiser he was actively resisting by pulling his body away from me and refusing to move forward. I again had to overpower Mr. [redacted] and continue to pull him to my cruiser, once the cruiser door was opened Mr. [redacted] refused to get into the vehicle which resulted in me having to push him by the chest to get into the cruiser. No weapons or contraband were located on Mr. [redacted] during the booking procedures.

An administrative inventory of the vehicle revealed an open Hennessy liquor bottle on the rear driver side floorboard and Ms. Robinson was informed that she would be receiving a citation and that a criminal application would be filed for the open container, stop sign violation, and the use without authority of the rental vehicle (15-2754-WA). The vehicle was towed via CJ's towing after several attempts to contact Thrifty Car Rental to no avail. Mr. [redacted] was transported to 130 Pearl Street for processing.

Respectfully Submitted,

Officer Joseph A Dunn
Emp#103517 Badge#302

BAYSTATE LAW CENTER

Law Offices of Richard S. Ravosa

603 Sumner Avenue
Springfield, MA 01108
(413) 733-2221 *Telephone*
(413) 304-2730 *Facsimile*

Richard S. Ravosa, Esq.*
Justin M. Lavelle, Esq.

*Also licensed in Connecticut

September 15, 2015

Criminal Clerk's Office
Springfield District Court
50 State Street
P.O. Box 2421
Springfield, MA 01101-2421

****FIRST CLASS MAIL****

Re: *Commonwealth of Massachusetts v.* [redacted]
Springfield District Court, Docket No. 1523CR5954

Dear Clerk:

In connection with the above referenced matter, please find the following for filing:

1. Defendant's Motion for Discovery of Physical, Documentary, Scientific and Expert Evidence.

The defendant requests that these motions be marked for hearing at his pretrial hearing, which is currently scheduled for **Wednesday, September 23, 2015 in Courtroom 2.**

Thank you for your courteous attention. Please do not hesitate to contact me should any concerns arise.

Sincerely,

Justin Lavelle

Enclosure
cc: John Wendell, Esq.

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted],)
Defendant)

DEFENDANT'S MOTION FOR DISCOVERY OF PHYSICAL, DOCUMENTARY, SCIENTIFIC AND EXPERT EVIDENCE

NOW COMES the defendant in the above captioned matter and respectfully moves that this Honorable Court direct the Commonwealth to provide the defendant's counsel copies and/or permit defendant's counsel to inspect and copy the following:

1. Color copies of any photograph(s) taken by the Springfield Police Department of the defendant's injuries or scene; COPY
2. Police station videos of the defendant (booking, garage dock, dashboard, body camera, etc.);
3. Names, addresses and dates if birth of any percipient witnesses and any video/audio tapes of said witnesses and/or witness statements;
4. Injured Prisoner Reports;
5. Use of Force Reports;
6. Injured on Duty (IOD) Reports;
7. 911 turret audio recordings and/or C.A.D. tapes/transcripts;
8. Any and all other physical and documentary evidence that the Commonwealth plans to introduce at trial; and,

9. A summary of any expert testimony, the basis for that opinion, the expert's Curriculum Vitae and the name and address of any expert whom the Commonwealth intends to call at trial.

Respectfully submitted,
The Defendant, by counsel,

Dated: 9/15/15

Justin M. Lavelle, Esq.
BBO # 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone: (413) 733-2221
Facsimile: (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 9/15, 2015, I have caused the foregoing document to be served on the Commonwealth by forwarding the original copy of the same via ~~in hand delivery~~ 1st class mail to the following counsel of record:

John Wendell, Esq.
District Attorney's Office
50 State Street
Springfield, MA 01102

Justin M. Lavelle, Esq.

NOTICE OF MOTION

The undersigned requests that the foregoing motion be marked for hearing on the previously scheduled pretrial hearing: **Wednesday, September 23, 2015** at **9:00** in the forenoon of that day or as soon thereafter as counsel may be heard.

Justin M. Lavelle, Esq.

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
)
Defendant)

AFFIDAVIT OF COUNSEL

I, Justin M. Lavelle, Esq., do state and depose the following under oath:

1. I am counsel for the above captioned defendant.

2. Defendant's Counsel asserts that the production of the requested discovery is relevant, reasonably calculated to lead to the discovery of admissible evidence, and is necessary for his defense.

Signed under pains and penalties of perjury, this 15th *day of* September, *2015.*

Justin M. Lavelle, Esq.

BAYSTATE LAW CENTER

Law Offices of Richard S. Ravosa

603 Sumner Avenue
Springfield, MA 01108
(413) 733-2221 *Telephone*
(413) 304-2730 *Facsimile*

Richard S. Ravosa, Esq.*
Justin M. Lavelle, Esq.

*Also licensed in Connecticut

April 7, 2016

John Wendel, Esq.
Springfield District Attorney's Office
50 State Street
Springfield, MA 01103

****IN HAND DELIVERY****

Re: *Commonwealth of Massachusetts v.* [redacted]
Springfield District Court, Docket No. 1523CR 5954

Dear Atty. Wendel:

In connection with the above referenced matter, please find the following:

1. Defendant's Notice of Additional Discovery.

Thank you for your courteous attention. Please do not hesitate to contact me should any concerns arise.

Sincerely,

Justin Lavelle

Enclosure

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN,ss.

SPRINGFIELD DISTRICT COURT
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

DEFENDANT'S NOTICE OF ADDITIONAL DISCOVERY

NOW COMES the defendant in the above entitled action and provides the following additional discovery pursuant to Rule 14, Mass.R.Crim.P. The defendant reserves his right to supplement discovery if and when additional information becomes available.

1. Photographs (defendant injury).

Respectfully submitted,
The Defendant, by counsel,

Dated: 4/8/16

Justin M. Lavelle, Esq.
BBO # 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone: (413) 733-2221
Facsimile: (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 4/6, 2016, I have caused the foregoing document to be served on the Commonwealth/all counsel of record by forwarding the original/true and accurate copy of the same via in hand delivery, to the following counsel of record:

John Wendel, Esq.
District Attorney's Office
50 State Street
Springfield, MA 01102

Justin M. Lavelle

COMMONWEALTH OF MASSACHUSETTES HAMPDEN
COUNTY DISTRICT ATTORNEY OFFICE REQUEST FOR
SPRINGFIELD POLICE INFORMATION

(E-mail request to:Irequest@springfieldpolice.net)

ADA Making Request: WENDEL, JOHN
Phone: 505-5605
Defendant: [redacted]
(Include Name in request Subject Line)
Co-Defendant: [N/A]
D.O.B.: [redacted]
S.S#: [redacted]

Date Requested: 12/30/2015
Please Respond on or before: 2/9/16
Next Court Date: 02/09/2016

Date of Offense: 08/26/2015
Docket: 1523-05954
(Include in request Subject Line)
Police Report #: 15-2956-AR

Address of Offense: King St @ Logan St

Check off Division(s):

CAD: _____ _____

Check off applicable below requested item(s):

CFS – Call for Service Printout
CAD 911 Call Taker Recording
CAD 911 Radio Dispatch Recording (Choose One):
_____ Initial Radio dispatch only
_____ Initial Radio dispatch plus updates
_____ All Radio traffic up to arrest
_____ All Radio traffic through completion of call (least common)

Commissioner's Office: _____

Now: MAJOR CRIMES UNIT
DB: _xx___ _____ Victim Injury Photos _xx_Crime Scene Photos _if any) ____DVD (copy) Surveillance Video

SVU: _____ _____Victim Statement (copy) _____DVD (copy) Victim MIT Interview

YAB: _____ _____Suspect DVD (copy) Interview/Interrogation _____Juvenile Booking Video

Now: STRATEGIC IMPACT UNIT
Narcotics: _____ Drug Analysis _____School/Park Zone Measurement
Property: _____ Gun Certificate _____Other Requests: _____

Now: INFORMATIONAL SERVICES UNIT
Academy: _____

Radio Repair: _____ Booking Video _____OUI Booking Video
_____ City Surveillance Video *All City cameras are limited to 24 hours from Offense Date*
Booking Video is limited to 90 days from Offense Date
Any other Police Station Video is limited to 30 days from Offense Date
Booking Video for a juvenile is available from Youth Aid Bureau only
_____ ShotSpotter Report
Records: _____Stolen Motor Vehicle Report Other: _____

Now: COMMUNITY ACTION UNIT
[redacted]: _____Photos (Motor Vehicle Accidents-Serious Injury/Fatality) --Accident Report #_____
OTHER;
COMMENTS: __also looking for any IOD, use of force, or injured prisoner reports – second request_____

Forward to Officer_____ No Photos Attached. Booking only

Booking Photo only

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO. 1523CR5954

COMMONWEALTH

V.

[redacted]

STIPULATION OF THE PARTIES

The parties stipulate as follows: on or about August 26-27, 2015, following his arrest on August 26, 2015, the Defendant [redacted] sought and received medical attention. The attached records are the medical records generated by the healthcare providers who provided that medical attention.

John A. Wendel
Assistant District Attorney
Hampden District Attorney's Office

Justin M. Lavelle
Law Offices of Richard S. Ravosa
Counsel for Daniel Bradley

Date:_____

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

DEFENDANT'S SUPPLEMENTAL LIST OF POTENTIAL WITNESSES

The Defendant announces the following list of witnesses who may be called to testify at trial:

1. James Laster (private investigator), Investigators, LLC, 1350 Main Street, Springfield, MA 01103;
2. [redacted]
3. [redacted]
4. The defendant; and,
5. Any and all witnesses called by the Commonwealth.

The inclusion of an individual's name on the above list reflects the defendant's present intention to have such witness available to testify. However, each witness may not, in fact, testify. The Defendant reserves his/her right to supplement this list in a timely manner should addition witnesses be discovered.

Respectfully submitted,
The Defendant, by counsel,

Dated: 7/29/16

Justin M. Lavelle, Esq.
BBO # 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone: (413) 733-2221
Facsimile: (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 7/20, 2016, I have caused the foregoing document to be served on the Commonwealth by forwarding the original copy of the same via in hand del. to the following counsel of record:

John Wendel, Esq.
District Attorney's Office
50 State Street
Springfield, MA 01102

Justin M. Lavelle, Esq.

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

DISTRICT COURT DEPARTMENT
SPRINGFIELD DIVISION
DOCKET NO.: 1523CR5954

COMMONWEALTH)
)
v.)
)
[redacted])
Defendant)

AFFIDAVIT IN ACCORDANCE WITH M.G.L. c. 233, §79G

I, Justin M. Lavelle, Esq,. counsel for the Defendant, do hereby certify that I gave notice of my intention to offer in evidence at the trial of the above-captioned matter by serving on John Wendel, Esq., Springfield District Attorney's Office, 50 State Street, Springfield, MA 01103, copies of certified medical records from Hampden County Correctional Center Department; which was mailed to counsel by certified mail, return receipt requested, and for which ORIGINAL return receipts are attached to this Affidavit.

Signed under the pains and penalties of perjury this 3/23, 2016.

Justin M. Lavelle, Esq.
BBO#: 671534
Law Offices of Richard S. Ravosa
603 Sumner Avenue
Springfield, MA 01108
Telephone (413) 733-2221
Facsimile (413) 304-2730

CERTIFICATE OF SERVICE

I, Justin M. Lavelle, hereby certify that on 3/24/16, I caused the foregoing document to be served on the Commonwealth by forwarding a true and accurate copy of the same via in hand del. to the following counsel of record:

John Wendell, Esq.
Springfield District Attorney's Office
50 State Street
Springfield, MA 01108

Justin M. Lavelle

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Springfield D.A.'s office
- District CT Div -
ATTN: John Wendell, Esq.
50 State Street
Springfield, MA 01103

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

SPRINGFIELD MASS MAIN STN 2016 24 1 FEB

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

Article Number (Transfer from service lab) 7012 1640 0001 0833 4529

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®
SPRINGFIELD MA 01103

OFFICIAL USE

Postage	$3.45
Certified Fee	$2.80
Return Receipt Fee (Endorsement Required)	$0.00
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$7.18

3101 04

POSTMASTER SPRINGFIELD MA STATION FEB 22 2016 Postmark

02/22/2016

Sent To: John Wendell Esq.
Street, Apt. No.; or PO Box No.: 50 State Street, Springfield, MA
City, State, ZIP+4: Springfield, MA 01103

PS Form 3800, August 2006 See Reverse for Instructions

7012 1640 0001 0833 4529

BAYSTATE LAW CENTER

Law Offices of Richard S. Ravosa

603 Sumner Avenue
Springfield, MA 01108
(413) 733-2221 *Telephone*
(413) 304-2730 *Facsimile*

Richard S. Ravosa, Esq.*
Justin M. Lavelle, Esq.

*Also licensed in Connecticut

February 22, 2016

Springfield District Attorney's Office
District Court Division
ATTN: John Wendell, Esq.
P.O. Box 2421
Springfield, MA 01101-2421

Certified Mail

Re: *Commonwealth of Massachusetts v.* [redacted]
Springfield District Court, Docket No. 1523CR5954

Dear Atty. Wendell:

In connection with the above referenced matter, please be advised that the following medical records are sent pursuant to M.G.L. c. 233, § 79G:

1. Certified Medical Records from American Medical Response.

Thank you for your courteous attention. Please do not hesitate to contact me should any concerns arise.

Sincerely,

Justin Lavelle

Enclosure
Certified Mail, Return Receipt Requested
No.: 7012 1640 0001 0833 4529

CRIMINAL DOCKET

DOCKET NUMBER	NO. OF COUNTS	Trial Court of Massachusetts District Court Department
1943CR002128	1	

DEFENDANT NAME AND ADDRESS	DOB	GENDER	COURT NAME & ADDRESS
Michael R Everett [redacted]	[redacted]	Male	Palmer District Court 235 Sykes Street - Suite 3 Palmer, MA 01069
	DATE COMPLAINT ISSUED: 10/17/2019		
	PRECOMPLAINT ARREST DATE: 09/21/2019		INTERPRETER REQUIRED

FIRST FIVE OFFENSE COUNTS

COUNT	CODE	OFFENSE DESCRIPTION	OFFENSE DATE
1	90/24/J	~~OUI-LIQUOR OR .08% c~~90 §24(1)(a)(1) Negligent Op. of MV Amended 2-2-21 murray J	09/21/2019

DEFENSE ATTORNEY	OFFENSE CITY/TOWN	POLICE DEPARTMENT
Atty Joseph Bernard	Holyoke	SP Northampton

DATE & JUDGE	DOCKET ENTRY	DATE & JUDGE	FEES IMPOSED
Transfer from Holyoke DC 10/17/19	☐ Attorney appointed (SJC R. 3:10) ☐ Atty denied & Deft. Advised per 211 D §2A ☐ Waiver of Counsel found after colloquy		Counsel Fee (211D § 2A¶2) $ ☐ WAIVED
			Counsel Contribution (211D § 2) $ ☐ WAIVED
	Terms of release set: ☐ PR ☐ Bail ☐ See Docket for special condition ☐ Held (276 §58A)		Default Warrant Fee (276 § 30¶1) $ ☐ WAIVED
			Default Warrant Arrest Fee (276 § 30 ¶2) $ ☐ WAIVED
	Arraigned and advised: ☐ Potential of bail revocation (276 §58B) ☐ Right to bail to review (276 §58) ☐ Right to drug exam (111E § 10) ☐ Inquiry made by Court under 276 § 56A		Probation Supervision Fee (276 § 87A) $ ☐ WAIVED
			Bail Order Forfeited
			Advised of right to jury trial: ☐ Waiver of jury found after colloquy ☐ Does not waive
	Abuse Allegation: ☐ C276 § 56A form filed by Commonwealth ☐ Allegation of abuse under C276 § 56A found ☐ No allegation of abuse under C276 § 56A found		Advised of trial rights as pro se (Dist. Ct. Supp.R.4)
			Advised of right of appeal to Appeals Ct. (M.R. Crim P.R. 28)

SCHEDULING HISTORY

NO.	SCHEDULED DATE	EVENT	RESULT	JUDGE	TAPE START/ STOP
1	12/23/2019	Pretrial Hearing	☐ Held ☐ Not Held but Event Resolved ☒ Cont'd		
2	3-23-20	PTH	☐ Held ☐ Not Held but Event Resolved ☒ Cont'd COVID-19		
3	5/29/20	PTH	☐ Held ☐ Not Held but Event Resolved ☒ Cont'd COVID-19		
4	9/11/2020	PTH	☐ Held ☐ Not Held but Event Resolved ☒ Cont'd COVID-19		
5	10/22/20	PTH	☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		
6	12-14-20	BTR	☐ Held ☐ Not Held but Event Resolved ☒ Cont'd D in person		
7	1/25/21	BTR	☐ Held ☐ Not Held but Event Resolved ☐ Cont'd D in person + live testimony		
8	4/15/21	DCE	☐ Held ☐ Not Held but Event Resolved ☒ Cont'd COVID-19		
9	2/2/21	BTR	☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		
10			☐ Held ☐ Not Held but Event Resolved ☐ Cont'd		

APPROVED ABBREVIATIONS
ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate CPC = Probation scheduled to terminate DFTA = Defendant failed to appear & was defaulted WAR = Warrant issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing

A TRUE COPY ATTEST:	CLERK-MAGISTRATE / ASST CLERK	TOTAL NO. OF SESSION (DATE)
	X	A True Copy Attest Clerk-Magistrate

Date/Time Printed: 10-17-2019 14:43:57

1943CR002128

Revised: 07/16

CRIMINAL DOCKET - OFFENSES

DEFENDANT NAME: Michael R Everett

DOCKET NUMBER: 1943CR002128

COUNT / OFFENSE: 1 ~~OUI-LIQUOR OR .08%~~ negligent op of mv c90 §24(1)(a)(1) - Amended 2-2-21 Mulcahy

DISPOSITION DATE AND JUDGE: 2-2-21 Mulcahy

DISPOSITION METHOD
- ☐ Guilty Plea or ☒ Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
- ☐ Bench Trial
- ☐ Jury Trial
- ☐ Dismissed upon:
  - ☐ Request of Commonwealth ☐ Request of Victim
  - ☐ Request of Defendant ☐ Failure to prosecute
  - ☐ Other:
- ☐ Filed with Defendant's consent
- ☐ Nolle Prosequi
- ☐ Decriminalized (277 §70 C)

FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
HEAD INJURY ASMT	**RESTITUTION**	**V/W ASSESSMENT**	**BATTERER'S FEE**	**OTHER**
		50		

SENTENCE OR OTHER DISPOSITION
- ☒ Sufficient facts found but continued without a finding until: 1 year 2-2-22
- ☐ Defendant placed on probation until:
  - ☐ Risk/Need or OUI ☒ Administrative Supervision no PSF
- ☐ Defendant placed on pretrial probation (276 §87) until:
- ☐ To be dismissed if court costs / restitution paid by:

no travel restrictions

FINDING
- ☐ Guilty ☐ Not Guilty
- ☐ Responsible ☐ Not Responsible
- ☐ Probable Cause ☐ No Probable Cause

FINAL DISPOSITION — JUDGE — DATE
- ☐ Dismissed on recommendation of Probation Dept.
- ☐ Probation terminated: defendant discharged
- ☐ Sentence or disposition revoked (see cont'd page)

COUNT / OFFENSE

DISPOSITION DATE AND JUDGE

DISPOSITION METHOD
- ☐ Guilty Plea or ☐ Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
- ☐ Bench Trial
- ☐ Jury Trial
- ☐ Dismissed upon:
  - ☐ Request of Commonwealth ☐ Request of Victim
  - ☐ Request of Defendant ☐ Failure to prosecute
  - ☐ Other:
- ☐ Filed with Defendant's consent
- ☐ Nolle Prosequi
- ☐ Decriminalized (277 §70 C)

FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
HEAD INJURY ASMT	**RESTITUTION**	**V/W ASSESSMENT**	**BATTERER'S FEE**	**OTHER**

SENTENCE OR OTHER DISPOSITION
- ☐ Sufficient facts found but continued without a finding until:
- ☐ Defendant placed on probation until:
  - ☐ Risk/Need or OUI ☐ Administrative Supervision
- ☐ Defendant placed on pretrial probation (276 §87) until:
- ☐ To be dismissed if court costs / restitution paid by:

FINDING
- ☐ Guilty ☐ Not Guilty
- ☐ Responsible ☐ Not Responsible
- ☐ Probable Cause ☐ No Probable Cause

FINAL DISPOSITION — JUDGE — DATE
- ☐ Dismissed on recommendation of Probation Dept.
- ☐ Probation terminated: defendant discharged
- ☐ Sentence or disposition revoked (see cont'd page)

COUNT / OFFENSE

DISPOSITION DATE AND JUDGE

DISPOSITION METHOD
- ☐ Guilty Plea or ☐ Admission to Sufficient Facts accepted after colloquy and alien warning pursuant to C278§29D and MRCrP12
- ☐ Bench Trial
- ☐ Jury Trial
- ☐ Dismissed upon:
  - ☐ Request of Commonwealth ☐ Request of Victim
  - ☐ Request of Defendant ☐ Failure to prosecute
  - Other:
- ☐ Filed with Defendant's consent
- ☐ Nolle Prosequi
- ☐ Decriminalized (277 §70 C)

FINE/ASSESSMENT	SURFINE	COSTS	OUI §24D FEE	OUI VICTIMS ASMT
HEAD INJURY ASMT	**RESTITUTION**	**V/W ASSESSMENT**	**BATTERER'S FEE**	**OTHER**

SENTENCE OR OTHER DISPOSITION
- ☐ Sufficient facts found but continued without a finding until:
- ☐ Defendant placed on probation until:
  - ☐ Risk/Need or OUI ☐ Administrative Supervision
- ☐ Defendant placed on pretrial probation (276 §87) until:
- ☐ To be dismissed if court costs / restitution paid by:

FINDING
- ☐ Guilty ☐ Not Guilty
- ☐ Responsible ☐ Not Responsible
- ☐ Probable Cause ☐ No Probable Cause

FINAL DISPOSITION — JUDGE — DATE
- ☐ Dismissed on recommendation of Probation Dept.
- ☐ Probation terminated: defendant discharged
- ☐ Sentence or disposition revoked (see cont'd page)

Justice M. Lu Ryle 2/2/21

A True Copy Attest

Clerk-Magistrate

Date/Time Printed: 10-17-2019 14:43:57

1943CR002128

Revised: 07/16

CRIMINAL DOCKET DOCKET ENTRIES	DEFENDANT NAME Michael R Everett	DOCKET NUMBER 1943CR002128

DATE	DOCKET ENTRIES
10/17/19	case transferred in from Holyoke District Court with a previous docket # of 1917CR2146. summons for 12/23/19 pretrial date mailed to Δ's LICA & faxed to Atty Bernard's office. Probation & DA notified. JUDGE MOLOANEY & CHIEF PROBATION OFFICER BERTON NOTIFIED.
12/09/19	ATTY BERNARD FILED APPEARANCE.
3/23/20	Due to COVID-19, this case has been continued to 5/29/20. Atty Bernard to notify Δ of new date. probation/DA notified.
05/28/2020	DUE TO COVID-19, THIS CASE HAS BEEN CONTINUED TO 8/11/2020. ATTY BERNARD TO NOTIFY Δ. PROB/DA NOTIFIED.
8/10/20	Due to COVID-19, this case has been continued to 10/22/20. Atty Bernard to notify Δ. Probation/DA notified.
8/21/2020	ATTY BERNARD FILES MOTION FOR TRIAL DATE.
8/24/2020	ATTY BERNARD'S MOTION FOR NEW TRIAL DATE ALLOWED ADMINISTRATIVELY (MULKERN, J.) Δ COUNSEL SHALL CONTACT THE ADA & COORDINATE A MUTUAL DATE W/THE COURT'S OFFICE. PARTIES NOTIFIED.
11/09/20	motion to be Heard in Person Filed by Atty. Joseph Bernard
11/17/2020	ATTY BERNARD'S MOTION TO BE HEARD IN PERSON ALLOWED ADMINISTRATIVELY (MULKERN, J.). ATTY BERNARD NOTIFIED VIA FAX.
12/3/20	Commonwealth file Motion to Bring forward to 12/8/20.
12/9/20	Motion to Continue Bench Trial Allowed over Δ's objection (Mulkern, J.)

APPROVED ABBREVIATIONS
ARR = Arraignment PTH = Pretrial hearing DCE = Discovery compliance & jury selection BTR = Bench trial JTR = Jury trial PCH = Probable cause hearing MOT = Motion hearing SRE = Status review
SRP = Status review of payments FAT = First appearance in jury session SEN = Sentencing CWF = Continuance-without-finding scheduled to terminate PRO = Probation scheduled to terminate
DFTA = Defendant failed to appear & was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PVH = probation revocation hearing.

A True Copy Attest

Clerk-Magistrate

CRIMINAL DOCKET DOCKET ENTRIES	DEFENDANT NAME Michael R Everett	DOCKET NUMBER 1943CR002128

DATE	DOCKET ENTRIES
12/18/20	Atty Bernard files a Motion for Discovery Compliance Date
1/04/2021	ATTY BERNARD'S MOTION FOR DISCOVERY COMPLIANCE DATE ALLOWED ADMINISTRATIVELY (MULLEADY, J.) CW ASSIGNED. COPY GIVEN TO PROB/DA. ATTY BERNARD NOTIFIED VIA FAX COPY OF DOCKET SHEET GIVEN TO PROB/DA/ATTY BERNARD.
1/15/21	Due to COVID-19, case cont to 2/2/21 for Bench Trial. Atty Bernard to notify & Prob/DA notified
2-2-21	Commonwealth's oral motion to amend OUI to neg. op - Allowed (Millerhy, J)

APPROVED ABBERIVATIONS
ARR = Arraignment PT= Pretrial hearing CE = Discovery compliance & jury selection T = Bench trial JT = Jury trial PC = Probable cause hearing M = Motion hearing SR= Status review
SRP = Status review of payments FA = First appearance in jury session S = Sentencing CW = Continuance-without-finding scheduled to terminate P = Probation scheduled to terminate
DFTA = Defendant failed to appear & was defaulted WAR = Warrant Issued WARD = Default warrant issued WR = Warrant or default warrant recalled PV = probation revocation hearing

Date/Time Printed: 12-18-2020 15:31:29

1943CR002128

A True Copy Attest

Clerk-Magistrate

Version 2.0 1/105

Date/Time Printed 09-23-2019 08:37:51 Revised 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1917CR002146	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Michael Everett [redacted]	Holyoke District Court 20 Court Plaza Holyoke, MA 01040 (413)538-9710

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	09/23/2019	09/21/2019	09/21/2019

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Holyoke	Route 91South	09/23/2019 08:30 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
SP Northampton Hdqtr	2019-0B6-008556	Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
TSBH201904078		9260973	Arraignment Session

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	90/24/J	OUI-LIQUOR OR .08% c90 §24(1)(a)(1)

On 09/21/2019 did operate a motor vehicle upon a way, as defined in G.L. c.90, §1, or in a place to which the public has a right of access, or upon a way or in a place to which members of the public have access as invitees or licensees, with a percentage, by weight, of alcohol in his or her blood of eight one-hundredths or greater, or while under the influence of intoxicating liquor, in violation of G.L. c.90, §24(1)(a)(1).

PENALTY: imprisonment for not more than 2½ years; or not less than $500, not more than $5000 fine; or both imprisonment and fine; plus $50 Victims of Drunk Driving Assessment; plus (if OUI $250 Head Injury Assessment, no filing or continuance without a finding; and license revoked for 1 year. §24Q: Defendants with a blood alcohol level of .20% must also attend alcohol or drug assessment by DPH or other court-approved program. §24D alternative disposition: If defendant eligible, after guilty finding or continuance without a finding, judge may allow as alternative: probation not more than 2 years, plus driver alcohol or controlled substance abuse education program, or alcohol or controlled substance abuse treatment or rehabilitation program, or both, plus its program fee, plus $250 assessment for apprehension, treatment and rehabilitation programs, plus $50 Victims of Drunk Driving Assessment, plus (if OUI $250 Head Injury Assessment, plus license suspended for not less than 45 days, not more than 90 days (or for 210 days, if defendant under age 21 on offense date . Defendants aged 17-21 with a blood alcohol level of .20% or more must attend a "14-day second offender in-home program."

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK		DATE
X	X		
NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK	DATE
		X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (COURT USE ONLY)	Page 1 of 1	TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused HAS NOT BEEN ARRESTED and the charges involve:

- ☐ ONLY MISDEMEANOR(S), I request a hearing ☐ WITHOUT NOTICE because of imminent threat
- ☐ BODILY INJURY ☐ COMMISSION OF A ☐ FLIGHT ☐ WITH NOTICE to accused
- ☐ ONE OR MORE FELONIES, I request a ☐ WITHOUT ☐ WITH NOTICE to accused
- ☐ WARRANT is requested because prosecutor represents that accused may not appear unless

Holyoke DC
20 Court Plaza
Holyoke, MA 01040

ARREST STATUS OF ACCUSED
☒ HAS ☐ HAS NOT been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS	BIRTH DATE	SOCIAL SECURITY NUMBER
MICHAEL R EVERETT [redacted]	[redacted]	[redacted]
	PCF NO. None	MARITAL STATUS Married
	DRIVERS LICENSE NO. [redacted]	LICENSE STATE MA
	GENDER: Male / HEIGHT: 510	WEIGHT: 180 / EYES: Brown
HAIR: Brown / RACE: White / COMPLEXION: Light / SCARS/MARKS/TATTOOS	BIRTH STATE OR COUNTRY Holyoke, MA	DAY PHONE [redacted]
EMPLOYER/SCHOOL City of Holyoke	MOTHER MAIDEN NAME Nancy Skinner	FATHER'S NAME Robert Everett

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)	COMPLAINANT TYPE	PD
Trooper Matthew Trombley ADDRESS State Police Northampton 555 North King St. Northampton, MA 01060	☒ POLICE ☐ CITIZEN ☐ OTHER	M.S.P.
	PLACE OF OFFENSE RT 91 South, Exit 15, HOLYOKE, MA	
	INCIDENT REPORT NO. 2019-0B6-008556	OBTN TSBH2D1904078
	CITATION NO(S)	

	OFFENSE CODE	CHARGE DESCRIPTION	CITATION #: 517248AA	OFFENSE DATE
1	90-24-J	OUI LIQUOR		09/21/2019
	VARIABLES (e.g. victim name, controlled substances, type and value of property. other variable information, see Complaint Language Manual)			

REMARKS	COMPLAINANT'S SIGNATURE	DATE FILED
	/s/ Matt Trombley	9/21/19

COURT USE ONLY A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON ____ DATE OF HEARING ____ TIME OF HEARING ____ AT

DATE	PROCESSING OF NON-ARREST APPLICATION (COURT USE ONLY)	CLERK/JUDGE
	NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:	
	NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:	
	HEARING CONTINUED TO:	
	APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE: ☐ IMMINENT THREAT ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED ☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE ☐ FELONY CHARGED BY CIVILIAN: NO NOTICE AT CLERK'S DISCRETION	

DATE	COMPLAINT TO ISSUE	COMPLAINT DENIED	CLERK/JUDGE
	☐ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S) ☐ 1 ☐ 2 ☐ 3 BASED ON ☐ FACTS SET FORTH IN ATTACHED STATEMENT(S) ☐ TESTIMONY RECORDED: TAPE NO:_____ START NO:_____ END NO:_____ ☐ WARRANT ☐ SUMMONS TO ISSUE ARRAIGNMENT DATE:	☐ NO PROBABLE CAUSE FOUND ☐ REQUEST OF COMPLAINANT ☐ FAILURE TO PROSECUTE ☐ AGREEMENT OF BOTH PARTIES ☐ OTHER COMMENT	

COURT COPY

ARREST REPORT

State Police Northampton

555 North King St.
Northampton, MA
(413) 584-3000

CASE # 2019-0B6-008556

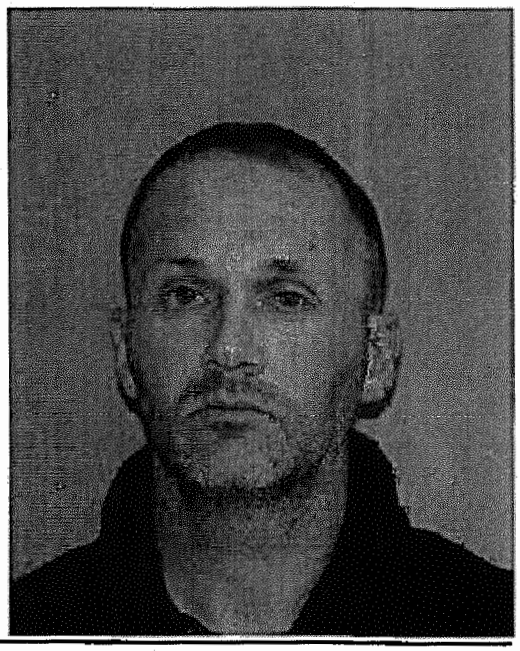
Invest Officer: Trooper Matthew Trombley ID# 3727
Agency: B-6
Court: Holyoke DC

Activity Date/Time 09/21/2019 0357 Incident Class: Traffic MV Stop

Location: RT 91 South, Exit 15, HOLYOKE, MA

Last: EVERETT
First: MICHAEL
Middle: R
Suffix:
DOB: [redacted]
Age: 40
SSN: [redacted]
License #:
Lic. State:
Address:
City/Town:
State:
Zip Code:
Phone #:
Occupation: City of Holyoke
Employer: City of Holyoke
Emp. Add:
Emp. Phn:

Race: White
Sex: Male
Height: 510
Weight: 180
Hair Color: Brown
Eye Color: Brown
Build: Medium
Complexion: Light
Marital Stat: Married
Spouse: Marie Gagnon
Father: Robert Everett
Mother: Nancy Skinner
Dependents: 0
Birth Place: Holyoke, MA
Citizenship: USA



Custody Status: Pending Bail
Booking Officer: Trooper Matthew Trombley ID# 3727
Desk Officer: Trooper Matthew Biron ID# 3745
Photo Officer: Trooper Matthew Trombley ID# 3727
Miranda Given: Y Trooper Matthew Trombley ID#
Print Officer: Trooper Matthew Trombley ID# 3727
Lang Rights: N
Visible Injuries: N
Positive Q5: N
PREA Screening: Y Trooper Matthew Trombley ID# 3727
ICE Detainer?: N **Detainer#:**
Held on Detainer?:
Phone Used: Y
Number Called: used cell phone
MW: N
Detox Notified: N
Medications: None
Offered BT: Y
Refused BT: Y
BT Results: 0.000 0.000 0.000
Bailed To:

OBTN: TSBH201904078

Booked @ MSP Northampton

Charge(s):

Citation: 517248AA; 90-24-J OUI LIQUOR

for Matt Trombley #3727
Trooper Matthew Trombley ID# 3727

Status: Approved
Approved by: #Sergeant John Ruyffelaert ID# 2451
Supervisor

ARREST REPORT

State Police Northampton

555 North King St.
Northampton, MA
(413) 584-3000

CASE # 2019-0B6-008556

Invest Officer: Trooper Matthew Trombley ID# 3727 Court: Holyoke DC
Agency: B-6

Alias(es): **Distinguishing Marks:**

Vehicle(s):

MA PAN 2HTE80 2005 Chevrolet SILVER GRAY
VIN: 1GCEK19Z95Z218268

Towed Reds Towing
STANDARD FIRE INS

Other Property/Evidence Involved In Case:

Arrest Narrative:

2019-0B6-008556

By Trooper Matthew O Trombley #3727

1. On 9/21/19, at approximately 0357 hours, I (Tpr Trombley #3727) was assigned to the 91M patrol out of SP Northampton. At this time, the desk officer (Tpr Biron #3745) advised a C-22 caller reported that a vehicle was stopped in the right travel lane of Route 91 (public way) SB in Holyoke just prior to exit 15. While I was en route to investigate, Tprs Siok and Fanion advised they located the vehicle partially in the right travel lane prior to exit 15. Tpr Siok advised that the vehicle was still running, and the male operator appeared to be sleeping with his foot on the brake. When I arrived on scene, I observed Tpr Fanion placing the operator (later identified as Michael Everett DOB [redacted]) into the rear of cruiser #1810. Tpr Fanion advised that Everett eventually put the vehicle in park before they removed him from the vehicle. I also observed the vehicle (2005 Chevrolet Silverado, MA REG 2HTE80) parked partially in the right travel lane.

2. I then opened the rear door of cruiser #1810 to make contact with Everett. I then read Everett his Miranda Rights from a prepared card. Everett stated that he understood his rights and agreed to speak with me. I asked Everett why he was sleeping in the middle of the highway, and he stated that he was tired. While speaking with Everett, I detected a strong odor of an alcoholic beverage coming from his person. I also observed that Everett had bloodshot and glassy eyes and his speech appeared to be noticeable slurred. I asked Everett if he would perform Field Sobriety Tests, and Everett stated that he did not want to perform the tests. At this time, I formed the opinion that Everett was under the influence of intoxicating liquor. I informed Everett that he was under arrest, and I then shut the cruiser door.

3. I then began performing an inventory of the vehicle and requested a tow for the vehicle. In the center console, I located a partially full can of Bud Light. After completing the inventory, I removed Everett from Cruiser #1810 and placed him into the rear of Cruiser #1752. While later speaking with Tpr Siok, he advised that while he was traveling NB to locate the vehicle, he observed the vehicle stopped in the right travel lane with it's brake lights on. When he arrived on scene, Tpr Siok still observed the brake lights on. As he walked up to the vehicle, Tpr Siok

Tpr M Trombley #3727
Trooper Matthew Trombley ID# 3727

Status: Approved
Approved by: #Sergeant John Ruyffelaert ID# 2451 Supervisor

ARREST REPORT

State Police Northampton

555 North King St.
Northampton, MA
(413) 584-3000

CASE # 2019-0B6-008556

Invest Officer: Trooper Matthew Trombley ID# 3727 Court: Holyoke DC
Agency: B-6

observed Everett in the driver's seat, and he appeared to be sleeping. As the vehicle doors were locked, Tpr Siok began knocking on the window with with his flashlight in an attempt to wake up the operator. After approximately one minute, Everett appeared to wake up in a disorientated state. After multiple instructions to put the vehicle in park, Everett put the vehicle in park and the doors unlocked. Tprs Siok and Fanion then removed Everett from the vehicle and detained him until I arrived on scene. Tpr Siok advised that he detected a strong odor of an alcoholic beverage coming from Everett. Tpr Siok also advised me that he observed Everett to have bloodshot and glassy eyes as well as slurred speech.

4. Tprs Siok and Fanion then stood by for the Red's Towing to remove the vehicle from the roadway. I then returned to SP Northampton with Everett to commence the booking process. After arriving at the barracks with Everett, I ready him the Statutory Rights and Consent Form. Everett stated that he would decline to take the test and signed the form indicating that he wished to decline. I then entered Everett into the BT machine as a refusal. I then booked and fingerprinted Everett as per MSP procedure. Everett was allowed use of his personal cell phone to make calls to arrange for bail. Clerk Yasin was contacted, and bail was set at personal recognizance. I then issued Everett Massachusetts Uniform Citation 517248AA for the following offense: 90-24 OUI Alcohol. Everett was provided with a copy of his notice of suspension and a copy of the citation.

5. At approximately 0545 hours, Clerk Yasin arrived at the barracks and subsequently bailed Everett. Everett received a ride home from family members who had arrived at the barracks. My interaction with Everett was captured on my body cam. With only court action remaining, I respectfully request this case be closed.

Tpr Matt Trolly #3727

Trooper Matthew O Trombley #3727 Trooper Matthew O Trombley #3727

Tpr Matt Trolly #3727

Trooper Matthew Trombley ID# 3727 Status: Approved
Approved by: #Sergeant John Ruyffelaert ID# 2451 Supervisor

APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (COURT USE ONLY)	Page 1 of 3	TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT
The undersigned alleges the following as a [X] full or [ ] partial statement of the factual basis for the offense(s) for which a criminal complaint is sought			

By Trooper Matthew O Trombley #3727

2019-0B6-008556

1. On 9/21/19, at approximately 0357 hours, I (Tpr Trombley #3727) was assigned to the 91M patrol out of SP Northampton. At this time, the desk officer (Tpr Biron #3745) advised a C-22 caller reported that a vehicle was stopped in the right travel lane of Route 91 (public way) SB in Holyoke just prior to exit 15. While I was en route to investigate, Tprs Siok and Fanion advised they located the vehicle partially in the right travel lane prior to exit 15. Tpr Siok advised that the vehicle was still running, and the male operator appeared to be sleeping with his foot on the brake. When I arrived on scene, I observed Tpr Fanion placing the operator (later identified as Michael Everett DOB [redacted] into the rear of cruiser #1810. Tpr Fanion advised that Everett eventually put the vehicle in park before they removed him from the vehicle. I also observed the vehicle (2005 Chevrolet Silverado, MA REG 2HTE80) parked partially in the right travel lane.

2. I then opened the rear door of cruiser #1810 to make contact with Everett. I then read Everett his Miranda Rights from a prepared card. Everett stated that he understood his rights and agreed to speak with me. I asked Everett why he was sleeping in the middle of the highway, and he stated that he was tired. While speaking with Everett, I detected a strong odor of an alcoholic beverage coming from his person. I also observed that Everett had bloodshot and glassy eyes and his speech appeared to be noticeable slurred. I asked Everett if he would perform Field Sobriety Tests, and Everett stated that he did not want to perform the tests. At this time, I formed the opinion that Everett was under the influence of intoxicating liquor. I informed Everett that he was under arrest, and I then shut the cruiser door.

3. I then began performing an inventory of the vehicle and requested a tow for the vehicle. In the center console, I located a partially full can of Bud Light. After completing the inventory, I removed Everett from Cruiser #1810 and placed him into the rear of Cruiser #1752. While later speaking with Tpr Siok, he advised that while he was traveling NB to locate the vehicle, he observed the vehicle stopped in the right travel lane with it's brake lights on. When he arrived on scene, Tpr Siok still observed the brake lights on. As he walked up to the vehicle, Tpr Siok observed Everett in the driver's seat, and he appeared to be sleeping. As the vehicle doors were locked, Tpr Siok began knocking on the window with with his flashlight in an attempt to wake up the operator. After approximately one minute, Everett appeared to wake up in a disorientated state. After multiple instructions to put the vehicle in park, Everett put the vehicle in park and the doors unlocked. Tprs Siok and Fanion then removed Everett from the vehicle and detained him until I arrived on scene. Tpr Siok advised that he detected a strong odor of an alcoholic beverage coming from Everett. Tpr Siok also advised me that he observed Everett to have bloodshot and glassy eyes as well as slurred speech.

4. Tprs Siok and Fanion then stood by for the Red's Towing to remove the vehicle from the roadway. I then returned to SP Northampton with Everett to commence the booking process. After arriving at the barracks with Everett, I ready him the Statutory Rights and Consent Form. Everett stated that he would decline to take the test and signed the form indicating that he wished to decline. I then entered Everett into the BT machine as a refusal. I then booked and fingerprinted Everett as per MSP procedure. Everett was allowed use of his personal cell phone to make calls to arrange for bail. Clerk Yasin was contacted, and bail was set at personal recognizance. I then issued Everett Massachusetts Uniform Citation 517248AA for the following offense: 90-24 OUI Alcohol. Everett was

provided with a copy of his notice of suspension and a copy of the citation.

5. At approximately 0545 hours, Clerk Yasin arrived at the barracks and subsequently bailed Everett. Everett received a ride home from family members who had arrived at the barracks. My interaction with Everett was captured on my body cam. With only court action remaining, I respectfully request this case be closed.

APPLICATION FOR CRIMINAL COMPLAINT	APPLICATION NO. (COURT USE ONLY)	Page 3 of 3	TRIAL COURT OF MASSACHUSETTS DISTRICT COURT DEPARTMENT
The undersigned alleges the following as a [X] full or [ ] partial statement of the factual basis for the offense(s) for which a criminal complaint is sought			

PRINTED NAME	SIGNATURE	I AM A	DATE SIGNED
Tpr Trombley, Matthew	Tpr Matt Trombley	[X] LAW ENFORCEMENT OFFICER [ ] CIVILIAN COMPLAINANT OR WITNESS	9/21/19

ADDITIONAL FACTS FOUND BY CLERK-MAGISTRATE / ASST. CLERK/JUDGE BASED ON ORAL TESTIMONY

REMARKS	SIGNATURE OF CLERK-MAGISTRATE / ASST. CLERK / JUDGE	DATE SIGNED

COURT COPY

Massachusetts Office of Alcohol Testing

BATS - Completion Record

SP Northampton B6

Test Date:	09/21/2019	Seq. Test #:	1207
Dept. Case #:	2019-0B6-008556	Citation #:	-
Model #:	ALCOTEST 9510	Firmware:	8322232 0.7.1
Serial #:	ARBK-0003	License #:	[redacted]
Date of Arrest:	09/21/2019	License State:	MASSACHUSETTS
Arrest Town:	HOLYOKE	Last Name:	EVERETT
Test Type:	90-24 ARREST	First Name, MI:	MICHAEL, R
Test Result:	REFUSAL	D. O. B.:	[redacted]

Breath Test - Arresting Officer Observation Report

Public Way:	YES	OUI Alcohol Arrest:	YES	Offered Test:	YES
Observed Driving:	NO	Unsteady on Feet:	YES	Slurred Speech:	YES
Glassy Eyes:	YES	Bloodshot Eyes:	YES	Odor:	STRONG
PBT:	N/A	Crash:	NO		
Other Grounds:	OBSERVATIONS				

Arresting Officer's Name:	MATTHEW TROMBLEY
Arresting Officer Signature:	Tpr Matt Trombley #3727
Breath Test Operator:	MATTHEW O. TROMBLEY
Observed Subject 15 Minutes:	N/A
Refusal Witness:	MATTHEW BIRON

List of Associated Documents:

Breath Test Report Form (BATS-01-BTR)

Notice Of Suspension For Chemical Test Refusal

Massachusetts Office of Alcohol Testing
Breath Test Report Form

SP Northampton B6

Test Date: 09/21/2019 Sequential Test #: 1207
Dept. Case #: 2019-0B6-008556 Citation #: -

Test Results: REFUSAL

Breath Test Instrument Certification
The breath test instrument was certified at the time the breath test was administered.

Model Number	Serial Number	Certification Begins	Certification Expires
Alcotest 9510	ARBK-0003	07/30/2019	07/30/2020

Calibration Standard Information

	Lot Number	Concentration	Expiration	Inlet
Dry Gas Cylinder:	AG915501	0.080	06/04/2021	CAL GAS INLET 2

Subject Information
Last Name: EVERETT D. O. B.: [redacted]
First Name, MI: MICHAEL, R License State: MASSACHUSETTS
License #: [redacted]

Breath Test Sequence Details

Function	Result %BAC	Time HH:MM:SS	Volume Liters (L)	Duration Seconds (s)
Air Blank Test	------	--:--:--		
Subject Test 1	------	--:--:--	------L	------s
Air Blank Test	------	--:--:--		
Calibration Check	------	--:--:--		
Air Blank Test	------	--:--:--		
Subject Test 2	------	--:--:--	------L	------s
Air Blank Test	------	--:--:--		

Breath Test Operator Certification
The Breath Test Operator was certified at the time the breath test was administered.

		Certification Begins	Certification Expires
Operator:	MATTHEW O. TROMBLEY	09/06/2018	09/06/2021
Signature:	Tpr Matt Trombley #3727	Signature Date:	09/21/2019

NOTICE OF SUSPENSION FOR A CHEMICAL TEST REFUSAL

OPERATOR INFORMATION

License #: [redacted] Lic. State: MASSACHUSETTS
Operator: EVERETT, MICHAEL R
Address: [redacted]
D.O.B.: [redacted] Gender: MALE
Lic. Class: D Lic. Expires: [redacted]

NOTICE OF SUSPENSION

This is your formal notice of the intent to suspend your license or right to operate under M.G.L. Ch. 90, Sec. 24 (1)(f)(1). DRIVERS AGE 21 OR OVER: The suspension for this refusal will be for a period of not less than 180 days and up to life. DRIVERS UNDER AGE 21: The suspension for this refusal will be for a period of not less than three years for this and up to life, plus face an ADDITIONAL period of suspension of 180 days up to 1 year pursuant to M.G.L. Ch. 90 s. 24P. The suspension will occur **immediately**. No hardship licenses are authorized by law during the period of suspension, unless you are eligible for a first offenders disposition and your case has been resolved under M.G.L. c. 90 s. 24D.

ADDITIONAL NOTICE TO INDIVIDUALS OPERATING A VEHICLE REQUIRING A COMMERCIAL DRIVERS LICENSE

In addition to the above suspension, if you are operating a vehicle requiring a CDL license and your blood alcohol content is .04 or above, you will be disqualified from operating for a period of not less than one year, or up to life. There is no hardship license available for this period of time.

OPERATOR'S RIGHT TO A HEARING

M.G.L. Ch. 90 Sec. 24 (1)(g) reads, in part: "Any person whose license, permit, or right to operate has been suspended under subparagraph (1) of paragraph (f) shall, within fifteen days of suspension, be entitled to a hearing before the registrar which shall be limited to the following issues: (i) did the police officer have reasonable grounds to believe that such person had been operating a motor vehicle while under the influence of intoxicating liquor upon any way or in any place to which the members of the public have a right of access or upon any way to which the members of the public have a right of access as invitees or licensees, (ii) was such person placed under arrest, and (iii) did such person refuse to submit to such test or analysis."

TIME, DATE AND PLACE OF HEARING

You have the opportunity for such a hearing any Monday through Friday, excluding state, federal, and Suffolk County holidays, between 9:00 am and 3:00 pm. You have 15 days from the date of your arrest. These hearings are held only in the Boston office of the Registry, located at 136 Blackstone Street. Hearing requests at any other Registry branch will not be granted. Hearings are on a walk-in basis only. No extensions of the 15 day period following the arrest will be granted, and no phone calls, e-mails, or other communications with the Registry will change the terms of this notice in regards to your right to a hearing. **Note: By law, the Registry cannot issue any type of hardship, work or limited license during this suspension, and no hearing can be held on such requests, unless you are eligible for a first offenders disposition and your case has been resolved under M.G.L. c. 90 s. 24D.**

The officer below hereby certifies that they have served the operator with this notice and has submitted an electronic notification of this transaction to the Registry of Motor Vehicles.

Officer's Name: MATTHEW TROMBLEY Date: 09/21/2019
Issuing Police Dept.: MASS STATE POLICE Phone: 508-820-2300

STATUTORY RIGHTS AND CONSENT FORM

Defendant: Everett, michael Date: 9/21/19

Case No.: 2019-086-008556 Time: 0440

RIGHT TO A DOCTOR

General Laws, Ch. 263, Sec. 5A: A person held in custody at a police station or other place of detention, charged with operating a motor vehicle while under the influence of intoxicating liquor, shall have the right, at his request and at his expense, to be examined immediately by a physician selected by him. The police official in charge of such station or place of detention, or his designee, shall inform him of such right immediately upon being booked, and shall afford him a reasonable opportunity to exercise it. Such person shall, immediately upon being booked, be given a copy of this section unless such a copy is posted in the police station or other place of detention in a conspicuous place to which such person has access.

RIGHT TO A TELEPHONE

General Laws Ch. 276, Sec. 33A: The police official in charge of the station or other place of detention having a telephone wherein a person is held in custody, shall permit the use of the telephone, at the expense of the arrested person, for the purpose of allowing the arrested person to communicate with his family or friends, or to arrange for release on bail, or to engage the services of an attorney. Any such person shall be informed forthwith upon his arrival at such station or place of detention, of his right to so use the telephone, and such use shall be permitted within one hour thereafter.

REQUEST TO SUBMIT TO A CHEMICAL TEST

Pursuant to General Laws Ch. 90, Sec. 24:

1. I am requesting that you submit to a chemical test to determine your blood alcohol concentration.

2. Drivers Age 21 or OVER: If you refuse this test, your license or right to operate in Massachusetts shall be suspended for at least a period of 180 days or up to life for such refusal. The suspension if you take the test and fail it is 30 days.

   Drivers UNDER Age 21: If you refuse this test, your license or right to operate in Massachusetts shall be suspended for at least a period of 3 years or up to life for such refusal. The suspension if you take the test and fail it is 30 days. Drivers under age 21 will also face an additional suspension pursuant to General Laws Chapter 90, Section 24P of 180 days to 1 year.

3. If your blood alcohol level is .08 or above, you are in violation of Massachusetts law and may face criminal penalties. Drivers under age 21 have the same legal limit for court purposes, but will face administrative penalties for any blood alcohol concentration of .02 or above.

4. If you decide to take the test and complete it, you will have the right to a comparison blood test within a reasonable period of time at your own expense. The results of this comparison test can be used to restore your license or right to operate at a court hearing within 10 days.

5. It is not your option which type of chemical test to take. Refusal or failure to consent to take the test that I am requesting is a violation of the Implied Consent Law, and will result in your right to operate a motor vehicle being suspended as I have stated to you. Refusing this test, but requesting some other form of test is a refusal under the law.

NOTICE TO PERSONS HOLDING A COMMERCIAL DRIVER'S LICENSE

In addition to the above, Mass General Laws Ch. 90F, Sec. 11 and 49 CFR Sec. 383.51 provide that a person holding a commercial driver's license who fails to submit to a required test of blood, breath, or urine, shall be disqualified from driving a commercial motor vehicle for a period of one (1) year or up to life. **This disqualification applies whether or not the person was operating a CDL vehicle.** If the vehicle was transporting 16 or more passengers, including the driver, or hazardous materials required to be placarded, the CDL disqualification shall be for three (3) years or up to life.

Do you consent to submit to the chemical test that this officer requested to determine your blood alcohol concentration?

☐ Yes ☑ No

Defendant's Signature: _____
(To be signed, or indicate why not)

Signature of Officer Before Whom the Refusal or Test Was Made: Tpr Matt Reilly #3727
(Signed)

RMV Form No.: 21202 Form Date: 7/7/06

Date/Time Printed: 12-18-2019 12:56:03 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1923CR008915	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Michael Riggins [redacted]	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	12/18/2019	12/08/2019	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		01/10/2020 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
		46654488	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13H	INDECENT A&B ON PERSON 14 OR OVER c265 §13H

On 12/08/2019 did commit an indecent assault and battery on a person who had attained age 14, without the consent of such person, in violation of G.L. c.265, §13H.

PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; upon conviction, must register as a sex offender pursuant to G.L. c. 6, §§178C-178P.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST CLERK-MAGISTRATE/ ASST. CLERK X	DATE

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO.(COURT USE ONLY)

PAGE 1 of 1

Trial Court of Massachusetts
District Court Department

Springfield

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused HAS NOT BEEN ARRESTED and the charges involve:

☐ ONLY MISDEMEANOR(S), I request a hearing ☐ WITHOUT NOTICE because of an imminent threat of
☐ BODILY INJURY ☒ COMMISSION OF A CRIME ☐ FLIGHT ☐ WITH NOTICE to accused.
☒ ONE OR MORE FELONIES, I request a hearing ☒ WITHOUT NOTICE ☐ WITH NOTICE to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED
☐ HAS ☒ HAS NOT been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS

MICHAEL P RIGGINS
[redacted]

BIRTH DATE [redacted]

SOCIAL SECURITY NUMBER [redacted]

PCF NO.

MARITAL STATUS

DRIVERS LICENSE NO. [redacted]

STATE MA

GENDER M

HEIGHT

WEIGHT

EYES

HAIR

RACE W

COMPLEXION

SCARS/MARKS/TATTOOS

BIRTH STATE OR COUNTRY

DAY PHONE

EMPLOYER/SCHOOL

MOTHER'S MAIDEN NAME (FIRST MI LAST)

FATHER'S NAME (FIRST MI LAST)

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST)
Donald R Denault

COMPLAINANT TYPE
☒ POLICE ☐ CITIZEN ☐ OTHER

PD SPR

ADDRESS
Springfield Police Department
130 Pearl Street
Springfield, MA. 01103

PLACE OF OFFENSE
SPRINGFIELD, MA

INCIDENT REPORT NO.
19-2808-WA

OBTN

CITATION NO(S).

	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1	265/13H	INDECENT A&B ON PERSON 14 OR OVER	12/08/2019
	VARIABLES *(e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)*	VICTIM(S): Known to Commonwealth;WEAPON(S): Personal Weapons (Hands/Feet/Etc);PROPERTY: VICTIM STATEMENT;	
2	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		
3	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		

REMARKS
SID#

COMPLAINANT'S SIGNATURE
X

DATE FILED

COURT USE ONLY → A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON

DATE OF HEARING

TIME OF HEARING AT

← COURT USE ONLY

DATE	PROCESSING OF NON-ARREST APPLICATION(COURT USE ONLY)	CLERK/JUDGE
	NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:	
	NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:	
	HEARING CONTINUED TO:	
	APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE: ☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED ☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE ☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION	

DATE	COMPLAINT TO ISSUE	COMPLAINT DENIED	CLERK/JUDGE
	☐ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S). ☐ 1. ☐ 2. ☐ 3. BASED ON ☐ FACTS SET FORTH IN ATTACHED STATEMENT(S) ☐ TESTIMONY RECORDED: TAPE NO. _____ START NO. _____ END NO. _____ ☐ WARRANT ☐ SUMMONS TO ISSUE ARRAIGNMENT DATE:	☐ NO PROBABLE CAUSE FOUND ☐ REQUEST OF COMPLAINANT ☐ FAILURE TO PROSECUTE ☐ AGREEMENT OF BOTH PARTIES ☐ OTHER: COMMENT	

CCR-2 (08/04)

Springfield Police Department
Warrant Report

Warrant #: 19-2808-WA
Incident #: 19-14757-OF

Requesting Officer: Sergeant Donald Denault
Application Date: 12/11/2019
Summons for: MICHAEL RIGGINS

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	RIGGINS, MICHAEL PAUL [redacted]	M	W	41	[redacted]	

Military Active Duty: N
BODY: NOT AVAIL.
DOB: [redacted]
LICENSE NUMBER:
COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

#	OFFENSE(S)	ATTEMPTED	TYPE
1	INDECENT A&B ON PERSON 14 OR OVER 265/13H 265 13H OCCURRED: 12/08/2019 2000 WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)	N	Felony

LOCATION TYPE: Residence/Home/Apt./Condo Zone: Sector H1 Forest Park
[redacted]

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	CONFIDENTIAL					

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	OTHER	F	W	3040	NOT AVAIL	[redacted]

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	VICTIM STATEMENT QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 12/08/2019	19-6536-PR VALUE: $0.00	Evidence (Not Nibrs Reportable)
2	STATEMENT [redacted] QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 12/09/2019 OWNER: [redacted]	19-6549-PR VALUE: $0.00	Evidence (Not Nibrs Reportable)

Warrant #: 19-2808-WA
Incident #: 19-14757-OF

****
CONFIDENTIAL VICTIM REPORT
****

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	F	W	40	NOT AVAIL	[redacted]

DOB: [redacted]
INJURIES: None
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Non Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1
RELATION TO: RIGGINS MICHAEL [redacted]

PERSONNEL NARRATIVE FOR SERGEANT DONALD R DENAULT

Ref: 19-2808-WA

Entered: 12/11/2019 @ 1815 Entry ID: D647
Modified: 12/11/2019 @ 2259 Modified ID: D647

Sir/ Ma'am,

I am respectfully requesting a criminal complaint be issued for Michael Riggins DOB [redacted] of [redacted] for the below listed offense :

1. Indecent Assault &Battery

The below listed narrative depicts facts and or circumstances regarding Inc # 19-4757

On 12-08-2019 at approx 2100 hrs. Victim #1 came into the lobby of the police station located at 130 Pearl St. Spfld. Mass. Victim #1 was interviewed by Detective Devin Frank and Detective Coleman at 130 Pearl St. Victim #1 stated that she had just come from a cookie swap party located at [redacted] Victim#1 stated that while at the cookie swap she was sexually assaulted by the owner of the house and known person to her. She identified the assailant as Mike Riggins , a person who she has known for years and also identified him through a photograph provided by Detective Coleman during her statement.

Victim #1 stated that at approx between the hours of 1930hrs and 2000hrs. she was present at the cookie swap party located at [redacted] She stated that she went to use the bathroom. While in the hallway outside of the bathroom, Mr. Riggins approached her. Victim #1 stated that at this point Mr. Riggins proceeded to grab her left breast and right buttock and grabbed her by the shirt and attempted to pull her into the the bathroom. Victim #1 stated that Mr. Riggins did not say anything during the act. Victim #1 stated that she was able to break free from his hold and leave the area. Victim #1 then conversed with her friend, [redacted] and disclosed what had just transpired. Victim #1 and [redacted] then started to leave the residence. According to Victim #1 Mr. Riggins stated that he would walk them to their cars. Victim #1 stated that Mr. Riggins did walk them to their cars, however, rubbing up against Victim #1 while walking towards their cars. Victim #1 stated that after she got into her car she proceeded to drive a few streets over, parked her vehicle and called her husband to pick her up because she was too upset to drive. After her husband picked her up, they proceeded to the police station where Victim #1 provided Detective B.Coleman and D. Frank a statement.

Inc # 19-14757 submitted
Statement tagged/submitted (Victim #1 19-6536)
Statement tagged/submitted (First Complainant [redacted]

Respectfully Submitted,
Sgt. Donald Denault
Emp # 17647

Copy

This is Mike Riggins
12/18/19

[redacted]

Case Tracking Report: 19-1457-OF
Springfield Police Department on 12-11-2019

Property Details for 19-6536-PR (Original Case Number: 19-1457-OF)

Description: Other Status: In Storage ID: SVUSTORAGETEMP-SVU Temporary DVD Storage (Temporary)
Found Location:
Found By:
Follow-Up:
Details: 27 VICTIM STATEMENT
Amount:1

Tracking Entries

X First Entry: Officer Brian E Coleman Date:12/08/2019 Time:2242 Storage:SVUSTORAGETEMP-SVU Temporary DVD Storage (Tempor

Property Details for 19-6549-PR (Original Case Number: 19-1457-OF)

Description: Other Status: In Storage ID: SVUSTORAGETEMP-SVU Temporary DVD Storage (Temporary)
Found Location:
Found By:
Follow-Up:
Details: 27 STATEMENT [redacted]
Amount:1

Tracking Entries

X First Entry: Sergeant Donald R Denault Date:12/09/2019 Time:2123 Storage:SVUSTORAGETEMP-SVU Temporary DVD Storage (Tempor

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 1923CR008915	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Michael Riggins [redacted]	Springfield District Court 50 State Street PO Box 2421 Springfield, MA 01101 (413)748-8600

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	12/18/2019	12/08/2019	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Springfield		01/10/2020 09:00 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Springfield PD		Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
		46654488	Courtroom 1

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/13H	**INDECENT A&B ON PERSON 14 OR OVER c265 §13H**

On 12/08/2019 did commit an indecent assault and battery on a person who had attained age 14, without the consent of such person, in violation of G.L. c.265, §13H.

PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; upon conviction, must register as a sex offender pursuant to G.L. c. 6, §§178C-178P.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST / CLERK-MAGISTRATE/ ASST. CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO.(COURT USE ONLY)

PAGE 1 of 1

Trial Court of Massachusetts
District Court Department

Springfield

I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

☐ ONLY MISDEMEANOR(S), I request a hearing ☐ **WITHOUT NOTICE** because of an imminent threat of
☐ BODILY INJURY ☒ COMMISSION OF A CRIME ☐ FLIGHT ☐ **WITH NOTICE** to accused.
☒ ONE OR MORE FELONIES, I request a hearing ☒ **WITHOUT NOTICE** ☐ **WITH NOTICE** to accused.

☐ WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

ARREST STATUS OF ACCUSED
☐ **HAS** ☒ **HAS NOT** been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS

MICHAEL P RIGGINS
[redacted]

BIRTH DATE: [redacted]
SOCIAL SECURITY NUMBER: [redacted]
PCF NO.:
MARITAL STATUS:
DRIVERS LICENSE NO.: S85682788
STATE: MA
GENDER: M
HEIGHT:
WEIGHT:
EYES:
HAIR:
RACE: W
COMPLEXION:
SCARS/MARKS/TATTOOS:
BIRTH STATE OR COUNTRY:
DAY PHONE:
EMPLOYER/SCHOOL:
MOTHER'S MAIDEN NAME (FIRST MI LAST):
FATHER'S NAME (FIRST MI LAST):

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST): Donald R Denault
COMPLAINANT TYPE: ☒ POLICE ☐ CITIZEN ☐ OTHER
PD: SPR

ADDRESS:
Springfield Police Department
130 Pearl Street
Springfield, MA. 01103

PLACE OF OFFENSE: SPRINGFIELD, MA
INCIDENT REPORT NO.: 19-2808-WA
OBTN:
CITATION NO(S).:

	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1	265/13H	INDECENT A&B ON PERSON 14 OR OVER	12/08/2019
	VARIABLES *(e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)*	VICTIM(S): Known to Commonwealth;WEAPON(S): Personal Weapons (Hands/Feet/Etc);PROPERTY: VICTIM STATEMENT;	
2	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		
3	OFFENSE CODE	DESCRIPTION	OFFENSE DATE
	VARIABLES		

REMARKS
SID#

COMPLAINANT'S SIGNATURE: X

DATE FILED

COURT USE ONLY → A HEARING UPON THIS COMPLAINT APPLICATION WILL BE HELD AT THE ABOVE COURT ADDRESS ON

DATE OF HEARING

TIME OF HEARING AT

← COURT USE ONLY

PROCESSING OF NON-ARREST APPLICATION(COURT USE ONLY)

DATE | CLERK/JUDGE

NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:
NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:
HEARING CONTINUED TO:
APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE:
☐ IMMINENT THREAT OF ☐ BODILY INJURY ☐ CRIME ☐ FLIGHT BY ACCUSED
☐ FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE
☐ FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION

DATE	COMPLAINT TO ISSUE	COMPLAINT DENIED	CLERK/JUDGE
	☐ PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S). ☐ 1. ☐ 2. ☐ 3. BASED ON ☐ FACTS SET FORTH IN ATTACHED STATEMENT(S) ☐ TESTIMONY RECORDED: TAPE NO. _____ START NO._____ END NO._____ ☐ WARRANT ☐ SUMMONS TO ISSUE ARRAIGNMENT DATE:	☐ NO PROBABLE CAUSE FOUND ☐ REQUEST OF COMPLAINANT ☐ FAILURE TO PROSECUTE ☐ AGREEMENT OF BOTH PARTIES ☐ OTHER: COMMENT	

CCR-2 (08/04)

Springfield Police Department
Warrant Report

Warrant #: 19-2808-WA
Incident #: 19-14757-OF

Requesting Officer: Sergeant Donald Denault
Application Date: 12/11/2019
Summons for: MICHAEL RIGGINS

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	RIGGINS, MICHAEL PAUL [redacted]	M	W	41	[redacted]	

Military Active Duty: N
BODY: NOT AVAIL.
DOB: [redacted]
LICENSE NUMBER: [redacted]
COMPLEXION: NOT AVAIL.
PLACE OF BIRTH: NOT AVAIL.
ETHNICITY: NOT HISPANIC

#	OFFENSE(S)	ATTEMPTED	TYPE
1	INDECENT A&B ON PERSON 14 OR OVER 265/13H 265 13H	N	Felony

LOCATION TYPE: Residence/Home/Apt./Condo
Zone: Sector H1 Forest Park
[redacted]
SPRINGFIELD MA

OCCURRED: 12/08/2019 2000
WEAPON/FORCED USED: Personal Weapons (Hands/Feet/Etc)

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	CONFIDENTIAL					

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	OTHER	F	W	3040	NOT AVAIL	[redacted]

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	VICTIM STATEMENT	19-6536-PR	Evidence (Not Nibrs Reportable)
2	STATEMENT [redacted]	19-6549-PR	Evidence (Not Nibrs Reportable)

1 VICTIM STATEMENT
QUANTITY: 1
SERIAL #: NOT AVAIL
DATE: 12/08/2019
VALUE: $0.00

2 STATEMENT [redacted]
QUANTITY: 1
SERIAL [redacted]
VALUE: $0.00

Warrant #: 19-2808-WA
Incident #: 19-14757-OF

****
CONFIDENTIAL VICTIM REPORT
****

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	F	W	40	NOT AVAIL	[redacted]

DOB: [redacted]
INJURIES: NONE
ETHNICITY: Not of Hispanic Origin
RESIDENT STATUS: Non Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 1
RELATION TO: RIGGINS MICHAEL [redacted]

PERSONNEL NARRATIVE FOR SERGEANT DONALD R DENAULT

Ref: 19-2808-WA

Entered: 12/11/2019 @ 1815 Entry ID: D647
Modified: 12/11/2019 @ 2259 Modified ID: D647

Sir/ Ma'am,

I am respectfully requesting a criminal complaint be issued for Michael Riggins DOB [redacted] of [redacted]. for the below listed offense :

1. Indecent Assault &Battery

The below listed narrative depicts facts and or circumstances regarding Inc # 19-4757

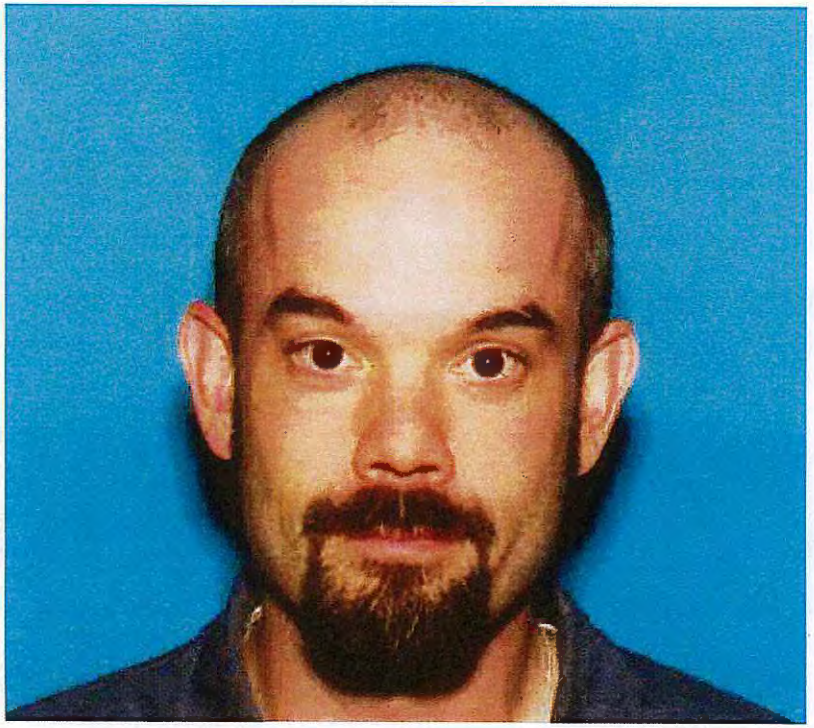
On 12-08-2019 at approx 2100 hrs. Victim #1 came into the lobby of the police station located at 130 Pearl St. Spfld. Mass. Victim #1 was interviewed by Detective Devin Frank and Detective Coleman at 130 Pearl St. Victim #1 stated that she had just come from a cookie swap party located at [redacted] Victim#1 stated that while at the cookie swap she was sexually assaulted by the owner of the house and known person to her. She identified the assailant as Mike Riggins , a person who she has known for years and also identified him through a photograph provided by Detective Coleman during her statement.

Victim #1 stated that at approx between the hours of 1930hrs and 2000hrs. she was present at the cookie swap party located at [redacted]. She stated that she went to use the bathroom. While in the hallway outside of the bathroom, Mr. Riggins approached her. Victim #1 stated that at this point Mr. Riggins proceeded to grab her left breast and right buttock and grabbed her by the shirt and attempted to pull her into the the bathroom. Victim #1 stated that Mr. Riggins did not say anything during the act. Victim #1 stated that she was able to break free from his hold and leave the area. Victim #1 then conversed with her friend, [redacted], and disclosed what had just transpired. Victim #1 and [redacted] then started to leave the residence. According to Victim #1 Mr. Riggins stated that he would walk them to their cars. Victim #1 stated that Mr. Riggins did walk them to their cars, however, rubbing up against Victim #1 while walking towards their cars. Victim #1 stated that after she got into her car she proceeded to drive a few streets over, parked her vehicle and called her husband to pick her up because she was too upset to drive. After her husband picked her up, they proceeded to the police station where Victim #1 provided Detective B.Coleman and D. Frank a statement.

Inc # 19-14757 submitted
Statement tagged/submitted (Victim #1 19-6536)
Statement tagged/submitted (First Complainant [redacted] 19-6549)

Respectfully Submitted,
Sgt. Donald Denault
Emp # 17647

Copy



This is Mike Riggins
12/8/19
[redacted]

Property Details for 19-6536-PR (Original Case Number: 19-14757-OF)

Description: Other Status: In Storage ID: SVUSTORAGETEMP-SVU Temporary DVD Storage (Temporary)
Found Location:
Found By:
Follow-Up:
Details: 27 VICTIM STATEMENT
Amount:1

Tracking Entries

X First Entry: Officer Brian E Coleman Date:12/08/2019 Time:2242 Storage:SVUSTORAGETEMP-SVU Temporary DVD Storage (Tempor

Property Details for 19-6549-PR (Original Case Number: 19-14757-OF)

Description: Other Status: In Storage ID: SVUSTORAGETEMP-SVU Temporary DVD Storage (Temporary)
Found Location:
Found By:
Follow-Up:
Details: 27 STATEMENT [redacted]
Amount:1

Tracking Entries

X First Entry: Sergeant Donald R Denault Date:12/09/2019 Time:2123 Storage:SVUSTORAGETEMP-SVU Temporary DVD Storage (Tempor

CHARGE SHEET

Charge I

Violation of Article 5.8 of the Rules and Regulations for the governance of the Department of State Police, to wit: **Unsatisfactory Performance**

Specification I

In that Trooper Paul O. Conneely, #3094, Massachusetts State Police, Division of Field Services, SP-Boston (H-4), on or about February 22, 2019, in the city of Boston, did demonstrate an unwillingness or inability to perform an assigned task; and/or failed to conform to work standards established for the member's rank, title, or position; and/or failed to take appropriate action on the occasion of a crime, disorder, or other condition deserving State Police attention. This occurred when Trooper Conneely exhibited poor weapon-handling skills during the arrest of a subject. This action is in direct violation of Article 5.8.2. This is a Class "A" violation. **(A)**

Specification II

In that Trooper Paul O. Conneely, #3094, Massachusetts State Police, Division of Field Services, SP-Boston (H-4), on or about February 22, 2019, in the city of Boston, did demonstrate an unwillingness or inability to perform an assigned task; and/or failed to conform to work standards established for the member's rank, title, or position; and/or failed to take appropriate action on the occasion of a crime, disorder, or other condition deserving State Police attention. This occurred when Trooper Conneely used a level of force that was not objectively reasonable during the arrest of a subject. This action is in direct violation of Article 5.8.2. This is a Class "A" violation. **(A)**

Charge II

Violation of Article 5.1 of the Rules and Regulations for the governance of the Department of State Police, to wit: **Violation of Rules**

Specification I

Violation of Policy and Procedure UOF-03 of the written directives for the governance of the Department of State Police, to wit: **Reports**

In that Trooper Paul O. Conneely, #3094, Massachusetts State Police, Division of Field Services, SP-Boston, on or about February 22, 2019, in the city of Boston, did commit an act which constituted a violation of Massachusetts State Police Policy and Procedure. This occurred when Trooper Conneely failed to submit a SP 376 Use of Force Report subsequent to a reportable use of force incident. This action is in direct violation of Policy and Procedure UOF-03, and therefore Article 5.1. This is a second offense Class "D" violation. **(D)**

[redacted]

RECOMMENDATIONS

138. After a thorough and comprehensive investigation and a review of all available information contained within this report, I respectfully request that Internal Affairs Investigation 2019-0011 be closed with the following findings:

A. Regarding the complaint that Trooper Paul Conneely, #3094, during the stop and arrest of [redacted] in the city of Boston on Friday, February 22, 2019, operated his State Police cruiser to make deliberate contact with a suspect vehicle to affect a traffic stop in a manner contrary to Massachusetts State Police Policy and Procedure TRF-04, there is insufficient evidence to prove or disprove the complaint. **NOT SUSTAINED**

B. Trooper Paul Conneely, #3094, during the stop and arrest of [redacted] in the city of Boston on Friday, February 22, 2019, exhibited poor weapon-handling skills, causing the muzzle of his firearm to be pointed at the head and upper body of a prone handcuffed subject, the complaint is supported by sufficient evidence to prove employee misconduct. **SUSTAINED**

C. Regarding the complaint Trooper Paul Conneely, #3094, during the stop and arrest of [redacted] in the city of Boston on Friday, February 22, 2019, utilized an inappropriate force by delivering a kick to the head of a compliant, handcuffed subject lying face down in the roadway, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED**

D. Regarding the complaint Trooper Paul Conneely, #3094, did not complete and submit a Use Of Force Report as required by Massachusetts State Police Policy and Procedure UOF-03 for the force he employed, specifically a kick to the head of a prone and handcuffed subject, during the arrest of [redacted] in the city of Boston on Friday, February 22, 2019, the complaint or incident is supported by sufficient evidence to prove employee misconduct. **SUSTAINED**

Respectfully submitted,

Captain Daniel G. Richard, #2564
Massachusetts State Police
Office of Professional Integrity and Accountability
Commanding

Department of State Police

PERSONNEL ORDER

Issue Date: Tuesday, June 08, 2021	**Number:** 21PER349
Subject: RETIREMENT	

In accordance with M. G. L. and the Rules and Regulations governing the Massachusetts State Police, the below-named officer is Dishonorably Discharged by reason of retirement under the provisions of Chapter 32, Section 26, Subdivision 2, Paragraph(a), Clause(i) and Section 94 of the General Laws, as amended, effective as of the close of business on Tuesday, June 08, 2021:

CONNEELY, PAUL O. **(ID # 3094)** **Trooper**

OFFICIAL:

CHRISTOPHER S. MASON
Colonel/Superintendent

Date/Time Printed: 12-28-2020 09:08:48 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2017CR001776	NO. OF COUNTS 6	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Timothy J Dobek [redacted]	Holyoke District Court 20 Court Plaza Holyoke, MA 01040 (413)538-9710

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	12/28/2020	12/26/2020	12/26/2020

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Holyoke	50 Holyoke St	12/28/2020 08:30 AM

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
Holyoke PD	20-1122-AR	Arraignment

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
[redacted]	[redacted]	29410698	Video Conference Session

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/15B/A	ASSAULT W/DANGEROUS WEAPON c265 §15B(b)

On 12/26/2020 did, by means of a dangerous weapon, a Firearm, assault [redacted], in violation of G.L. c.265, §15B(b).

PENALTY: state prison not more than 5 years; or jail not more than 2½ years; or not more than $1000.

2 265/15A/A A&B WITH DANGEROUS WEAPON c265 §15A(b)

On 12/26/2020 did, by means of a dangerous weapon, a MACE, assault and beat [redacted] in violation of G.L. c.265, §15A(b).

PENALTY: state prison not more than 10 years; or house of correction not more than 2½ years; or not more than $5000 fine; or both such fine and imprisonment. District Court has final jurisdiction under G.L. c.218, §26.

3 265/15A/A A&B WITH DANGEROUS WEAPON c265 §15A(b)

On 12/26/2020 did, by means of a dangerous weapon, a MACE, assault and beat [redacted] in violation of G.L. c.265, §15A(b).

PENALTY: state prison not more than 10 years; or house of correction not more than 2½ years; or not more than $5000 fine; or both such fine and imprisonment. District Court has final jurisdiction under G.L. c.218, §26.

4 266/127/C DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §127

On 12/26/2020 did wilfully and maliciously destroy or injure the personal property, dwelling house or building of Target, the value of the property so destroyed or injured not exceeding $1200, in violation of G.L. c.266, §127.

(PENALTY: imprisonment not more than 2½ years; or fine three times the value of the damage or injury to such property.)

5 272/53/F DISORDERLY CONDUCT c272 §53

On 12/26/2020 was a disorderly person, in that he or she did, with purpose to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, engage in fighting or threatening, or in violent or tumultuous behavior, or did create a hazardous or physically offensive condition by an act that served no legitimate purpose of the defendant, in violation of the common law and G.L. c.272, §53.

PENALTY: not more than $150 fine. *An elementary or secondary student SHALL NOT be adjudged a delinquent child for an alleged violation of this offense for such conduct within school buildings or on school grounds or in the course of school-related events.*

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	A TRUE COPY ATTEST — CLERK-MAGISTRATE/ ASST CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

CRIMINAL COMPLAINT ADDITIONAL COUNTS	DOCKET NUMBER 2017CR001776	NO. OF COUNTS 6	Trial Court of Massachusetts District Court Department

COUNT	CODE	DESCRIPTION
6	266/120	TRESPASS c266 §120

On 12/26/2020 did without right enter or remain in or upon the dwelling house, building, boat, improved or enclosed land, wharf or pier of another, or in a school bus, as defined in G.L. c.90, §1, after having been forbidden to do so by the person who had the lawful control of such premises, either directly or by notice posted thereon, or in violation of a court order pursuant to G.L. c.208, §34B or G.L. c.209A, §§3-4, in violation of G.L. c.266, §120.

PENALTY: imprisonment not more than 30 days; or not more than $100; or both. G.L. c.90, §24A: CLERK-MAGISTRATE MUST REPORT A CONVICTION INVOLVING THE USE OF A MOTOR VEHICLE TO THE REGISTRAR OF MOTOR VEHICLES.

Arrest #: 20-1122-AR
Call #: 20-41436

Date/Time Reported: 12/26/2020 @ 2051
Arrest Date/Time: 12/26/2020 @ 2143
Booking Date/Time: 12/26/2020 @ 2143

OBTN: THOY202001122
Court: HOLYOKE DISTRICT
Court Date: 12/28/2020 @ 0830
Reporting Officer: OFFICER MATTHEW GOULDING
Booking Officer: CAPTAIN DENISE DUGUAY
Approving Officer: Sergeant ANDREW DINAPOLI

Signature: MD #389

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	**DOBEK, TIMOTHY JAMES** [redacted]	M	W	26	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 505 WEIGHT: 200 HAIR: BLOND OR STRAWBERRY EYES: BROWN
BODY: HEAVY COMPLEXION: LIGHT
DOB: [redacted] PLACE OF BIRTH: HOLYOKE, MA
LICENSE NUMBER: NOT AVAIL. ETHNICITY: NOT HISPANIC

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

SHIRT: MEDIUM LENGTH
PANTS/SKIRT: SPORTS SLACKS/SKIRTS
SHOE: SNEAKERS
GLASSES WORN: NO

[FAMILY/EMPLOYMENT INFORMATION]

MARITAL STATUS: MARRIED

SPOUSE'S NAME: REDENKO, ELLIE
FATHER'S NAME: DOBEK, THADDEUS
MOTHER'S NAME: LAURIENTE, BARBRA

EMPLOYER/SCHOOL: FORMER AGAWAM POLICE

OCCUPATION: FORMER COP

Arrest #: 20-1122-AR
Call #: 20-41436

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE

[RIGHTS/BOOKING CHECKS]

RIGHTS ADVISED BY: CAPTAIN DENISE DUGUAY DATE/TIME: 12/26/2020 @ 2143
PHONE USED: Y PHONED DATE/TIME: 12/26/2020 @ 2143
ARRESTEE SECURED: Y 12/26/2020 2144
ARRESTEE CELL #: M3

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Department/Discount Store Zone: RA-5
50 HOLYOKE ST
HOLYOKE MA 01040

1 **DISORDERLY CONDUCT c272 §53** N **Misdemeanor**
272/53/F 272 53
OCCURRED: 12/26/2020 2051

2 **TRESPASS c266 §120** N **Misdemeanor**
266/120 266 120
OCCURRED: 12/26/2020 2051

3 **ASSAULT W/DANGEROUS WEAPON c265 §15B(b)** N **Felony**
265/15B/A 265 15B
OCCURRED: 12/26/2020 2051
WEAPON/FORCED USED: Firearm (Unspecified)
AGGR. ASSAULT/HOMICIDE: Unknown Circumstances

4 **A&B WITH DANGEROUS WEAPON c265 §15A(b) (MACE)** N **Felony**
265/15A/A 265 15A
OCCURRED: 12/26/2020 2051
WEAPON/FORCED USED: Other
AGGR. ASSAULT/HOMICIDE: Argument

5 **A&B WITH DANGEROUS WEAPON c265 §15A(b) (MACE)** N **Felony**
265/15A/A 265 15A
OCCURRED: 12/26/2020
WEAPON/FORCED USED: Other
AGGR. ASSAULT/HOMICIDE: Other Felony Involved

6 **DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §12** N **Misdemeanor**
266/127/C 266 127
OCCURRED: 12/26/2020

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

1 **HOLYOKE MALL**
50 HOLYOKE ST
HOLYOKE MA 01040

VICTIM CONNECTED TO OFFENSE NUMBER(S): 2

Arrest #: 20-1122-AR
Call #: 20-41436

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
2	[redacted]	M	W	24	[redacted]	[redacted]

DOB: [redacted]
EMPLOYER: HOLYOKE MALL SECURITY
INJURIES: None
ETHNICITY: Hispanic
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 3 4
RELATION TO: DOBEK TIMOTHY — Stranger
CONTACT INFORMATION:
Home Phone (Primary) [redacted]
Home Phone (Primary)

3	[redacted]	M	W	23	[redacted]	[redacted]

DOB: [redacted]
EMPLOYER: HOLYOKE MALL SECURITY
INJURIES: None
ETHNICITY: Hispanic
RESIDENT STATUS: Resident
VICTIM CONNECTED TO OFFENSE NUMBER(S): 5
RELATION TO: DOBEK TIMOTHY — Stranger
CONTACT INFORMATION:
Home Phone (Primary) [redacted]

4 **TARGET**
50 HOLYOKE ST
HOLYOKE MA 01040

VICTIM CONNECTED TO OFFENSE NUMBER(S): 6

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	**STORE CARRIAGE**		**Destroyed/Damaged/Vandalized**
	QUANTITY: 1	VALUE: $500.00	
	SERIAL #: NOT AVAIL		
	DATE: 12/26/2020		
	OWNER: TARGET		
2	**ORANGE FLARE GUN**	**20-3269-PR**	**Evidence (Not Nibrs Reportable)**
	QUANTITY: 1	VALUE:	
	SERIAL #: NOT AVAIL		
	DATE: 12/27/2020		
	OWNER: DOBEK, TIMOTHY JAMES		
3	**PEPPER BALL GUN**	**20-3270-PR**	**Evidence (Not Nibrs Reportable)**
	QUANTITY: 1	VALUE:	
	SERIAL #: NOT AVAIL		
	DATE: 12/27/2020		
	OWNER: DOBEK, TIMOTHY JAMES		

Arrest #: 20-1122-AR
Call #: 20-41436

#	OTHER PROPERTIES	PROPERTY #	STATUS
4	**PEPPER BLASTER II** QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL DATE: 12/27/2020 OWNER: DOBEK, TIMOTHY JAMES	20-3271-PR	Evidence (Not Nibrs Reportable)
5	**MACE BRAND IRRITANT** QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL DATE: 12/27/2020 OWNER: DOBEK, TIMOTHY JAMES	20-3272-PR	Evidence (Not Nibrs Reportable)
6	**BLUE H.N.D. PROTECTION DEVICE** QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL DATE: 12/27/2020 OWNER: DOBEK, TIMOTHY JAMES	20-3273-PR	Evidence (Not Nibrs Reportable)
7	**2 HOLSTERS** QUANTITY: 2 VALUE: SERIAL #: NOT AVAIL DATE: 12/27/2020 OWNER: DOBEK, TIMOTHY JAMES	20-3274-PR	Evidence (Not Nibrs Reportable)

Ref: 20-1122-AR

On December 26, 2020 at approximately 2051hrs Officer M. Whelihan (car 6) and I Officer Matthew Goulding (car 5) were dispatched to the Holyoke Mall for a report from mall security of a male with a firearm in a black bag in the mall. While enroute a description of the male was given as a white male with blonde hair a black printed jacket and black pants. Dispatch advised that someone had observed the gun in the male's bag as they were close enough to see it in the open bag. The original location of the male in the mall changed several times from the service door/hallway next to the former Sports Authority store, to the exit near Uno's and finally as officers were arriving on mall property to be Burlington Coat Factory.

Upon my arrival on mall property, entering from Holyoke St dispatch was advising that the male was now in Burlington Coat Factory. I proceeded around the east side of the mall. While passing JCPenny dispatch advised the male was exiting the store into the "orange deck" I confirmed the "orange deck" to be the parking lot at the Burlington Coat Factory Exit. As I was approaching the orange deck entrance dispatch reported that the male was now in the bag removing the firearm from the bag.

As I began to see a view of the orange deck, which is the first level (basement floor the mall) of a two level parking garage I observed a male party with bright blonde hair being followed by 5-6 security guards. I observed the male to be carrying a bag, with his hands in the bag. While still on mall ring road I placed the cruiser in park, exited the fully marked police car. In fear that the male was in possession of a firearm and was actively trying to retrieve the firearm I drew my department issued firearm and took a protected position behind the driver's side of the police vehicle. I began giving the male verbal commands. There had appeared to be yelling and I believed the male was yelling back and forth with security. The male complied and dropped the bag which he was holding with his hand in and began stepping away from it. Ofc. Whelihan than arrived on scene and also drew his firearm. The male was instructed to get on the ground. He complied lying flat on his stomach. Ofc. Whelihan and I moved in on the male. Ofc. Whelihan moved to a position of cover while I placed the male into handcuffs, the male was laying on his stomach and had already placed his own hands behind his back.

As I attempted to place the handcuff on the male's left wrist I observed he had several items tied to his wrist using rubber bands. I observed these items to be a box cutter and what appeared to be mace. As I placed the male into handcuffs he advised me he could not place his arms behind his back further. I believed that based on the male's size it would be difficult to secure him in one pair of handcuffs. As a result I connected a second pair of handcuffs to the first and place the other cuff on his right hand. I checked the handcuffs for tightness they appeared appropriate.

While in the process of handcuffing the male he advised me he was a former police officer. I replied you understand what is going on then, this is for our protection as well as your own. Ofc. Negron also arrived on scene to assist. I began performing a pat frisk of the male's person while Ofc. Whelihan began a pat frisk of the open bag that the male had dropped. While pat frisking the male he advised me that the property we were locating was all for personal protection and he had to use pepper spray to protect himself because they were assaulting him.

While conducting a pat frisk of the male's person multiple knives, canisters of pepper spray/mace and various personal defense tools were located. For officer safety these items, aside from those attached to the male's body were removed and placed on the pavement in front of him. Ofc. Whelihan located what appeared to be a orange flare gun in the bag as well as a large firearm like item, the male immediately reported "that is a pepper ball gun."

Ofc. Z. Riberio also arrived on scene to assist and stood by with Ofc. Negron and the male. A Mass Driver's License in the male's bag identified him as Timothy Dobek.

I began speaking with mall security to determine what had occurred prior to police arrival. I spoke with security guard, Tashina Grass. Ms. Grass reported that the male we had now identified as Dobek had approached her in the mall and asked her about when the mall was closing and why the escalators were not working. A short time later the male was observed pushing a carriage (from Target) down the escalator causing it to tumble to the base of the escalator. Multiple security guards attempted to stop Dobek to remove him from Mall property. The escalator was located near the upper level section of JC Penny. As security attempted to speak with Dobek he entered the Banana Republic Store. Dobek exited the store after being confronted by security guards instructing him he needed to leave. Dobek then continued through the mall passing multiple exits. Dobek ended up walking down the service hallway next to the former Sport's Authority store but chose to walk back into the mall. Mall security continued to follow when Dobek ended up in another service hallway near the restrooms off the Cafe. Two Guards who were attempting to escort Dobek were attempting to prevent him from opening a door when Dobek began spraying them with pepper spray. Dobek then exited the hallway went toward Burlington Coat factory, and exited the store through an emergency exit causing the alarm to sound. The male continued into the parking lot followed by security which is where I encountered him.

At this time Lt. Albert and I decided that the Dobek would be placed under arrest at this point for multiple charges. I approached Dobek and asked him if he was injured, he replied "I plead the fifth." I instructed Dobek I was not asking any questions in reference to a criminal investigation and was just looking to ensure he was not in need of medical attention, I again asked if he was injured to which he again replied "I plead the fifth." At this time I verbally advised Dobek of his Miranda rights which he stated he understood. It should also be noted that located within Dobek's bag and wallet were two Agawam Police Department Police Officer badges. Ofc. Tabb called Agawam PD and had confirmed that Dobek had been a police officer within the department for about 4 years. Dobek was well aware of the meaning of custodial questioning and his rights per Miranda. Following the issuance of the Miranda Warning I again asked if he was injured and Dobek asked if he was under arrest or if this was a criminal investigation. As Lt. Albert approaching Dobek asked him if he was under arrest, to which Lt. Albert advised he was when asked for what, Dobek was told such would be explained at booking.

Dobek was instructed how to get to his feet and was assisted by officers to his feet. He was escorted to the prisoner transport van by Ofc. Riberio and Ofc. Negron. Now that Dobek was off the ground I again checked Dobek's handcuff for tightness and ensured they were double locked. Dobek made no complaints of the handcuff tightness or any injury. He was placed into the van and transported to the station by Ofc. Negron where he was booked per department policy by Captain Duguay. Ofc. Whelihan and I secured all of Dobek's property into property bags. Ofc. Whelihan took possession of the property and brought it to the police department where it was inventoried by Ofc. Leahy.

Prior to clearing the mall I spoke with the involved security guards in the security office. I first spoke with Eric Calderon who advised me he was one of the two who had been pepper sprayed. He stated a similar story of how the encounter came to be regarding the carriage being pushed down the stairs. He stated while in the hallway prior to being pepper sprayed he observed what appeared to be a firearm in the bag Dobek was carrying. He was concerned because Dobek had made a comment about how he could shoot them. It is unknown which of the items that looked like a firearm that Dobek was carrying is what Calderon saw though he said he could see some orange. Calderon stated that in the service hall off the cafe that Dobek who was feet away from him sprayed him

with pepper spray causing instant irritation to his eyes. It should be noted that Calderon made a point to tell me that he told the male several times while walking throughout the mall that he needed to leave the mall however he continued to enter stores and make no attempts to exit the mall while walking past clear exits. Calderon was evaluated on scene by Action Ambulance.

I then spoke with Jefran Rodriguez. Rodriguez stated a similar story to Calderon and reported he was in the service hallway on the cafe floor when he prevented to stop the male from opening a door by placing his foot in front of it. While arguing with Dobek who was several feet away from him he pepper sprayed him. He was also evaluated on scene by Action Ambulance.

Lastly I spoke with Jacob Griffin. Mr. Griffin advised he was the one who saw the firearm in the bag. Mr. Griffin reported that he was responding to the other security guards requesting assistance and had come upon them just after the pepper spray had been utilized. He continued that he was close enough to Dobek that he could see what he believed to be a firearm within the bag. He continued to state that he advised the others to back off and was immediately concerned that it was in fact a real firearm and given the male's actions that it could be used as a weapon.

Once at the station I seized the following items as evidence from Dobek's property. I have tagged them all and submitted them to evidence:

1- Pepper ball gun
1- Orange Flare Gun
1- HND Blue gun looking protection device
1- Pepper Blaster II
1- Mace chemical irritant
2-Holsters

While at the station I also took pictures of the copious amount of personal weapons which Dobek had on his person including multiple knives, flashlights, tools, and more. I have uploaded those photos into this report.

It should be noted that Capt. Duguay requested Action Ambulance respond to police headquarters because Dobek was now complaining of wrist pain. Action Ambulance responded to police headquarters where Dobek was evaluated and there were no apparent injuries to his wrist. A prisoner injury report was completed by Ofc. J. Leahy and I have attached a copy to this report as an attachment.

It should be noted that the carriage pushed down the escalator (caught on camera) was damaged and belonged to Target. It should also be noted that Dobek's actions all occured within public view during the mall's normal operating hours. There was an extreme draw of attention to Dobek's presense throughout the mall as a result of his actions, including when I arrived on scene and he was walking through the parking garage. The entire incident lasted several minutes prior to police arrival, Dobek had a cell phone on his person and at no time contacted the Holyoke Police saying he was in fear.

Respectfully Submitted,

Matthew Goulding, #389

Ref: 20-1122-AR

On the above date and time, I Officer Zachary Ribeiro #378 was working my assigned shift in Car 1. During this time, Officer Negron transported Mr. Dobek in the rear of Van 10 as I followed behind in Car 1.

Once we arrived at the station, we walked him into booking where the House Officer, Officer Leahy proceeded to inventory his belongings. At this time, I then double checked and pat frisked Mr. Dobek to make sure he had nothing further hidden on him. Myself and Officer Negron noticed a hard bulge on the front of his pants and asked him what it was as we could feel a hard object. At this time the suspect said "it's my penis and chuckled". We then asked him again what it was as we were trying to find a way to remove it and he continued to say "it's my penis". We then removed his belt and noticed a homeade plastic sheath style knife tied to his inner pants and pant buttons and removed the object from there as we continued to inventory his property.

No further information at this time.

Respectfully submitted,

Ofc. Zachary Ribeiro #378

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2144CR000168	NO. OF COUNTS 2	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Timothy J Dobek [redacted]	Westfield District Court 224 Elm Street Westfield, MA 01085 (413)568-8946

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	02/26/2021	10/31/2020	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Agawam		

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
AGAWAM PD	21-78-AR	

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
	[redacted]	29410698	

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	266/30/A	LARCENY OVER $1200 c266 §30(1)

On 10/31/2020 did steal the property of Magnum Service, such property having a value of more than $1200, in violation of G.L. c.266, §30(1).

PENALTY: state prison not more than 5 years; or jail not more than 2 years and not more than $25,000

COUNT	CODE	DESCRIPTION
2	266/60/A	RECEIVE STOLEN PROPERTY +$1200 c266 §60

On 02/25/2021did buy, receive or aid in the concealment of stolen or embezzled property of a value in excess of $1200, knowing such property to have been stolen or embezzled, in violation of G.L. c.266, §60.

PENALTY: state prison not more than 5 years; or jail or house of correction not more than 2½ years; or not more than $5000.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	CLERK-MAGISTRATE/ ASST. CLERK	DATE
	X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

Agawam Police Department
Summons Report

Summons #: 21-78-AR
Call #: 21-3625
Incident #: 20-1545-OF

Date/Time Reported: 02/26/2021 @ 1019
Arrest Date/Time: 02/26/2021 @ 1031

OBTN: TAGA202100078
Reporting Officer: Detective Adam Howe
Approving Officer: Sergeant Mark Pfau

Signature: _____

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	DOBEK, TIMOTHY JAMES [redacted]	M	W	26	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 505 WEIGHT: 230 HAIR: BROWN EYES: BROWN
BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: [redacted] PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
PCF #: [redacted]

[CAUTIONS]

Caution Type	Start Date	End Date
Caution (Other/Unspecified)	08/01/2019	

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GLASSES WORN: NO

#	OFFENSE(S)	ATTEMPTED	TYPE
	LOCATION TYPE: Commercial/Office Building Zone: CENTRAL AGAWAM MAGNUM SERVICES 65 SHOPPING CENTER CT AGAWAM MA 01001		
1	LARCENY OVER $1200 266/30/A 266 30 - ALL OTHER OCCURRED: 10/31/2020 0400 SUSPECTED OF USING: Not Applicable BIAS AGAINST: No Bias	N	Felony
2	RECEIVE STOLEN PROPERTY +$1200 266/60/J 266 60 OCCURRED: 02/25/2021 CRIMINAL ACTIVITY: Possessing/Concealing	N	Felony

Agawam Police Department
Summons Report

Summons #: 21-78-AR
Call #: 21-3625
Incident #: 20-1545-OF

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	MAGNUM SERVICES 65 SHOPPING CENTER CT AGAWAM MA 01001					413-786-1954

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 2

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	HERSHEY, JONATHAN M 29 SUNNYSLOPE AVE AGAWAM MA 01001 DOB: 01/14/1981 EMPLOYER: MAGNUM SERVICES	REPORTING PARTY	M	W	39	[redacted]	[redacted]
2	HERSHEY, GLORIA 65 SHOPPING CENTER CT AGAWAM MA 01001 DOB: 08/25/1960 EMPLOYER: MAGNUM SERVICES	OTHER	F	W	60	[redacted]	[redacted]
3	MARTEL, MICHAEL S 43 PLAZA AVE BELCHERTOWN MA 01007-8800 DOB: 07/14/1967 CONTACT INFORMATION: Home Phone (Primary)	OTHER	M	W	53	[redacted]	[redacted]

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	4' TALL X 2 1/2' X 2 1/2' SQ.REBAR FRAME QUANTITY: 1 VALUE: $1,250.00 SERIAL #: NOT AVAIL DATE: 11/03/2020 RECOVERED: 1 VALUE: $1,250.00 DATE: 02/25/2021 OWNER: MAGNUM SERVICES	21-203-PR	Recovered (Previously Stolen)
2	4' TALL X 2 1/2' X 2 1/2' SQ.REBAR FRAME QUANTITY: 1 VALUE: $1,250.00 SERIAL #: NOT AVAIL DATE: 11/03/2020 RECOVERED: 1 VALUE: $1,250.00 DATE: 02/25/2021 OWNER: MAGNUM SERVICES	21-204-PR	Recovered (Previously Stolen)
3	THUMB DRIVE/CHROME & BLACK QUANTITY: 1 VALUE: $1.00 SERIAL #: NOT AVAIL DATE: 11/03/2020 OWNER: MAGNUM SERVICES	20-1267-PR	Evidence (Not Nibrs Reportable)
4	VIDEO FROM DAVES & MAGNUM QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL DATE: 11/09/2020	20-1296-PR	Evidence (Not Nibrs Reportable)

Agawam Police Department
Summons Report

Summons #: 21-78-AR
Call #: 21-3625
Incident #: 20-1545-OF

#	OTHER PROPERTIES	PROPERTY #	STATUS
5	FULL FACE HELMET QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL DATE: 02/25/2021 OWNER: DOBEK, TIMOTHY JAMES	21-205-PR	Evidence (Not Nibrs Reportable)
6	SEARCH WARRANT PHOTOS ON CD QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL DATE: 02/26/2021	21-215-PR	Evidence (Not Nibrs Reportable)

Agawam Police Department Page: 1

NARRATIVE FOR DETECTIVE ADAM R HOWE

Ref: 21-78-AR

Entered: 02/26/2021 @ 1042 Entry ID: 2330
Modified: 02/26/2021 @ 1136 Modified ID: 2330
Approved: 02/26/2021 @ 1133 Approval ID: 927

Original Narrative:

On 11/3/20 at 9:20am, Officer Brown arrived at 65 Shopping Center ct. (Magnum Services), for a reported Larceny of materials that occurred over the weekend.

He spoke with Jonathan Hershey who stated that on 11/02 @ approximately 12:00 PM he and other employees went to the outside storage area located at the rear of the building in an attempt to locate two steel rebar cages that they had built for an upcoming project order. According to Hershey, one frame was made out of 1/2" dia. steel rebar with dimensions of being 4' tall by 2 1/2' x 2 1/2' square. The second frame was also of the same dimensions but made with 7/8"dia. steel rebar.

Hershey showed him a surveillance video dated Saturday 10/31 @ approx. 4:02 AM which showed possibly a motorcycle pull onto the front of the property with a single rider. This rider then walked around to the back of the building (storage area) and began looking through the materials on site. The suspect appeared in the video to be a white male wearing a motorcycle type helmet with a light mounted on the top front. Male appeared to be wearing a beige or light colored carhart type coat, lite to medium colored cargo work pants and dark colored boots. The male is seen on the property for approx. one and a half hours where he finally carries off the two steel rebar frames one at a time in the direction of Shopping Center Court, after completing this task he is seen riding away.

Hershey stated that the total cost for both steel cages which included materials and labor is $2500.00. As of this date and time there are no other items to report missing and there was no damage to the property. Hershey provided him with a brief written statement with regards to the above information along with a chrome and black thumb drive which contained a copy of the video surveillance I viewed.

Investigation:

On 11/4 I was assigned this case and began my investigation. I asked Detective Nicoli to assist me by trying to obtain video footage from Dave's Soda and Pet Food City, which is next to Magnum Services. He was able to obtain video footage of the suspect coming and going from the scene. Some of the video is in color, which now makes it clear that the suspect is wearing dark colored pants, dark boots, a red and black checkered jacket, and a black full face motorcycle style helmet without the facemask. The helmet also has a light on the front. He also rides in on an electric bicycle, not a motorcycle as Officer Brown had thought. As he arrives, he parks the bike and begins looking around the Dave's dumpster. He picks up a pallet dolly and another piece of trash that he uses to push the dolly. It looks like he's trying to construct something to carry the rebar frames out. He then goes behind Magnum for a while and begins to look around. Later on in the Dave's video he carries the frames out from behind Magnum Services and walks down Shopping Center Ct and then leaves them near the woodline. Det Nicoli attempted to watch the video further to see if he picks up the frames at a later time in a truck but the camera only begins to record when it detects motion, so the frames were too far down the road for the camera to record when they were picked up. I brought a copy of the Dave's video to Magnum Services and told the victim to show the video to his employees to see if anyone recognizes this individual.

After watching the video several times, Det Nicoli and myself thought the suspect looked extremely similar to former Agawam Police Officer Timothy "Tim" Dobek. I have known Tim from not only working together, but from attending the same high school, playing football together, and growing up in the same town as him. The body type of the suspect looked exactly like Tim (shorter and heavier set with large arms). The suspect's mannerisms (the way he walked, arm movements) reminded me of Tim as well. I also noticed the suspect was wearing dark framed glasses, which Tim is known to wear. The video does not show the suspect's face though so we could not be sure. Detective Nicoli drove by Tim's house [redacted] after we watched the video and

Entered: 02/26/2021 @ 1042 Entry ID: 2330
Modified: 02/26/2021 @ 1136 Modified ID: 2330
Approved: 02/26/2021 @ 1133 Approval ID: 927

saw him outside. Detective Nicoli told me later that Tim appeared to be wearing the same exact jacket as the suspect in the video. I later drove by Tim's house again and he was outside. I put the window down and asked Tim if he could tell me which house was Officer Walles' because I needed to talk to him and I knew he lived nearby. Tim responded "you know where he lives". He then began yelling "Bye Adam! Bye! Bye Adam!" until I drove away.

On 11/17 I contacted Tim's ex-wife Ellie, as she had recently reached out to Lt Blanchette about Tim still being in possession of firearms despite his LTC being suspended. I spoke with Ellie and she said Tim's ex-girlfriend, Thao Ngueyn, told her that Tim still has firearms in his possession despite his LTC being suspended and our department seizing his firearms (see report 20-1638-OF). I spoke with Thao who denied ever seeing any firearms in Tim's house while she lived there.

On 11/20 Det Nicoli and I drove down Federal St and were able to look into Tim's backyard from the road. We were attempting to see if we could locate the rebar frames. Ultimately we could not locate them in his backyard.

On 12/9 I spoke with Tim's mother, Barbara Dobek. I expressed concern for Tim's mental wellbeing and she said she thinks he's going through something but did not have any information for me. She said she has not seen or spoken to him in a little over a month. Barbara did not provide me with any information that would be useful to this investigation.

I have not heard back from the victims after dropping off the video footage from Dave's. There are no other suspects at this time and there is not a clear enough shot of the suspect's face to post on facebook.

Update:

On 2/25/21 members of the Agawam Police Detective Bureau assisted Northampton Police with a search warrant at Tim Dobek's address, [redacted] The reason for the search warrant was that on 2/16/21 Northampton Police responded to the Oxbow Marina for the report on a stolen snowmobile and trailer. An investigation by Northampton Police identified Dobek as their prime suspect. On 2/24/21 the search warrant was granted for [redacted] to include the entire property, including the shed, trailer and Dobek's vehicle. Northampton PD was searching for a trailer, a snowmobile, a snowmobile cover, a poncho, burglarious tools, certain paperwork, and residency documentation. We assisted Northampton due to the search being conducted in our jurisdiction and our familiarity with Tim.

This warrant was executed at 9:30 AM. Dobek's vehicle and trailer were parked in the driveway and based on surveillance by Northampton there was no intelligence to believe Dobek was not home. After knocking and announcing several times, the residence was breached and after a search, Tim was not located at the residence.

During the search for Northampton's items, we discovered multiple pieces of stolen property and evidence related to crimes that have been committed in Agawam. These items were undisturbed, and the scene was secured by police personnel. Northampton Police concluded their search at 1206 and the scene was secured by Agawam Police. During that time Detective Nicoli drafted a search warrant and affidavit for these items which was approved. Please see 21-246-OF for complete details of the warrant.

Two of the items located during this search are the 4' x 2.5' x 2.5' rebar frames in which I suspected Tim of stealing. These two items were sitting in plain view in Tim's backyard. It appeared as if they were slightly rusted and worn due to exposure to the weather and Tim manipulating them in some way. While Detective Nicoli drafted his warrant and affidavit for the frames and other items I had an employee of Magnum Services, Gloria Hershey (DOB: [redacted], send me pictures of the frames before they were stolen. I looked at the pictures and then at the frames in front of me and based on these pictures it was clear that they were the same frames. Their

Entered: 02/26/2021 @ 1042 Entry ID: 2330
Modified: 02/26/2021 @ 1136 Modified ID: 2330
Approved: 02/26/2021 @ 1133 Approval ID: 927

structure is unique because they were constructed specifically for a fire department. The frames were later measured and found to be approximately 4' x 2.5' x 2.5', the same measurements that the victim described them as. Also located was the full face motorcycle style helmet with attached light that the suspect was wearing in the video.

When Detective Nicoli arrived back at [redacted] with the approved search warrant, we began our search of the residence. The rebar frames and full face helmet with the light were seized and placed in storage locations. The rebar frames were tagged as recovered stolen property and the helmet was tagged as evidence. Please see 21-246-OF for further information on what else was located during the search. While we were at the house, Tim called the house phone and Detective McKinney from the Northampton Police Department spoke with Tim. Det McKinney informed me that Tim refused to come to Agawam to speak with us. Tim's ex-girlfriend Thao showed up at the residence during our search and informed us that Tim had taken her car out of Holyoke and she has no idea where he is.

On 2/26/21 I went to Magnum Services and spoke with Michael Martel, co-owner of the business. I showed Michael pictures of the rebar frames that we seized from Tim's residence and Michael identified them as the ones that were stolen from their business. He said that they are unique and the dimensions appear to be exactly the same. Michael wrote a statement saying that he identified them as the stolen items.

I am requesting an arrest warrant for Timothy Dobek based on the following facts: these felony offenses are only two in a multitude of crimes that Timothy has been accused of throughout western Massachusetts. Timothy was spoken to on the phone during the search of his home and he adamantly refused to come speak with officers. Surveillance and information gathered from neighbors and family indicates that Timothy does not always stay at 44 Colonial Ave and we have no further information on his whereabouts. Northampton PD already has already issued a warrant for his arrest. For these reasons I believe Timothy will not appear for court if summoned.

Respectfully submitted,

Detective Adam R. Howe #29

Agawam Police Department

681 Springfield Street
Feeding Hills, MA 01030
Tel. (413) 786-4767
FAX (413) 786-4821

Victim/Witness Statement Form

Page: 1 of 1 Incident # 20-1545-OF

Date: 2-26-21 Time: 9:30 AM Location: 65 Shopping Ctr Way

On Friday Feb 26 -2021 detective Howe came into our office @ 65 Agawam Shopping Ctr and showed me pictures of the rebar cages + it appears that they are the two repar cages that were stolen from our facility. The dimensions appear to be exactly the same as the ones stolen.

Name: (print) Michael S Martel Signature:

Address: 65 Agawam Shopping Ctr Agawam MA.

D.O.B. [redacted] S.S.N. [redacted]

Telephone #: [redacted]

Police Copy

Date/Time Printed: 03-01-2021 13:21:41 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2144CR000174	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Timothy J Dobek [redacted]	Westfield District Court 224 Elm Street Westfield, MA 01085 (413)568-8946

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	03/01/2021	02/25/2021	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Agawam		W

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
AGAWAM PD	21-81-AR	

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
	[redacted]	29410698	

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	269/10/TT	**AMMUNITION WITHOUT FID CARD, POSSESS c269 §10(h)(1)**

On 02/25/2021 did own, possess or transfer possession of ammunition, as defined in G.L. c.140, §121, without complying with the requirements relating to firearm identification cards as provided for in G.L. c.140, §129C, in violation of G.L. c.269, §10(h).

PENALTY: jail or house of correction not more than 2 years; or not more than $500; §10(e): item to be ordered forfeited.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	
NAME OF COMPLAINANT	CLERK-MAGISTRATE/ ASST. CLERK	DATE
	A TRUE COPY ATTEST X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

Agawam Police Department
Summons Report

Summons #: 21-81-AR
Call #: 21-3633
Incident #: 21-246-OF

Date/Time Reported: 02/26/2021 @ 1350
Arrest Date/Time: 02/26/2021 @ 1351

OBTN: TAGA202100081
Reporting Officer: Detective Michael Nicoli

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	DOBEK, TIMOTHY JAMES [redacted]	M	W	26	[redacted]	[redacted]

Military Active Duty: N
HEIGHT: 505 WEIGHT: 230 HAIR: BROWN EYES: BROWN
BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: [redacted] PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
PCF #: [redacted]

[CAUTIONS]

Caution Type	Start Date	End Date
Caution (Other/Unspecified)	08/01/2019	

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GLASSES WORN: NO

#	OFFENSE(S)	ATTEMPTED	TYPE
1	**AMMUNITION WITHOUT FID CARD, POSSESS**	N	**Misdemeanor**

LOCATION TYPE: Residence/Home/Apt./Condo Zone: SOUTH AGAWAM
DOBEK, TIMOTHY
[redacted]

269/10/TT 269 10/TT
OCCURRED: 02/25/2021
CRIMINAL ACTIVITY: Possessing/Concealing
WEAPON/FORCED USED: Other

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	**HERTER'S 28GA SHOT GUN SHELLS**	**21-211-PR**	**Seized (Not Previously Stolen)**

QUANTITY: 24 VALUE: $20.00
SERIAL #: NOT AVAIL
DATE: 02/25/2021
OWNER: DOBEK, TIMOTHY JAMES

Summons #: 21-81-AR
Call #: 21-3633
Incident #: 21-246-OF

#	OTHER PROPERTIES	PROPERTY #	STATUS
2	**SEARCH WARRANT PHOTOS ON CD** QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 02/26/2021	**21-215-PR** VALUE: $1.00	**Evidence (Not Nibrs Reportable)**
3	**MAGAZINE WITH ROUND** QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 02/26/2021	**21-209-PR** VALUE: $25.00	**Evidence (Not Nibrs Reportable)**
4	**9MM ROUNDS FEDERAL** QUANTITY: 200 SERIAL #: NOT AVAIL. DATE: 02/26/2021	**21-210-PR** VALUE: $80.00	**Evidence (Not Nibrs Reportable)**

NARRATIVE FOR DETECTIVE MICHAEL NICOLI

Ref: 21-81-AR

On February 25th, 2021 Agawam Police Personnel executed a search warrant at [redacted] This search warrant and affidavit was drafted after a series of items that were known to be stolen were located while assisting Northampton PD with their search warrant at [redacted] Timothy Dobek [redacted] is the suspect in various criminal investigations among various police departments. Dobek was a former police officer with the Agawam Police Department until his decision to resign occured on July 13, 2020. During his time as a police officer and during the police academy Dobek was trained on LTCs, firearms, and various crimes associated with them.

During the execution of this search warrant the following items were recovered:

Magazine with 1 round
Federal 9mm Ammunition (200-rounds)
Herter's 28G Shotgun Ammunition (24-shells)

These items were recovered in the basement living area of [redacted] that residence is owned by Dobek and the basement living area is where Dobek primarily resides. There were various articles of mail and personal affects of Dobek's further proving his occupancy of that area.

Dobek has a suspended LTC from the Agawam Police Department and no legal right to possess ammuntion. Dobek's status of his LTC was confirmed via CJIS.

I request that a warrant be issued for Dobek's arrest as he is unlikely to appear without arrest. Dobek has 4 active warrants for his arrest and is in possession of a stolen vehicle out of Holyoke MA.

Therefore I request a criminal complaint - arrest warrant be issued for the following charges:

MGL 269 §10TT - Possession of Ammunition without FID card

Please note, photographs of the scene are placed on a CD (21-215-PR) due to the volume of photographs.

Respectfully Submitted,

Detective Michael Nicoli

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

DISTRICT COURT DEPARTMENT

WESTFIELD DIVISION

SEARCH WARRANT DOCKET NUMBER

TO THE SHERIFFS OF OUR SEVERAL COUNTIES OR THEIR DEPUTIES, ANY STATE POLICE OFFICER, OR ANY CONSTABLE OR POLICE OFFICER OF ANY CITY OR TOWN, WITHIN OUR COMMONWEALTH:

Proof by affidavit, which is hereby incorporated by reference, has been made this day and I find that there is **PROBABLE CAUSE** to believe that the property described below:

- ☐ has been stolen, embezzled, or obtained by false pretenses.
- ☐ is intended for use or has been used as the means of committing a crime.
- ☐ has been concealed to prevent a crime from being discovered.
- ☐ is unlawfully possessed or concealed for an unlawful purpose.
- ☑ is evidence of a crime or is evidence of criminal activity.
- ☐ other (specify) _____

YOU ARE THEREFORE COMMANDED within a reasonable time and in no event later than seven days from the issuance of this search warrant to search for the following property:

☐

Steel Rebar Cage frames measuring 4' tall by 2.5x2.5 square in diameters of 0.5" and 7/8" (2) Inforce Weapon mounted Flashlights, Aimpoint Patrol Rifle Optic, Firearm ammunition, firearm accessories Firearms, BVLGari Perfume and lotion, Black panties with green fabric on the inside, Black full head Helmet with affixed light on top, Residency documentation which demonstrates the occupant's occupancy, Key's associated with the Agawam Police Department, Any property of the Agawam Police Department.

For further information please reference "Appendix A" of the affidavit.

☐ at: the entire residence of 44 Colonial Ave Agawam MA, to include a the home, sheds, and trailers on that property. 44 Colonial Ave is a single family residence with a first floor at the same level as the road as well as a living space in the basement. This home is currently under the control of the Agawam Police Department.

which is occupied by and/or in the possession of:

Timothy Dobek (DOB 4/21/1994)

☐ on the person or in the possession of:

You ☑ are ☐ are not also authorized to conduct the search at any time during the night.

You ☐ are ☑ are not also authorized to enter the premises without announcement.

You ☐ are ☑ are not also commanded to search any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

YOU ARE FURTHER COMMANDED if you find such property or any part thereof, to bring it, and when appropriate, the persons in whose possession it is found before the

Westfield Division of the District Court Department.

DATE ISSUED: 2-25-21	SIGNATURE OF ~~JUSTICE~~, CLERK-MAGISTRATE ~~OR ASSISTANT CLERK~~
FIRST OR ADMINISTRATIVE JUSTICE WITNESS: Charles Grace	PRINTED NAME OF ~~JUSTICE~~, CLERK-MAGISTRATE ~~OR ASSISTANT CLERK~~ Nathan A Byers

TC-SW-1 (7/89)

SEARCH WARRANT DOCKET NUMBER	DISTRICT COURT DEPARTMENT WESTFIELD DIVISION

RETURN OF OFFICER SERVING SEARCH WARRANT

A search warrant must be executed as soon as reasonably possible after its issuance, and in any case may not be validly executed more than 7 days after its issuance. The executing officer must file his or her return with the court named in the warrant within 7 days after the warrant is issued. G.L. c. 276, §3A.
This search warrant was issued on February 25th , 2021 and I have executed it as follows:

The following is an inventory of the property taken pursuant to this search warrant:

1. Rebar Cage
2. Rebar Cage
3. Gun Magazine with 9mm round
4. Aimpoint Rifle Optic (K3315234)
5. Aimpoint Rifle Optic (K4004324)
6. InForce Rifle Mounted Flashlight
7. Agawam Police Fleet Key
8. Agawam Police Citation Booklets (3)
9. Black full face helmet with affixed light on top
10. Federal 9mm Ammunition (200 Rounds)
11. Bvlgari brand perfume
12. Herter's 28G Shotgun Shells (24 Shells)
13.
14.
15.
16.
17.
18.
19.
20.

(attach additional pages as necessary)

This inventory was made in the presence of:

_____

I swear that this inventory is a true and detailed account of all the property taken by me as a result of the execution of this search warrant.

SIGNATURE OF PERSON MAKING SEARCH	DATE AND TIME OF SEARCH	SWORN AND SUBSCRIBED TO BEFORE
	February 25th, 2021 1517hrs	x _____ Signature of Justice, Clerk-Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH	**TITLE OF PERSON MAKING SEARCH**	**DATE SWORN AND SUBSCRIBED TO**
Michael E Nicoli	Detective	February 26th, 2021

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2144CR000175	NO. OF COUNTS 4	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Timothy J Dobek [redacted]	Westfield District Court 224 Elm Street Westfield, MA 01085 (413)568-8946

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	03/01/2021	02/11/2021	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Agawam		Warrant

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
AGAWAM PD	21-80-AR	

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
	[redacted]	29410698	

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	266/127/C	**DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §127**

On 02/11/2021 did wilfully and maliciously destroy or injure the personal property, dwelling house or building of [redacted] the value of the property so destroyed or injured not exceeding $1200, in violation of G.L. c.266, §127.

(PENALTY: imprisonment not more than 2½ years; or fine three times the value of the damage or injury to such property.)

2	266/16A	**B&E FOR MISDEMEANOR c266 §16A**

On 02/11/2021 did break and enter a building, ship, vessel or vehicle, the property of [redacted] with intent to commit a misdemeanor therein, in violation of G.L. c.266, §16A.

PENALTY: not more than 6 months; or not more than $200; or both.

3	266/127/C	**DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §127**

On 02/11/2021 did wilfully and maliciously destroy or injure the personal property, dwelling house or building of [redacted] the value of the property so destroyed or injured not exceeding $1200, in violation of G.L. c.266, §127.

(PENALTY: imprisonment not more than 2½ years; or fine three times the value of the damage or injury to such property.)

4	266/30/C	**LARCENY UNDER $1200 c266 §30(1)**

On 02/11/2021 did steal the property of [redacted] such property having a value of $1200 or less, in violation of G.L. c.266, §30(1).

PENALTY: jail not more than 1 year; or not more than $1500.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK	DATE
X	X	

NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK	DATE
Agawam Police Department		X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

Agawam Police Department
Summons Report

Summons #: 21-80-AR
Call #: 21-2685
Incident #: 21-178-OF

Date/Time Reported: 02/11/2021 @ 0623
Arrest Date/Time: 02/26/2021 @ 1347

OBTN: TAGA202100080
Reporting Officer: Detective Adam Howe
Approving Officer: Sergeant Mark Pfau

Signature: STP

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	**DOBEK, TIMOTHY JAMES** [redacted]	M	W	26		[redacted]

Military Active Duty: N
HEIGHT: 505 WEIGHT: 230 HAIR: BROWN EYES: BROWN
BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: [redacted] PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
PCF #: [redacted]

[CAUTIONS]

Caution Type	Start Date	End Date
Caution (Other/Unspecified)	08/01/2019	

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GLASSES WORN: NO

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Commercial/Office Building Zone: SOUTH AGAWAM
PIZZERIA UNO OFFICE
11 SOUTH BRIDGE DR
AGAWAM MA 01001

1 **DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §12** N **Misdemeanor**
266/127/C 266 127
OCCURRED: 02/11/2021 0623
MODUS OPERANDI: Entry-Broke Door Glass, Exit-Same as Entry

LOCATION TYPE: Commercial/Office Building Zone: SOUTH AGAWAM
ZENERGY SPA
13 SOUTH BRIDGE DR
AGAWAM MA 01001

Agawam Police Department
Summons Report

Summons #: 21-80-AR
Call #: 21-2685
Incident #: 21-178-OF

#	OFFENSE(S)	ATTEMPTED	TYPE
2	B&E FOR MISDEMEANOR 266/16A 266 16A OCCURRED: 02/11/2021 0623 MODUS OPERANDI: Entry-Broke Door Glass, Exit-Same as Entry	N	Misdemeanor
3	DESTRUCTION OF PROPERTY -$1200, MALICIOUS c266 §12 266/127/C 266 127	N	Misdemeanor
4	LARCENY UNDER $1200 266/30/C 266 30 - THEFT/BLD OCCURRED: 02/11/2021	N	Misdemeanor
5	RECEIVE STOLEN PROPERTY -$1200 266/60/B 266 60 OCCURRED: 02/25/2021 CRIMINAL ACTIVITY: Possessing/Concealing	N	Misdemeanor

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	M	W	59	[redacted]	[redacted]
	DOB: [redacted] EMPLOYER: UNOS CORPORATE OFFICE · 413-789-1500 ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 1 RELATION TO: DOBEK TIMOTHY	Stranger				
2	[redacted]	M	W	56	[redacted]	
	DOB: [redacted] EMPLOYER: ZENERGY SPA · ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 2 3 RELATION TO: DOBEK TIMOTHY	Stranger				
3	[redacted]	F	A	44	[redacted]	
	DOB: [redacted] ETHNICITY: Not of Hispanic Origin RESIDENT STATUS: Non Resident VICTIM CONNECTED TO OFFENSE NUMBER(S): 4 5 RELATION TO: DOBEK TIMOTHY CONTACT INFORMATION: Home Phone (Primary) [redacted]	Acquaintance				

Agawam Police Department
Summons Report

Summons #: 21-80-AR
Call #: 21-2685
Incident #: 21-178-OF

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[redacted]	COMPLAINANT	F	A	50	[redacted]	
2	[redacted]	OTHER	F	A	60	[redacted]	

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	GLASS DOOR QUANTITY: 1 VALUE: $500.00 SERIAL #: NOT AVAIL DATE: 02/11/2021 OWNER: HURWITZ, MICHAEL E		Destroyed/Damaged/Vandalized
2	GLASS DOOR QUANTITY: 1 VALUE: $500.00 SERIAL #: NOT AVAIL DATE: 02/11/2021 OWNER: HALE, DONALD L		Destroyed/Damaged/Vandalized
3	SURVEILLANCE VIDEO BEHIND ZENERGY SPA QUANTITY: 1 VALUE: SERIAL #: NOT AVAIL DATE: 02/12/2021	21-157-PR	Evidence (Not Nibrs Reportable)
4	BLACK UNDERWEAR QUANTITY: 1 VALUE: $20.00 SERIAL #: NOT AVAIL DATE: 02/12/2021 OWNER: LUO, QING		Stolen
5	BVLGARI BRAND PERFUME QUANTITY: 1 VALUE: $50.00 SERIAL #: NOT AVAIL DATE: 02/26/2021 RECOVERED: 1 VALUE: $50.00 DATE: 02/25/2021 OWNER: LUO, QING	21-206-PR	Recovered (Previously Stolen)
6	FLOWERS QUANTITY: 1 VALUE: $20.00 SERIAL #: NOT AVAIL DATE: 02/12/2021		Suspected
7	SEARCH WARRANT PHOTOS ON CD QUANTITY: 1 VALUE: $1.00 SERIAL #: NOT AVAIL DATE: 02/26/2021	21-215-PR	Evidence (Not Nibrs Reportable)

Agawam Police Department Page: 1

NARRATIVE FOR DETECTIVE ADAM R HOWE

Ref: 21-80-AR

Entered: 02/26/2021 @ 1444 Entry ID: 2330
Modified: 02/26/2021 @ 1532 Modified ID: 2330
Approved: 02/26/2021 @ 1520 Approval ID: 927

Original Report:

On February 11, 2021 at approximately 0623 hours, Officer Conger was dispatched to a call in regard to a B&E at the Pizzeria Uno corporate office located at 11 South Bridge Dr. Upon arrival at approximately 0631 hours, he was greeted by the calling party and worker identified as Michael E. Hurwitz [redacted] Sgt Burke arrived on scene at approximately 0635 hours to assist.

He observed the glass door was shattered, all of the broken glass on the ground, and Michael standing inside the building. He instructed Michael to come outside in order to prevent contaminating the crime scene while we wait for a detective. Michael stated to Officer Conger at approximately 0620 hours, he came to work and noticed the broken glass. Michael unlocked the door with his key and went through 2 of the office rooms of the building, along with the 1 electrical room.

Michael stated that he did not find anything inside to appear out of order, broken, or stolen. Michael then called APD after searching through the rooms, and began sweeping the glass fragments on the floor while waiting for Officer Conger's arrival. Michael stated that he observed the door was still shut and the alarm would have went off if someone attempted to open it. Michael also explained that he did not wear gloves while touching the door handles. Please see the attached images of the broken glass door.

Officer Conger observed a similar glass door that was shattered at Zenergy Spa located next door at 13 South Bridge Dr, and the glass fragments were scattered on the ground. Please note it is one building containing different businesses and establishments. Sgt Burke and Officer Conger entered the building at approximately 0706 hours, to ensure there was no one inside and to observe any other signs of forced entry. Once they cleared the establishment, he called for a detective to come to his location. He also took pictures of the second broken glass door, please see the attached images.

At approximately 0811 hours, the landlord identified as Wan L. Pun (DOB: [redacted] arrived on scene with her husband to assess the damage. Wan knows the two employees that work at Zenergy Spa that arrived on scene shortly after and they are identified as JunYing Zhang (DOB: [redacted] and Qing Luo (DOB: [redacted]. Det Donahue and I also arrived on scene to assist.

When Officer Conger spoke with Luo and JunYing, they both stated to me of a strange customer they have had in the past that has attempted numerous times to make an appointment at their establishment. Luo and JunYing explained whenever they see that phone number of this strange customer calling, they ignore the phone call. One day, Luo and JunYing were unable to recall the specific day, the strange customer called from a different phone number and was able to make an appointment at their establishment.

When they greeted the strange customer, Luo and JunYing felt they had no choice but to allow the customer inside. They explained to Officer Conger that the customer brought in flowers and left them in their establishment. Luo and JunYing described the customer as short, slightly wider build, brunette hair with recently dyed blonde hair on the top.

Luo and JunYing stated they observed a MV (MA Reg 177E80) that was sitting outside of their establishment one night after they closed the store at approximately 2330 hours and believed it to be owned by the same strange customer. Luo and JunYing took pictures of the vehicle along with the license plate and described the vehicle as a beat up gray and red car. Please note that the license plate comes back to a black Toyota 4Runner.

Luo and JunYing explained they have dealt with this same person on numerous occassions in the past and someone left them flowers outside of their residence at 55 Eastland Rd, where they both reside. Luo and JunYing assume it is the same customer that they had previous dealings with.

I obtained a written statement from Michael and Luo and attached them to this report. Please note due to

Entered: 02/26/2021 @ 1444 Entry ID: 2330
Modified: 02/26/2021 @ 1532 Modified ID: 2330
Approved: 02/26/2021 @ 1520 Approval ID: 927

the language barrier, I had to write out Luo's statement.

Investigation:

On 2/11/21 I was informed by Det Lt McGovern that there were businesses on Southbridge Dr that may have been broken into overnight. I responded to the scene with Det Donahue and met with Officer Conger. Also present on scene was the one of the victims and several employees of the businesses. Michael Hurwitz is the owner of the Uno's Corporate Office at 11 Southbridge Dr. He stated to me that when he got to work at 6:20 AM, he noticed the glass door was smashed in. He noted that the broken door was still locked. Inside of this door is a small vestibule with other doors to the left and right. These doors were not damaged in any way and were still locked. Michael stated he checked the door handles and began sweeping up the glass prior to our arrival. When Officer Conger arrived he asked Michael to step away from the scene as to not contaminate it any further. I looked on the handles of the outer door as well as the inner doors and did not observe any latent prints or trace evidence left behind at the scene. Michael stated it does not appear the person even entered the office due to the alarm not going off, the outer door still being locked, and the other doors not having any damage. Michael wrote a statement regarding what happened to his business.

Also present was Wan Pun, the landlord for the entire building on Southbridge Dr. She told me that she does not know how to access the cameras but I should contact Steven Runnells of Home Pro Handyman Services, at 9 Southbridge Dr. She said that he has access to the outside cameras.

Arriving on scene shortly after my arrival were two employees of Zenergy Spa, located at 13 Southbridge Dr. The two employees are JunYing Zhang and Qing Luo. The glass door to their business was also broken inward. Officer Conger and Sgt Burke had already cleared this business prior to my arrival. I utilized white Sirchie fingerprint dust in an attempt to uncover any prints left over by the suspect at this location. I dusted the outer door and the railing but did not find anything of evidentiary value. At this time I had JunYing come into the business and look around for any missing items or evidence that someone was inside. The only thing she noticed was missing flowers that were just inside the main office. JunYing believed the flowers were important because they were dropped off by a man that JunYing says has been bothering her and her staff for several weeks.

Both JunYing and Luo said that there has been a man that comes to the spa and makes them feel uncomfortable. They said he has dropped off flowers and perfume at their houses in the past, without them telling him where they live. I spoke with the owner of the spa, Don Hale, who told me that he has never met this man, but he knows that he makes the girls uncomfortable and told them to block his phone number. I asked JunYing for the phone number the man has called them from, and she gave me the number [redacted] She said that she has been ignoring that number, so he instead called on the number 860-851-3056. She later told me that he has also used the number 413-200-3049. She said that last night, the man called using one of these other numbers and she answered because she did not know it was him. He called them and asked for a massage and told them he was bringing them flowers. They decided to let him come in but told him he needed to get there soon or else they would close the spa. They said he arrived around 10:30 PM and did in fact have flowers with him. When he got there he began looking around all the rooms and even took out a blacklight to look around the spa. They said he also had what they believed to be baby powder on him, that he ended up getting around the spa. They said when they closed the spa and left around 11:30 PM, the car the drives was still in the parking lot.

I asked them for more information on this man and they said they thought his name might be "Tom". JunYing said that she has taken a picture of his license plate due to his strange actions. She showed me the picture of the license plate, which was MA reg 177E80. She said that the car he drives is a black SUV. I asked for a description of him and she said he was short, maybe 5'5", and a larger build and muscular. She also said he recently turned his hair color yellow and smokes electronic cigarettes. At that time my belief was that this

Entered: 02/26/2021 @ 1444 Entry ID: 2330
Modified: 02/26/2021 @ 1532 Modified ID: 2330
Approved: 02/26/2021 @ 1520 Approval ID: 927

description began to sound like former Agawam Police Officer Timothy "Tim" Dobek. Please note that over the past few weeks our department has had several interactions with Tim in which he displayed strange, erratic behavior. In one of those instances he told Officer Smith that he has been up to "criminal shit" (21-158-OF). I know Tim has also recently dyed his hair blonde. I took out my cell phone and looked up Tim's cell phone number, and it was the first number that JunYing gave me, [redacted] Please note that I have had this contact information for Tim for several years. Later on back at the station, I realized Tim had left a voicemail for Detective Santore. In the voicemail he gives Detective Santore the phone number [redacted] as his contact information. I then cross referenced Tim's license plate number for his black Toyota 4Runner with the license plate that JunYing gave me and it is MA reg 177E80. Detective Donahue had a picture of Tim's face on his phone and he showed it to JunYing and Luo and they both said that was the man they were speaking about. Luo gasped when she saw his face and asked "you know him?" and JunYing pointed at the picture and said "yes that's him".

On 2/12 Detective Nicoli and I went to Home Pro Handyman Services and they gave me access to their video camera. We downloaded the camera footage from behind Zenergy Spa, where the parking lot is. Watching it back at the station I observed the following: a dark colored SUV pulls into the parking lot on 2/10/21 at approximately 10:21:45 PM and backs the vehicle into the parking spot next to the storage container. Another customer of the spa is leaving at that time and exits the parking lot. The single occupant of the dark SUV gets out of the vehicle and walks towards the spa. This party appears to be a white male, shorter stature and heavyset. In my opinion this individual looks similar to Tim Dobek based on my familiarity with his appearance. He has on a baseball hat, a jacket, and long pants. He appears to be carrying something in his left hand. He goes out of view of the camera and appears to enter the spa at approximately 10:22:58 PM. This camera footage ends several minutes later and nothing else is observed. The next set of camera footage begins with the same camera at 11:30:30 PM. The suspect vehicle is still in the same parking spot. Nothing is observed until approximately 11:51:20 PM, when three employees close the spa and leave in the same vehicle. It appears two of them look back towards the suspect vehicle before getting into their car. They leave the parking lot several seconds later. This set of camera footage ends at 11:59:17 PM. The next set of camera footage begins with the same camera at 1:58:20 AM on 2/11/21. At the bottom right corner of the screen, which is where the spa is located, you can see what appears to be the light from a flashlight on the ground in the parking lot. It is visible for several seconds every now and then but will then disappear. At approximately 2:01:45 AM I observed the same individual who I described walking into the spa, walking away from the spa with a flashlight in his hand. He is wearing the same clothing and walks towards the vehicle he arrived in. As he walks away, he points the flashlight at the camera. He walks to directly in front of the dark SUV, then turns left and walks towards the other side of the parking lot. He pauses in front of a snowbank, then goes around the snowbank and appears to go behind the trees that are at the back of the parking lot. At approximately 2:06:28 AM he emerges from behind the trees and snowbank and begins walking back towards the dark SUV. He appears to have something in his hand but it is difficult to see what it is from the camera. He does something behind his car and then gets in the car and the dome light comes on. At approximately 2:12:24 AM the vehicles headlights come on. At approximately 12:13:15 AM the male walks directly towards the Uno's Corporate Office at 11 Southbridge Dr. He is outside of 11 Southbridge Dr for approximately 10-15 seconds and then reappears and walks back to his vehicle. At 2:14:15 AM he leaves the scene in the dark SUV that he arrived in.

After our visit to Handyman Pro Services, Detective Nicoli and I went back to Zenergy Spa to speak with JunYing and Luo. JunYing had called me and told me that they realized more things had been stolen from the spa. Upon speaking with them again, Luo informed me that she realized after I left yesterday that she had some items missing. These items were located in her back room where she keeps clothing and other personal items while at work. There is a desk in that room with a drawer. Stolen from inside the drawer was BVLGARI perfume

Entered: 02/26/2021 @ 1444 Entry ID: 2330
Modified: 02/26/2021 @ 1532 Modified ID: 2330
Approved: 02/26/2021 @ 1520 Approval ID: 927

and a black pair of underwear. Luo said the underwear was black with possibly green material on the inside, but she seemed unsure of what it looked like exactly. Luo stated that the perfume was given to her by this man they've been telling me about, believed to be Tim Dobek. She told me she now believes 100% that it is him because it would be a very big coincidence that a random person came in and stole nothing of value, but took the items that this man bought for her (flowers and perfume). She also said that this man has also told her that he is a former police officer. She also informed me that when this man came in the other night, he would not let the masseuse touch one of his legs, which I feel is important because I know Tim recently injured his leg on 2/6/21 (21-158-OF) and had to be brought to the hospital. Luo speaks better English than JunYing and seems to be the target victim of the suspect, as her underwear and perfume were stolen, therefore I wrote another statement for her as she told it to me. I repeated it back to her to make sure it was accurate and she said it was. She then signed her name to the statement.

On 2/16/21 I decided to go back to Zenergy Spa to speak with JunYing and get a statement from her as well. Due to the language barrier I had not gotten a written statement from her so far, however I decided to attempt it as she had provided some valuable information towards the case. Using Luo to help translate, I was able to dictate the written statement for JunYing as she told it to me. I read it back to her and she told me I had gotten one part incorrect. Due to the language barrier it was unclear to me when she had taken the picture of Tim's license plate. I had originally thought she had taken the picture sometime before the break in. However she informed me that she took the picture of his license plate the night of 2/10/21, when Tim was inside getting a massage. I crossed the original sentence out of the narrative and changed it to reflect the correct information, that JunYing had taken a picture of the license plate the night of the break in. JunYing signed her initials next to the changed sentence.

I then went back to Handyman Pro Services and watched the camera footage from 10:30 PM on 2/10 until 11:30 PM. At one point JunYing gets into her vehicle and drives off. She comes back several minutes later and then approaches Tim's vehicle. She goes to the rear of the vehicle and can be seen holding a phone in her hand and it looks as if she is taking a picture. She then goes back into the spa. I had JunYing send me the pictures she took on the night of 2/10 and I have added them to this report. From the pictures that JunYing took, you can clearly see the front bumper is damaged and held together with an orange strap or rope on the passenger side. It also appears that part of the front of the vehicle is spray painted red, which makes the vehicle very unique.

Update:

On 2/25/21 members of the Agawam Police Detective Bureau assisted Northampton Police with a search warrant at Tim Dobek's address, [redacted]. The reason for the search warrant was that on 2/16/21 Northampton Police responded to the Oxbow Marina for the report on a stolen snowmobile and trailer. An investigation by Northampton Police identified Dobek as their prime suspect. On 2/24/21 the search warrant was granted for [redacted] to include the entire property, including the shed, camper and Dobek's vehicle. Northampton was searching for a trailer, a snowmobile, a snowmobile cover, a poncho, burglarious tools, certain paperwork, and residency documentation. We assisted Northampton due to the search being conducted in our jurisdiction and our familiarity with Tim.

This warrant was executed at 9:30 AM. Dobek's vehicle and camper were parked in the driveway. After knocking and announcing several times, the residence was breached and after a search, Tim was not located at the residence. After looking at Tim's vehicle, I observed that the license plate is the same as the one JunYing saw and took a picture of on 2/10 (MA reg 177E80). I looked at the front of the vehicle and saw that the bumper was held together with the orange strap and was partially spray painted red, just like the photo of the suspect vehicle that

Ref: 21-80-AR

Entered: 02/26/2021 @ 1444 Entry ID: 2330
Modified: 02/26/2021 @ 1532 Modified ID: 2330
Approved: 02/26/2021 @ 1520 Approval ID: 927

JunYing took on the night of 2/10.

During the search for Northampton's items, we discovered multiple pieces of stolen property and evidence related to crimes that have been committed in Agawam. These items were undisturbed, and the scene was secured by police personnel. Northampton Police concluded their search at 12:06 PM and the scene was secured by Agawam Police. During that time Detective Nicoli drafted a search warrant and affidavit for these items which was approved. Please see 21-246-OF for complete details.

Two of the items located during our search were the BVLGARI perfume and underwear in which I suspected Tim of stealing. The BVLGARI perfume was inside of the camper and the underwear was inside of a dresser inside of the residence. The perfume was seized, however the underwear was left there as it was only black and did not entirely fit the description of the stolen underwear, which Luo seemed unsure about. It should be noted that the underwear was by itself in a drawer with no other clothing, and this was the only pair of lady's underwear that was located throughout Tim's basement, which is the portion of the house he lives in. I took a picture of the underwear just in case it was the correct pair. The perfume was tagged as evidence and placed into storage. I also noticed baby powder in a pair of crocs by the door, which I feel is noteworthy as JunYing and Luo said that Tim tracked baby powder throughout Zenergy Spa. Please see 21-246-OF for further information on what else was located during the search. Also, photos of the search warrant are found on 21-215-PR. Please see that CD for further photos of evidence.

I am requesting an arrest warrant for Timothy Dobek based on the following facts: these offenses are only a few in a multitude of crimes that Timothy has been accused of throughout western Massachusetts. Timothy was spoken to on the phone during the search of his home and he adamantly refused to come speak with officers. Surveillance and information gathered from neighbors and family indicates that Timothy does not always stay at 44 Colonial Ave and we have no further information on his whereabouts. Northampton PD already has already issued a warrant for his arrest. For these reasons I believe Timothy will not appear for court if summoned.

Respectfully submitted,

Detective Adam R. Howe #29

Date/Time Printed: 03-01-2021 15:43:17 Revised: 07/16

CRIMINAL COMPLAINT PROSECUTOR COPY	DOCKET NUMBER 2144CR000176	NO. OF COUNTS 1	Trial Court of Massachusetts District Court Department

DEFENDANT NAME & ADDRESS	COURT NAME & ADDRESS
Timothy J Dobek [redacted]	Westfield District Court 224 Elm Street Westfield, MA 01085 (413)568-8946

DEFENDANT DOB	COMPLAINT ISSUED	DATE OF OFFENSE	ARREST DATE
[redacted]	03/01/2021	02/06/2021	

OFFENSE CITY / TOWN	OFFENSE ADDRESS	NEXT EVENT DATE & TIME
Agawam		Warrant

POLICE DEPARTMENT	POLICE INCIDENT NUMBER	NEXT SCHEDULED EVENT
AGAWAM PD	21-83-AR	

OBTN	PCF NUMBER	DEFENDANT XREF ID	ROOM / SESSION
	[redacted]	29410698	

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	266/30/C	LARCENY UNDER $1200 c266 §30(1)

On 02/06/2021 did steal the property of TOWN OF AGAWAM, such property having a value of $1200 or less, in violation of G.L. c.266, §30(1).

PENALTY: jail not more than 1 year; or not more than $1500.

SIGNATURE OF COMPLAINANT	SWORN TO BEFORE CLERK-MAGISTRATE/ASST.CLERK/DEP. ASST. CLERK		DATE
X	X		
NAME OF COMPLAINANT	A TRUE COPY ATTEST	CLERK-MAGISTRATE/ ASST. CLERK	DATE
		X	

Notice to Defendant: *42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.*

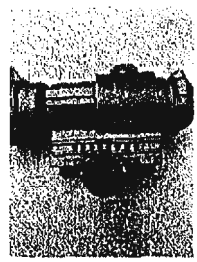
Agawam Police Department
Summons Report

Summons #: 21-83-AR
Call #: 21-3826
Incident #: 21-211-OF

Date/Time Reported: 03/01/2021 @ 0904
Arrest Date/Time: 03/01/2021 @ 0908

OBTN: TAGA202100083
Reporting Officer: Detective Michael Nicoli
Approving Officer: Sergeant Mark Pfau

Signature: _____ SLP



Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
1	**DOBEK, TIMOTHY JAMES** [redacted]	M	W	26	[redacted]	

Military Active Duty: N
HEIGHT: 505 WEIGHT: 230 HAIR: BROWN EYES: BROWN
BODY: NOT AVAIL. COMPLEXION: NOT AVAIL.
DOB: [redacted] PLACE OF BIRTH: NOT AVAIL.
LICENSE NUMBER: [redacted] ETHNICITY: NOT HISPANIC
PCF #: [redacted]

[CAUTIONS]

Caution Type	Start Date	End Date
Caution (Other/Unspecified)	08/01/2019	

[CONTACT INFORMATION]

Home Phone (Primary) [redacted]

[APPEARANCE]

GLASSES WORN: NO

#	OFFENSE(S)	ATTEMPTED	TYPE
1	**LARCENY UNDER $1200**	N	**Misdemeanor**

LOCATION TYPE: Government/Public Building Zone: CENTRAL AGAWAM
AGAWAM POLICE DEPARTMENT
681 SPRINGFIELD ST
AGAWAM MA 01001

266/30/C **266** **30 - ALL OTHER**
OCCURRED: 02/06/2021 1600

Summons #: 21-83-AR
Call #: 21-3826
Incident #: 21-211-OF

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	**TOWN OF AGAWAM** 681 SPRINGFIELD ST AGAWAM MA 01001					413-786-4767

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	**AIMPOINT PATROL RIFLE OPTIC**	21-207-PR	**Recovered (Previously Stolen)**

QUANTITY: 1 VALUE: $429.00
SERIAL #: K3315234
DATE: 02/26/2021
RECOVERED: 1 VALUE: $429.00 DATE: 02/25/2021
OWNER: TOWN OF AGAWAM

2	**INFORCE LED WEAPON MOUNTED FLASHLIGHT**	21-208-PR	**Recovered (Previously Stolen)**

QUANTITY: 1 VALUE: $160.00
SERIAL #: NOT AVAIL
DATE: 02/26/2021
RECOVERED: 1 VALUE: $160.00 DATE: 02/25/2021
OWNER: TOWN OF AGAWAM

3	**APD FLEET KEY**	21-214-PR	**Evidence (Not Nibrs Reportable)**

QUANTITY: 1 VALUE: $10.00
SERIAL #: NOT AVAIL
DATE: 02/26/2021

4	**SEARCH WARRANT PHOTOS ON CD**	21-215-PR	**Evidence (Not Nibrs Reportable)**

QUANTITY: 1 VALUE: $1.00
SERIAL #: NOT AVAIL
DATE: 03/01/2021

NARRATIVE FOR DETECTIVE MICHAEL NICOLI

Ref: 21-83-AR

On February 25th, 2021 Agawam Police Personnel assisted Northampton Police executing a search warrant at [redacted] Timothy Dobek [redacted] is the suspect in various criminal investigations among various police departments. Dobek was a former police officer with the Agawam Police Department until his decision to resign occured on July 13, 2020. During his time as a police officer and during the police academy Dobek was trained on LTCs, firearms, larcenies and various crimes associated with them.

Northampton PD was briefed that Dobek was the suspect in criminal investigations of larceny and B&Es in our town and the items taken were discusssed at the operations briefing. When we arrived at the residence, my team moved to the basement door which is Dobek's primary egress based on recent survellience. Dobek was not home at the time of search. While conducting the search, Det. Sgt. Robinson of Northampton PD located a rifle optic and weapon mounted flashlight. These items were located in the basement living area of [redacted] which is soley controlled by Dobek, which is confirmed by the upstairs tenants and various pieces of mail and documentation proving occupancy. I observed these items and recognized them as the same make/model that are on Agawam Police rifles. I contacted LT Blanchette to confirm the serial numbers, which matched our stolen equipment. Please reference 21-211-OF.

Northampton concluded their search at 1206hrs and the scene was secured by Agawam Police Personnel. During that time I drafted a search warrant application and affidavit for [redacted] This warrant was granted by Clerk Magistrate Nathan Byrnes of Westfield District Court. At 1517hrs Agawam Police executed this search warrant. This warrant includes the entire residence of [redacted] trailers and sheds located on the premises.

Stolen property recovered in that search included;

AimPoint Patrol Optic K3315234

Inforce Weapon Mounted Optic

Therefore, I request that an arrest warrant be issued, as Dobek is not likely to appear without arrest, most recently, Dobek was taken into custody in PA and still have multiple warrants through the MA court system.

Timothy Dobek is being charged with the following;

MGL 266 §30C Receiving Stolen Property < $1200.00

Respectfully Submitted,

Detective Michael Nicoli

NARRATIVE FOR DETECTIVE MICHAEL NICOLI

Ref: 21-211-OF

On February 25th, 2021 Agawam Police Personnel assisted Northampton Police with execution of a search warrant at [redacted] Please reference 21-245-OF for details on Northampton's warrant. Timothy Dobek (4/22/1994) is the suspect in a Northampton investigation of larceny of MV. Northampton PD Det. McKinney applied for a search warrant through Northampton District Court which was approved on February 24th, 2021. The warrant included the entire residence of [redacted] vehicles, sheds and trailers on that property. Northampton was informed that Dobek was the suspect in different B&E and larcenies and items that were stolen were discussed in the briefing. At the time of entry Dobek was not located in the home. As I moved into position I immediately recognized large steel rebar cages that were stolen from Magnum Services, I recognized them as they are very specific and I was involved in the investigation. Additionally while conducting this warrant Det. Sgt. Robinson of Northampton Police identified a rifle optic and weapon mounted flashlight in the basement living room which is solely used by Dobek per the tenants upstairs. I observed the optic and flashlight, and knew that they are the same make & model that the Agawam Police Department uses on our patrol rifles. The same type of optic and flashlight that was discovered to be missing, presumably stolen from APD cruiser 110. I contacted Lt. Blanchette to confirm serial numbers, the items were confirmed as property of Agawam Police.

Northampton concluded their search at 1206hrs, and the scene was left in the control of Agawam Police Personnel. During that time I drafted a search warrant application and affidavit for [redacted] to search for items relevant to our investigations and for the items already identified as stolen. The search warrant was signed by Clerk Magistrate Nathan Byrnes of Westfield District Court.

While conducting the search Det. Keeley found an additional AimPoint Patrol Rifle Optic (K4004324) on an airsoft pellet gun in Dobek's trailer. This optic was seized as authorized by my search warrant. I contacted AimPoint to conduct a search of the serial number to identify the owner of the optic. When AimPoint provides that information I will be able to determine if the optic was stolen.

An arrest warrant application will be filed for Timothy Dobek for the following charge(s);

MGL 266 § 60 Receiving Stolen Property <$1200.00

Respectfully Submitted,

Detective Michael Nicoli

Agawam Police Department
Incident Report

Incident #: 21-211-OF
Call #: 21-3136

Date/Time Reported: 02/06/2021 1600
Report Date/Time: 02/18/2021 0855
Occurred Between: 02/06/2021 1600-02/06/2021 1610
Status: Incident Open

Reporting Officer: Lieutenant Jennifer Blanchette
Approving Officer: Lieutenant Jennifer Blanchette

Signature: LJB

Signature: _____

#	OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Government/Public Building Zone: CENTRAL AGAWAM
AGAWAM POLICE DEPARTMENT
681 SPRINGFIELD ST
AGAWAM MA 01001

1 **LARCENY UNDER $1200** N **Misdemeanor**
266/30/C **266** **30 - ALL OTHER**
OCCURRED: 02/06/2021 1600

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

1 **TOWN OF AGAWAM** **413-786-4767**
681 SPRINGFIELD ST
AGAWAM MA 01001

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

#	OTHER PROPERTIES	PROPERTY #	STATUS

1 **AIMPOINT PATROL RIFLE OPTIC** **Stolen**
QUANTITY: 1 VALUE: $429.00
SERIAL #: NOT AVAIL
DATE: 02/18/2021
OWNER: TOWN OF AGAWAM

2 **INFORCE LED WEAPON MOUNTED FLASHLIGHT** **Stolen**
QUANTITY: 1 VALUE: $160.00
SERIAL #: NOT AVAIL
DATE: 02/18/2021
OWNER: TOWN OF AGAWAM

Incident Report

03/01/2021

Incident #: 21-211-OF
Call #: 21-3136

ate/Time Reported: 02/06/2021 1600
Report Date/Time: 02/18/2021 0855
Occurred Between: 02/06/2021 1600-02/06/2021 1610
Status: Incident Closed By Arrest

Reporting Officer: Lieutenant Jennifer Blanchette
Approving Officer: Lieutenant Jennifer Blanchette

Signature: _____
Additional Cases: 21-83-AR

Signature: _____

OFFENSE(S)	ATTEMPTED	TYPE

LOCATION TYPE: Government/Public Building Zone: CENTRAL AGAWAM
AGAWAM POLICE DEPARTMENT
681 SPRINGFIELD ST
AGAWAM MA 01001

LARCENY UNDER $1200 N **Misdemeanor**
266/30/C **266** **30 - ALL OTHER**
OCCURRED: 02/06/2021 1600

VICTIM(S)	SEX	RACE	AGE	SSN	PHONE

TOWN OF AGAWAM **413-786-4767**
681 SPRINGFIELD ST
AGAWAM MA 01001

VICTIM CONNECTED TO OFFENSE NUMBER(S): 1

OTHER PROPERTIES	PROPERTY #	STATUS

AIMPOINT PATROL RIFLE OPTIC **21-207-PR** **Recovered (Previously Stolen)**
QUANTITY: 1 VALUE: $429.00
SERIAL #: K3315234
DATE: 02/26/2021
RECOVERED: 1 VALUE: $429.00 DATE: 02/25/2021
OWNER: TOWN OF AGAWAM

INFORCE LED WEAPON MOUNTED FLASHLIGHT **21-208-PR** **Recovered (Previously Stolen)**
QUANTITY: 1 VALUE: $160.00
SERIAL #: NOT AVAIL
DATE: 02/26/2021
RECOVERED: 1 VALUE: $160.00 DATE: 02/25/2021
OWNER: TOWN OF AGAWAM

APD FLEET KEY **21-214-PR** **Evidence (Not Nibrs Reportable)**
QUANTITY: 1 VALUE: $10.00
SERIAL #: NOT AVAIL
DATE: 02/26/2021

NARRATIVE FOR LIEUTENANT JENNIFER L BLANCHETTE

Ref: 21-211-OF

On Saturday, February 6, 2021, Officer Boglisch began his 4-12 shift by checking the equipment in car 104. At that time he discovered that the Aimpoint Patrol Rifle optic and the LED Weapon mounted flashlight had been removed from the patrol rifle in the car. At that time Officer Boglisch notified his supervisor. On Monday, February 8, 2021, Sgt. Soto and Officer Riccio were informed of the missing equipment and a search was then conducted. All firearms instructors were contacted to determine if any had removed the optic and flashlight for any reason and all reported that they did not. An inspection of the rifle revealed that both items were removed from the weapon, rather than broken off or fallen off.

At this time there is no legitimate explanation for the missing equipment, and as such, is presumed to have been stolen from the vehicle while not in use.