



TOWN OF SALEM, NEW HAMPSHIRE

33 GEREMONTY DRIVE, SALEM, NH 03079

(603) 890-2120 · FAX: (603) 890-2220

OFFICE OF THE TOWN MANAGER

Joseph R. Devine, Town Manager

March 18, 2025

Mr. Mike Simard

[REDACTED]

VIA EMAIL: [REDACTED]

Dear Mr. Simard:

The Town of Salem is in receipt of your request for documents under NH RSA 91-A, which we received on January 15, 2025.

As you know, in accordance with NH RSA 91-A:4, IV(b-1-3), the Town of Salem shall, within five business days, “make such record available, deny the request (to include a brief explanation of how the exemption applies to the record withheld), or provide a written statement of the time reasonably necessary to determine whether the request shall be granted or denied and the reason for the delay.” Please consider this letter as fulfillment of your request.

In your request, you specifically requested the following:

1. *Any and all internal affairs reports/investigations involving retired Officer Ryan Sambataro.*
2. *Any and all civilian complaints filed against Officer Ryan Sambataro regardless of the outcome of said complaint.*
3. *Any and all disciplinary action taken against Officer Ryan Sambataro and the reason for it.*

Enclosed are all documents and email files relating to your request. This should satisfy your request with the Town of Salem. If you have any questions, please don't hesitate to contact me at 603-685-6421.

Sincerely,

Madeleine Baptiste

Madeleine Baptiste
Right To Know Specialist



Salem Police Department

Paul T. Donovan
Chief of Police

Investigative Report
Salem Police Department

ICI# IA-17-02
DATE: January 17, 2017

JPD
This investigative report was prepared Captain Joel P. Dolan, under the direct supervision of Deputy Chief James S. Chase.

COMPLAINANT:

N/A

DATE OF INCIDENT:

December 29, 2016 - January 12, 2017 (IA-17-02)

TIME OF INCIDENT:

Unknown

ALLEGATION(S):

Incorrect suspect was investigated and arrested for a shoplifting incident. Subject spent 11 days in jail awaiting arraignment and probable cause hearing.

OFFICER CHARGED:

Officer Ryan Sambataro

COMPLAINT BRIEF:

Officer Sambataro responded to Walmart for a theft report. He obtained suspect vehicle and license plate. Officer Lundquist provided some information, to include a possible suspect. Officer Ryan Sambataro did not vet the information thoroughly and applied for an arrest warrant, which was approved.

Brief History

On September 24, 2016 at 2019 hours, Officer Ryan Sambataro responded to the Walmart store, located at 326 N. Broadway, for a shoplifting report. Officer Sambataro spoke with Loss Prevention personnel identified as, [REDACTED] and collected information for his report. At this time, Officer Sambataro also viewed video surveillance of the incident. Officer Sambataro ultimately received several pieces of information and evidence, including a possible license plate number, and a CD with footage of the incident.

At some time during, or immediately after the call, Officer Sambataro runs the license plate through dispatch. This transmission is overheard by Officer Lundquist. Officer Lundquist informs Officer Sambataro he is also investigating a shoplifting incident involving the suspects operating a vehicle with the license plate that Officer Sambataro had run. The two speak and exchange information where Officer Lundquist gives Officer Sambataro some possible suspects. Officer Sambataro conducts no follow-up and applies for an arrest warrant based upon the information provided to him by Officer Lundquist.

The male named in the warrant, [REDACTED] was arrested by the Manchester, NH Police Department on January 1, 2017. Officer Riccardo Nicosia responded to the Manchester Police Department and picked up [REDACTED] was transported to the Salem Police Department for processing. He was arraigned on January 3, 2017 where he stated he had been [REDACTED] and could not have committed the theft. Bail was set at \$3,500.00 cash only, [REDACTED] was unable to make bail. His probable cause hearing was set for January 12, 2017. At the probable cause hearing, defense counsel produced documentation [REDACTED]

[REDACTED] All charges against [REDACTED] were ultimately dismissed. [REDACTED] spent eleven (11) days in the Rockingham County Jail.

Statement of Facts

On September 24, 2016 at 2019 hours Officer Ryan Sambataro was dispatched to the Walmart store, located at 326 N. Broadway, for a shoplifting report. The suspect in the theft had left the store prior to Officer Sambataro responding, additionally, Walmart loss prevention did not make an apprehension and did not identify the suspect. Officer Sambataro said upon his arrival he made contact with Walmart loss prevention personnel, identified as [REDACTED] While he was with loss prevention, Officer Sambataro was able to view the footage captured by Walmart's televised security system. Officer Sambataro said he was not familiar with the suspect and his thought process was to place the picture of the male on Mass Net (a law enforcement sharing community) to see if he could get an identification. Officer Sambataro learned through Officer Lundquist the suspects had also hit Target (the actual theft had occurred at Home Depot). Officer Sambataro said he was approached by Officer Lundquist regarding the theft. Lundquist had heard Officer Sambataro run the suspect registration over the radio and was familiar with the vehicle as he had already started an investigation into the Home Depot theft.

Officer Lundquist took a theft report on September 24, 2016. This incident occurred at 1005 hours and is fully documented in Salem Police Report 16-1616-OF. In this incident Home Depot

personnel were able to obtain a license plate from the suspect vehicle used in the commission of the theft at their store. This license plate, New Hampshire registration [REDACTED] was registered to [REDACTED] on a 2011 Honda Accord. Officer Lundquist said he worked with Detective Touma and conducted an Accurint search on [REDACTED]. As a result of the search, Officer Lundquist was able to ascertain that [REDACTED] had a relative named [REDACTED]. [REDACTED] physically matched the description given to Officer Lundquist by Home Depot. Furthermore, Officer Lundquist later learned the Honda Accord had been stopped by the New Hampshire State Police and Trooper Hicks was able to positively identify [REDACTED] as the operator of the vehicle. Through his investigation, Officer Lundquist was able to positively identify [REDACTED] as the suspect in the Home Depot theft, and as of the time of this investigation has applied for and been granted an arrest warrant.

As Officer Lundquist was investigating [REDACTED] he looked at [REDACTED]'s Facebook profile. As he searched his list of friends, he came upon a male later identified as [REDACTED]. [REDACTED] does share some similar characteristics as the male seen in the video surveillance, such as dark hair and some facial features, both males also have tattoos on their left arm. Officer Lundquist said a male matching the suspect's description was in the vehicle when it was stopped by the New Hampshire State Police. The trooper was shown a picture of [REDACTED] and said the male in the back seat looked similar however, he never positively identified him. I asked Lundquist what steps he took to positively identify [REDACTED] and he said not much more than looking at the physical characteristics from Facebook, the video surveillance, and speaking with Trooper Hicks. Additionally, he said Home Depot advised him they could not determine if the second male was involved in any crimes therefore, Officer Lundquist no longer needed to identify him. Officer Lundquist never charged [REDACTED] with a crime and eventually stopped developing him as a suspect.

Officer Sambataro said at the time he spoke with Officer Lundquist and he was given the names of the people he believed to be involved with the theft at Home Depot. He said it was the same suspect in both cases, and he went on to describe the male had similar clothing and sunglasses. Officer Sambataro said that Officer Lundquist had also given him [REDACTED] criminal history, Facebook photo, and photos from the surveillance cameras. Officer Sambataro then took no investigatory steps to corroborate the information given to him by Officer Lundquist. Officer Sambataro said he took Officer Lundquist's information as "imputed knowledge" for his probable cause. He also said if he is not sure that someone is a suspect, he would not run a criminal history. I also asked if Officer Sambataro attempted to have Walmart loss prevention identify the suspect through a photo lineup and he said he did not. He said the way the information was relayed to him, he thought the suspect had been identified. Officer Sambataro also said he had never seen [REDACTED] prior to this case and has still yet to see him since the arrest. There was no attempt to interview [REDACTED] after the arrest. Officer Sambataro was adamant that it was portrayed to him that [REDACTED] was involved. He also said that it could have been a misunderstanding. Officer Sambataro said if he wasn't sure it was the suspect, he would not have done a warrant.

Officer Sambataro went on to state he equated the information he received from Officer Lundquist with information he would receive from other detectives that would have viewed the image on Mass Crime Net. He said it would be no different than if he received a call from a detective in MA who said they were able to identify the suspect. I asked him if he would corroborate the information he received from officers outside of this agency and he said absolutely. He then said this case seemed cut and dry and the felt that Lundquist had identified the suspect. Throughout our conversation on this case it is clear Officer Sambataro relied entirely on the information passed on to him by Officer Lundquist and his brief observation of the suspect on September 24, 2016. Officer Sambataro took no independent steps to confirm the information given to him.

Officer Sambataro also stated there was email correspondence between himself and Officer Lundquist. I asked Officer Sambataro if he could produce this email correspondence. He said he deleted the email. He then said he deleted it out of his deleted bin. I then checked with Officer Lundquist to see if there was any email correspondence between him and Officer Sambataro. Officer Lundquist forwarded me one email that he sent to Officer Sambataro on October 4, 2016. He said there was no other emails exchanged between the two. This email contained no text conversation and thirteen (13) photographs of the suspects in the two theft. The male depicted in the photograph resembles the male seen taking items from Walmart and physically resembles [REDACTED] but upon close inspection some differences can be noted, particularly the hairline.

Based on the information provided by Officer Lundquist, Officer Sambataro drafted an arrest affidavit and warrant on November 26, 2016. This was nearly 8 weeks after taking the call and almost 7 since he exchanged information with Lundquist. Officer Sambataro stated he did no follow-up on the case during this time. He then had the warrant signed by a Justice of the Peace, Coreen Russell, at the Salem District Court on December 29, 2016. He said there were no questions from the Justice of the Peace while he was having the warrant signed. Officer Sambataro again said he conducted no follow-up investigation between November 26th and December 29th.

[REDACTED] was arrested by the Manchester Police Department on January 1, 2017. Officer Riccardo Nicosia responded to the Manchester Police Department to take custody of [REDACTED] was transported back to the Salem Police Department for processing. Once at the police department he was processed and unable to post bail. He was held at the Rockingham County Jail until his arraignment on January 3, 2017. During his booking at SPD as well as his arraignment, [REDACTED] denied the allegations and stated he had been [REDACTED] during the time the crimes had been committed. I spoke with Officer Nicosia and asked if he remembered anything about the arrest. He said after he pulled into the Manchester Police sally port he was informed by the on-duty cell block officer [REDACTED] was claiming SPD had the wrong guy. [REDACTED]

[REDACTED] He also claimed he had not been to Salem in over 15 years. An audible copy of the arraignment is attached to this report.

On January 12, 2017 I was contacted by Sergeant Jason Smith. Sergeant Smith advised me he was just in the Salem District Court during the time [REDACTED] probable cause hearing was scheduled and he had serious concerns with the case submitted by Officer Sambataro. Sergeant Smith is a veteran officer and has extensive experience as a prosecutor. Sergeant Smith said he reviewed the case when he learned it had been nolle prossed by Attorney Fischer. The first thing he noticed was the warrant had not been approved by a supervisor prior to being signed by a Justice of the Peace. The practice of having a supervisor review warrants dates back to at least 2006. The warrant face sheet has a line for supervisor approval. Officer Sambataro stated he has never had a warrant approved prior to having it signed. Sergeant Smith also believed the affidavit failed to establish probable cause. He specifically noted the lack of follow-up by Officer Sambataro and the review of Facebook for possible suspects by Officer Lundquist, but Lundquist does not complete a supplemental report for this particular case stating the steps he took to identify [REDACTED]

I spoke with Attorney Jason Grosky regarding this case and he said he had reviewed the case. His concern was there seemed to be some large holes in the case and it was never tied together. Attorney Fischer echoed the same sentiment in regards to the case. I asked either if they had sent it back to Officer Sambataro for follow-up and they said no. I asked Attorney Fischer if he was comfortable taking the case to the hearing and he said he had some concerns, especially on the identification. Both attorneys felt the case needed additional work.

The date of the theft was September 24, 2016 within the range of dates

A copy of the paperwork shows it was generated on January 12, 2017 at 0736 hours. As a result of the [REDACTED] paperwork being submitted, Attorney Fischer had no choice but to noll pros the case against Blanchette. [REDACTED]

██████████ was ultimately released from custody after serving 11 days at the Rockingham County House of Corrections.

Closing Statement

On September 24, 2016, Officer Ryan Sambataro responded to Walmart, located at 326 North Broadway for a theft report. During the time Officer Sambataro was at Walmart speaking with loss prevention he viewed a video of the incident captured by security cameras. Officer Sambataro is not sure if he received a CD copy of the incident that night or at a later date. A copy of the CD was entered into property on October 21, 2016. At some point Officer Sambataro requests a registration check on a possible suspect vehicle. Upon hearing the license plate [REDACTED] (incorrect plate), Officer Lundquist contacted Officer Sambataro as he was working on a theft case involving that vehicle as well.

Officer Lundquist took numerous steps to investigate his theft case. He was able to get the correct registration and match the suspect vehicle. He then attempted to contact the female registered owner in an effort to identify the male suspect. Officer Lundquist then worked with Detective Touma and conducted an Accurint check to look for possible suspects. Officer Lundquist identified [REDACTED] [REDACTED] [REDACTED] as his suspect. He then took several additional steps to confirm this identification. Officer Lundquist did not take these additional steps into identifying the second male who was mistakenly identified as [REDACTED]. [REDACTED] is a Facebook friend of [REDACTED] and has some similar physical features of the male seen in the video surveillance. However, upon closer inspection the two are not the same person.

Officer Sambataro believed that Officer Lundquist had identified his suspect as [REDACTED]. Officer Sambataro was handed several photographs including video surveillance stills, Facebook photos, and a criminal history on [REDACTED] [REDACTED]. Officer Sambataro took this information as imputed knowledge and took no further action to confirm [REDACTED] identity. Officer Sambataro should have vetted this information for himself and not relied solely on the information given to him by Officer Lundquist. Officer Sambataro made no attempt to corroborate the information, conduct a photo lineup, or contact any suspect involved with this case. The level of attention given this case is far below Officer Sambataro's experience and skill set. As an experienced investigator, Officer Sambataro knows that additional follow should have been conducted in this case, just as he would have conducted additional follow-up if an officer from another agency contacted him.

The affidavit presented in this case barely reaches probable cause, if it does at all. The fact this affidavit was signed by a Justice of the Peace at the courthouse only highlights flaws in the process of having warrants signed under New Hampshire State Law and not the premise the affidavit established probable cause.

Donovan, Paul

From: Chase, James
Sent: Monday, March 20, 2017 1:06 PM
To: Verrocchi, Michael; Woidyla, Steven
Cc: Donovan, Paul
Subject: FW: Confidential

FYI

From: Goodwin, Leon
Sent: Monday, March 20, 2017 10:56 AM
To: Chase, James
Subject: Re: Confidential

Hi Jim,

Per our conversation, I approve of this proposed resignation.

Thanks,
Leon

From: "Chase, James" <jchase@salempd.com>
Date: Monday, March 20, 2017 at 10:28 AM
To: Leon Goodwin <LGoodwin@ci.salem.nh.us>
Subject: Confidential

Hi Leon,

Please see attached Memo for Sambataro's negotiated resignation.

Thank you.

James S. Chase
Deputy Chief of Police
Salem NH Police Department
Salem, NH 03079
603-890-2014
jchase@salempd.com



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Donovan, Paul

From: Chase, James
Sent: Saturday, March 18, 2017 10:40 PM
To: Donovan, Paul
Subject: Fwd: Subpoenas for ROCK CTY for SAMBO

Chief,

I'm meeting with Mike Verrocchi on Monday morning at 10am. He's typed up a negotiated agreement for Sambo. I'll call you once I see it. I can also scan it for you to review via email.

Thanks.

James S. Chase
Deputy Chief of Police
Salem NH Police Department

Sent from my iPhone

Begin forwarded message:

From: "Verrocchi, Michael" <mverrocchi@salempd.com>
Date: March 18, 2017 at 10:33:39 PM EDT
To: "Chase, James" <jchase@salempd.com>
Subject: Re: Subpoenas for ROCK CTY for SAMBO

Depends.... I typed up a negotiated resignation. Let's meet Monday morning and go through it. If we can come to an agreement then Sambo will part ways and the hearing is off.

Do you have a time that works? I'm off and available all day.

Sent from my iPhone

On Mar 18, 2017, at 10:30 PM, Chase, James <jchase@salempd.com> wrote:

Thank you. I appreciate your help.

Have you heard anything in regards to Tuesday's hearing? Still on?

Thanks.

James S. Chase
Deputy Chief of Police
Salem NH Police Department

Sent from my iPhone

On Mar 18, 2017, at 10:25 PM, Verrocchi, Michael <mverrocchi@salempd.com> wrote:

All set. They have been served.

Sent from my iPhone

On Mar 17, 2017, at 11:46 AM, Chase, James <jchase@salempd.com> wrote:

Sgt,

I have placed 3 subpoenas in your mailbox (in a manila folder).

Please serve these to Officer Sambataro, cases are for Rockingham Cty.

Please let me know once they have been served.

Thank you.

James S. Chase
Deputy Chief of Police
Salem NH Police Department
Salem, NH 03079
603-890-2014
jchase@salempd.com
<image001.png>

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Salem Police Department

Paul T. Donovan
Chief of Police

TO: Officer Ryan Sambataro
FROM: Paul T. Donovan, Chief of Police
DATE: November 23, 2016
SUBJECT: Written Warning; Re IA 16-05

On November 3, 2016 you were scheduled for court at the 10th Circuit Court in Salem. The investigation into this incident showed that you reported for court, but failed to remain at the courthouse or return to the courthouse after texts and phone calls were made to you in order to get you to the courthouse for the trial of a motorist who you previously had cited. Because you were not at court, Atty. Fisher was forced to plea the case for less than what prosecution would have otherwise sought at trial.

The investigator found the violation – Negligent absence from duty assignment without permission – to be Sustained.

D/C Chase has informed me that you wish to waive a departmental hearing.

I am issuing you a Written Warning for this violation of the Salem Police Department Code of Conduct. As you have had previous incidents of this nature, another such violation will result in stronger discipline.

You are a skilled, experienced police officer. I expect that you will conduct yourself in a professional manner and not repeat this conduct.

PTD/ptd

cc: D/C Chase

Capt. Morin

SPD Union

SALEM, NH POLICE DEPARTMENT
POLICE WARRANT COVER SHEET

12-2022-05
13-166-4A

Defendant: [REDACTED] D.O.B.: [REDACTED]

Entered in SPOTS? Yes No Date: _____ Time: _____ By: _____

Entered in NCIC? Yes No Date: _____ Time: _____ By: _____

SERVICE ATTEMPTS

* - (i.e. telephone contact, contact card, letter, residence check, copy sent to PD, etc.)

** - be specific (i.e. no answer at door, moved to, avoiding service, etc.)

NOTES:

Indicted & Sentenced

This document must be saved for court and included in the Arrest Folder.

Approving Supervisor

SPD-ProsForm-10WarrantCoverSheet (rev:08-04-06;05-01-07)

COPY

To: Lieutenant Fitzgerald
From: Detective Sambataro
RE: Request For Transfer to Patrol Division
Date: 06/01/2016

Lieutenant Fitzgerald,

This letter serves as my official request for a transfer to the patrol division (4-midnight shift). First and foremost, since you have disallowed me to work a second night during the week, it has caused a financial hardship and thus, the current schedule is not working for my financial situation and is causing an abundance of stress on both my family and me. I understand that as your position as commander of the unit, your concern "is not with my personal financial issues" but rather the "operations of the unit," as you have told me during our last meeting, however, it is a concern for my family and me.

Additionally, there is an apparent conflict with our personalities. I'm not sure if it's my style of work or what the case may be, however, it's causing undue friction between us and frankly, I have never been more stressed out than I have been since I took the initial position as a juvenile detective. This stress has now spilled over and is effecting my personal life to include my family. As a result, I feel it is best that I transfer to the patrol division and have a different change of pace. Thank you for the opportunities that has been given to me.

Respectfully Submitted,



Detective Ryan Sambataro #139

Investigative Services Unit
Salem Police Department



Salem Police Department

Paul T. Donovan
Chief of Police

TO: Ryan Sambataro
FROM: Detective Lieutenant Kevin M. Fitzgerald
DATE: September 30, 2015
RE: Random Observation

Detective Sambataro, on September 29, 2015 Captain Morin was notified by a representative from the Rockingham County Attorney's Office that you had missed a suppression hearing on the Pelegrin Diaz case which was scheduled for September 28, 2015. You were served this subpoena on September 9, 2015 by Lt. Fitzgerald, in hand. Your name was also written on the court board with said date for trial. You advised LT. Fitzgerald that you had no valid excuse and take full responsibility for your absence. Missing Court is unacceptable and any future absences will require punishment per the Departments General Orders.

KMF/kmf



Salem Police Department

Paul T. Donovan
Chief of Police

TO: Detective Ryan Sambataro
FROM: Lieutenant Kevin Fitzgerald
DATE: April 27, 2016
SUBJECT: Letter of Counseling

This **Letter of Counseling** is being issued to you pursuant to Article 11, DISCIPLINE AND TERMINATION FOR CAUSE, Section 4 of the Collective Bargaining Agreement between the Town of Salem, New Hampshire and the Salem Police Relief.

On April 22, 2016 you failed to show for a scheduled court trial, (State v Roukey) in the Salem District Courthouse. You were scheduled to appear at 1000 hours.

You have violated General Order 25-1 POLICE CONDUCT, The specific violation is Article V, NEGLIGENT PERFORMANCE OF DUTY, Section 5.08, Negligent failure to comply with any lawful orders, procedures, directives or regulations; oral or written. Your court appearance for this case was posted in writing on the court notification board on April 15, 2016.

All of the court appearances are posted on the court board. Officers should check this board daily. If you are going to be away for a period of time, it is the officer's responsibility to call prosecution during normal business hours or the shift commander to check whether you are needed for court appearances.

A copy of this letter will be forwarded to the Union President and to Human Resources to be placed in your personal file. Upon a written request from you, this letter will be removed from your file after one year of a similar event not recurring.

C.c. Chief Paul Donovan
Detective Steve Woidyla, Union President



Salem Police Department

Paul T. Donovan
Chief of Police

FAX TRANSMITTAL SHEET

DATE: 2.2.14

TO: Karen [REDACTED] FAX: [REDACTED]

FROM: Capt Joe I Dolan

NUMBER OF PAGES INCLUDING COVER SHEET: 2

RE: Confirmation.

REPLY FAX NUMBER: (603) 894-4861

REPLY CONFIRMATION NUMBER (603) 893-1911

MESSAGE: Karen [REDACTED]

Please email confirmation to:
j.dolan@salem.pd.com

Thank You

WARNING

The information contained in this transmission is privileged, confidential and is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance to the contents of this facsimile transmission is strictly prohibited. If you have received this transmission in error, please notify the SALEM POLICE DEPARTMENT by telephone, collect and return the original message to us at the address shown below via the U.S. Postal Service. We will reimburse you for the required postage. Thank you.

copy



Salem Police Department

Paul T. Donovan
Chief of Police

TO: Captain Joel Dolan
FROM: Deputy Chief James S. Chase *(JSC)*
DATE: January 13, 2017
RE: Internal Investigation IA #17-02

On January 12, 2017 [REDACTED] had a PC hearing for a Felony Theft Charge at the Salem District Court. The charge against him was Noll Pros after Mr. [REDACTED] lawyer presented documentation that his client was at the [REDACTED] at the time of the alleged theft.

Please conduct an investigation into this case, 16-1623-OF, 16-237-WA (This warrant was allegedly drafted and signed without a supervisor's approval).

[REDACTED] was arrested on Officer Sambataro's warrant on January 1, 2017. He was held at Rockingham County Jail until his hearing on January 12, 2017.

If you have any questions, please see me.

cc: Chief Paul T. Donovan
Captain Rob Morin
Lieutenant Tom Kench
Steve Woidyla, Union Vice President

JSC/jsc



**Salem Police Department
Incident Report**

**Page: 1
01/20/2017**

**Incident #: 16-1623-OF
Call #: 16-24583**

Date/Time Reported: 09/24/2016 2019
Report Date/Time: 09/30/2016 0957
Occurred Between: 09/24/2016 1349-09/24/2016 1400
Status: Incident Closed By Arrest

Reporting Officer: Police Officer Ryan Sambataro
Approving Officer: Sergeant Joseph Keating

Signature: _____
Additional Cases: 17-4-AR

Signature: _____



#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[APPEARANCE]

GLASSES WORN: NO

#	OFFENSE(S)	ATTEMPTED	TYPE	CLASS
	LOCATION TYPE: Department/Discount Store WALMART 326 N BROADWAY ST SALEM NH 03079	Zone: Route 1		
1	Willful Concealment, theft 637 3-a,II OCCURRED: 09/24/2016 2019 SUSPECTED OF USING: Not Applicable BIAS AGAINST: No Bias	N A	Misdemeanor	A

**Salem Police Department
Incident Report**

Page: 2
01/20/2017

**Incident #: 16-1623-OF
Call #: 16-24583**

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	WALMART N BROADWAY ST SALEM NH 03079 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1					

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	REPORTING PARTY	M	W	28	NOT AVAIL	[REDACTED]

EMPLOYER: WALMART LP [REDACTED]
CONTACT INFORMATION:
Home Phone (Primary) [REDACTED]
Work Phone (Primary) 603-894-5642

#	VEHICLE (S)	YEAR	MAKE	STYLE	COLOR1	COLOR2	REG	VALUE
1	ACCORD	2011	HOND	4D	BLU		NH [REDACTED]	\$1.00

STATUS: Suspected
OWNER: [REDACTED]

DATE: 11/26/2016

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	DRILL (GENERIC) QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	VALUE: \$148.00	Stolen
2	BOSTITCH SET QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	VALUE: \$87.00	Stolen
3	DVD-R W/SURVEILLANCE FOOTAGE QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	16-2031-PR VALUE: \$0.00	Evidence (Not Nibrs Reportable)

Attachments for 16-1623-OF

Description	Type
VOLUNTARY STATEMENT AND RECEIPT/IMAGE Attachment#: 05D1018B4D294BBD813A0E08CA65E74D	PDF

NARRATIVE FOR POLICE OFFICER RYAN SAMBATARO

Ref: 16-1623-OF

Entered: 10/21/2016 @ 0102 Entry ID: 139
Modified: 10/21/2016 @ 0128 Modified ID: 139
Approved: 11/26/2016 @ 0639 Approval ID: 141

On Saturday, September 24th, 2016, I was assigned to the 4:00 p.m. to 12:00 a.m. shift. My assignment entailed a motorized patrol encompassing the Town of Salem, New Hampshire.

At approximately 8:19 p.m., Dispatch requested I travel to Walmart and make contact with the loss prevention department in reference to a past theft complaint. Upon arrival, I was met by **Loss Prevention Associate** [REDACTED] [REDACTED] who was in charge of this particular investigation. Upon speaking with [REDACTED] he advised that he was advised of a shoplifting incident that took place earlier in the day by his supervisor.

Furthermore, [REDACTED] advised me that a male individual approached the exit and when he was approached by a "customer host" employee for the purposes of checking for a receipt for the items that he possessed, the male suspect exited the store without providing said receipt. [REDACTED] advised that the male suspect entered a dark blue Honda with a New Hampshire registration plate affixed to the rear. Said registration plate bore registration [REDACTED] according to [REDACTED]. It was later identified to be New Hampshire registration [REDACTED] as this particular suspect and suspect vehicle was involved in another theft at a different location. In addition, the New Hampshire registration that [REDACTED] provided did not come back with a vehicle listing or registered owner when ran via the MDT (Mobile Data Terminal).

Next, [REDACTED] advised me that he reviewed the video footage that captured the event. Furthermore, [REDACTED] advised that at approximately 1:43 p.m. until approximately 1:45 p.m., he observed the male suspect to select two drills from the hardware department. [REDACTED] then advised that he observed the male suspect pass through the domestics section to the craft section. Ultimately, the male suspect entered the grocery action alley at approximately 1:47 p.m. At approximately 1:49 p.m., [REDACTED] advised that the male suspect passed all points of sale while failing to pay for the two drills that he had selected and exited the store with them via the grocery exit. Furthermore, [REDACTED] advised that the suspect vehicle appeared to have been "*staged*," he explained how it was parked near the side walk between the grocery exit and the general merchandise exit. Upon inquiry, [REDACTED] identified one of the drills (generic brand) to be valued at \$96.00 and the other to be \$148.00. Thus, the total amount of the aforementioned theft was \$244.00.

Lastly, [REDACTED] provided me with a voluntary written statement form and also a copy of the evidentiary DVD-R disc that contained the surveillance footage. Said disc has been entered into evidence and further, it remained in my possession throughout the duration of the incident.

Investigation continues.

End of narrative.

Patrolman Ryan Sambataro #139
Salem Police Department

Salem Police Department

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SUPPLEMENTAL NARRATIVE FOR POLICE OFFICER RYAN SAMBATARO

Ref: 16-1623-OF

Entered: 10/21/2016 @ 0128 Entry ID: 139
Modified: 11/26/2016 @ 0128 Modified ID: 139
Approved: 11/26/2016 @ 0639 Approval ID: 141

On Tuesday, October 4th, 2016, I spoke with Patrolman Lundquist who was able to positively identify the occupants in the aforementioned suspect vehicle that bore New Hampshire registration [REDACTED]. In addition, Patrolman Lundquist provided me with several photos of the male suspect in his theft investigation from a different retail location. Upon viewing the photos that he provided, I was able to positively identify the male suspect in his case to be the same male suspect that committed the theft at Walmart in my case. Patrolman Lundquist indicated that the male suspect stole drills from Target on the same day of the incident at Walmart.

Additionally, I noticed that the male suspect wore the same white t-shirt, dark pants, and sunglasses on his forehead, which was the same clothing as was worn by the male suspect involved in this particular case. A motor vehicle query of the aforementioned New Hampshire vehicle registration identified the vehicle and registered owner to be:

[REDACTED]

Upon further conversation with Patrolman Lundquist, he indicated that he did not have enough evidence to charge the male suspect, however, he was able to identify him to be: [REDACTED]

[REDACTED]

? what positive identification?

As a result of the positive identification of [REDACTED] as being the male individual who committed the theft in this case, a complaint, warrant, and affidavit will be drafted for the charge of Willful Concealment-Theft. Upon reviewing his criminal history, I noticed he has had several theft related convictions in the State of New Hampshire, thus the offense rose to a felony level offense.

Nothing further needed.

End of narrative.

Patrolman Ryan Sambataro #139
Salem Police Department



**Salem Police Department
Incident Report**

Page: 1
01/20/2017

Incident #: 16-1616-OF
Call #: 16-24525

Date/Time Reported: 09/24/2016 1005
Report Date/Time: 09/24/2016 1612
Occurred Between: 09/24/2016 0805-09/24/2016 0930
Status: Incident Open

Reporting Officer: Police Officer Stephen Lundquist
Approving Officer: Sergeant Joseph Keating

Signature: _____

Signature: _____

#	SUSPECT(S)	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[APPEARANCE]					
	GLASSES WORN: NO					
2	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[APPEARANCE]					
	GLASSES WORN: NO					

Salem Police Department
Incident Report

Page: 2
01/20/2017

Incident #: 16-1616-OF
Call #: 16-24525

#	OFFENSE (S)	ATTEMPTED	TYPE	CLASS				
	LOCATION TYPE: Department/Discount Store HOME DEPOT 289 S BROADWAY ST SALEM NH 03079	Zone: Route 2						
1	Willful Concealment, theft 637 3-a,II OCCURRED: 09/24/2016 0805 SUSPECTED OF USING: Not Applicable BIAS AGAINST: No Bias	N A	Misdemeanor	A				
	LOCATION TYPE: Parking Lot/Garage KMAR 161 S BROADWAY ST SALEM NH 03079	Zone: Route 5						
2	Drive after Rev/Suspension 263 64,VII OCCURRED: 09/24/2016 0930 FINE: 310.00 SUSPECTED OF USING: Not Applicable BIAS AGAINST: No Bias	N U	Violation	U				
#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE		
1	HOME DEPOT 289 S BROADWAY ST SALEM NH 03079 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1					603-894-1900		
#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE	
1	CONFIDENTIAL [REDACTED]	OTHER	F W		74	[REDACTED]		
#	VEHICLE (S)	YEAR	MAKE	STYLE	COLOR1	COLOR2	REG	VALUE
1	ACCORD	2011	HOND	4D	BLU		NH [REDACTED]	\$1.00
	STATUS: Suspected OWNER: [REDACTED] VIN: [REDACTED]							DATE: 09/28/2016
#	OTHER PROPERTIES	PROPERTY #			STATUS			
1	DEWALT NAIL GUN QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 09/24/2016 RECOVERED: 1 OWNER: HOME DEPOT	VALUE: \$299.00			Recovered (Previously Stolen) DATE: 09/24/2016			

Salem Police Department
Incident Report

Page: 3
01/20/2017

Incident #: 16-1616-OF
Call #: 16-24525

#	OTHER PROPERTIES	PROPERTY #	STATUS
2	STORE SECURITY FOOTAGE ON DISC QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 09/24/2016	16-1826-PR VALUE: \$0.00	Evidence (Not Nibrs Reportable)

**Salem Police Department
Incident Report**

Page: 4
01/20/2017

Incident #: 16-1616-OF
Call #: 16-24525

CONFIDENTIAL PERSON REPORT

#	PERSON (S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	REPORTING PARTY	M	W	23	NOT AVAIL	[REDACTED]
EMPLOYER: HOME DEPOT [REDACTED]							
CONTACT INFORMATION:							
Home Phone	(Primary)	[REDACTED]					
Work Phone	(Primary)		603-894-1900				

Salem Police Department

Page: 1

NARRATIVE FOR POLICE OFFICER STEPHEN J LUNDQUIST

Ref: 16-1616-OF

Entered: 09/24/2016 @ 1616 Entry ID: 167
Modified: 09/30/2016 @ 0908 Modified ID: 690
Approved: 09/29/2016 @ 1526 Approval ID: 141

September 24, 2016

Approximately 10:30 AM

I was dispatched to Home Depot for a report of a past-tense theft. Upon my arrival, I met with [REDACTED] from Home Depot loss prevention. I asked [REDACTED] what happened. He reported that two men entered the store at approximately 8:05 AM. They went to separate areas, but appeared to be together. The main suspect selected a Dewalt nail gun, valued at \$299.00. He then tried to walk out of the main entrance with it. [REDACTED] apprehended the suspect near the entrance. The suspect dropped the nail gun inside the store.

The suspect was not initially cooperative and tried to walk past [REDACTED] and another employee. The suspect finally agreed to go to the back office where he asked if the police had been called. [REDACTED] said that the police had in fact been called. The suspect asked to use the bathroom and [REDACTED] obliged. The suspect flushed the toilet and left the store. He fled the area on foot, towards Target. The other suspect left through a self-checkout exit. He did not appear to have taken anything.

The suspect was described as a heavy set white male, approximately 5'9", brown hair. The suspect was wearing a black hooded sweatshirt, a baseball (Boston Red Sox) hat with black basketball shorts. [REDACTED] provided me with store security footage of the theft.

Approximately 8:20 PM

Officer Sambataro took a past-tense theft report at Walmart. The reporting party got a license plate of New Hampshire, [REDACTED]

September 25, 2016

Sergeant Smith received an email from K-Mart loss prevention. The email was informative in nature on two possible shoplifters. On the morning of September 24th, a male suspect looked as though he was going to steal several packages of razor blades. For some reason, the suspect had second thoughts and left the store without the razors. The suspect got into a car with the New Hampshire license plate, [REDACTED]

Several photos were sent out. The suspect inside K-Mart appeared to be the second suspect in the Home Depot theft. He appeared to be wearing the same tee-shirt, pants, outer shirt and sunglasses. The other suspect was driving the vehicle. He appeared to be the male suspect who attempted to steal the nail gun from Home Depot. He had a similar build, facial hair and shirt.

September 27, 2016

I ran the New Hampshire license plate, [REDACTED] and learned that it was a 2011 Honda Accord, registered to [REDACTED]. I conducted an

NARRATIVE FOR POLICE OFFICER STEPHEN J LUNDQUIST

Ref: 16-1616-OF

Entered: 09/24/2016 @ 1616 Entry ID: 167
Modified: 09/30/2016 @ 0908 Modified ID: 690
Approved: 09/29/2016 @ 1526 Approval ID: 141

Accurint search on [REDACTED] to look for relatives who may have fit the description of the attempted theft at Home Depot. I came across the name of [REDACTED] [REDACTED] I ran a license query on [REDACTED] and learned that his license status was suspended. Furthermore, he was listed at 5'11 and 250 Lbs with black hair and blue eyes. This description was plausible for the Home Depot suspect.

With the assistance of Detective Touma, I looked at [REDACTED] Facebook page. I looked at several of his profile photos (see attached) and saw that he appeared to be the larger suspect from the Home Depot theft as well as the male driving the vehicle from the K-Mart email. Furthermore, the suspect in the Home Depot incident is wearing a Boston Red Sox baseball hat in the security footage. [REDACTED] posted himself wearing a similar hat on his Facebook page.

I looked at [REDACTED] friends on Facebook. My attention was drawn to [REDACTED] [REDACTED] His appearance was plausible with the second suspect in the Home Depot incident and the primary suspect in the K-Mart incident. After looking at [REDACTED] Facebook photos (see attached), I saw a tattoo on his left forearm. In the K-Mart security footage, the suspect's sleeves are rolled up. In one image, a tattoo is visible on the left forearm.

September 28, 2016

I contacted New Hampshire State Police to ask about two license plate queries made on [REDACTED] vehicle. I was told that Trooper Hicks and Trooper Pratt had contact with the vehicle. I request to contact email was sent to both Troopers.

I received a call from Trooper Malachi Hicks. He told me that on September 25, 2016 at approximately 10:20 AM, he stopped [REDACTED] Honda. The vehicle stop occurred on Pelham Road near the Red Roof Inn. Trooper Hicks told me that the driver of the vehicle was [REDACTED] The front right passenger was identified as [REDACTED] The rear passenger was not identified. I asked Trooper Hicks to look at [REDACTED] Facebook page and to look at [REDACTED] He stated that [REDACTED] looked like the back seat passenger. He also described the hat and gray shirt that the second suspect wore.

I attempted to reach [REDACTED] via phone. There was no answer and I left a voice message.

I contacted [REDACTED] from Home Depot loss prevention and asked him if he could review the security footage and determine if the second suspect (possibly [REDACTED]) stole anything from the store. In the meantime, I will be applying for an arrest warrant for [REDACTED] charging him with Willful Concealment (attempt) and Driving After Suspension.

Nothing further at this time.

Incident/Investigation Report

Agency: MPD

Case Number: 17-000055

Date: 01/31/2017 09:49:02

Incident Information

Date/Time Reported 01/01/2017 22:07	Date/Time Found 01/01/2017 22:07	Date/Time Found 01/01/2017 22:07	Officer (100455) PITTMAN, JAMES M III
Incident Location Lowell St / Union St, Manchester, NH 03104			

Charges

1	Charge Type WARRANT-OTHER AGENCY				Statute 8110	UCR 999	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type HIGHWAY/ROAD/ALLEY		Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.	
Entry	Exit	Criminal Activity					
Bias Motivation	Bias Target	Bias Circumstances			Hate Group		

Victims

Seq. # 1	Type SOCIETY/ PUBLIC	Injuries None	Residency Status Unknown		Ethnicity Unknown	
Name(Last, First, M) STATE OF NEW HAMPSHIRE			Race U	Sex U	DOB	Age
Address 405 VALLEY ST, MANCHESTER, NH 03103						Home Phone (603) 668-8711
Employer Name/Address						Business Phone
Victim of Crimes 1						

Agency: MPD

Suspect Details

Assisting Officers

(100318) HARRINGTON, MARK

(100440) YARIS, JACOB W

(100450) GRANT, MEGHAN

(100499) FELICIANO, JASON M

Notes/Narrative

(100455) PITTMAN, JAMES M III

Warrant Other Agency

Overview: Pedestrian stop results in warrant

On 01/01/2017 I Officer Pittman was operating a fully marked Manchester Police Cruiser and in the uniform of the day. I was assigned d to unit 2-6.

At approximately 22:07 I was on patrol in the area of Union Street and Hanover Street when I recognized a subject who I had arrested in the past walking northbound on Union Street:

Report: r_lwlni.frx

Incident/Investigation Report

Agency: MPD

Case Number: 17-000055

Date: 01/31/2017 09:49:02

[REDACTED]

I asked communications to conduct a check on his name for any active arrest warrants. Communications advised me that [REDACTED] had an active arrest warrant out of Rockingham County Salem District Court for RSA 637:3-a, II Willful Concealment, theft 3rd Conviction. The date on the warrant was 12/29/2016. After the warrant was confirmed by communications I placed [REDACTED] under arrest. I placed him into handcuffs, checked for tightness as well as proper fit, and then double locked the handcuffs. [REDACTED] was then transported to headquarters by the wagon for further processing.

J. Pittman
NFI

ARREST REPORT

Fingerprinted <input type="checkbox"/> Yes	R84 Completed <input type="checkbox"/> Yes
---	---

ARREST REPORT											
ARRESTED FOR YOUR JURISDICTION? <input type="checkbox"/> YES <input type="checkbox"/> NO											
33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)				34 SECTOR #				35 IN STATE <input type="checkbox"/> IN STATE <input type="checkbox"/> OUT STATE AGENCY			
Union St / Lowell St Manchester, Nh											
36 CONDITION OF ARRESTEE:		<input type="checkbox"/> DRUNK <input type="checkbox"/> SOBER	<input type="checkbox"/> DRINKING <input type="checkbox"/> DRUGS	37 RESIST ARREST?		38 INJURIES?		39 ARMED?		40 DESCRIPTION OF WEAPON	
		<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> OFFICER <input type="checkbox"/> ARRESTEE								
41 DATE OF ARREST		42 TIME OF ARREST		43 DAY OF ARREST		44 TYPE OF ARREST		45 ARRESTED BEFORE?			
01/01/2017		22:27 <input type="checkbox"/> 1 AM <input type="checkbox"/> 2 PM		W <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> T <input type="checkbox"/> F <input type="checkbox"/> S		ARRESTED ON WARRANT		<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN			

ARREST

46 CHARGE-1 <input type="checkbox"/> FEL <input type="checkbox"/> MISD Warrant-other Agency		47 UCR CODE 999	50 STATE CODE/LOCAL ORD. 8110	61 WARRANT #	DISPOSITION Referred To Other Agency	62 DATE ISSUED
48 CHARGE-2 <input type="checkbox"/> FEL <input type="checkbox"/> MISD		49 UCR CODE	53 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED
56 CHARGE-3 <input type="checkbox"/> FEL <input type="checkbox"/> MISD		57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
68 CHARGE-4 <input type="checkbox"/> FEL <input type="checkbox"/> MISD		59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	66 DATE ISSUED
66 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)						
67 ARREST DISPOSITION Cleared By Arrest						69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VWR	71 VMA	72 VMO	73 VST	74 VCO	TOP BOTTOM	75 TAG #	76 LIS	77 LIY
						78 VIN	79 IMPOUNDED? <input type="checkbox"/> YES <input type="checkbox"/> NO	80 STORAGE LOCATION/IMPOUND #
VEHICLE RELATED TO:						VEHICLE RELATION:		

JUVENILE

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED												<input type="checkbox"/> CONTINUED IN NARRATIVE	
82 JUVENILE <input type="checkbox"/> HANDLED AND RELEASED <input type="checkbox"/> REF. TO WELFARE AGENCY <input type="checkbox"/> REF. TO ADULT COURT DISPOSITION: <input type="checkbox"/> REF. TO JUVENILE COURT <input type="checkbox"/> REF. TO OTHER POLICE AGENCY												83 RELEASED TO	
84 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)						85 ADDRESS (STREET, CITY, STATE, ZIP)						86 PHONE	
87 PARENTS EMPLOYER			88 OCCUPATION			89 ADDRESS (STREET, CITY, STATE, ZIP)			90 PHONE				

RELEASE

91 DATE AND TIME OF RELEASE		92 RELEASING OFFICER NAME				93 AGENCY/DIVISION				94 ID #			
		<input type="checkbox"/> AM <input type="checkbox"/> MIL <input type="checkbox"/> 2 PM											
95 RELEASED TO				96 AGENCY/DIVISION				97 AGENCY ADDRESS					
98 PERSONAL PROPERTY RELEASED TO ARRESTEE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> PARTIAL				99 PROPERTY NOT RELEASED/HELD AT:				100 PROPERTY #					
101 REMARKS (NOTE ANY INJURIES AT TIME OF RELEASE)													
CHECK IF EVIDENCE TO BE RELEASED/DESTROYED TO BE FILLED OUT BY PROSECUTOR ONLY													
102 SIGNATURE OF RECEIVING OFFICER						103 SIGNATURE OF RELEASING OFFICER						STATE USE	
MULTIPLE CASES CLOSED	104 CASE #			105 SFX	106 CASE #			107 SFX	108 CASE #			109 SFX	110 ADDITIONAL CASES CLOSED NARRATIVE <input type="checkbox"/> Y <input type="checkbox"/> N
111 ARRESTING OFFICER (LAST, FIRST, M.) Pittman, James M				112 ID # 100455	113 ARRESTING OFFICER (LAST, FIRST, M.) Harrington, Mark				114 ID # 100318	115 SUPERVISOR ID #			116 WATCH CMDR. ID #

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	AM PM MIL	118a. CASE #	119 SFX
	01/01/2017 22:27		17-000055	
			118b. ARREST #	
			17000031	

120 ADDITIONAL ARREST INFORMATION

Lundquist, Stephen

From: Lundquist, Stephen
Sent: Tuesday, October 04, 2016 12:03 PM
To: Sambataro, Ryan
Subject: Hello
Attachments: 1.jpg; 2.jpg; 3.jpg; 4.jpg; blanch 2.jpg; blanch 3.jpg; blanch 4.jpg; blanch.jpg; dickfor 2.jpg; dickfor 3.jpg; dickfor.jpg; IMG_0990.JPG; IMG_0991.JPG; IMG_0992.JPG; IMG_0993.JPG; IMG_0994.JPG

Stephen Lundquist #167
Salem Police Department
9 Veterans Memorial Parkway
Salem, NH 03079
Business line (603) 893-1911
slundquist@salempd.com

QSC
new sids
1/27/17 1530



Salem Police Department

Paul T. Donovan
Chief of Police

TO: Captain Dolan
FROM: Sgt Jason Smith
DATE: 1/12/2017
SUBJECT: Officer Sambataro warrant and investigation

On 1/12/2017, I was in court when I learned that Attorney Fischer had to Noll Pros charges against [REDACTED] for Felony Theft. I reviewed the case file and observed that the arrest warrant did not appear to have been approved by a supervisor prior to it being brought before a JP and an arrest made. Additionally, I do not believe the arrest warrant itself established probable cause for the arrest of [REDACTED]. As it turns out, Mr. [REDACTED] has documented proof from [REDACTED] that he was admitted during the date and time of the crime.

A review of the investigation outlined in case report 16-1623-OF appears to not meet the criteria of establishing probable cause to go forward on a warrant. There appeared to be no attempt at a photo lineup with the actual witnesses and the identification appears to be made by Officer Lundquist who was going through Facebook pages of possible suspect; though Officer Lundquist does not complete a supplement for the original report. This 'investigation' led to warrant number 16-237-WA being drafted and signed off on without approval. Mr. [REDACTED] was arrested on 1/1/2017 (17-4-AR) and held without bail until today's hearing.

I have attached copies from IMC of the offense report, warrant, and arrest. The original paperwork remains in the case file. I have also attached the original Warrant Cover Sheet from the report with no supervisor signature. I believe it is extremely important that all arrest and search warrants be approved by a supervisor prior to being submitted to a JP or Judge. Additionally, I believe further training in proper identifications of suspects should be mandated as a result of this incident.

JJS/jjs

Case Tracking Report: 16-1623-OF
Salem Police Department on 01-25-2017

Property Details for 16-2031-PR (Original Case Number: 16-1623-OF)

Description: Other Status: In Storage ID: MEDIA-Videos
Found Location:
Found By:
Follow-Up:
Details: 27 DVD-R W/SURVEILLANCE FOOTAGE
Amount:1

Tracking Entries

X First Entry: Police Officer Ryan Sambataro Date:10/21/2016 Time:0103 Storage:TEMPSTORAGE-Temporary Storage (Temporary)

I Release: Police Officer Mark Babbitt Date:10/21/2016 Time:0922 Storage:MEDIA-Videos
Reason: Move Property
Return:



**Salem Police Department
Arrest Report**

**Page: 1
01/20/2017**

**Arrest #: 17-4-AR
Call #: 17-73
Warrant #: 16-237-WA
Incident #: 16-1623-OF**

Date/Time Reported: 01/01/2017 @ 2300
Arrest Date/Time: 01/01/2017 @ 2325
Booking Date/Time: 01/02/2017 @ 0012

TN #: H020172843
Court: Salem District Court
Court Date: 01/12/2017 @ 1000
Reporting Officer: Police Officer Riccardo Nicosia
Approving Officer: Sergeant Joseph Keating

Signature: _____

Bail For Court: Salem District Court Set: 01/02/2017 @ 0030
Defendant Held Without Bail ***NONE***
Defendant Held Without Bail REFUSED BAIL
Bail Set By: OTH Other
Bail Unpaid:
Released To: Rock. Cty. Jail
Released: 01/02/2017 @ 0040

Signature: _____

#	DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE
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**Salem Police Department
Arrest Report**

Page: 2
01/20/2017

**Arrest #: 17-4-AR
Call #: 17-73
Warrant #: 16-237-WA
Incident #: 16-1623-OF**

# DEFENDANT(S)	SEX	RACE	AGE	SSN	PHONE		
[FAMILY/EMPLOYMENT INFORMATION]							
[REDACTED]							
[REDACTED]							
[RIGHTS/BOOKING CHECKS]							
[REDACTED]							
[REDACTED]							
[REDACTED]							
[REDACTED]							
# OFFENSE(S)	ATTEMPTED	TYPE	CLASS				
LOCATION TYPE: Department/Discount Store Zone: Route 1 WALMART 326 N BROADWAY ST SALEM NH 03079							
1	Willful Concealment, theft 3rd conviction 637 3-a,II OCCURRED: 09/24/2016 2019 SUSPECTED OF USING: Not Applicable BIAS AGAINST: No Bias	N B	Felony	B			
# VICTIM(S)	SEX	RACE	AGE	SSN	PHONE		
1	WALMART N BROADWAY ST SALEM NH 03079 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1				603-894-5642		
# PERSON(S)	PERSON	TYPE	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	REPORTING PARTY	M	W	28	NOT AVAIL	[REDACTED]
EMPLOYER: WALMART LP [REDACTED]							
# VEHICLE(S)	YEAR	MAKE	STYLE	COLOR1	COLOR2	REG	VALUE
1	ACCORD	2011	HOND	4D	BLU	NH [REDACTED]	\$1.00
STATUS: Suspected [REDACTED]						DATE: 11/26/2016	

Salem Police Department
Arrest Report

Page: 3
01/20/2017

Arrest #: 17-4-AR
Call #: 17-73
Warrant #: 16-237-WA
Incident #: 16-1623-OF

#	OTHER PROPERTIES	PROPERTY #	STATUS
1	DRILL (GENERIC)		Stolen
	QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	VALUE: \$148.00	
2	BOSTITCH SET		Stolen
	QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	VALUE: \$87.00	
3	DVD-R W/SURVEILLANCE FOOTAGE	16-2031-PR	Evidence (Not Nibrs Reportable)
	QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	VALUE: \$0.00	

Salem Police Department

Page: 1

SUPPLEMENTAL NARRATIVE FOR POLICE OFFICER RICCARDO S NICOSIA

3 . . .
Ref: 17-4-AR

Entered: 01/02/2017 @ 0050 Entry ID: 117
Modified: 01/02/2017 @ 0108 Modified ID: 117
Approved: 01/02/2017 @ 0114 Approval ID: 141

On 1-1-2017 at approximately 2300, I responded to the Manchester NH Police Department, to take custody of [REDACTED] [REDACTED] on a warrant. The warrant was issued on 12/29/16 by Officer Ryan Sambataro, for Wilfull Concealment RSA 637:3-A II (B felony). Upon arriving, I took [REDACTED] into custody and placed him in the back of my cruiser for transport to Salem PD. Upon arriving at Salem PD, I brought [REDACTED] through the booking process without incident. He was charged with the above mentioned crime, and transported to the County Jail in Brentwood NH, after refusing the services of a bail commissioner. Nothing further.

SUPPORTING AFFIDAVIT FOR REQUEST TO ISSUE ARREST WARRANT

INSTRUCTIONS: A person seeking an arrest warrant shall appear personally before any justice or justice of the peace, and shall give an affidavit in the form hereinafter prescribed. The affidavit shall contain facts, information and circumstances upon which such person relies to establish probable cause for the issuance of the warrant, and the affidavit may be supplemented by oral statements under oath for the establishment of probable cause. The person issuing the warrant shall retain the affidavit and shall make notes personally of the substance of any oral statements under oath supplementing the affidavit or arrange for a transcript to be made of such oral statements.

PROBABLE CAUSE IS DEFINED AS: "An apparent state of facts found to exist upon reasonable inquiry, which would induce a reasonable intelligent and prudent [person] to believe, in a criminal case, that the accused person had committed the crime charged."

State of New Hampshire

Rockingham County

Salem District Court
11/26/2016

I, Patrolman Ryan Sambataro, being duly sworn, herewith make application for the issuance of an Arrest Warrant against the defendant:

[REDACTED]

I have information that a crime or offense of Willful Concealment-Theft, RSA 637:3-a has been committed by the defendant as follows:

That on Saturday, September 24th, 2016, I was assigned to the patrol division on the 4:00 p.m. to 12:00 a.m. shift.

That at approximately 8:19 p.m., Dispatch requested I travel to Walmart and make contact with the loss prevention personnel in reference to a past theft complaint.

That upon arrival, I met with Loss Prevention Associate [REDACTED] that his supervisor reported an incident that took place earlier in the day, whereby a "customer host" approached a male individual for the purposes of checking their receipt.

That [REDACTED] advised me that the male individual exited the store with merchandise without paying for it and further, without providing a valid receipt.

That [REDACTED] obtained the New Hampshire registration plate that was affixed to the vehicle that the suspect entered and further, it was later identified to be [REDACTED]

That [REDACTED] showed me the surveillance footage and further, that the male suspect was observed selecting a generic drill set and a Bostitch set, which the total combined value was \$235.00 and exit the store without paying for said items.

That the male individual was observed to wear a white t-shirt, dark pants, and sunglasses on his forehead.

That Patrolman Lundquist later contacted me and advised that this particular vehicle and male suspect were involved in - ? another theft at Target that he was called to investigate.

That Patrolman Lundquist was able to identify the male suspect to be:

[REDACTED]

That a subsequent check on [REDACTED] criminal history showed several prior theft related convictions in the State of

New Hampshire to include:

[REDACTED]

That as a result of the two prior convictions and with this being a third offense, said offense is elevated to a felony level offense.

Based upon the foregoing information, there is probable cause to believe that the defendant did commit a crime or offense as stated above.

Wherefore, I request the issuance of an arrest warrant and an order for a duly authorized officer to take the defendant and bring him/her before the court having jurisdiction.

Signature of Applicant

Then personally appeared before me the above-named **Patrolman Ryan Sambataro** and made oath that the foregoing affidavit is true.

And I, _____, have personally examined the Complaint against the aforesaid defendant and any information contained in the above affidavit, and have orally examined the above applicant. Based upon such information, I conclude there *is / is not* sufficient probable cause for the issuance of the Arrest Warrant sought. Therefore the application *granted / denied* and the arrest warrant *is / is not* issued.

Notes of Issuing Justice / JP:

(See Reverse Side)

Signature of Issuing Justice / JP

Official Title

SALEM, NH POLICE DEPARTMENT
POLICE WARRANT COVER SHEET

Case #: 16-232-WA Date of Issue: 11/26/16 Officer SPARBER/HO #135
16-1623-CF

Case #: 70-1171 Date of Issue: 11/17/70 Officer SAWABITHAO #135

Arrest Made Removed from NCIC / SPOTS by: _____ Date: _____

SERVICE ATTEMPTS

* - (i.e. telephone contact, contact card, letter, residence check, copy sent to PD, etc.)

** - be specific (i.e. no answer at door, moved to, avoiding service, etc.)

NOTES:

This document must be saved for court and included in the Arrest Folder

Approving Supervisor

Date



**Salem Police Department
Warrant Report**

Page: 1
01/12/2017

Warrant #: 16-237-WA
Incident #: 16-1623-OF

Requesting Officer: Police Officer Ryan Sambataro
Application Date: 11/26/2016
Warrant for: [REDACTED] [REDACTED]

OFFENSE (S)	ATTEMPTED	TYPE	CLASS
LOCATION TYPE: Department/Discount Store WALMART 326 N BROADWAY ST SALEM NH 03079	Zone: Route 1		
Willful Concealment, theft 3rd conviction 637 3-a,II	N	Felony	B
OCCURRED: 09/24/2016 2019	B		
SUSPECTED OF USING: Not Applicable			
BIAS AGAINST: No Bias			

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE
1	WALMART N BROADWAY ST SALEM NH 03079					
	VICTIM CONNECTED TO OFFENSE NUMBER(S): 1					

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	[REDACTED]	REPORTING PARTY	M	W	28	NOT AVAIL	[REDACTED]
EMPLOYER: WALMART LP : 603-894-5642							

Salem Police Department
Warrant Report

Page: 2
01/12/2017

Warrant #: 16-237-WA
Incident #: 16-1623-OF

#	VEHICLE (S)	YEAR	MAKE	STYLE	COLOR1	COLOR2	REG	VALUE
1	ACCORD	2011	HOND	4D	BLU		NH [REDACTED]	\$1.00
#	OTHER PROPERTIES	PROPERTY #				STATUS		
1	DRILL (GENERIC)						Stolen	
	QUANTITY: 1				VALUE: \$148.00			
	SERIAL #: NOT AVAIL							
	DATE: 10/21/2016							
	OWNER: WALMART							
2	BOSTITCH SET						Stolen	
	QUANTITY: 1				VALUE: \$87.00			
	SERIAL #: NOT AVAIL							
	DATE: 10/21/2016							
	OWNER: WALMART							
3	DVD-R W/SURVEILLANCE FOOTAGE				16-2031-PR		Evidence (Not Nibrs Reportable)	
	QUANTITY: 1				VALUE: \$0.00			
	SERIAL #: NOT AVAIL							
	DATE: 10/21/2016							
	OWNER: WALMART							

SUPPORTING AFFIDAVIT FOR REQUEST TO ISSUE ARREST WARRANT

INSTRUCTIONS: A person seeking an arrest warrant shall appear personally before any justice or justice of the peace, and shall give an affidavit in the form hereinafter prescribed. The affidavit shall contain facts, information and circumstances upon which such person relies to establish probable cause for the issuance of the warrant, and the affidavit may be supplemented by oral statements under oath for the establishment of probable cause. The person issuing the warrant shall retain the affidavit and shall make notes personally of the substance of any oral statements under oath supplementing the affidavit or arrange for a transcript to be made of such oral statements.

PROBABLE CAUSE IS DEFINED AS: "An apparent state of facts found to exist upon reasonable inquiry, which would induce a reasonable intelligent and prudent [person] to believe, in a criminal case, that the accused person had committed the crime charged."

State of New Hampshire

Rockingham County

Salem District Court
11/26/2016

I, Patrolman Ryan Sambataro, being duly sworn, herewith make application for the issuance of an Arrest Warrant against the defendant:

[REDACTED]

I have information that a crime or offense of Willful Concealment-Theft, RSA 637:3-a has been committed by the defendant as follows:

That on Saturday, September 24th, 2016, I was assigned to the patrol division on the 4:00 p.m. to 12:00 a.m. shift.

That at approximately 8:19 p.m., Dispatch requested I travel to Walmart and make contact with the loss prevention personnel in reference to a past theft complaint.

That upon arrival, I met with Loss Prevention Associate [REDACTED] that his supervisor reported an incident that took place earlier in the day, whereby a "customer host" approached a male individual for the purposes of checking their receipt.

That [REDACTED] advised me that the male individual exited the store with merchandise without paying for it and further, without providing a valid receipt.

That [REDACTED] obtained the New Hampshire registration plate that was affixed to the vehicle that the suspect entered and further, it was later identified to be [REDACTED]

That [REDACTED] showed me the surveillance footage and further, that the male suspect was observed selecting a generic drill set and a Bostitch set, which the total combined value was \$235.00 and exit the store without paying for said items.

That the male individual was observed to wear a white t-shirt, dark pants, and sunglasses on his forehead.

That Patrolman Lundquist later contacted me and advised that this particular vehicle and male suspect were involved in another theft at Target that he was called to investigate.

That Patrolman Lundquist was able to identify the male suspect to be:

[REDACTED]

That a subsequent check on [REDACTED] criminal history showed several prior theft related convictions in the State of

New Hampshire to include:

1. Willful Concealment-October 6th, 2003-Derry District Court
2. Receiving Stolen Property-June 20th, 2006-Rockingham Superior Court

That as a result of the two prior convictions and with this being a third offense, said offense is elevated to a felony level offense.

Based upon the foregoing information, there is probable cause to believe that the defendant did commit a crime or offense as stated above.

Wherefore, I request the issuance of an arrest warrant and an order for a duly authorized officer to take the defendant and bring him/her before the court having jurisdiction.

Signature of Applicant

Then personally appeared before me the above-named **Patrolman Ryan Sambataro** and made oath that the foregoing affidavit is true.

And I, _____, have personally examined the Complaint against the aforesaid defendant and any information contained in the above affidavit, and have orally examined the above applicant. Based upon such information, I conclude there *is / is not* sufficient probable cause for the issuance of the Arrest Warrant sought. Therefore the application *granted / denied* and the arrest warrant *is / is not* issued.

Notes of Issuing Justice / JP:
(See Reverse Side)

Signature of Issuing Justice / JP

Official Title

The State of New Hampshire
COMPLAINT

Case Number: _____

Charge ID: _____

SIN# 00864001600000237001

<input type="checkbox"/> VIOLATION	MISDEMEANOR	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	FELONY	<input type="checkbox"/> CLASS A	<input checked="" type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL

You are to appear at the: **Salem District**

Court,

Address: **35 GEREMONTY DR , SALEM, NH**

County: **Rockingham**

Time:

Date:

COMM. VEH.

COMM. DR. LIC.

HAZ. MAT.

16+PASSENGER

AT: WALMART: 326 N BROADWAY ST, SALEM NH

On 09/24/2016 at 8:19 PM in Rockingham County NH, did commit the offense of:

RSA Name: Willful Concealment, theft 3rd conviction

Contrary to RSA: 637:3-a,II

Inchoate:

(Sentence Enhancer):

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:

with the purpose to deprive Walmart of merchandise, knowingly remove tool merchandise from the premise without paying, said value being under \$1,000, however, this being a felony level offense as this is a this is a third theft related offense having been previously convicted of Willful Concealment out of the Derry District Court on October 6th, 2003 and Receiving Stolen Property out of the Rockingham Superior Court on June 20th, 2006,

against the peace and dignity of the State.

SERVED IN HAND

Salem PD

Complainant Signature

Complainant Printed Name

Complainant Dept.

Making a false statement on this complaint may result in criminal prosecution.

Oath below not required for police officers unless complaint charges class A misdemeanor or felony (RSA 592-A:7.I).

Personally appeared the above named complainant and made oath that the above complaint by him/her subscribed is, in his/her belief, true.

Date

NHJB-2962-D (6/27/2016)

Justice of the Peace

Case Number: _____
Charge ID: _____

STATE OF NEW HAMPSHIRE

ROCKINGHAM COUNTY

SALEM DISTRICT COURT

ARREST WARRANT

TO THE SHERIFF OF ANY COUNTY IN THIS STATE OR DEPUTY, OR ANY POLICE OFFICER WITHIN THE STATE:

WHEREAS, the Complainant, **Police Officer Ryan Sambataro** of
Salem Police Department in the County of Rockingham

has exhibited to me, _____,
a Justice/Justice of the Peace in the County of Rockingham,
his/her complaint upon oath against the Defendant,

R [REDACTED] of 15 SPRING DR DERRY, NH 03038,

in the County of _____
for the crime(s) of:

637:3-a,II Willful Concealment, theft 3rd conviction

WE COMMAND YOU to take the Defendant, if found to be in your precinct, and bring him/her
before the SALEM DISTRICT COURT

Dated the _____ day of _____, _____

Justice/Justice of the Peace

RETURN
STATE OF NEW HAMPSHIRE COUNTY OF ROCKINGHAM

I have arrested the defendant and now have him/her before the Court as commanded.

Date

Name of Officer

Title of Officer

Donovan, Paul

From: Chase, James
Sent: Friday, December 23, 2016 8:15 AM
To: Sambataro, Ryan
Cc: Woidyla, Steven; Dolan, Joel; Donovan, Paul
Subject: RE: Hearing date

Thank you.

From: Sambataro, Ryan
Sent: Thursday, December 22, 2016 7:56 PM
To: Chase, James
Subject: Re: Hearing date

D.C.,

This email is to advise you that based upon our earlier chat on Thursday, December 22nd, 2016, I hereby waive the administrative proceedings set for December 28th, 2016 at 10:00 a.m. I fully accept the disposition that we spoke about and accept responsibility for my actions. I apologize for inconveniencing all involved. Please advise all others of my apologies.

Respectfully Submitted,

Ryan Sambataro

Sent from my iPhone

On Dec 22, 2016, at 10:48 AM, Chase, James <jchase@salemfpd.com> wrote:

All,

Please see attached Memo regarding an Administrative Hearing that has been scheduled on December 28th at 10:00AM.

A hard copy has been placed into Officer Sambataro's mailbox.

Thank you.

James S. Chase
Deputy Chief of Police
Salem NH Police Department
Salem, NH 03079
603-890-2014
jchase@salemfpd.com
<image001.png>

Before printing think green; read on the screen.

This message contains information intended solely for the individual named. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

E-mail sent and received on the Town's system is subject to potential disclosure under N.H. R.S.A. 91-A and in litigation unless exempt by law. Users of the e-mail system should be aware that e-mail is not a private or confidential means of communication.

<SChief_22316122210420.pdf>

COPY

SALEM, NH POLICE DEPARTMENT
POLICE WARRANT COVER SHEET

Case #: 16-237-WA Date of Issue: 11/26/16 Officer SAWYER TAYLOR #135
16-1623-01

Defendant: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] #: [REDACTED] S/M/T: _____
[REDACTED] By: _____

Entered in NCIC? Yes No Date: _____ Time: _____ By: _____

Arrest Made Removed from NCIC / SPOTS by: _____ Date: _____

SERVICE ATTEMPTS

* - (i.e. telephone contact, contact card, letter, residence check, copy sent to PD, etc.)

** - be specific (i.e. no answer at door, moved to, avoiding service, etc.)

NOTES:

** - be specific (i.e. no answer at door, moved to, avoiding service, etc.)

NOTES:

JD - this is the case you were asking about. I don't need this back. There's also 1616 of that ties into this.

JD

The document must be saved for court and included in the Arrest Folder.

Approving Supervisor

Date _____

On 2. 10. 00
ext 2. next
On 2. 10. 00
ext 2. next
On 2. 10. 00
ext 2. next

there's many new & old
stuff. I'm to show you
myself. I hope you
will like it.

6-16-2014
Felony

STATE OF NEW HAMPSHIRE

COPY

ROCKINGHAM COUNTY

SALEM DISTRICT COURT

ARREST WARRANT

TO THE SHERIFF OF ANY COUNTY IN THIS STATE OR DEPUTY, OR ANY POLICE OFFICER WITHIN THE STATE:

WHEREAS, the Complainant, Police Officer Ryan Sambataro of
Salem Police Department in the County of Rockingham

has exhibited to me, Coreen Russell,
a Justice/Justice of the Peace in the County of Rockingham,
his/her complaint upon oath against the Defendant,

R [REDACTED] of 15 SPRING DR DERRY, NH 03038,

in the County of Rockingham
for the crime(s) of:

637:3-a,II Willful Concealment, theft 3rd conviction

WE COMMAND YOU to take the Defendant, if found to be in your precinct, and bring him/her
before the SALEM DISTRICT COURT

Dated the 29th day of December, 2014



Justice/Justice of the Peace

RETURN

STATE OF NEW HAMPSHIRE COUNTY OF ROCKINGHAM

I have arrested the defendant and now have him/her before the Court as commanded.

Date

Name of Officer

Title of Officer

The State of New Hampshire
COMPLAINT

COPY

Case Number: _____

Case Number: _____

Charge ID: _____

<input type="checkbox"/> VIOLATION	MISDEMEANOR	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)	
	FELONY	<input type="checkbox"/> CLASS A	<input checked="" type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL	<input type="checkbox"/> UNCLASSIFIED (non-person)

You are to appear at the: **Salem District**

Court,

Address: **35 GEREMONTY DR , SALEM, NH**

County: **Rockingham**

Time: _____ Date: _____

Under penalty of law to answer to a complaint charging you with the following offense:

THE UNDERSIGNED COMPLAINS THAT - PLEASE PRINT

DOB

License #:

OP License State

COMM. VEH.

COMM. DR. LIC.

HAZ. MAT.

16+PASSENGER

AT: WALMART: 326 N BROADWAY ST, SALEM NH

On 09/24/2016 at 8:19 PM in Rockingham County NH, did commit the offense of:

RSA Name: Willful Concealment, theft 3rd conviction

Contrary to RSA: 637:3-a,II

Inchoate:

(Sentence Enhancer):

And the laws of New Hampshire for which the defendant should be held to answer in that the defendant did:

with the purpose to deprive Walmart of merchandise, knowingly remove tool merchandise from the premise without paying, said value being under \$1,000, however, this being a felony level offense as this is a this is a third theft

against the peace and dignity of the State.

SERVED IN HAND

Complainant Signature

Complainant Printed Name

Salem PD

Complainant Dept.

Making a false statement on this complaint may result in criminal prosecution.

Oath below not required for police officers unless complaint charges class A misdemeanor or felony (RSA 592-A:7.I).

Personally appeared the above named complainant and made oath that the above complaint by him/her subscribed is, in his/her belief, true.

Date

NHJB-2962-D (6/27/2016)

Dee
Justice of the Peace *W. C. Ott*

Charge ID: _____

COPY

SUPPORTING AFFIDAVIT FOR REQUEST TO ISSUE ARREST WARRANT

INSTRUCTIONS: A person seeking an arrest warrant shall appear personally before any justice or justice of the peace, and shall give an affidavit in the form hereinafter prescribed. The affidavit shall contain facts, information and circumstances upon which such person relies to establish probable cause for the issuance of the warrant, and the affidavit may be supplemented by oral statements under oath for the establishment of probable cause. The person issuing the warrant shall retain the affidavit and shall make notes personally of the substance of any oral statements under oath supplementing the affidavit or arrange for a transcript to be made of such oral statements.

PROBABLE CAUSE IS DEFINED AS: "An apparent state of facts found to exist upon reasonable inquiry, which would induce a reasonable intelligent and prudent [person] to believe, in a criminal case, that the accused person had committed the crime charged."

State of New Hampshire

Rockingham County

Salem District Court
11/26/2016

I, Patrolman Ryan Sambataro, being duly sworn, herewith make application for the issuance of an Arrest Warrant against the defendant:

[REDACTED] R
[REDACTED]
[REDACTED]

I have information that a crime or offense of **Willful Concealment-Theft**, RSA 637:3-a has been committed by the defendant as follows:

That on Saturday, September 24th, 2016, I was assigned to the patrol division on the 4:00 p.m. to 12:00 a.m. shift.

That at approximately 8:19 p.m., Dispatch requested I travel to Walmart and make contact with the loss prevention personnel in reference to a past theft complaint.

That upon arrival, I met with Loss Prevention Associate [REDACTED] that his supervisor reported an incident that took place earlier in the day, whereby a "customer host" approached a male individual for the purposes of checking their receipt.

That [REDACTED] advised me that the male individual exited the store with merchandise without paying for it and further, without providing a valid receipt.

That [REDACTED] obtained the New Hampshire registration plate that was affixed to the vehicle that the suspect entered and further, it was later identified to be [REDACTED]

That [REDACTED] showed me the surveillance footage and further, that the male suspect was observed selecting a generic drill set and a Bostitch set, which the total combined value was \$235.00 and exit the store without paying for said items.

That the male individual was observed to wear a white t-shirt, dark pants, and sunglasses on his forehead.

That Patrolman Lundquist later contacted me and advised that this particular vehicle and male suspect were involved in another theft at Target that he was called to investigate.

That Patrolman Lundquist was able to identify the male suspect to be:

[REDACTED]
[REDACTED]

DOB: 12/07/1985

That a subsequent check on [REDACTED] | criminal history showed several prior theft related convictions in the State of

New Hampshire to include:

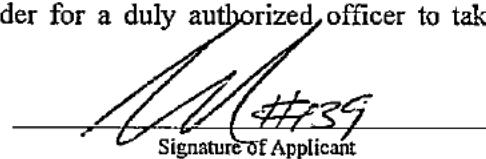
COPY

1. Willful Concealment-October 6th, 2003-Derry District Court
2. Receiving Stolen Property-June 20th, 2006-Rockingham Superior Court

That as a result of the two prior convictions and with this being a third offense, said offense is elevated to a felony level offense.

Based upon the foregoing information, there is probable cause to believe that the defendant did commit a crime or offense as stated above.

Wherefore, I request the issuance of an arrest warrant and an order for a duly authorized officer to take the defendant and bring him/her before the court having jurisdiction.

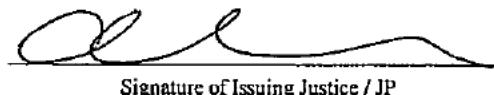


Signature of Applicant

Then personally appeared before me the above-named **Patrolman Ryan Sambataro** and made oath that the foregoing affidavit is true.

And I, Coreen Russell, have personally examined the Complaint against the aforesaid defendant and any information contained in the above affidavit, and have orally examined the above applicant. Based upon such information, I conclude there is / is not sufficient probable cause for the issuance of the Arrest Warrant sought. Therefore the application granted / denied and the arrest warrant is / is not issued.

Notes of Issuing Justice / JP:
(See Reverse Side)



Signature of Issuing Justice / JP



JP (COTCH)
Official Title



**Salem Police Department
Incident Report**

**Page: 1
12/12/2016**

**Incident #: 16-1623-OF
Call #: 16-24583**

COPY

Date/Time Reported: 09/24/2016 2019
Report Date/Time: 09/30/2016 0957
Occurred Between: 09/24/2016 1349-09/24/2016 1400
Status: Incident Open

Reporting Officer: Police Officer Ryan Sambataro
Approving Officer: Sergeant Joseph Keating

Signature: _____



Signature: _____

INCIDENT/S

CFV PAGE ACF SCN DUONE

#	OFFENSE (S)	ATTEMPTED	TYPE	CLASS
	LOCATION TYPE: Department/Discount Store WALMART 326 N BROADWAY ST SALEM NH 03079	Zone: Route 1		
1	Willful Concealment, theft 637 3-a,II OCCURRED: 09/24/2016 2019 SUSPECTED OF USING: Not Applicable BIAS AGAINST: No Bias	N A	Misdemeanor	A

Salem Police Department
Incident Report

Page: 2
12/12/2016

Incident #: 16-1623-OF
Call #: 16-24583

COPY

#	VICTIM(S)	SEX	RACE	AGE	SSN	PHONE		
1	WALMART N BROADWAY ST SALEM NH 03079 VICTIM CONNECTED TO OFFENSE NUMBER(S): 1							
#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE	
1	[REDACTED]	REPORTING PARTY	M	W	28	NOT AVAIL	[REDACTED]	
EMPLOYER: WALMART LP [REDACTED]								
CONTACT INFORMATION: Home Phone (Primary) [REDACTED] Work Phone (Primary) 603-894-5642								
#	VEHICLE (S)	YEAR	MAKE	STYLE	COLOR1	COLOR2	REG	VALUE
1	ACCORD	2011	HOND	4D	BLU		NH [REDACTED]	
STATUS: Suspected OWNER: [REDACTED]								DATE: 11/26/2016
VIN: [REDACTED]								
#	OTHER PROPERTIES	PROPERTY #	STATUS					
1	DRILL (GENERIC) QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	VALUE: \$148.00	Stolen					
2	BOSTITCH SET QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	VALUE: \$87.00	Stolen					
3	DVD-R W/SURVEILLANCE FOOTAGE QUANTITY: 1 SERIAL #: NOT AVAIL DATE: 10/21/2016 OWNER: WALMART	16-2031-PR VALUE: \$0.00	Evidence (Not Nibrs Reportable)					

COPY

On Saturday, September 24th, 2016, I was assigned to the 4:00 p.m. to 12:00 a.m. shift. My assignment entailed a motorized patrol encompassing the Town of Salem, New Hampshire.

At approximately 8:19 p.m., Dispatch requested I travel to Walmart and make contact with the loss prevention department in reference to a past theft complaint. Upon arrival, I was met by **Loss Prevention Associate** [REDACTED] [REDACTED] who was in charge of this particular investigation. Upon speaking with [REDACTED] he advised that he was advised of a shoplifting incident that took place earlier in the day by his supervisor.

Furthermore, [REDACTED] advised me that a male individual approached the exit and when he was approached by a "customer host" employee for the purposes of checking for a receipt for the items that he possessed, the male suspect exited the store without providing said receipt. [REDACTED] advised that the male suspect entered a dark blue Honda with a New Hampshire registration plate affixed to the rear. Said registration plate bore registration [REDACTED] according to [REDACTED]. It was later identified to be New Hampshire registration [REDACTED] as this particular suspect and suspect vehicle was involved in another theft at a different location. In addition, the New Hampshire registration that [REDACTED] provided did not come back with a vehicle listing or registered owner when ran via the MDT (Mobile Data Terminal).

Next, [REDACTED] advised me that he reviewed the video footage that captured the event. Furthermore, [REDACTED] advised that at approximately 1:43 p.m. until approximately 1:45 p.m., he observed the male suspect to select two drills from the hardware department. [REDACTED] then advised that he observed the male suspect pass through the domestics section to the craft section. Ultimately, the male suspect entered the grocery action alley at approximately 1:47 p.m. At approximately 1:49 p.m., [REDACTED] advised that the male suspect passed all points of sale while failing to pay for the two drills that he had selected and exited the store with them via the grocery exit. Furthermore, [REDACTED] advised that the suspect vehicle appeared to have been "staged," he explained how it was parked near the side walk between the grocery exit and the general merchandise exit. Upon inquiry, [REDACTED] identified one of the drills (generic brand) to be valued at **\$96.00** and the other to be **\$148.00**. Thus, the total amount of the aforementioned theft was **\$244.00**.

Lastly, [REDACTED] provided me with a voluntary written statement form and also a copy of the evidentiary DVD-R disc that contained the surveillance footage. Said disc has been entered into evidence and further, it remained in my possession throughout the duration of the incident.

Investigation continues.

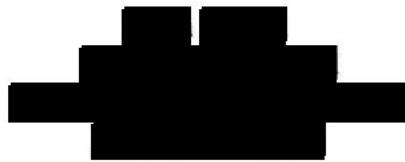
End of narrative.

Patrolman Ryan Sambataro #139
Salem Police Department

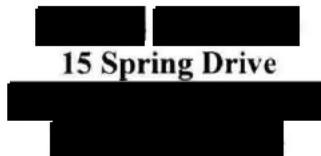
COPY

On Tuesday, October 4th, 2016, I spoke with **Patrolman Lundquist** who was able to positively identify the occupants in the aforementioned suspect vehicle that bore New Hampshire registration [REDACTED]. In addition, **Patrolman Lundquist** provided me with several photos of the male suspect in his theft investigation from a different retail location. Upon viewing the photos that he provided, I was able to positively identify the male suspect in his case to be the same male suspect that committed the theft at Walmart in my case. **Patrolman Lundquist** indicated that the male suspect stole drills from Target on the same day of the incident at Walmart.

Additionally, I noticed that the male suspect wore the same white t-shirt, dark pants, and sunglasses on his forehead, which was the same clothing as was worn by the male suspect involved in this particular case. A motor vehicle query of the aforementioned New Hampshire vehicle registration identified the vehicle and registered owner to be:



Upon further conversation with **Patrolman Lundquist**, he indicated that he did not have enough evidence to charge the male suspect, however, he was able to identify him to be:



As a result of the positive identification of [REDACTED] as being the male individual who committed the theft in this case, a complaint, warrant, and affidavit will be drafted for the charge of Willful Concealment-Theft. Upon reviewing his criminal history, I noticed he has had several theft related convictions in the State of New Hampshire, thus the offense rose to a felony level offense.

Nothing further needed.

End of narrative.

Patrolman Ryan Sambataro #139
Salem Police Department

COPY



Case No. 10-1623-0F

Salem Police Department

Page 1 of 1

Voluntary Statement Form

Work Tel. No. 603 844 5642 Cell Tel. No.

I, Andrew [REDACTED] asset protection of Salem Walmart, was notified by asset protection manager Chris of a merchandise pushout on 09/24/2018 at 13:49:48. The suspect failed to show customer host receipt of purchase when asked and exited building. The suspect entered a Dark Blue/Black Honda with New Hampshire license plate [REDACTED]. There was a get away driver but unable to identify. We believe this to be the same suspect of an attempted push-out of a television the day prior. We reviewed our security tape footage to reveal the following: at 13:43:08 to 13:45:15 the suspect selects 2 drills from hardware department. He is seen passing through Domestic's at 13:45:00 and enters Crafts at 13:45:36. Suspect continues to the Grocery Action Alley at 13:47:07. At 13:49:17 passing all points of sale he exits store through grocery Exit where he enters the staged vehicle along side the side walk between Grocery Exit and General merchandise Exit. 18V Drill amount \$96.00 the other 18V Drill amount \$148.00. Total amount of merchandise stolen \$244.00

RECEIVED

RECEIVED

DEC 12 2016

Signature:

Date:

Witness:

Date:

RECORDS UNIT

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16-1475-47

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10-10-67

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10-10-67

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16-1623-0F

16-1623-0F

Walmart *

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(603) 894 - 5642
MANAGER MICHAEL AUNKST
326 N BROADWAY
SALEM NH 3079

ST# 02142 OP# 000203 TE# 52 TR# 02979
18V DRILL 088591132604 96#00 N
18VDRILL 008859114528K 148#00 N
SUBTOTAL 244#00
TOTAL 244#00
CASH TEND 244#00
CHANGE DUE 0#00

ITEMS SOLD 2

*** INVALID RECEIPT - TRAINING ***

Low Prices You Can Trust. Every Day.
09/24/16 19:23:45

Walmart *

Save money. Live better.

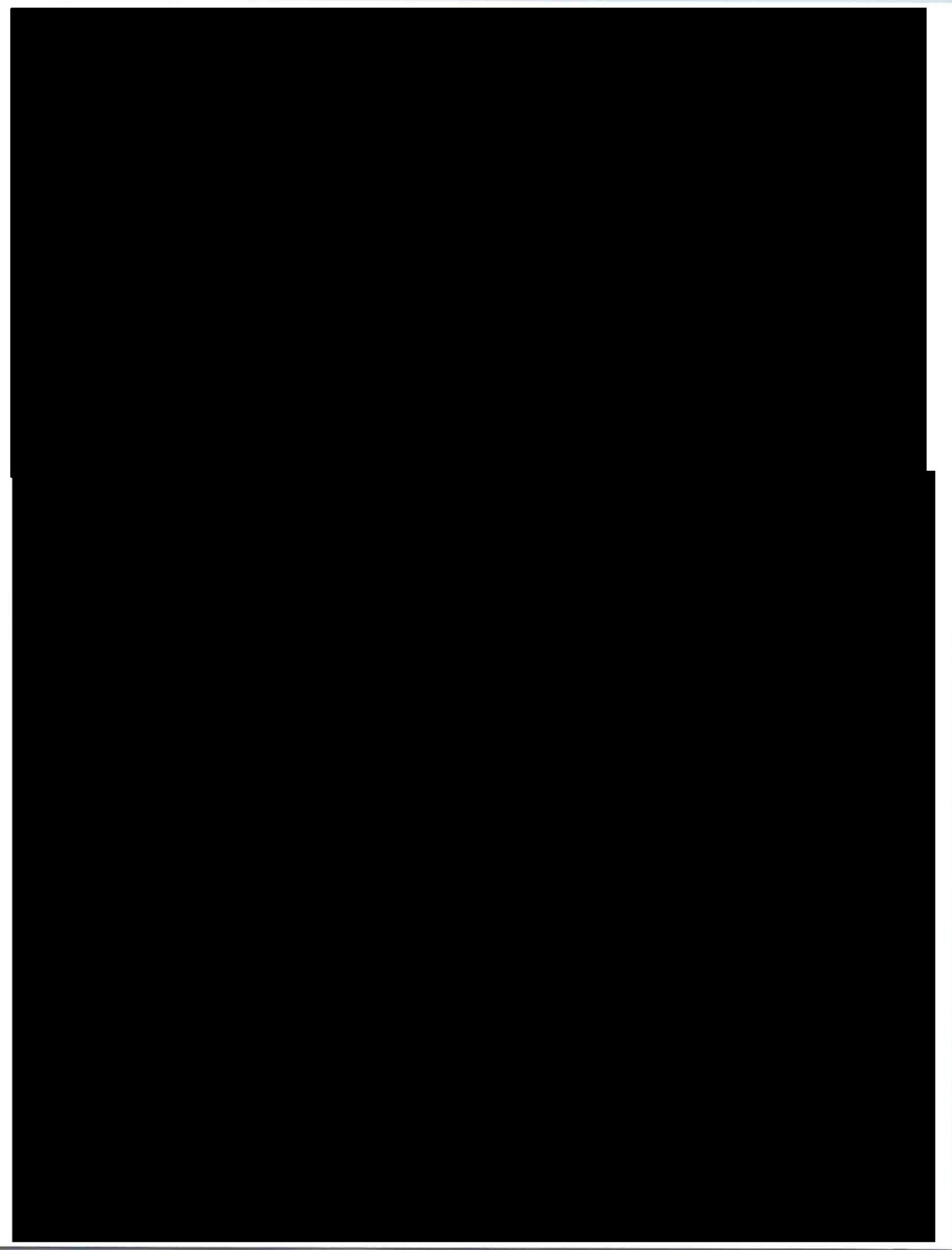
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