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File Date: 2/24/2021 9:31 AM
Hillsborough Superior Court Northern District
E-Filed Document

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS. SUPERIOR COURT
NORTHERN DISTRICT

THE STATE OF NEW HAMPSHIRE

v.

ANTWAN STROUD

216-2020-CR-00820

MOTION TO WITHDRAW PLEA BASED ON INEFFECTIVE ASSISTANCE OF COUNSEL FOR FAILURE TO INVESTIGATE FOR CAPPED PLEA SENTENCING AND RELATED BRADY VIOLATIONS

NOW COMES the defendant, Antwan Stroud, and hereby moves that this Court issue an order setting aside his plea of guilty to Misdemeanor Riot in the above-captioned matter, for which he was sentenced to, among other things, stand committed jail time. Mr. Stroud further moves for an evidentiary hearing on this Motion.

Both the State and Mr. Stroud's defense counsel had constitutional duties to present this Court with all facts relevant to sentencing. They failed. Specifically, both the State, through Assistant County Attorney Thomas Craig, and Mr. Stroud's defense counsel, Attorney Justin Shepherd, did not present to this Court apparent charging and sentencing disparities involving Mr. Stroud's co-defendant and other defendants who participated in the Black Lives Matter protest which led to Mr. Stroud's conviction. These facts were material to Mr. Stroud's sentencing, and it was crucial for this Court to have this necessary information prior to sentencing Mr. Stroud. As a result, both the State and trial counsel failed this Court and failed Mr. Stroud.

The State failed this Court in two ways, both based upon its duty to disclose information favorable to the defendant: (1) despite being notified by the ACLU of New Hampshire ("ACLU-NH") of apparent charging disparities relating to those arrested following the protest giving rise to this case, the Hillsborough County Attorney's Office ignored the constitutional obligation it had to bring those apparent disparities forward such that this Court could consider them and such that Mr. Stroud could introduce them as mitigating evidence; and (2) despite reaching a generous plea deal with Mr. Stroud's co-defendant, who was named in both Complaints against Mr. Stroud and whose actions helped form the basis for the charges against Mr. Stroud, weeks before Mr. Stroud's sentencing hearing while refusing to consider a no-jail-time plea for Mr. Stroud, the prosecuting attorney failed to disclose that and other sentencing disparities that directly bore upon Mr. Stroud's sentence.[1]

Mr. Stroud's defense counsel failed him and this Court in two related ways: (1) he failed to request any exculpatory evidence from the State prior to "capped" plea sentencing and he failed to investigate and present mitigating evidence relating to the sentencing of Mr. Stroud's more culpable (but far more leniently sentenced) co-defendant, despite possessing significant discovery relating to that co-defendant; and (2) he failed to investigate and present evidence relating to the charging and sentencing disparities of other members of the protest.

Had this information come to light, it would have become clear that a sentence involving any stand committed jail time was not appropriate. To be clear: Mr. Stroud does not blame this Court for the sentence he ultimately received, and he appreciated then, as he does now, the encouraging words this Court offered him at the sentencing hearing. Although he would later learn that his sentence is the manifestation of deeply concerning disparities, those disparities are

[1] The State's constitutional violations also impacted Mr. Stroud's pre-sentence plea negotiations, a further impact of prejudice which will be addressed herein.

the product of the State, having decided to charge and negotiate with the protest's defendants in apparently racially disparate ways, and of Mr. Stroud's defense counsel, for not bringing those disparities to light. Because the constitutional errors of the State and defense counsel failed Mr. Stroud and failed this Court, the ends of criminal justice were defeated and Mr. Stroud must be permitted to withdraw his plea, he must be allowed the opportunity to negotiate with the State anew, and this Court must receive the benefit of all relevant information prior to any resentencing. United States v. Nixon, 418 U.S. 683, 709 (D. Colo. 1974) ("We have elected to employ an adversary system of criminal justice in which the parties contest all issues before a court of law. The need to develop all relevant facts in the adversary system is both fundamental and comprehensive. The ends of criminal justice would be defeated if judgments were to be founded on a partial or speculative presentation of the facts. The very integrity of the judicial system and public confidence in the system depend on full disclosure of all the facts, within the framework of the rules of evidence."). This is what our state and federal constitutions demand, and it is necessary to preserve the sanctity of our criminal justice system and the efficacy of sentencing's goals, issues this Court was clearly mindful of when sentencing Mr. Stroud.

In further support of this Motion, Mr. Stroud states as follows:

Introduction

1. In the overnight hours between June 2, 2020 and June 3, 2020, a large crowd of about 100 people gathered on South Willow Street in Manchester in protest of police killings of African Americans. Hayward, Mark, South Willow Street Justice: Jail the Black Guy, Union Leader (January 24, 2021); Exhibit A. Police and county prosecutors have labeled it a riot. More than a dozen Black Lives Matter protesters were arrested, mostly White people, and at least seven of those arrested have been sentenced. See Exhibit B. Of those sentenced thus far, Mr. Stroud is the only protester to receive jail time, pursuant to a "capped" plea urged by the

State and a sentencing hearing in which this Court was deprived of necessary information. The other sentenced protesters—all White—will not see a jail cell. Mr. Stroud will. The difference? Mr. Stroud is Black.

2. In fact, comparing the cases of Mr. Stroud and one of the White protesters is particularly troubling. Mr. Stroud and Kyle Toledo, a White man, were allegedly "accomplice[s]" at the protest. Exhibit C. Mr. Stroud is alleged to have told Mr. Toledo to light a firework and Mr. Toledo lit a firework, sending it above a crowd of people. The two are also alleged to have approached a police cruiser with a large group and the group is alleged to have spit on the cruiser and threatened violence on the officer. In other words, the two are alleged to have engaged in the exact same conduct, except that Mr. Stroud merely "told" Mr. Toledo to light a firework whereas Mr. Toledo actually lit the firework, placing "another in danger of serious bodily injury." In fact, the charge to which Mr. Stroud pled guilty does not even involve any allegation relating to the firework; the charge to which he pled guilty only involves alleged conduct identical to that of Mr. Toledo and the rest of the large group when it approached the police cruiser. For lighting the firework and participating in protest, Mr. Toledo pled guilty to reckless conduct, his riot charge was dropped, he received no time in jail, and he need only do 50 hours of community service, enroll in the job corps, and write an apology letter. Mr. Stroud, on the other hand, will serve 30 days in jail, the suspension window on the remaining term (which itself is twice as long as Mr. Toledo's) is four times that of Mr. Toledo's, and he will not be able to obtain annulment until a year-and-a-half after Mr. Toledo.

3. This type of charging and sentencing disparity extends to all those who have been sentenced following the events of June 2020. Indeed, all non-White protesters were charged with riot, whereas nearly all White protesters were charged with disorderly conduct. Mr. Stroud

did not know about the disparities, his counsel apparently did not know about them, and both the State and Attorney Shepherd deprived this Court of the ability to consider them at sentencing, which would have been a significant mitigating factor in the "capped" plea context. The State did know, and not just because the State would have had this information at its ready disposal: Attorney Craig prosecuted both Mr. Stroud and Mr. Toledo, and it appears that the State reached the Toledo plea deal weeks before Mr. Stroud was sentenced. See Exhibit D. Moreover, days after the protest, the ACLU-NH contacted then-Hillsborough County Attorney Michael Conlon to notify him of complaints the ACLU-NH had received regarding how "people of color who were arrested were charged with 'riot,' while the white individuals arrested were only cited with disorderly conduct." Exhibit E.[2] Thus, the State—and, more specifically, the very County Attorney office prosecuting Mr. Stroud—was aware of disparities in how Black and White protesters were treated by the State; initially it was charging disparities, but those later led to plea agreement and sentencing disparities. Yet the State never shared the charging and sentencing disparities with Mr. Stroud and Mr. Stroud's counsel never asked. If Mr. Stroud had known of these sentencing disparities, he would not have agreed to a "capped" plea; he could have charge-bargained to a lesser charge such as disorderly conduct or, like Mr. Toledo, reckless conduct; he would have been able to persuade the State to agree to a plea deal similar those granted to the White protesters who engaged in similar and, in some cases, worse conduct; or he would not have pled guilty at all.

4. Mr. Stroud's plea was not knowing, intelligent, and voluntary, and it was the product of ineffective assistance of counsel and Brady violations. It has resulted in manifest injustice, particularly where his White co-defendants, some of whom actually engaged in acts

[2] See also Exhibit B (revealing how Black and other non-White protesters were charged with riot, while most White protesters were charged with disorderly conduct).

presenting a significant danger to others, got to skate by with community service and suspended sentences while Mr. Stroud, a young Black man, will go to jail.

5. When this Court sentenced Mr. Stroud, it articulated a powerful and legitimate message:

> I think that if I were allowed to focus just on you as an individual, my choice about the sentence here would be pretty easy because I do think that the proposal that Attorney Shepherd has put forward would serve you best . . . But I have to balance that against a broader consideration here, which is what effect does the sentence I impose have on other cases and other individuals in this situation. What are the boarder ramifications of this case. And peaceful protest is one of the most cherished rights that we have in the United States and in the State of New Hampshire. And we all saw last summer what happens when those peaceful protests turn violent and we also don't have to go very far to see that it doesn't take much to ignite a crowd into violence. So in order to protect the right of people to protest peacefully, the criminal justice system needs to deal firmly with those individuals who try to tip that balance over into violence . . . for that, there has to be some very serious and firm consequences beyond the rehabilitation components that Attorney Shepherd has put in place. For that, I am adopting the State's proposal . . ..

6. Unfortunately, because they failed to present to this Court what would come to be known as deeply concerning charging and sentencing disparities, the State and Mr. Stroud's trial counsel have muddled this Court's message.[3] Unbeknownst to this Court, the criminal justice system (in this case, all by way of plea agreements) was dealing firmly and seriously only with a Black man; the White protesters—including those like Mr. Toledo who ***actually took violent action***—received only delicate treatment and will live their lives knowing that, so long as a

[3] It should also be noted that, according to a Union Leader article, Mr. Stroud's sentence appears to have been referenced during the sentencing of Scott Kimball. See Hayward Mark, Manchester Man Gets 12 Months for Pointing Gun at BLM Protesters, Union Leader (Feb. 8, 2021). It appears to have been referenced in the context of treating defendants who resort to violence the same, regardless of which side of the debate they are on. Mr. Kimball's conviction was not related to the Black Lives Matter protest underlying Mr. Stroud's charges, but it appears to have been generally related to the same subject matter at issue in that protest. In any event, this only highlights how the State and Mr. Stroud's trial counsel have undermined this Court's message.

Black man is around when it happens, they will merely be subject to a slap on the wrist for their violent actions.

Relevant Facts

7. The underlying facts are simple and, for the purposes of this Motion and unless otherwise noted, will be taken directly from the Supporting Affidavit for Mr. Stroud's Arrest Warrant. Exhibit C. From the night of June 2, 2020 to the early morning of June 3, 2020, there was a "period of civil unrest" on South Willow Street in Manchester. A large group had gathered on the streets, yelling things like "fuck the police," a classic and historic protest against police brutality. The group moved to various locations as police officers tried to clear them from the streets. A female yelled "Kyle [Toledo] is lighting off the firework right now." She said that she brought four or five fireworks and that Mr. Toledo brought "them all." The "male holding the camera," later identified as Mr. Stroud, said such things as "light that shit." Mr. Toledo then removed the fireworks from his pocket, lit a firework, and threw the firework over the heads of people in the group. The firework landed in a parking space, prompting a nearby car to leave the area. The large group continued walking, stopping near the entrance of a shopping plaza. A police officer was driving towards the exit of that plaza and stopped at the red light. While stopped, people in the group began yelling at the officer and spitting on his cruiser. Mr. Stroud is alleged to have participated in these actions.

8. Mr. Stroud was charged with felony riot and reckless conduct. The Complaints directly reference Mr. Toledo. In fact, Mr. Stroud's name does not appear in the description of the Riot offense: "simultaneously with 2 or more person, engaged in tumultuous and violent conduct and thereby purposely or recklessly created a substantial risk of causing public alarm, when Toledo along with a large group of people got in close conduct [with] Officer Mark Aquino while he was located in an unmarked Police Cruiser, this group then blocked Officer

Aquino's exit, spit on his vehicle and threatened violence on Officer Aquino which included pulling him out of his police cruiser." Nor does Mr. Stroud's name appear in the description for the Reckless Conduct offense: "was an accomplice of another person in the commission of an offense . . . when he told Kyle Toledo [ ] multiple different times to lit (sic) a firework . . . Toledo recklessly engaged in conduct which placed another in danger of serious bodily injury when Toledo lit a firework and threw it over a group of individuals . . .."[4]

9. There is nothing in Mr. Stroud's discovery file pertaining to Mr. Toledo's plea agreement or negotiations, or those of any other member of the "large group" who were engaged in precisely the same conduct as Mr. Stroud. Attorney Shepherd made no discovery requests pertaining to these issues, nor is there any indication in the file that he performed his own investigation as to potential charging or sentencing disparities or, as to sentencing, sentences for similar offenses which he could have presented to this Court. There is no indication he even did a basic online search to determine who else was arrested at the protest, what they were charged with, or whether they had been sentenced. There are no notes of interviews with other participants in the protest. Undersigned counsel have reviewed Attorney Shepherd's emails in this matter and there is not even a single email to the State asking about the sentence of those referenced in the Complaints against Mr. Stroud and the discovery file, such as the person who threw the firework or the other people who yelled at the officer and spit on his cruiser. In fact, it does not appear that Attorney Shepherd so much as asked the State for exculpatory evidence as he prepared for the sentencing hearing. This is all despite clearly knowing that Mr. Toledo was a similarly situated defendant and even having, in the discovery file, Mr. Toledo's Arrest Warrant.

[4] Again, the reckless conduct charged was dropped. Accordingly, Mr. Stroud did not plead guilty to any offense involving the firework. Mr. Toledo's conduct in lighting the firework, therefore, was undoubtedly more egregious than the conduct to which Mr. Stroud pled guilty.

In other words, Attorney Shepherd should have known that Mr. Toledo's plea deal and resulting sentence would heavily influence that of Mr. Stroud. He also should have known that numerous other people had been charged and sentenced for their participation in the protest. Much of it was public information, and most of it undersigned counsel discovered via Manchester Police press releases. See Exhibit B. Indeed, five other protesters, all White, had been sentenced before Mr. Stroud's capped plea sentencing hearing.

10. The State, too, did not offer such information. Even though a plea agreement was reached with Mr. Toledo on or before December 16, 2020, see Exhibit D (Toledo Case Summary), the State did not disclose Mr. Toledo's deal prior to Mr. Stroud's January 7, 2021 sentencing hearing. Instead, while the same prosecutor was willing to let Mr. Toledo—the man who actually threw the firework and otherwise engaged in nearly identical behavior to Mr. Stroud—serve only community service, a 6-month fully suspended sentence, an apology letter, and enrollment in job corps, he stated to Attorney Shepherd that it was "the best I can do"[5] to offer Mr. Stroud a 12-month sentence, 30 days in jail, to obtain a GED by this June, and 2 years probation. The State also failed to disclose the problematic charging disparities and lax sentences of the five White protesters who were sentenced prior to Mr. Stroud.

11. A brief glimpse at those five sentences reveals the even more troubling nature of trial counsel's and the State's constitutional errors. All five defendants below are White.

- James Brisendine: pled guilty to arson for lighting a dumpster on fire during the protest.
  - 12 months, all suspended, counseling treatment or educational programs. No jail time.

- Andrew Magoon: pled nolo contendere to disorderly conduct where, as part of a group who were throwing bottles at officers, emerged "armed

[5] See Exhibit F.

with a baseball bat" and continuing to enter the roadway after being ordered not to do so.
  - 1 year of good behavior and a $1488 fine, suspended 12 months. No jail time.

- Kayla Sharp: pled guilty to disorderly conduct for "engaging in a riot" as part of a group throwing glass bottles at officers and "blatantly disregard[ing] [officers'] commands."
  - 45 days, all suspended and a $248 fine. No jail time.

- Ryan Yianakopolos: pled guilty to disorderly conduct for failing to vacate area after multiple commands.
  - $248 fine. No jail time.

- Michael Krasyn: pled guilty to disorderly conduct for failing to vacate area after multiple commands.
  - 1 year of good behavior and a $1488 fine, suspended 12 months. No jail time.

12. At Mr. Stroud's sentencing hearing, the State offered the following argument as to why Mr. Stroud belongs in a jail cell: "The people of Manchester need to know that law and order will prevail in this city. And the police officers need to know that law and order will prevail in this city as well." The State offered this argument weeks after negotiating a plea agreement with Mr. Toledo whereby he would serve no jail time and would be eligible for annulment a year-and-a-half before Mr. Stroud. The State argued: "The defendant is inciting violence against the police and should be held accountable." The question then becomes: why are those who *actually take violent action*, like Mr. Toledo, not held accountable to the same degree?

13. Had Attorney Shepherd, at the capped plea sentencing hearing, presented mitigating evidence—relating to the pleas and sentencing of similarly situated, White defendants actually engaged in violent behavior at the same protest—Mr. Stroud would have unquestionably received a no-jail-time sentence. Had Attorney Shepherd performed a basic investigation, he

would have been able to present such evidence. Had the same prosecutor who negotiated Mr. Toledo's plea agreement disclosed the exculpatory sentencing evidence, Mr. Stroud would have unquestionably received a no-jail-time sentence. In fact, had the charging and sentencing disparities come to be known by Attorney Shepherd before any plea was reached—by way of a basic investigation or of Brady disclosures—Mr. Stroud perhaps would not have pled guilty at all, pled guilty to a lesser offense, or, *at the worst*, received the same sentence as those like Mr. Toledo. Knowing racial disparities with respect to the charges brought against the protesters—White people charged mostly with disorderly conduct and Black people charged with riot—would certainly have led to charge-bargaining and perhaps a sentence more in line with those listed above. None of this happened. Instead, the Black man at the Black Lives Matter protest is the only protester who will go to jail.

Argument

14. Mr. Stroud's plea was not knowing, intelligent, and voluntary, as required by Part 1, Article 15 of the New Hampshire Constitution, and the Fifth and Fourteenth Amendments to the United States Constitution. Since the defendant is seeking to withdraw his plea after the sentence has already been imposed, he must show by a preponderance of the evidence that the withdrawal of the guilty plea is necessary to prevent "manifest injustice". State v. Horne, 140 N.H. 90, 663 A.2d 92 (1995); State v. Sarette, 134 N.H. 133, 138, 589 A.2d 125, 128 (1991). For the reasons explained herein, Mr. Stroud has made a sufficient preliminary showing of manifest injustice to warrant an evidentiary hearing on any contested material facts and to present expert testimony.

15. The Supreme Court has found that where counsel's performance is so deficient as to justify a finding that but for that performance the accused would not have given up his or her

right to a fair trial by pleading guilty, that plea may be set aside. See Hill v. Lockhart, 474 U.S. 52, 59 (1985). "Where, as here, a defendant is represented by counsel during the plea process and enters his plea upon the advice of counsel, the voluntariness of the plea depends on whether counsel's advice was within the range of competence demanded of attorneys in criminal cases." Id. at 56. The analysis here is the same as that articulated in Strickland v. Washington, 466 U.S. 668 (1984). In Strickland, the Supreme Court adopted a two-part standard for evaluating claims of ineffective assistance of counsel. There, citing McMann v. Richardson, 379 U.S. 759 (1970), the Court reiterated that "[w]hen a convicted defendant complains of the ineffectiveness of counsel's assistance, the defendant must show that counsel's representation fell below an objective standard of reasonableness." 466 U.S. at 687-688. The Court also held that "[t]he defendant must show that there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." 466 U.S. at 694.

16. Brady violations—that is, the prosecution's failure to disclose evidence favorable to the accused—can also ground a challenge to the validity of a guilty plea. See, e.g., Ferrara v. United States, 456 F.3d 278, 291 (1st Cir. 2006); see also Matthew v. Johnson, 201 F.3d 353, 364, n. 15 ("Even if the nondisclosure is not a Brady violation, it may be argued . . . that it made it impossible for [the defendant] to enter a knowing and intelligent plea."); Sanchez v. United States, 50 F.3d 1448, 1453 (9th Cir.1995) (a defendant challenging the voluntariness of a guilty plea may assert a Brady claim); United States v. Wright, 43 F.3d 491, 496 (10th Cir.1994) (under limited circumstances, a Brady violation can render a defendant's plea involuntary); White v. United States, 858 F.2d 416, 422 (8th Cir.1988) (Supreme Court precedent did not foreclose a

Brady challenge to a guilty plea), cert. denied, 489 U.S. 1029 (1989); Campbell v. Marshall, 769 F.2d 314, 321 (6th Cir.1985) (similar), cert. denied, 475 U.S. 1048 (1986).[6]

17. Under Brady v. Maryland, the prosecution must disclose to the defendant evidence that is favorable to the accused and "material either to guilt or to punishment." 373 U.S. 83, 87 (1963) (emphasis added). "Failure to disclose such evidence violates a defendant's due process right . . .." United States v. Weintraub, 871 F.2d 1257, 1260 (5th Cir. 1989). Indeed, in Weintraub, the court held: "We must set aside the sentence and remand for further proceedings, however, based upon our conclusion that the prosecution improperly withheld favorable evidence that was material to [the defendant's] punishment." Id. at 1259.

18. Courts have noted the dangerously synergistic relationship between Strickland and Brady errors. Courts have considered, and scholars have asserted that such errors should be considered, together and cumulatively. See Cargle v. Mullin, 371 F.3d 1196, 1221 (10th Cir. 2003) (emphasizing the "synergistic effect" of Strickland and Brady errors); Starling v. State, 130 A.3d 316, 336 (Del. 2015) (Strickland and Brady violations "combined" to "undermine[] our confidence in the verdict") Blume & Seeds, Reliability Matters: Reassociating Bagley Materiality, Strickland Prejudice, and Cumulative Harmless Error, 95 J. Crim. L. & Criminology 1153 (2005) 1154 ("[C]ourts should consider the impact of Brady violations and Strickland violations together . . .."). Accordingly, this Court should consider both the Mr. Stroud's trial counsel's errors in failing to investigate in preparation for capped plea sentencing and the State's failure to disclose evidence favorable to the defense, to wit, harsh plea sentencing disparities, including those with racial undertones.

[6] To clarify, while a guilty plea may waive a defendant's right to exculpatory evidence as to *guilt or innocence*, see generally United States v. Ruiz, 536 U.S. 622 (2002), the favorable evidence that should have been disclosed prior to sentencing here was material to *sentencing*, not guilt or innocence.

Mr. Stroud's trial counsel was ineffective in failing to investigate prior to reaching a "capped" plea agreement and for failing to investigation in preparation for "capped" plea sentencing

19. Mr. Stroud's trial counsel's performance fell below an objective standard of reasonableness in two ways. First, knowing (or having access to public materials indicating) that numerous others were involved in similar actions as Mr. Stroud and knowing that at least one person, Mr. Toledo (named in the Complaints against Mr. Stroud) engaged in more egregious alleged conduct, failed to conduct even a basic investigation into Mr. Toledo's and others' sentences and plea deals. Second, trial counsel also failed to investigate charging discrepancies, which would have been publicly available, and therefore ineffectively forewent charge-bargaining and, ultimately, a lesser charge which would have helped to balance the racial inequities resulting from the protest. These deficient performances clearly resulted in prejudice, as it rendered Mr. Stroud's "capped" plea not knowing, intelligent, and voluntary and subjected Mr. Stroud to charging disparities and a significantly more severe sentence than his White co-defendants. The result would have been different on several levels: Mr. Stroud may not have pled guilty at all, he may have charge-bargained to a lesser charge, and he would certainly have received a lesser sentence.

20. Investigating similar sentences in preparation for a sentencing hearing—and in preparation for negotiations with prosecutors—is not exceptional performance. It is a common matter of course for defense attorneys and often a necessary lodestar for a sentencing court—and for plea negotiations—particularly in cases involving co-defendants. As the United States Supreme Court has noted, "[p]revailing norms of practice as reflected in American Bar Association standards and the like . . . are guides to determining what is reasonable." Strickland, at 688-89. See, e.g., National Legal Aid & Defender Association, Performance Guidelines for Criminal Defense Representation (Black Letter), Guideline 6.2 ("[C]ounsel should be fully

aware of, and make sure the client is fully aware of . . . the general range of sentences for similar offenses committed by defendants with similar backgrounds."); 1 ABA Standards for Criminal Justice 4-4.1, commentary, p. 4-55 (2d ed. 1982) ("The lawyer also has a substantial and important role to perform in raising mitigating factors both to the prosecutor initially and to the court at sentencing . . . Investigation is essential to fulfillment of these functions.").

21. As this Court is well-aware, a "capped" plea is one in which the parties agree to maximum limit on the sentence and, after presenting argument and evidence to the Court, the Court decides a sentence at or below that limit. *See*, *e.g.*, N.H. R. Crim. P. 29(k)(14)(C). Accordingly, any type of mitigating evidence is absolutely necessary. In fact, the discovery and use of mitigating evidence to sustain a lower sentence is perhaps the only reason a capped plea may be advisable and, in any event, it indicates that defense counsel is going to put all effort into investigating and preparing for a sentencing memorandum and the sentencing hearing. A crucial aspect of that effort is investigating and presenting a range of, or specific sentences for similar offenses committed by similarly situated defendants. Here, that would be—*at the very least*—Mr. Toledo, but it would also extend to others in the "large group" with whom Mr. Stroud protested. Attorney Shepherd failed to conduct this basic investigation. Instead, he spoke to this Court for all of five-and-a-half minutes, focusing on Mr. Stroud's character (undoubtedly one aspect of good mitigating evidence, but far from enough) and how he believed a no-jail-time sentence would be "more constructive." This effort was far from sufficient and fell below the standard of reasonableness.

22. "Before deciding whether to plead guilty, a defendant is entitled to the effective assistance of competent counsel." Padilla v. Kentucky, 559 U.S. 356, 364 (2010). This includes

such assistance as advising about the consequences of a sentence, see generally Padilla, and communicating plea offers. See generally Missouri v. Frye, 566 U.S. 134 (2012).

23. Importantly, effective assistance of counsel also includes fully investigating, preparing, and presenting a defense at sentencing. See, e.g., Martinez-Ayala v. Taylor, 2019 WL 3247187 (D. Ore. Jun 19, 2019); Porter v. Muniz, 2017 WL 3021022 (N.D. Ca. July 17, 2017), appeals dismissed, 2019 WL 3296803 (9th Cir. April 17, 2019) (Trial counsel at defendant's non-capital resentencing hearing was ineffective for advising defendant to accept a sentencing agreement after an inadequate investigation.); Phillips v. White, 851 F.3d 567 (6th Cir. 2017) (concluding that defense counsel deficiently failed to prepare or present a defense at sentencing, and that prejudice could be both presumed under United States v. Cronic, 466 U.S. 648 (1984), and found under Strickland v. Washington, 466 U.S. 668 (1984)); Lopez v. State, 462 S.W.3d 180 (Tex. Ct. App. 2015) (Retained counsel was ineffective in aggravated robbery plea sentencing for failing to adequately investigate and present mitigation evidence.); In re Williams, 101 A.3d 151 (Vt. 2014).

24. The United States Supreme Court has addressed the failure to investigate in preparation for sentencing in Wiggins v. Smith. 539 U.S. 510 (2003). The issue in that case involved defense counsel's limited investigation and decision to not present certain mitigating evidence at a capital sentencing proceeding. Id. at 521. Wiggins is noteworthy here because, like the capital sentencing proceeding in that case, mitigating evidence—or, for that matter, any and all evidence supporting a lesser sentence—is crucial for a "capped" plea sentencing hearing, and often determinative. In both cases, counsel must extend every effort to provide the sentencing judge or jury with reason to impose a sentence lower than the maximum; this is the context in which counsel's performance is evaluated.

25. In Wiggins, the court outlined how a failure to investigate is to be analyzed:

> [S]trategic choices made after thorough investigation of law and facts relevant to plausible options are virtually unchallengeable; and strategic choices made after less than complete investigation are reasonable precisely to the extent that reasonable professional judgments support the limitations on investigation. In other words, counsel has a duty to make reasonable investigations or to make a reasonable decision that makes particular investigations unnecessary.

Id. at 521 (quoting Strickland, at 690-91). The court noted how, in a previous case, it found ineffective assistance where "counsel's failure to uncover and present voluminous mitigating evidence at sentencing could not be justified as a tactical decision to focus on [the defendant's] voluntary confessions, because counsel had not 'fulfill[ed] their obligation to conduct a thorough investigation of the defendant's background.'" Id. at 522 (quoting Williams v. Taylor, 529 U.S. 362, 396 (2000)). The issue in Wiggins, the court noted, was not necessarily whether counsel should have introduced mitigating evidence, but whether the *investigation* "supporting counsel's decision not to introduce mitigating evidence . . . *was itself reasonable*." Id. at 523 (emphasis in original). Further, "[i]n assessing the reasonableness of an attorney's investigation [ ] a court must consider not only the quantum of evidence already known to counsel, but also whether the known evidence would lead a reasonable attorney to investigate further." Id. at 527. In finding defense counsel ineffective for not conducting a full investigation into possible mitigating evidence, the court noted how pre-sentencing investigations "should comprise efforts to discover *all reasonably available* mitigating evidence . . .." Id. at 523 (quotations omitted) (emphasis in original). It based its holding in part on the "principle that strategic choices made after less than complete investigation are reasonable only to the extent that reasonable professional judgments support the limitations on investigation." Id. at 533 (quotations omitted). The limitations on the investigation in Wiggins, the court determined, were not reasonable. And like the charging and

sentencing evidence here, "[t]he mitigating evidence counsel failed to discover and present in [Wiggins] is powerful." Id. at 534.

26. In this case, Mr. Stroud's trial counsel did not even conduct a basic investigation into the charges, plea deals, or sentences of Mr. Stroud's co-defendant, or other protesters. He did not so much as ask for exculpatory evidence. Despite easily available public information on other protesters who were charged with lesser offenses than Mr. Stroud, trial counsel did not so much as ask about potential charging disparities prior to giving in to a "capped" plea. Upon review of his file, the only investigation he apparently performed was to contact several individuals to provide character references for Mr. Stroud. Ultimately, the only piece of mitigating evidence Attorney Shepherd presented to this Court was a brief statement from Mr. Stroud's mother. But there was absolutely no excuse for failing to at least inquire into the charges, pleas, and sentences of others who were arrested at the same protest as Mr. Stroud: other members of the "large group" referenced repeatedly in discovery as having engaged in the very same alleged actions as Mr. Stroud; others who, as would have been evidenced by a basic case summary report, were sentenced far more leniently than the State was demanding of Mr. Stroud; and others who, like Mr. Toledo, were far more culpable than Mr. Stroud. Whatever limited investigation Attorney Shepherd performed, it was not "itself reasonable" and, because the racially charged sentencing and other disparities would have been "powerful" evidence in plea negotiations and to put before this Court, Wiggins demands a finding of ineffective assistance and the withdrawal of Mr. Stroud's plea.

27. In re Williams is also instructive. In that case, the court found sentencing counsel ineffective following a guilty plea to four counts of involuntary manslaughter for failure to provide more than just perfunctory assistance. 101 A.3d 151 (Vt. 2014). The defendant, who

was 19 years old, was initially charged with four counts of murder and arson after he intentionally set fire to paper in his waste basket in his bedroom. The fire spread and killed occupants of the apartment above, a woman and her three grandchildren. Similar to the capped plea context here, the parties entered a plea agreement amending the original charges to four counts of involuntary manslaughter with a maximum sentence of 50-60 years, but the agreement allowed the defense to argue for a sentence from 20-60 years. A pre-sentence investigation ("PSI") report by a probation officer recommended a sentence of 40-60 years, which was imposed by the trial court after hearing a number of "bereaved" victims' family members express their desire for maximum punishment. The PSI had identified mitigation evidence, including petitioner's lack of a criminal record, no drug or alcohol abuse, graduation from high school as a foster child, remorse, efforts to get people out of the burning building, and descriptions by people who knew him as a good, hard-working person. The court found counsel's conduct deficient and not based on strategy because counsel called no witnesses and did not even submit a sentencing memorandum in advance of the hearing "to present his arguments for the minimum sentence in a less hostile and emotionally-charged atmosphere. Instead, he offered a few remarks about petitioner's childhood, essentially repeating the information in the PSI." The court explained that counsel must have addressed:

> the highly unusual gap between the minimum sentences of twenty and fifty years allowed by the plea agreement; the need to give the sentencing judge reasons to impose a sentence at the low end of the permitted range; the need to develop the positive information about petitioner which appeared in a brief sketch of a few pages in the PSI; and the need to stand up to the strong emotional feelings present in the courtroom. Each of these would be a matter of concern; collectively, they are fundamental errors sufficient to undermine confidence in the fairness of the sentencing hearing.

Id. at 163.

28. Much of the factors in that case are present here, from capped plea arrangement to the need to present more than cursory evidence justifying a lesser sentence. Simply put, Attorney Shepherd needed to give this Court reason to impose a sentence lesser than the maximum "capped" sentence. He could have done so easily with presentation of similar defendants' sentences, *all of which* were lesser than Mr. Stroud's and included *no jail time*.

29. As one court put it long ago: "An arbitrary and unreasonable disparity between the sentences of codefendants who are similarly situated, of course, cannot be defended." People v. Godinez, 434 N.E.2d 1121, 1126 (Ill. 1982); see also Jung v. State, 32 Wis. 2d 541, 553 (1966) ("Equality of treatment under the Fourteenth amendment . . . requires substantially the same sentence for persons having substantially the same case histories."). In fact, in the federal context, it is statutory. See 18 U.S.C. § 3553(a)(6) (1994) (requiring one sentencing consideration to be "the need to avoid unwarranted sentence disparities among defendants with similar records who have been found guilty of similar conduct"). Here, the similarly situated White defendants, some of whom, like Mr. Toledo or even Mr. Brisendine, were clearly more culpable than Mr. Stroud. Yet trial counsel failed to alert this Court to the fact that the State's capped plea was much more severe than Mr. Toledo's sentence and those of the other sentenced defendants who participated in the protest. That this kind of disparity was allowed to go unnoticed by Mr. Stroud and this Court cannot be defended. That is ineffective assistance and it undoubtedly resulted in prejudice: Mr. Stroud entered a plea that was not knowing, intelligent, or voluntary and was the product of a significant lack of information in how Mr. Stroud's White peers were treated.

30. Similarly, trial counsel's failure to investigate the charging disparities resulted in a plea of guilty to a charge much more severe than Mr. Stroud's White peers. While they got

away with disorderly conduct, Mr. Stroud was forced to plead guilty to riot. Had trial counsel merely investigated these charging decisions, as the ACLU-NH did, Mr. Stroud likely would not have been pleading guilty to riot in the first place and if he pled guilty, he, like Mr. Toledo and others, would likely have done so to reckless or disorderly conduct.

31. In any event, Mr. Stroud's plea and the resulting sentence—the only one from the protest with jail time—was the product of ineffective assistance of counsel. The prejudice resulting therefrom is clear[7] and this Court should grant Mr. Stroud's Motion so that he may withdraw his plea, negotiate with the State such that, if he pleads guilty, he does so to a charge that is not racially disparate, and, if he is re-sentenced, that his sentence be purged of the troubling disparities outlined herein, which were not presented to, nor known by this Court at sentencing. Put simply, Mr. Stroud's sentence is the epitome of manifest injustice, and the source of that injustice lies solely with the State and Mr. Stroud's trial counsel.

The State violated Mr. Stroud's constitutional rights under Brady by failing to disclose charging and sentencing disparities prior to the "capped" plea agreement and prior to sentencing

32. By failing to disclose exculpatory charging evidence, failing to disclose sentencing disparities, and *using* the absence of what we now know to be serious charging and sentencing disparities along racial lines *against* Mr. Stroud (e.g., "The people of Manchester need to know that law and order will prevail in this city"), the State has violated Mr. Stroud's rights under Brady and, by extension, his constitutional right to due process and fair treatment under the law. These serious Brady violations—independent of, or considered cumulatively with, trial counsel's ineffective assistance—must result in an order granting this Motion and

[7] It should be noted that the Strickland analysis is an objective one and "should not depend on the idiosyncrasies of the particular decisionmaker." Strickland, 466 U.S. at 695.

allowing the State the opportunity to right this racially-charged wrong, and Mr. Stroud the opportunity to fight for equity.

33. For relief pursuant to a Brady violation, the test is "not whether the defendant would more likely than not have received a different" result had the favorable evidence been disclosed, but whether that result is "worthy of confidence." Kyles v. Whitley, 514 U.S. 419, 434 (1995).

34. First, to the extent it is in any doubt, the charges, plea deals, and sentences of similar defendants engaged in similar or more culpable conduct at the same protest was favorable plea negotiation evidence and certainly mitigating sentencing evidence, and therefore Brady material. Second, for the reasons articulated at length above, it was clearly prejudicial to Mr. Stroud. And under Brady, Mr. Stroud need not even meet the Strickland standard for prejudice; he need only undermine the "confidence" in his sentence. Here, it is difficult to imagine how the charging and sentencing disparities would *not* have affected the charge to which Mr. Stroud may ultimately have pled guilty and certainly difficult to imagine how those disparities would not have affected his sentence, even under the riot charge. This Court would not have imposed a jail-time sentence had it known what the other similarly situated (and, in some cases, more culpable) protesters were getting, and that is without even considering the racial undertones at play.[8]

35. Indeed, it is untenable to suggest that this Court would be fine with sentencing the only Black man (of those protesters sentenced thus far) to jail while the White defendants, most of whom were charged only with disorderly conduct, got off with slaps on the wrists. See, e.g., Wallace v. State, 768 So.2d 1247, 1250 (Fla. Ct. App. 2000) (noting "the fundamental

[8] Again, the Strickland analysis is an objective one and "should not depend on the idiosyncrasies of the particular decisionmaker." Strickland, 466 U.S. at 695.

proposition that racism has no place in our system of justice"); Zant v. Stephens, 462 U.S. 862, 885 (1983) (identifying race among factors that are "constitutionally impermissible or totally irrelevant to the sentencing process"). This is not to suggest that the State acted intentionally in bringing racially unjust charges and negotiating racially unjust pleas,[9] and Mr. Stroud need not make any such showing to succeed on this Motion. Rather, the racial injustice infecting the State's treatment of White defendants compared to that of Mr. Stroud is something that Mr. Stroud should have known during plea negotiations and something this Court simply should have been able to consider when it rendered its sentencing decision. Based on the nature of the case, the underlying protest, and the goals of sentencing as articulated by this Court, whether Mr. Stroud was charged, negotiated with, and sentenced differently than his White peers (some of whom were far more culpable) is something this Court should have had the benefit of understanding. Had the State[10] not failed this Court in that respect, there is a great possibility that this Court would have issued a different sentence. Of course, for Brady violations, Mr. Stroud need only show that the result is no longer worthy of confidence; he has clearly done so.

36. For these reasons, the State's Brady violations rendered Mr. Stroud's plea not knowing, intelligent, and voluntary and his sentence can only be described as manifest injustice. Accordingly, this Motion must be granted and Mr. Stroud must be permitted to withdraw his plea.

Conclusion

37. For the foregoing reasons, Mr. Stroud respectfully asks that this Court schedule an evidentiary hearing on this Motion and grant his Motion to withdraw his plea.

[9] See State v. Santiago, 122 A.3d 1, 96 (Conn. 2015) ("It likely is the case that many, if not most, of the documented disparities in capital charging and sentencing arise not from purposeful, hateful racism or racial animus, but rather from these sorts of subtle, imperceptible biases on the part of generally well-meaning decision makers.").
[10] And, as explained above, Mr. Stroud's trial counsel.

WHEREFORE, for the above-stated reasons, Antwan Stroud hereby requests the following relief:

A. This Court schedule an evidentiary hearing on this Motion;

B. Grant Mr. Stroud's Motion and allow him to withdraw his plea of guilty to Misdemeanor Riot; and

C. Grant such further relief as is just and proper.

Respectfully submitted,

Antwan Stroud

By his attorneys,

Wadleigh, Starr, & Peters, PLLC

Dated: February 24, 2021

By: /s/Donna J. Brown

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of February 2021 a copy of the foregoing motion was e-filed to Thomas Craig of the Hillsborough County Attorney's Office (Manchester).

/s/ Donna J. Brown
Donna J. Brown, Esq.

EXHIBIT A

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 20:13:05	ADDT'L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		Supervising Officer
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6790
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O'LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O'Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St. At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

EXHIBIT B

Timeline – State v. Antwan Stroud

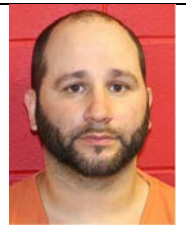
Charged with Riot
Received stand committed jail sentence
Did not receive stand committed jail sentence
No disposition at this time

Date	Charging decisions and facts from MPD reports and press releases	Citation	Subject	Race/Pic of Subject	Age
6/2/20	Arrested for Criminal Threatening for 5/30/20 Facebook Post – inviting people to protest racism and police brutality. The post referenced "tipping police cars," "graffiti," and asking people to "take examples from riots in other cities." Case still pending. **Jeremy Harmon** is prosecuting.	Attachment A, Manchester Police Press Release	Daniel **Zeron** Criminal Threatening		19
6/3/20	Det. Ryan Heile on Facebook looking for information on "civil unrest" event on 6/2/20 and 6/3/20	Attachment B, SF – 13 [1]			
6/3/20	Det. Heile attempts to ID's Toledo photo, gets email from school resource Officer (Thomas Ouellette)	Attachment C, Disco: 15	Kyle **Toledo**, Hooksett Riot, Reckless Conduct (Riot charge later dropped pursuant to plea agreement.)		20
6/3/20	Manchester Police issue Press Release regarding arrests from BLM march 6/2/20 which includes booking photos and charges. *"Observed approach the riot line, scream at police officers, and bang on their riot shields. Seeing this, I grabbed Liggins by the front of his shirt, pulled him through the riot line and apprehended him with the assistance of my arrest team. During this apprehension, Liggins struggled by pulling his arms in toward his chest as we attempted to cuff him, kicked his legs out, and flailed his body despite having been told to give up his hands and to stop resisting.	Attachment D, Manchester Police Press Release	Trent Edmond **Liggins** Riot, Disorderly Conduct, Resisting Arrest		19

[1] File sent from Attorney Shepherd (SF). It is worth noting that the only other arrests from the events of June 2, 2020 - June 3, 2020 that are mentioned in the police reports sent to Attorney Shepherd was the arrest of Kyle Toledo. There were several publicly available press releases indicating that at 13 other people were arrested. There is no indication in Attorney Shepherd's file that he asked for information about other arrests/dispositions related to the June 2, 2020 event.

	** Case still pending. **Andrea Muller** Prosecuting. 2/23 status hearing.	Attachment E, ACLU FOIA Records			
	*__Female engaging in a riot__ refused to disperse after being ordered to do so… The group was throwing glass bottle in our directions nearly striking an officer each time…there was one female individual who blatantly disregarded our commands and remained in the roadway and in the area. This female was later identified as: Kayla Sharp. The line of Officers, including myself, began advancing on South Willow Street to disperse the group. Due to Kayla refusing to disperse, she was subsequently placed into handcuffs and under arrest	Attachment D, Manchester Police Press Release	Kayla **Sharp** – Disorderly Conduct		24
	*Once of these individuals was later identified as Carmelo Rodriguez. Officers advanced to the crowd and members of the crowd did not move so they were placed under arrest. While assisting with an arrest of another individual, I observed Carmelo acting **disorderly**, yelling and screaming and contributing to the overall chaos of the situation. *Case still pending. 2/25 status. **John Blanchard** prosecuting.	Attachment D, Manchester Police Press Release Attachment F, ACLU FOIA Records	Carmelo **Rodriguez** Riot, Disorderly Conduct, Resisting Arrest		45
	*Running in the middle of S. Willow St. southerly with several uniformed police officers in foot pursuit. Let it be known that this individual had effectively penetrated our perimeter and was within the secured area and was not stopping or cooperating with police commands. This male subject was later identified as, Keagan Hall. And as I noticed him evading several officers I proceeded to his location where I was able to make contact with him and transitioned him to the ground. [] I was later able to confirm with Capt. Okeefe that Keagan had become disorderly while standing outside of the mattress warehouse on S. Willow St. and failed to leave the area after given several orders to move away. He explained that Keagan had been **instigating interactions** and acting in a threatening manner towards other bystanders prior to him being asked to leave the area. He also explained that following this Keagan began to square off on him resulting in Capt. Okeefe spraying him with OC spray and him subsequently running southerly on S. Willow St. For further information regarding this please reference Capt. O'Keefe`s supplemental report. *Case still pending. **Andrea Muller** prosecuting.	Attachment D, Manchester Police Press Release Attachment G, ACLU FOIA Records	Keagan **Hall** Disorderly Conduct, Resisting Arrest		20

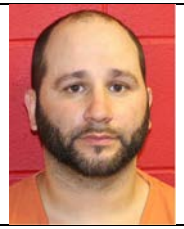
	*Prior to my contact with him we were dealing with multiple items being thrown at the police, at police cruisers, and at random cars and people. These problems were occurring in the area of Weston Rd. and S. Willow St. Milton was repeatedly asked to leave this area along with all of the other people that were congregating on S. Willow St. and partaking in the riot. Milton refused lawful orders from the Manchester Police multiple times to leave the area and would not move. He had relatively large group of people with him that were joining him in disregarding our lawful commands. **He was screaming and yelling and caused the other people with him to engage in this violent and tumultuous behavior.** ***Case still pending. **Jeremy Harmon** prosecuting.	Attachment D, Manchester Police Press Release Attachment H, ACLU FOIA Records	Milton **Nabors III** Riot		28
	*Police bear cat then began making announcements via they LARAD PA system ordering the crowd to disperse. After several announcements/lawful orders to disperse the police line began to move forward in a south eastern direction towards the Mobil gas pumps in an effort to clear out the remaining crowd. While moving forward Yianakopolos was still in the area. As the police line moved toward Yianakopolos, he put his hands up and wouldn`t vacate the premise of the Mobil, S. Willow St/Weston Rd area. After receiving multiple commands to disperse the area and given every opportunity to vacate the area Yianakopolos failed to comply with the orders and was taken into custody without incident.	Attachment D, Manchester Police Press Release Attachment I, ACLU FOIA Records	Ryan **Yianakopolos** Disorderly Conduct		25
	*All but two male remained in the area and were given verbal commands by several officers that they had to vacate the area/property of would be arrested. Neither male vacated the area and were both arrested.	Attachment D, Manchester Police Press Release Attachment J, ACLU FOIA Records	Michael **Krasyn** Disorderly Conduct		25

	*Manchester Police advised that members of the crowd were throwing bottles at officers…crowd dispersed from the area while others remained, but were no longer impeding South Willow Street. A subject, later identified as, Andrew Magoon, who was **armed with a baseball bat**, reemerged into the roadway. MAGOON was ordered to exit the roadway, which he did, however moments later he reentered the roadway. MAGOON was again ordered to exit the roadway, which he did.	Attachment D, Manchester Police Press Release Attachment K, ACLU FOIA Records	Andrew **Magoon** Disorderly Conduct		32
	*Despite… warnings many individuals persisted with their criminal behavior such as a female in a crowd of approximately one hundred people, identified as; Nabors, Shania who I observed approach the riot line, scream at police officers, and bang on their riot shields. Seeing this, I grabbed Nabors by the front of his (sic) shirt, pulled him (sic) through the riot line and apprehended him (sic) with the assistance of my arrest team. *Case still pending. **Andrea Muller** prosecuting.	Attachment L, ACLU FOIA Records	Shania Nabors Riot Disorderly Conduct		19
	Police also located a video showing a person throwing a rock at uniformed officers. The same individual can be seen throwing a water bottle at a bus and another at officers. Through their investigation police identified the suspect as 23 y/o Dylan Smith of Deerfield. Smith is wanted on three felony counts of Riot. *Case still pending. Plea & Sentencing scheduled for 4/2/21. **Thomas Craig** prosecuting. Mike Hamman defense attorney.	Attachment M, Manchester Police Press Release	Dylan Smith Riot (F)		23
6/5/20	Dear [Hillsborough] County Attorney Conlon: I hope all is well. As you know, several individuals were arrested during Wednesday's protests in Manchester. **We have received a complaint that the people of color who were arrested were charged with "riot", while the white individuals arrested were only cited with disorderly conduct.** (see below). Would it be possible, under Chapter 91-A, to receive the police reports for all the arrests on Wednesday (including of those below), as we do not have all the facts. If there is a disparity, we would also ask for the factual circumstances, if any, that explain the differing charges. Thank you again, and always happy to chat if that would be helpful. Best, Gilles Bissonnette **ACLU-NH legal Director**	Attachment N, Email from ACLU			

6/4/20	Det. Heile seeks Arrest warrant for **Toledo** and Stroud on charges of Reckless Conduct (M) and Riot (F).	Attachment O, Disco: 17-19	Toledo		
6/6/20	Arrest warrant issued by Justice Wm. Lyons for Reckless Conduct (M) and Riot (F) based on request by Off. Ryan Heile. **Stroud** arrested on this date and said he wanted a lawyer. **No** prior criminal history. Police Report: Found video on Stroud's Facebook account. Stroud was holding camera. **The group [depicted in the video] began walking south on South Willow Street before stopping again and yelling things like "fuck the police" "fuck MPD" "fuck the feds" "fuck all those niggas."** At approximately 12:40 into the video a group of MPD officers approached the group and informed them to keep moving…At approximately 2158 into the video, you can hear a female say, "Kyle is lighting off the firework right now". The female then says that she. brought four or five fireworks and that he brought them all. At approximately 2235, you can hear the male holding the camera say, "light that shit" twice. Afterwards you can see a male who is wearing a blue shirt, blue jeans, black baseball hat exposing his front left pocket showing multiple items that are cylinder like in shape and light brown, which I believe to be fireworks. The male then removes the fireworks from his pocket. The male holding the camera again says, "you light that shit nigga." At approximately 2342 into the video, you can hear the male holding the camera say "Someone on my live said light that shit don't be a bitch." At approximately 2346 into the video you can see the male in the blue shirt lighting the firework on fire. The male is holding the fireworks in his left hand and holding a fire-producing product (possibly a lighter) in his right hand. After the firework is lit, he throws the firework over the heads of the people in the group they are in. The lit firework lands in the front parking of the Laundromax Free Dry Laundry (465 South Willow Street). The actually lit firework lands roughly 10 feet from an occupied lighter colored vehicle. In the video you can see someone exit the vehicle and then the vehicle quickly reverses out of the parking space that they were legally parked in to leave the area.[2]	Attachment P, SF: 3, 13, 14, 33	Antwan **Stroud,** Manchester Riot (later reduced to misd. riot) Reckless Conduct		18
6/8/20	Charges of felony **arson** filed against Jameson Brisendine. *He then said that he was "pumped up" thinking about the band Sublime and walked back behind the building. He then stated that he drank a beer. We asked him how the dumpster fire started, and he stated that he started it.	Attachment Q, Court Summary Docket #216-	Jameson **Brisendine** Arson		24

[2] See video presented at sentencing. https://www.unionleader.com/voices/city_matters/south-willow-street-justice-jail-the-black-guy/article_ec2f8103-5a1d-539f-9294-bf30923d70f4.html

		2020-CR-00804 Attachment R, ACLU FOIA Records	Felony (Later reduced to misd.)		
7/2/20	Assistant Hillsborough Atty **Thomas Craig** files complaint of felony Riot, contrary to RSA 644:1(Disco: 1)	Attachment S, Disco: 1	Antwan Stroud		
Sentencing – Dispositions					
12/11/20	Jameson Brisendine pleads guilty to arson (M). Received sentence of 12 months, all suspend on condition of good behavior, counseling treatment or educational programs. (No jail time.)	Attachment Q, Court Summary Docket #216-2020-CR-00804	James **Brisendine** Sentence		
1/7/21	Antwan Stroud pleads guilty to Riot (M). Asst. Hills Cnty Atty **Thomas Craig** is prosecutor. Parties enter into a "capped" plea. Judge Delker imposes a sentence of 12 months at the House of Corrections with all but 30 days **(30 days in jail)** suspended on the condition of 2 years good behavior. Stroud is also sentenced to 2 years' probation and ordered to obtain a GED by June. (Stroud will not be able to obtain annulment of his record for a period of 5 years.)		Antwan **Stroud** Sentence		
1/15/21	Toledo pleads guilty to Reckless Conduct (M) and Riot (F) is nolle prossed (dropped) pursuant to plea agreement. Attorney **Thomas Craig** is Prosecutor. **Toledo** receives Sentence of 6 months HOC, all suspended on 6 months good behavior. **(No time in jail.)** Defendant shall write meaningful letter apology to Manchester Police Dept. Shall enroll in job corps or suspension window will be extended to 2 years, 01/15/2021. Community Service: Hours: 50 (Provide proof to State within 6 months today's date.) (Judge Nadeau). If Toledo completes his community service, he will be eligible to annul his record in 3 1/3 years.	Attachment T, Court Summary Docket #216-2020-CR-00815	Kyle **Toledo** Sentence		
11/10/2020	Sharp pleads guilty to disorderly conduct (M). **Jeremy Harmon** is the prosecutor. Sharp receives sentence of 45 days HOC all suspended 2 years good behavior. **(No time in jail).** $186 fine.	Attachment U, Court Summary Docket #456-2020-CR-01677	Kayla **Sharp** Sentence		

9/17/2020	Yianakopolos pleads guilty to disorderly conduct (M). **Jeremy Harmon** is prosecuting. $248 fine. (No jail time).	Attachment V, Court Summary Docket #456-2020-CR-01676	Ryan **Yianakopolos** Sentence		
11/10/2020	Krasyn pleads guilty to disorderly conduct (M). **John Blanchard** is prosecuting. $1488 fine suspended 12 months. 1-year good behavior. (No jail time).	Attachment W, Court Summary Docket #456-2020-CR-01667	Michael **Krasyn** Sentence		
11/10/2020	Magoon pleads nolo contendere to disorderly conduct (M). **John Blanchard** is prosecuting. Sentenced to 1-year good behavior. $1488 fine suspended 12 months. (No jail time).	Attachment X, Court Summary Docket #456-2020-CR-01670	Andrew **Magoon** Sentence		

ATTACHMENT A

Chief of Police
Carlo T. Capano

Assistant Chief
Ryan A. Grant

Commission
Scott R. Spradling, *Chairman*
Steven J. Spain
Charlie Sherman
Manny Content
Eva Castillo

CITY OF MANCHESTER

Police Department

Press Release
June 2, 2020

Contact: Heather Hamel **HHAMEL@manchesternh.gov**
Public Information Officer **(603) 792-5433**

Arrest Made In Connection With Social Media Post

In the early morning hours of June 2, 2020 an arrest was made in connection with a social media post referencing calls for criminal behavior and acts of violence. Through a joint investigation lead by Manchester Police, with the assistance of New Hampshire State Police, Ashland Police and the FBI, law enforcement was able to charge 19 year old Daniel Zeron with Criminal Threatening.

On May 30, 2020 Manchester Police were made aware of a Facebook post inviting people to protest racism and police brutality. The post referenced "tipping police cars," "graffiti," and asking people to "take examples from riots in other cities." Through investigative techniques, Manchester Police were able to determine the post had originated from a home in Ashland, New Hampshire.

Through their investigation, police determined that Zeron was the author of the post. The post has since been taken down, however Manchester Police continue to closely monitor social media.

"We cannot and will not tolerate any suggested riots or acts of violence against our community," says Manchester Police Chief Carlo Capano," The men and women of the Manchester Police Department work tirelessly to keep our community safe and the actions of Daniel Zeron undermine our efforts and leave our citizens in a state of uneasiness. We will work with our prosecutors to make sure Zeron is held accountable for his actions and we will push for the strongest penalties allowed by law."

Zeron was held on Preventative Detention and he will be arraigned today, June 2 in Manchester Circuit Court.



ATTACHMENT B

Notes/Narrative

(100408) HEILE, RYAN R

Case Number: 20-6790
Offense: Reckless Conduct (M), Riot
Date of Report: 4 June 2020
Submitted By: Det. R. Heile
Facebook live video

On June 3, 2020, I was on Facebook in the attempt to look for footage that was taken during the period of civil unrest that occurred on South Willow Street from the night of June 2, 2020 into the early morning of June 3, 2020.

It was during my search I came upon a males Facebook page that was using the name of Otm Dsmoove. The URL name shows the males name being Antwan Stroud. The URL of the Facebook profile is:

https://www.facebook.com/antwan.stroud

Once I was located on that Facebook profile I noticed that there was a Facebook Live video that was saved on his Facebook profile outline. This video began at June 2, 2020 at 2043 and lasts for 1 hour three minutes and 48 seconds.

When I clicked play on this video, I noticed right away that the male holding the camera was the same person whose Facebook page I was currently on and that video took place in the area of South Willow Street in Manchester NH. I also noticed that the male was apart of a large group of people and they were standing out side of Budget Gas (445 South Willow Street).

The group then began walking south on South Willow before stopping again and yelling things like "fuck the police" "fuck MPD" "fuck the feds" "fuck all those niggas".

At approximately 1240 into the video a group of Manchester Police Officers approached the group and informed them that they had to keep moving. The group then continues to move south on South Willow Street. The group then stops in front of Laundro Max (465 South Willow Street).

At approximately 2158 into the video, you can hear a female say "Kyle is lighting off the firework right now". The female then says that she brought four or five fireworks and that he brought them all.

At approximately 2235, you can hear the male holding the camera say "light that shit" twice. Afterwards you can see a male who is wearing a blue shirt, blue jeans, black baseball hat exposing his front left pocket showing multiple items that are cylinder like in shape and light brown, which I believe to be fireworks. The male then removes the fireworks from his pocket.

The male holding the camera again says, "you light that shit nigga". At approximately 2342 into the video, you can hear the male holding the camera say "Someone on my live said light that shit don't be a bitch" At approximately 2346 into the video you can see the male in the blue shirt lighting the firework on fire. The male is holding the fireworks in his left hand and holding a fire-producing product (possibly a lighter) in his right hand. After the firework is lit he throws the firework over the heads of the people in the group they are in. The lit firework lands in the front parking of the Laundromax Free Dry Laundry (465 South Willow Street). The actually lit firework lands roughly 10 feet from an occupied lighter colored vehicle. In the video, you can see someone exit the vehicle and then the vehicle quickly reverses out of the parking space that they were legally parked in to leave the area. At

ATTACHMENT C

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 12:42:14	ADDT'L INFORMATION	(100408) HEILE, RYAN R
Contact Name		Supervising Officer
		(100227) SANDERS, CHRISTOPHER M

Supplement Notes

(100408) HEILE, RYAN R

Case Number: 20-6790
Offense: Reckless Conduct (M), Riot
Date of Report: 4 June 2020
Submitted By: Det. R. Heile
ID of Kyle Toledo

On June 3, 2020 at approximately 1341, I emailed still pictures I took from the video of the male in the blue shirt that lit the firework department wide looking to see if anyone could identify him.

Shortly after, I spoke with Detective Thomas Ouellette who is a school resource officer for the Manchester Police Department who identified the male as:

Kyle Toledo ([redacted])
[redacted]

Due to the fact that Toldeo has never been arrested by Manchester Police nor has any criminal history I requested his driver license picture through the New Hampshire State Police. I emailed this request on June 4, 2020 at approximately 0903.

On June 4, 2020l, at approximately 1224 I received an email from Tom Gallagher who is an intelligence liaison officer for the NH Information and & Analysis Center. In this email Gallagher provided me with a copy of Toldeo's driver license picture.

Based off that picture I was personally able to confirm that Toldeo was the male who was wearing the blue shirt. The driver license picture will be attached to this report.

NFI

ATTACHMENT D

Chief of Police
Carlo T. Capano

Assistant Chief
Ryan A. Grant

Commission
Scott R. Spradling, *Chairman*
Steven J. Spain
Charlie Sherman
Manny Content
Eva Castillo

CITY OF MANCHESTER

Police Department

Press Release
June 3, 2020

Contact: Heather Hamel **HHAMEL@manchesternh.gov**
Public Information Officer **(603) 792-5433**

Protests

On June 2, 2020 Manchester Police closely monitored events in the city spurred by the death of George Floyd in Minneapolis. An organized event at Stark Park was peaceful, but as the night went on other groups started to become unruly.

At 8pm at Stark Park, a candlelight vigil organized by Black Lives Matter brought in about 700 people. The event lasted just over an hour, and remained peaceful throughout. There was no criminal behavior or arrests made at that location. Afterwards a small group of approximately 50 marched down Elm St, becoming disruptive. The group eventually met up with others gathering on South Willow Street. At one point a juvenile on a bicycle kicked a police cruiser, spit on it, and started shouting profanities. He was arrested.

Manchester Police used a multitude of measures to allow for a peaceful protest, to include a uniformed presence, a loud speaker, and high frequency sounds. Despite their efforts, some people would not comply with officers requests. At times fireworks were set off in the road and shot in the direction of the police officers, lanes of traffic were blocked by protestors, and bottles and other items thrown at officers. Police in civil disobedience gear had to disperse the unruly crowd down S. Willow St and multiple arrests were made. There were 10 adults and 3 juveniles arrested. Most arrests were for Disorderly Conduct and Riot, but one man was charged with arson for setting a dumpster on fire. All were released on PR bail and court will be scheduled for a future date.

“I’m proud of the professionalism and restraint all of our officers showed last night under some extreme circumstances. The acts of violence and destruction of property will not be tolerated” says Chief Carlo Capano. “It’s important for the public to understand the difference between both of last night’s events. The Stark Park event was very well organized and remained a peaceful candle light vigil in memory of George Floyd. These are the type of peaceful protests the Manchester Police Department will always support. The acts of violence, rioting and disrupting our community in any way will not be tolerated and the two different events should not be confused.”

The Manchester Police Department will continue to do everything we can to keep our community safe.

"Due to the nature of last night's events, people were booked at two different locations. The only in-house booking photos we have are the ones provided here, we are working with VSJ to get the rest. We understand the interest in the arrests and images and that is why we are sending them piecemeal. As soon as we have all of the mug shots, we will send them out to the media.*



Trenton Edmond Liggins
19 y/o of Manchester
Riot, Disorderly Conduct, Resisting Arrest



Kayla Sharp
24 y/o of Nottingham
Disorderly Conduct



Jameson Brisendine
24 y/o of Weare
Arson



Carmelo Rodriguez
45 y/o of Manchester
Riot, Disorderly Conduct, Resisting Arrest

(still waiting on booking photos)

Keagan Hall
20 y/o of Manchester
Disorderly Conduct, Resisting Arrest

Milton Nabors III
28 y/o of Manchester
Riot

Ryan Yianakopolos
25 y/o of Manchester
Disorderly Conduct

Michael Krasyn
25 y/o of Nashua
Disorderly Conduct

Andrew Magoon
32 y/o of Manchester
Disorderly Conduct

Shania Nabors
19 y/o of Manchester
Riot, Disorderly Conduct

ATTACHMENT E

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006758 **Date:** 07/27/2020 10:34:05

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 02:49	06/03/2020 02:49	06/03/2020 02:49	(100565) MATZELLE, ROBERT C

Incident Location
Weston Rd / S Willow St, Manchester, NH 03103

Charges

1 | Charge Type: State | Description: RIOT (M) | Statute: 644:1 (M) | UCR: 90B | ☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

2 | Charge Type: State | Description: DISORDERLY CONDUCT (M) | Statute: 644:2 (M) | UCR: 90C | ☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

3 | Charge Type: State | Description: RESISTING ARREST OR DETENTION | Statute: 642:2 | UCR: 90Z | ☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	SOCIETY/ PUBLIC	None	Unknown	Unknown

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE	U	U		

Address	Home Phone

Employer Name/Address	Business Phone

Victim of Crimes	
1,2,3	

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006758 **Date:** 07/27/2020 10:34:05

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	LIGGINS, TRENTON EDMOND

AKA	Race	Sex	DOB	Age	Height	Weight
	B	M	[redacted]	19	5'05"	115 lbs

Address	Home Phone
[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted]	

Scars, Marks, Tatoos or other distinguishing features

Physical Characteristics

Suspect Details

Notes/Narrative

(100565) MATZELLE, ROBERT C

MO: Arrest made during riots in the city of Manchester

Riot (M), RSA 644:1
Disorderly Conduct (M), RSA 644:2
Resisting Arrest or Detention, RSA 642:2

The following report is a synopsis of the interview, intended to summarize the content of what was discussed. The sequence of the information is not necessarily in the order in which it took place nor is it the exact wording that was used during the interview.

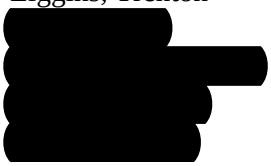
On 2 JUNE 2020 at approximately 2341hrs, I, Officer Matzelle, was working in the summer uniform of the day and riot gear along with several hundred officers from the Manchester Police Department, the New Hampshire State Police, the Nashua Police Department, the Hillsborough County Sheriff`s Office, and elements from the military police from the New Hampshire National Guard, were assigned to South Willow Street during a period of riots and protesting related to an incident that occurred in Minneapolis.

While assigned to South Willow Street, I was tasked as the leader of an "arrest team" which was responsible for apprehending people perpetrating crimes and who were inciting riot and significantly negatively influencing the attitude of other protestors based on actions such as throwing bottles at police officers, screaming obscenities, damaging police vehicles, and blocking roadways. During this assignment, numerous individuals committed these

crimes but were unable to be arrested due to their large numbers. During this incident, police utilized a multitude of measures in an attempt to allow for peaceful protest but simultaneously deter and prevent crime such as; uniformed presence, loud speaker announcements to disperse including warnings that those who do not may be apprehended in accordance with RSA 644:2 (Disorderly Conduct), and use of the LRAD (Long Range Acoustic Device) which produces a high frequency sound which produces discomfort to deter criminals.

Despite all of these warnings many individuals persisted with their criminal behavior such as a male in a crowd of approximately one hundred people, identified as;

Liggins, Trenton



who I observed approach the riot line, scream at police officers, and bang on their riot shields. Seeing this, I grabbed Liggins by the front of his shirt, pulled him through the riot line and apprehended him with the assistance of my arrest team. During this apprehension, Liggins struggled by pulling his arms in toward his chest as we attempted to cuff him, kicked his legs out, and flailed his body despite having been told to give up his hands and to stop resisting. Ultimately, Liggins was placed into flex-cuffs and transported to MPD Headquarters for booking and processing.

NFI / MATZELLE 108

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006758 **Date:** 07/27/2020 10:34:05

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:08:53	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6758
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002206	20-006758	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Liggins, Trenton Edmond	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[1] W [3] A [X] B [4] I	5'05	115-0	BRO	BLK	BLK	[1] SCARS [2] MARKS [3] TATTOOS [4] AMPUTATIONS

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
[redacted]	[redacted]	[redacted]	19	

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS								
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[X] RESIDENT [2] NON-RESIDENT	[redacted]	[redacted]	[redacted]

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE
[redacted]		

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
1050 S Willow St Manchester, Nh		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	04:18 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[X] YES [2] NO [3] UNKNOWN

	46 CHARGE-1	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
[1] FEL [X] MISD	Riot (m)	90B	644:1 (M)			
[1] FEL [X] MISD	48 CHARGE-2: Disorderly Conduct (m)	49 UCR CODE: 90C	53 STATE CODE/LOCAL ORD.: 644:2 (M)	54 WARRANT #	DISPOSITION	55 DATE ISSUED
[1] FEL [X] MISD	56 CHARGE-3: Resisting Arrest Or	57 UCR CODE: 90Z	60 STATE CODE/LOCAL ORD.: 642:2	61 WARRANT #	DISPOSITION	62 DATE ISSUED
[1] FEL [2] MISD	58 CHARGE-4	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO (TOP / BOTTOM)	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT	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 [1] AM [3] MIL. [2] PM	92 RELEASING OFFICER NAME	93 AGENCY/DIVISION	94 ID #

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE [1] YES [2] NO [3] 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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Matzelle, Robert C	100565				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020 04:18		20-006758	
			118b. ARREST # 20002206	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT F

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006752 **Date:** 07/27/2020 10:36:19

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/02/2020 23:45	06/02/2020 23:45	06/02/2020 23:45	(100515) BATES, STEPHEN D JR

Incident Location
Weston Rd / S Willow St, Manchester, NH 03103

Charges

1

Charge Type	Description	Statute	UCR	
State	RIOT (M)	644:1 (M)	90B	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

2

Charge Type	Description	Statute	UCR	
State	DISORDERLY CONDUCT (M)	644:2 (M)	90C	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. # 1

Type	Injuries	Residency Status	Ethnicity
GOVERNMENT	None	Unknown	Unknown

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE	U	U		

Address	Home Phone

Employer Name/Address	Business Phone

Victim of Crimes
1,2

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006752 **Date:** 07/27/2020 10:36:19

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	RODRIGUEZ, CARMELO

AKA	Race	Sex	DOB	Age	Height	Weight
	W	M	[redacted]	45	5'05"	135 lbs

Address	Home Phone
[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted]	

Scars, Marks, Tatoos or other distinguishing features

Tattoo/Left Wrist-"ilana"

Physical Characteristics

Suspect Details

Notes/Narrative

(100515) BATES, STEPHEN D JR

644:1 Riot- Mis. A- 1 count
644:2 Disorderly Conduct- Mis. A- 1 count

MO: Riot on S. Willow escalates in several arrests.

The following report is a synopsis of this incident as it was presented to me by the involved parties and is intended to summarize the content of what was discussed. The sequence of the information is not necessarily in the order in which it took place nor is it the exact wording that was used during the interview. For an exact account please reference the associated video for this case.

On 6/3/20 at approximately 2345 hours I (Officer Bates) responded to S Willow St. and Weston Rd. for a disorderly crowd. I was wearing the MPD uniform of the day equipped with my BodyWorn camera and operating a fully marked cruiser. Upon my arrival I observed a large, hostile crowd with over a hundred people screaming and shouting profanities, throwing items at police officers to include glass bottles and standing in the roadway. The Manchester SWAT team , Nahsua SWAT team and State Police SERT team where all on scene with equipped with riot gear as well as their respective armored vehicle. Numerous members of the disorderly crowd would contiued to step in the roadway and attempt in incite a violent police response through vulgarity and tumultuous behavior. Numerous orders by Manchester police officers as well as the intercom on the MPD Bearcat, were given to the disorderly crowd to exit the roadway and cease their disorderly behavior.

MPD units on scene gave the crowd plenty of times and numerous opportunities to clear the roadway however many of them chose not too, MPD SWAT and patrol officers then advanced on the crowd and warned people that if they did not get out of the way they would be placed under arrest. Once of these individuals was later identified as:

Carmelo Rodriguez
[redacted]

Officers advanced to the crowd and members of the crowd did not move so they were placed under arrest. While assisting with an arrest of another individual, I observed Carmelo on the acting disorderly, yelling and screaming and contributing to the overall chaos of the situation. I assisted placing Carmelo in plastic hand restraints which where checked for proper fit. Carmelo was then transported back to MPD HQ where he was booked without incident.

NFI/SB#6

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006752 **Date:** 07/27/2020 10:36:19

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:04:21	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6752
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002195	20-006752	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Rodriguez, Carmelo	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[X] W [3] A [2] B [4] I	5'05	135-0	BRO	BRO	LBR	[1] SCARS [2] MARKS [X] TATTOOS [4] AMPUTATIONS: Tatt/Left/Wris/"ilana"

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
[redacted]	[redacted]	[redacted]	45	58528

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS							[redacted]	NH
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[X] RESIDENT [2] NON-RESIDENT	[redacted]	[redacted]	Driver

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE
[redacted]	[redacted]	

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
1000 S Willow St Manchester, Nh		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	01:41 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[X] YES [2] NO [3] UNKNOWN

	46 CHARGE-1	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
[1] FEL [X] MISD	Riot (m)	90B	644:1 (M)		Pending Court	
[1] FEL [X] MISD	48 CHARGE-2: Disorderly Conduct (m)	49 UCR CODE: 90C	53 STATE CODE/LOCAL ORD.: 644:2 (M)	54 WARRANT #:	DISPOSITION: Pending Court	55 DATE ISSUED:
[1] FEL [2] MISD	56 CHARGE-3	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
[1] FEL [2] MISD	58 CHARGE-4	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO (TOP / BOTTOM)	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT

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 #
[1] AM [3] MIL. [2] PM			

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE	99 PROPERTY NOT RELEASED/HELD AT:	100 PROPERTY #
[1] YES [2] NO [3] PARTIAL		

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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Bates, Stephen D	100515				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020 01:41		20-006752	
			118b. ARREST # 20002195	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT G

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006749 **Date:** 07/27/2020 10:47:56

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 02:03	06/03/2020 02:03	06/03/2020 02:03	(100507) TERRIZZI, ADAM S

Incident Location	
1609 S Willow St, Manchester, NH 03103	

Charges

1	Charge Type	Description	Statute	UCR	
		DISORDERLY CONDUCT (M)	644:2 (M)	90C	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

2	Charge Type	Description	Statute	UCR	
		RESISTING ARREST OR DETENTION	642:2	90Z	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	GOVERNMENT	None	Unknown	Unknown

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE	U	U		

Address	Home Phone

Employer Name/Address	Business Phone

Victim of Crimes	
1,2	

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006749 **Date:** 07/27/2020 10:47:56

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	HALL, KEAGAN

AKA	Race	Sex	DOB	Age	Height	Weight
	W	M	[redacted]	20	5'11"	240 lbs

Address	Home Phone
[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted] [redacted]	

Scars, Marks, Tatoos or other distinguishing features

Tattoo/Left Left-Cross/Acceptence; Tattoo/Right Hand-Rose; Tattoo/Right Right-Dragon/Dignity

Physical Characteristics

Suspect Details

Related Name Relationships

STATE OF NEW HAMPSHIRE	is	RELATIONSHIP UNKNOWN	to	HALL, KEAGAN

Notes/Narrative

(100507) TERRIZZI, ADAM S

M.O.- Protest on S. Willow St. escalates with male subject refusing to leave area following a lawful order, resulting in him being sprayed with OC spray and him resisting and running southerly on S. Willow St. where he was apprehended.

Disorderly Conduct- 644:2
Resisting Arrest or Detention- 642:2

On 6/2/20 at approximately 17:57hrs, I (Ofc. Terrizzi) along with several other officers responded to the area of 1609 S. Willow St. for a protest which had escalated into a riot. Upon arriving I took position along the perimeter to help secure the area and control the crowd. This incident persisted for several hours within which and while maintaining scene security I was facing westerly towards the taco bell parking lot when I heard a loud commotion. Upon turning I was able to see a large white male with long blonde hair and wearing a red shirt and white pants who was running in the middle of S. Willow St. southerly with several uniformed police officers in foot pursuit. Let it be known that this individual had effectively penetrated our perimeter and was within the secured area and was not stopping or cooperating with police commands. This male subject was later identified as,

Keagan Hall

[redacted]

And as I noticed him evading several officers I proceeded to his location where I was able to make contact with him and transitioned him to the ground. Reference my bodyworn video footage for video of this incident.

I was later able to confirm with Capt. Okeefe that Keagan had become disorderly while standing outside of the mattress warehouse on S. Willow St. and failed to leave the area after given several orders to move away. He explained that Keagan had been instigating interactions and acting in a threatening manner towards other bystanders prior to him being asked to leave the area. He also explained that following this Keagan began to square off on him resulting in Capt. Okeefe spraying him with OC spray and him subsequently running southerly on S. Willow St. For further information regarding this please reference Capt. Okeefe`s supplemental report.

Based on the facts and circumstances, Keagan Hall was arrested, checking handcuffs for double lock and proper fit, for 1 count Disorderly Conduct- 644:2 and 1 count Resisting Arrest or Detention- 642:2. He was transported to Valley St. by Hillsborough County Sheriffs without further incident.

NFI

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006749 **Date:** 07/27/2020 10:47:56

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/03/2020 02:38:07	ADDT`L INFORMATION	(100191) O`KEEFE, BRIAN N
Contact Name		**Supervising Officer**
HALL, KEAGAN		(100104) GILLIS, FREDERICK J IV

Supplement Notes

(100191) O`KEEFE, BRIAN N

On June 2, 2020 at approximately 2000hrs, I was assigned to the candlelight vigil at Stark Park. The event had over seven hundred people to honor George Floyd. The four organizers from Black Lives Matter had been in contact with me about the peaceful event, so I knew the numbers they had expected.

My team assisted the attendees across the street around 2130hrs, so they could safely reach their vehicles on Elm Street. However, a group of approximately thirty to fifty people decided to march south on River Road. The group marched south on River Road, East on Webster Street and south on Elm Street. They stopped several times to yell at the officers following them due to the fact they were walking in the middle of the street.

The group of protesters eventually walked east on Queen City Avenue and South on South Willow Street. They ended their journey in the parking lot of AutoZone, 921 South Willow Street.
It should be noted that due to the untimely death of George Floyd, multiple protests had been appearing on social media, to include a violent protest slated to begin at 2030hrs on today`s date. The event specifically targeted 401 South Willow Street and 655 South Willow Street.

Multiple members of our department had been dealing with a group of disorderly individuals south of our location. Several arrests were made and the crowd seemed to thin out. Members of the Nashua Police Department and the New Hampshire State Police were on scene to help disperse the group of protesters who began their night at Stark Park.

Around 0035hrs, New Hampshire State Police ordered all the protesters standing in the AutoZone parking lot to vacate the premises or risk being arrested. Multiple people fled the west side of the street while another group of onlookers stood on the east side of South Willow Street in front of Hannoush Jewelers, 950 South Willow Street.

My attention was drawn to a male subject wearing a red t-shirt. He was yelling and screaming at a person who was dressed in a military style uniform. The subject was loud, boisterous and swearing. I began telling the crowd to leave as it was time to end the event.

The man in the red shirt, who was later identified as ARRESTED;
Hall, Keagan
[redacted]

Was eventually arrested and charged with DOC and Resisting Arrest (See Ofc. Terrizzi`s report). I approached him and asked him to leave and directed him out of the parking lot. He stopped a couple of times and eventually squared off

with me and said I better not place my hands on him. I grabbed both his wrists as he pulled away from me to place him into custody due to the fact I had given him several chances to leave. He pulled away, so I immediately deployed my OC spray and stuck him in the head and face as he started t run away.

He fled on foot in a southerly direction and was caught a short time later by Officer Adam Terrizzi. The event was captured on my department issued body camera and the report is based off of my recollection of the incident. A Respose to Resistance report was also submitted.

NFI

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:38:07	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6817
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002199	20-006749	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Hall, Keagan	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[X] W [3] A [2] B [4] I	5'11	240-0	BLU	BLN	LGT	[1] SCARS [2] MARKS [X] TATTOOS [4] AMPUTATIONS: Tatt/Left/Arm/Cross/acceptence, Tatt/Righ/Hand/Rose

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
[redacted]	[redacted]	[redacted]	20	

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS							[redacted]	NH
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[X] RESIDENT [2] NON-RESIDENT	[redacted]	[redacted]	[redacted]

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE
[redacted]	[redacted]	

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
1609 S. Willow St Manchester, Nh		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	03:00 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[X] YES [2] NO [3] UNKNOWN

46 CHARGE-1	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
Disorderly Conduct (m) [1] FEL [X] MISD	90C	644:2 (M)		Pending Court	
48 CHARGE-2	49 UCR CODE	53 STATE CODE/LOCAL ORD.	54 WARRANT #	DISPOSITION	55 DATE ISSUED
Resisting Arrest Or [1] FEL [X] MISD	90Z	642:2		Pending Court	
56 CHARGE-3 [1] FEL [2] MISD	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
58 CHARGE-4 [1] FEL [2] MISD	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO (TOP / BOTTOM)	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT

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 #
[1] AM [3] MIL. [2] PM			

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE	99 PROPERTY NOT RELEASED/HELD AT:	100 PROPERTY #
[1] YES [2] NO [3] PARTIAL		

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
							☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Terrizzi, Adam S	100507				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST		1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020	03:00		20-006749	
				118b. ARREST # 20002199	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT H

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006750 **Date:** 07/27/2020 10:48:56

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 02:03	06/03/2020 02:03	06/03/2020 02:03	

Incident Location	
1050 S Willow St, Manchester, NH 03103	

Charges

1	Charge Type	Description	Statute	UCR	
	State	RIOT (M)	644:1 (M)	90B	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

2	Charge Type	Description	Statute	UCR	
	State	DISORDERLY CONDUCT (M)	644:2 (M)	90C	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	SOCIETY/ PUBLIC	None		

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE	U	U		

Address	Home Phone

Employer Name/Address	Business Phone

Victim of Crimes	
1,2	

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006750 **Date:** 07/27/2020 10:48:56

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	NABORS, MILTON III

AKA	Race	Sex	DOB	Age	Height	Weight
Mickey Nabors	B	M	[redacted]	28	5'11"	155 lbs

Address	Home Phone
[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted]	

Scars, Marks, Tatoos or other distinguishing features

Tattoo/Tattoo Tattoo-Rt Only God Can Judge; Tattoo/Tattoo Tattoo-Tm; Tattoo/Right Right-Christian; Tattoo/Right Hand-Family; Tattoo/Left Hand-First; Tattoo/Left Left-Praying Hands

Physical Characteristics

BUILD - Thin

Suspect Details

Notes/Narrative

WAGONER, J.

NH RSA 644:2 DISORDERLY CONDUCT (MISD A) (1CT)
NH RSA 644:1 RIOT (MISD A) (1CT)

MO: SUBJECT ARRESTED ON S. WILLOW ST

On June 2, 2020 at approximately 2350 hours, I (Officer Wagoner) was assigned to Unit 2-4 on the 4-12 shift, traveling in an unmarked MPD vehicle equipped with lights and sirens and wearing the uniform of the day to include my body camera when I remained on patrol after my scheduled shift ended at 2330 hours to assist with the crowds on South Willow St. that had been failing to comply with police commands and causing a riot in the street there for hours.

The City of Manchester had been experiencing a riot for a few hours by the time I came in contact with,

OFFENDER
Milton Nabors[redacted]

Prior to my contact with him we were dealing with multiple items being thrown at the police, at police cruisers, and at random cars and people. These problems were occurring in the area of Weston Rd. and S. Willow St. Milton was

repeatedly asked to leave this area along with all of the other people that were congregating on S. Willow St. and partaking in the riot. Milton refused lawful orders from the Manchester Police multiple times to leave the area and would not move. He had relatively large group of people with him that were joining him in disregarding our lawful commands. He was screaming and yelling and caused the other people with him to engage in this violent and tumultuous behavior. At that point in time Officer Matzelle and I grabbed Milton, transitioned him to the ground and then we secured him in zip tie handcuffs.

I took Milton to the wagon and Officer Bernard secured him in the rear. He was taken straight to Valley Street Jail to be booked there.

JVW/NFI

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006750 **Date:** 07/27/2020 10:48:56

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:17:41	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6750
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002200	20-006750	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Nabors, Milton Iii	Mickey Nabors

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[1] W [3] A [X] B [4] I	5'11	155-0	BRO	BRO		[1] SCARS [2] MARKS [X] TATTOOS [4] AMPUTATIONS Tatt/Arm/Rt Only God Can Judge, Tatt/Arm/Tm

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
[redacted]	[redacted]	[redacted]	28	

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS							[redacted]	NH
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[X] RESIDENT [2] NON-RESIDENT	[redacted]	[redacted]	[redacted]

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE
[redacted]	[redacted]	

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
1050 S Willow St Manchester, Nh		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	03:07 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[X] YES [2] NO [3] UNKNOWN

46 CHARGE-1	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
Riot (m) [1] FEL [X] MISD	90B	644:1 (M)		Pending Court	
48 CHARGE-2	49 UCR CODE	53 STATE CODE/LOCAL ORD.	54 WARRANT #	DISPOSITION	55 DATE ISSUED
Disorderly Conduct (m) [1] FEL [X] MISD	90C	644:2 (M)		Pending Court	
56 CHARGE-3 [1] FEL [2] MISD	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
58 CHARGE-4 [1] FEL [2] MISD	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO TOP / BOTTOM	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT	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 [1] AM [3] MIL. [2] PM	92 RELEASING OFFICER NAME	93 AGENCY/DIVISION	94 ID #

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE [1] YES [2] NO [3] 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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Wagoner, Jack V	100587	Matzelle, Robert C	100565		

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020 03:07		20-006750	
			118b. ARREST # 20002200	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT I

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006760 **Date:** 07/27/2020 10:45:34

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 01:51	06/03/2020 :	06/03/2020 :	(100476) JAWOROWSKI, KONRAD

Incident Location	
1050 S Willow St, Manchester, NH 03103	

Charges

1	Charge Type	Description	Statute	UCR	
	State	DISORDERLY CONDUCT (M)	644:2 (M)	90C	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	SERVICE/GAS STATION		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	INDIVIDUAL	None	Unknown	Unknown

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE	U	U		

Address	Home Phone

Employer Name/Address	Business Phone

Victim of Crimes	
1	

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006760 **Date:** 07/27/2020 10:45:34

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	YIANAKOPOLOS, RYAN M

AKA	Race	Sex	DOB	Age	Height	Weight
	W	M	[redacted]	25	6'02"	180 lbs

Address	Home Phone
[redacted]	
Employer Name/Address	**Business Phone**

Scars, Marks, Tatoos or other distinguishing features

Physical Characteristics

Suspect Details

Related Name Relationships

STATE OF NEW HAMPSHIRE	is	OTHERWISE KNOWN	to	YIANAKOPOLOS, RYAN M

Notes/Narrative

(100476) JAWOROWSKI, K

Disorderly Conduct (M) - RSA: 644:2

MO: Subject arrested during protest.

The following report is a synopsis of events intended to summarize what transpired. It is not verbatim nor is the information in exact chronological order. My BodyWorn camera was activated at the time of this incident and it captured an audio/video recording of the incident. For a more detailed account please refer to this recording.

On June 3, 2020 at approximately 0100 I was assigned to crowd control in the area of S. Willow St./Weston Rd. While I was positioned on the protest line on S. Willow St; facing southbound at the intersection of Weston Rd a tall male subject (later identified as; Ryan Yianakopolos[redacted] stepped out from the south eastern corner of the intersection (by Mobil) into the roadway of S. Willow St. and asked if he could speak to the group of 20+/- officers who were all wearing riot gear. The male subject was order by multiple officers several times to get out of the roadway and to leave the area as this collection of people was causing a disturbance. During this event several people protesting were

continuously entering the roadway area of S. Willow St.

Shortly thereafter the NH State Police bear cat then began making announcements via they LARAD PA system ordering the crowd to disperse. After several announcements/lawful orders to disperse the police line began to move forward in a south eastern direction towards the Mobil gas pumps in an effort to clear out the remaining crowd. While moving forward Yianakopolos was still in the area. As the police line moved toward Yianakopolos, he put his hands up and wouldn`t vacate the premise of the Mobil, S. Willow St/Weston Rd area. After receiving multiple commands to disperse the area and given every opportunity to vacate the area Yianakopolos failed to comply with the orders and was taken into custody without incident. Yianakopolos was initially handcuffed (cuffs checked for tightness/fit and double locked). Custody of Yianakopolos was then transferred to the HCSO at which time zip tie cuffs were applied by the sheriffs and was then transported to Valley Street Jail at which time he was booked.

At this time there is no further information in regards to this report.

Kj/NFi

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006760 **Date:** 07/27/2020 10:45:34

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/03/2020 14:47:32	ADDT`L INFORMATION	(100431) DANN, WILLIAM H III
Contact Name		**Supervising Officer**
YIANAKOPOLOS, RYAN M		(100098) GALLANT, JAMIE T

Supplement Notes

DANN, WILLIAM (100431)

Additional Information

The following is a synopsis of the event and is intended to summarize what occurred. It is not verbatim nor is the information necessarily in the exact chronological order in which it occurred.

On June 3, 2020 at approximately 0110 hours, I (Officer Dann) was assigned to crowd control in the area of South Willow Street and Weston Road in the City of Manchester, NH. This was due to a large group of protestors who gathered in the area. At that time I was positioned within the protest line with several other Officers (wearing helmets and holding shields) attempting to maintain order and disperse a large crowd that was chanting and attempting to antagonize the Police. Many of these subjects remained in the roadway and on private property even after being told to disperse the area.

It should be noted that the New Hampshire State Troopers who were assisting us, were operating their armored vehicle known as the "Bear" and utilizing a long range acoustic Device, emitting sound waves in an effort to disperse the crowd. As we continued the crowd control measures, we were facing in a southerly direction and two males separated from the protest group and walked out in the middle of the street towards the front of the line. Both were Caucasian males and appeared to be in their early twenties. I observed one to be tall with a thin build while the other was short and stalky. The tall male was later identified as;

Ryan Yianakopolos



Both males were given several lawful orders by myself and other Officers to get out of the street which they initially ignored (Disorderly conduct). Eventually they complied and moved back several feet but remained on the sidewalk at the intersection of So. Willow Street and Weston Road. As others from the protests group began to disperse, both the shorter male and Yianakopolos remained on the sidewalk and in the parking lot of the Mobil Gas station located at 1050 So Willow Street. I gave several loud verbal commands directed towards the males again to disperse and leave the area but they refused while standing still and putting their hands up.

Myself and the group of Officers moved towards the males and I gave one final loud verbal command for them to leave the area which they refused. I then notified Yianakopolos that he was under arrest and he simply stood facing us with

his hands straight up in the air. I then told him to put his hands behind his back which he initially did not do. Officer Jaworski and I then pulled Yianakopolos down to the ground where I could safely place him in handcuffs. I put him in handcuffs at that time, double locked them and made sure Yianakopolos was quickly returned to his feet and removed from the area. I walked him over to an awaiting arrest team consisting of Hillsborough County Sheriff Deputies, namely Lt. Brian Newcomb and Deputy Woodbury who took custody of Yianakopolos. At that time Yianakopolos stated that he was trying to move from the area, and asked me if he could go now as he was ready to leave. I notifed him that he was given numerous commands to leave and that it was too late as he refused to comply. He was transferred out of handcuffs and put into a set of "Flexicuffs" at that time. As they took custody of him, I returned to my position in formation to help complete crowd dispersal. Please see Officer Jaworski`s report for further. It should be noted that this was all captured on my Body worn Duty Camera which was positioned on my chest and activated during the event.

WHD/NFI

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006760 **Date:** 07/27/2020 10:45:34

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:21:48	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6760
DOC
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002201	20-006760	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Yianakopolos, Ryan M	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[X] W [3] A [2] B [4] I	6'02	180-0	HAZ	BRO		[1] SCARS [2] MARKS [3] TATTOOS [4] AMPUTATIONS

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
	[redacted]	[redacted]	25	

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS							[redacted]	NH
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[X] RESIDENT [2] NON-RESIDENT	[redacted]		

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
1050 S Willow St Manchester, Nh 03103		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	03:29 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[1] YES [2] NO [X] UNKNOWN

46 CHARGE-1 [1] FEL [X] MISD	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
Disorderly Conduct (m)	90C	644:2 (M)		Pending Court	
48 CHARGE-2 [1] FEL [2] MISD	49 UCR CODE	53 STATE CODE/LOCAL ORD.	54 WARRANT #	DISPOSITION	55 DATE ISSUED
56 CHARGE-3 [1] FEL [2] MISD	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
58 CHARGE-4 [1] FEL [2] MISD	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO TOP / BOTTOM	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT	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 [1] AM [3] MIL. [2] PM	92 RELEASING OFFICER NAME	93 AGENCY/DIVISION	94 ID #

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE [1] YES [2] NO [3] 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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Jaworowski, Konrad	100476				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020 03:29		20-006760	
			118b. ARREST # 20002201	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT J

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006748 **Date:** 07/27/2020 10:32:52

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 01:59	06/03/2020 01:00	06/03/2020 01:59	(100499) FELICIANO, JASON M

Incident Location	
1050 S Willow St, Manchester, NH 03103	

Charges

	Charge Type	Description	Statute	UCR	
1	State	DISORDERLY CONDUCT (M)	644:2 (M)	90C	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	SERVICE/GAS STATION		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	GOVERNMENT	None	Unknown	Unknown

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE	U	U		

Address	Home Phone

Employer Name/Address	Business Phone

Victim of Crimes	
1	

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006748 **Date:** 07/27/2020 10:32:52

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	KRASYN, MICHAEL

AKA	Race	Sex	DOB	Age	Height	Weight
	W	M	[redacted]	25	5'04"	135 lbs

Address	Home Phone
[redacted]	[redacted]

Employer Name/Address	Business Phone

Scars, Marks, Tatoos or other distinguishing features

Physical Characteristics

Suspect Details

Notes/Narrative

ONE COUNT OF DISORDERLY CONDUCT (M) RSA 644:2

On June 3, 2020, at approximately 01:00 hours, I was assigned to the arrest team for the protest that was taking place within the City of Manchester. I was in the area of S Willow Street and Weston Avenue with half of the Red Team platoon. New Hampshire State Police was giving commands via their armored vehicle audio system that was advising the remaining protestors that they had to vacate the area or would be subject to arrest. These messages were given by NH State Police for several minutes. With several remaining protestors in the area, the platoon I was assigned to walked towards the property of 1050 S Willow Street, Alltown Market.

All but two male remained in the area and were given verbal commands by several officers that they had to vacate the area/property of would be arrested. Neither male vacated the area and were both arrested. One arrest team arrested one of the males, and I arrested the other male who was identified as:

Michael Krasyn
[redacted]

I placed nylon zip ties on Michael`s hands and checked for tightness. He was transported by the Hillsborough County Sheriff Office to the Hillsborough County House of Corrections.

NFI/CLOSED

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006748 **Date:** 07/27/2020 10:32:52

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:26:06	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6748
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002204	20-006748	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Krasyn, Michael	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[X] W [3] A [2] B [4] I	5'04	135-0	BRO	BRO		[1] SCARS [2] MARKS [3] TATTOOS [4] AMPUTATIONS

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
	[redacted]	0[redacted]	25	

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS								
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26 [1] RESIDENT [X] NON-RESIDENT	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
	[redacted]	[redacted]	

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION? [1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO
1050 S Willow St Manchester, Nh		

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	03:51 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[1] YES [2] NO [X] UNKNOWN

	46 CHARGE-1	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
	[1] FEL [X] MISD Disorderly Conduct (m)	90C	644:2 (M)		Pending Court	
	48 CHARGE-2 [1] FEL [2] MISD	49 UCR CODE	53 STATE CODE/LOCAL ORD.	54 WARRANT #	DISPOSITION	55 DATE ISSUED
	56 CHARGE-3 [1] FEL [2] MISD	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
	58 CHARGE-4 [1] FEL [2] MISD	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
66 ARREST DISPOSITION: Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO (TOP / BOTTOM)	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED? [1] YES [2] NO	80 STORAGE LOCATION/IMPOUND #

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT	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 [1] AM [2] PM [3] MIL.	92 RELEASING OFFICER NAME	93 AGENCY/DIVISION	94 ID #

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE [1] YES [2] NO [3] 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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Feliciano, Jason M	100499				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020 03:51		20-006748	
			118b. ARREST # 20002204	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT K

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006762 **Date:** 07/27/2020 10:31:24

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 04:11	06/03/2020 04:11	06/03/2020 04:11	(100608) ARNOLD, ANTHONY T

Incident Location	
Weston Rd / S Willow St, Manchester, NH 03103	

Charges

1	Charge Type	Description	Statute	UCR	
	State	DISORDERLY CONDUCT (M)	644:2 (M)	90C	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	HIGHWAY/ROAD/ALLEY		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	INDIVIDUAL	None	Resident	Non-Hispanic

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE, ** USE THIS **	U	U		

Address	Home Phone

Employer Name/Address	Business Phone

Victim of Crimes	
1	

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006762 **Date:** 07/27/2020 10:31:24

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	MAGOON, ANDREW T

AKA	Race	Sex	DOB	Age	Height	Weight
	W	M	[redacted]	32	5'07" - 5'08"	175 lbs

Address	Home Phone
[redacted]	

Employer Name/Address	Business Phone
[redacted]	

Scars, Marks, Tatoos or other distinguishing features

Tattoo/Left Left-Lust Envy; Tattoo/Right Right-Hate Jealously

Physical Characteristics

Suspect Details

Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Involved, Other	1	COLANGELO, JOHN	U	M

Address	Home Phone
[redacted]	

Employer Name/Address	Business Phone

Assisting Officers

(100608) ARNOLD, ANTHONY T

Notes/Narrative

(100608) ARNOLD, ANTHONY T

On the morning of 06/03/2020 at approximately 0450 hours I (Ofc. Anthony Arnold) returned to the Manchester Police Department to complete an administrative arrest packet for a Nashua police officer who made an arrest in this jurisdiction. I was assigned to unit 2-2 on the midnight shift operating in full uniform capacity. The following arrest information comes from a civil disturbance that took place at the intersection of South Willow Street and Weston Street, on 06/02/2020 at approximately 2315 hours.

The following is the transcript of the report written by Officer John Colangelo, Badge 139 of the Nashua Police Department.

On 06/02/2020 Ofc. John Colangelo was assigned to the Nashua Police Department`s Mobile Field Force and as part of that unit responded to Manchester New Hampshire to assist with potential civil unrest. At approximately 2242 hours Manchester Police requested assistance with a large group near the intersection of South Willow Street and Weston Street. Manchester Police advised that members of the crowd were throwing bottles at officers. At approximately 2315 hours Manchester Police announced to the crowd the assembly was unlawful and to move away from the roadway. Some members of the crowd dispersed from the area while others remained, but were no longer impeding South Willow Street. A subject, later identified as,

Andrew Magoon
[redacted]

who was armed with a baseball bat, reemerged into the roadway. MAGOON was ordered to exit the roadway, which he did, however moments later he reentered the roadway. MAGOON was again ordered to exit the roadway, which he did. Believing MAGOON`S conduct would continue, an arrest team was formed consisting of Officer Marchionda, Officer Jeff Page, Officer Josh Trefry, and Officer John Colangelo.

At approximately 2354 hours, Officer Marchionda, Officer Jeff Page, Officer Josh Trefry, and Officer John Colangelo took MAGOON into custody without incident and removed him from the area. Officer John Colangelo escorted MAGOON to the Nashua Police Department Prisoner Transport van where Officer John Colangelo turned MAGOON over to Sergeant Tim Orrico. This ended Officer John Colangelo`s contact with MAGOON.

End of Nashua Police involvement.

ATA/NFI

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006762 **Date:** 07/27/2020 10:31:24

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:15:58	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6762
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002209	20-006762	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Magoon, Andrew T	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[X] W [3] A [2] B [4] I	5'07-5'08	175-0	BRO	BRO	LGT	[1] SCARS [2] MARKS [X] TATTOOS [4] AMPUTATIONS: Tatt/Left/Arm/Lust Envy, Tatt/Righ/Arm/Hate Jealously

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
[redacted]	[redacted]	[redacted]	32	

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS							[redacted]	NH
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[X] RESIDENT [2] NON-RESIDENT	[redacted]		Mechanic

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE
[redacted]	[redacted]	

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
Weston Rd / S Willow St Manchester, Nh		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	04:11 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[X] YES [2] NO [3] UNKNOWN

46 CHARGE-1 [1] FEL [X] MISD	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
Disorderly Conduct (m)	90C	644:2 (M)		Arraignment	
48 CHARGE-2 [1] FEL [2] MISD	49 UCR CODE	53 STATE CODE/LOCAL ORD.	54 WARRANT #	DISPOSITION	55 DATE ISSUED
56 CHARGE-3 [1] FEL [2] MISD	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
58 CHARGE-4 [1] FEL [2] MISD	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO	75 TAG #	76 LIS	77 LIY
				TOP / BOTTOM			

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT	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 [1] AM [3] MIL. [2] PM	92 RELEASING OFFICER NAME	93 AGENCY/DIVISION	94 ID #

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE [1] YES [2] NO [3] 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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Arnold, Anthony T	100608				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST 06/03/2020 04:11	1 AM 2 PM X MIL	118a. CASE # 20-006762	119 SFX
			118b. ARREST # 20002209	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT L

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006759 **Date:** 07/27/2020 10:47:03

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 02:50	06/03/2020 02:50	06/03/2020 02:50	(100565) MATZELLE, ROBERT C

Incident Location
Weston Rd / S Willow St, Manchester, NH 03103

Charges

1 | Charge Type: State | Description: RIOT (M) | Statute: 644:1 (M) | UCR: 90B | ☐ Att ☑ Com

Alcohol, Drugs or Computers Used: ☐ Alcohol ☐ Drugs ☐ Computers | Location Type: HIGHWAY/ROAD/ALLEY | Premises Entered: | Forced Entry: ☐ Yes ☑ No | Weapons: 1. 2. 3.

Entry: | Exit: | Criminal Activity:

Bias Motivation: | Bias Target: | Bias Circumstances: | Hate Group:

2 | Charge Type: State | Description: DISORDERLY CONDUCT (M) | Statute: 644:2 (M) | UCR: 90C | ☐ Att ☑ Com

Alcohol, Drugs or Computers Used: ☐ Alcohol ☐ Drugs ☐ Computers | Location Type: HIGHWAY/ROAD/ALLEY | Premises Entered: | Forced Entry: ☐ Yes ☑ No | Weapons: 1. 2. 3.

Entry: | Exit: | Criminal Activity:

Bias Motivation: | Bias Target: | Bias Circumstances: | Hate Group:

3 | Charge Type: State | Description: RESISTING ARREST OR DETENTION | Statute: 642:2 | UCR: 90Z | ☐ Att ☑ Com

Alcohol, Drugs or Computers Used: ☐ Alcohol ☐ Drugs ☐ Computers | Location Type: HIGHWAY/ROAD/ALLEY | Premises Entered: | Forced Entry: ☐ Yes ☑ No | Weapons: 1. 2. 3.

Entry: | Exit: | Criminal Activity:

Bias Motivation: | Bias Target: | Bias Circumstances: | Hate Group:

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	SOCIETY/ PUBLIC	None	Unknown	Unknown

Name(Last, First, M)	Race	Sex	DOB	Age
STATE OF NEW HAMPSHIRE	U	U		

Address: | Home Phone:

Employer Name/Address: | Business Phone:

Victim of Crimes: 1,2,3

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006759 **Date:** 07/27/2020 10:47:03

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	NABORS, SHANIA

AKA	Race	Sex	DOB	Age	Height	Weight
	B	F	[redacted]	19	5'01"	160 lbs

Address	Home Phone
[redacted]	[redacted]
Employer Name/Address	**Business Phone**

Scars, Marks, Tatoos or other distinguishing features

Physical Characteristics

Suspect Details

Notes/Narrative

(100565) MATZELLE, ROBERT C

MO: Arrest made during riots in the city of Manchester

Riot (M), RSA 644:1
Disorderly Conduct (M), RSA 644:2
Resisting Arrest or Detention, RSA 642:2

The following report is a synopsis of the interview, intended to summarize the content of what was discussed. The sequence of the information is not necessarily in the order in which it took place nor is it the exact wording that was used during the interview.

On 2 JUNE 2020 at approximately 2341hrs, I, Officer Matzelle, was working in the summer uniform of the day and riot gear along with several hundred officers from the Manchester Police Department, the New Hampshire State Police, the Nashua Police Department, the Hillsborough County Sheriff`s Office, and elements from the military police from the New Hampshire National Guard, were assigned to South Willow Street during a period of riots and protesting related to an incident that occurred in Minneapolis.

While assigned to South Willow Street, I was tasked as the leader of an "arrest team" which was responsible for apprehending people perpetrating crimes and who were inciting riot and significantly negatively influencing the attitude of other protestors based on actions such as throwing bottles at police officers, screaming obscenities, damaging police vehicles, and blocking roadways. During this assignment, numerous individuals committed these

crimes but were unable to be arrested due to their large numbers. During this incident, police utilized a multitude of measures in an attempt to allow for peaceful protest but simultaneously deter and prevent crime such as; uniformed presence, loud speaker announcements to disperse including warnings that those who do not may be apprehended in accordance with RSA 644:2 (Disorderly Conduct), and use of the LRAD (Long Range Acoustic Device) which produces a high frequency sound which produces discomfort to deter criminals.

Despite all of these warnings many individuals persisted with their criminal behavior such as a female in a crowd of approximately one hundred people, identified as;

Nabors, Shania



who I observed approach the riot line, scream at police officers, and bang on their riot shields. Seeing this, I grabbed Nabors by the front of his shirt, pulled him through the riot line and apprehended him with the assistance of my arrest team. During this apprehension, Nabors struggled by pulling his arms in toward his chest as we attempted to cuff him, kicked his legs out, and flailed his body despite having been told to give up his hands and to stop resisting. Ultimately, Nabors was placed into flex-cuffs and transported to MPD Headquarters for booking and processing.

NFI / MATZELLE 108

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006759 **Date:** 07/27/2020 10:47:03

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 21:19:35	ADDT`L INFORMATION	(100121) HOUGHTON, PATRICK M
Contact Name		**Supervising Officer**
		(100121) HOUGHTON, PATRICK M

Supplement Notes

20-6759
DOC / RIOT
DOR: 6-4-20
DET SGT HOUGHTON / DET O`LEARY
LRAD DEPLOYMENT SUMMARY

The following is a summary report based on my personal recollection. My bodyworn camera was activated at the time of this incident, and contains audio and video recordings of the activities noted below. For a more detailed account please refer to these recordings.

On Tuesday June 2nd 2020 Det Brian O`Leary and I were operating in our roles as members of the MPD Crisis Negotiation Team in support of the patrol response to planned peaceful protests in Stark Park and reports of planned purposeful mischief and rioting on South Willow St.

At approximately 2300 hours, several hours after the event began, we were advised that a large crowd had gathered on South Willow St in the area of Weston Rd / Dunkin Donuts / Mobil / Taco Bell / PetSmart, and that portions of this crowd had become increasingly aggressive and disorderly; kicking police vehicles, surrounding police vehicles, lighting off fireworks in confined spaces, and ultimately overtaking a portion of South Willow St - a major thoroughfare in the City - preventing traffic from flowing freely. We were also advised of a large presence of individuals armed with long guns both in the general area, and intermingling with the crowd. Our response was requested in order to encourage this crowd to disperse via the presence of additional manpower, and the use of the MPD LRAD (Long Range Acoustical Device) - which makes PA announcements more clearly heard over a loud crowd, and also has the capability of sounding an audible tone designed to make people uncomfortable and motivate their compliance.

In anticipation of this event, five (5) pre-recorded announcements were created (an initial order advising subjects they were in violation of the disorderly conduct rsa and needed to vacate the area, a repeated order to disperse advising that failure to comply would result in physical removal and/or arrest, a repeated order to disperse with notification of the uncomfortable audible tone to follow without compliance, a repeated order to disperse with notification of the volume of the tone being increased, and finally a repeated order to disperse with a notification that the violators willful self-exposure to this audible tone may result in them placing themselves at risk of injury.) A transcript of the exact verbiage of these announcements has been attached to this report.

Upon our arrival to the area we personally observed what had previously been reported (a large crowd blocking a portion of the roadway and shouting loudly) - with additional large crowds lining the sidewalks on either side of South Willow St, and in the parking lots of Dunkin Donuts, Taco Bell, and PetSmart. We were directed to drive to the

general area of the intersection of Weston Rd and South Willow St, and to begin sounding the orders advising these subjects of the offense they were violating, ordering them to disperse, and advising them of the sounding of the tone should they not comply. We broadcast these commands in the area of South Willow and Weston Rd, the PetSmart parking lot, Northerly on South Willow St to March Ave, and ultimately Southerly on South Willow St back to the intersection of Weston Rd. Shortly after beginning the commands portions of the initial crowd, including those furthest away from us, began dispersing - which was an indication that the notifications were able to be clearly heard and understood.

These commands were broadcast for approximately forty-three (43) minutes, consisted of approximately one-hundred and seventy-two (172) commands, and the "tone" function was only activated briefly on two occasions - once after approximately fifteen minutes while initially engaged in the Weston Rd / South Willow St / PetSmart area, and the second time after approximately forty minutes while in the area of Taco Bell. There was a subsequent approximately five (5) minutes of broadcasting that consisted of approximately twenty (20) commands - bringing the total amount of time that notifications were broadcast to approximately forty-eight (48) minutes, and the total amount of commands given to approximately one-hundred and ninety-two (192).

Throughout this entire forty-eight minutes that notifications were being broadcast, several arrests were made for a variety of offenses. For the specifics on those arrests, please refer to those arresting officers` reports. The purpose of this report is solely to document the fact that these arrested parties were issued repeated clear and concise lawful orders to disperse.

It should be noted that the NH State Police were also on scene in a support role, and were also utilizing an LRAD unit with audible tone capabilities, however this report does not reflect any notifications made or tones sounded by the NH State Police. It is also of note that once the NH State Police began utilizing their LRAD, we ceased utilizing ours.

NFI

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002207	20-006759	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Nabors, Shania	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] F	[X] B	5'01	160-0	BRO	BRO	MED	[1] SCARS [2] MARKS [3] TATTOOS [4] AMPUTATIONS

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
[redacted]		[redacted]	19	

20 SID #	21 FINGERPRINT CLASS KEY MAJOR PRIMARY SCDV SUB-SECONDARY FINAL	22 DL #	23 ST
	HENRY CLASS		
24 FBI #	NCIC CLASS	25 IDENTIFICATION COMMENTS	

26 [X] RESIDENT [2] NON-RESIDENT	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
	[redacted]	[redacted]	[redacted]

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE
[redacted]		

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION? [1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO
1050 S Willow St Manchester, Nh		

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	04:26 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[X] YES [2] NO [3] UNKNOWN

	46 CHARGE-1 [1] FEL [X] MISD	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
1	Riot (m)	90B	644:1 (M)		Pending Court	
	48 CHARGE-2 [1] FEL [X] MISD	**49 UCR CODE**	**53 STATE CODE/LOCAL ORD.**	**54 WARRANT #**	**DISPOSITION**	**55 DATE ISSUED**
2	Disorderly Conduct (m)	90C	644:2 (M)		Pending Court	
	56 CHARGE-3 [1] FEL [X] MISD	**57 UCR CODE**	**60 STATE CODE/LOCAL ORD.**	**61 WARRANT #**	**DISPOSITION**	**62 DATE ISSUED**
3	Resisting Arrest Or	90Z	642:2		Pending Court	
	58 CHARGE-4 [1] FEL [2] MISD	**59 UCR CODE**	**63 STATE CODE/LOCAL ORD.**	**64 WARRANT #**	**DISPOSITION**	**65 DATE ISSUED**
4						

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO TOP BOTTOM	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED? [1] YES [2] NO	80 STORAGE LOCATION/IMPOUND #

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT	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 [1] AM [3] MIL. [2] PM	92 RELEASING OFFICER NAME	93 AGENCY/DIVISION	94 ID #

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE [1] YES [2] NO [3] 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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Matzelle, Robert C	100565				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020 04:26		20-006759	
			118b. ARREST # 20002207	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT M

Chief of Police
Carlo T. Capano

Assistant Chief
Ryan A. Grant

Commission
Scott R. Spradling, *Chairman*
Steven J. Spain
Charlie Sherman
Manny Content
Eva Castillo

CITY OF MANCHESTER

Police Department

Press Release
June 5, 2020

Contact: Heather Hamel **HHAMEL@manchesternh.gov**
Public Information Officer **(603) 792-5433**

Additional Protest Arrest and Warrants

On June 4, 2020 three arrest warrants were issued for people involved in the protests that happened in the city Tuesday night. Manchester Police have found several videos of people being disruptive and acting recklessly on South Willow Street on the night of June 2, 2020.

One of the videos shows a group of people yelling profanities at police officers and a male lighting a firework and throwing it over the heads of others. It landed in an occupied parking lot. The video also shows a group surrounding an occupied police cruiser, kick it and spit on it.

Through their investigation police had enough evidence to issue arrest warrants for 20 y/o Kyle Toledo of Hooksett and 18 y/o Antwan Stroud of Manchester. Toledo turned himself in on a warrant for Reckless Conduct and Riot. Stroud is wanted for Criminal Liability for Conduct of Another, Reckless Conduct and Riot.

Police also located a video showing a person throwing a rock at uniformed officers. The same individual can be seen throwing a water bottle at a bus and another at officers. Through their investigation police identified the suspect as 23 y/o Dylan Smith of Deerfield. Smith is wanted on three felony counts of Riot.

If you have any information regarding the whereabouts of these suspects, or any information pertaining to the incidents that took place on June 2, 2020, please call Manchester Police at 603-668-8711 or the Crime line at 603-624-4040.

The Manchester Police Department wants the public to understand that although the protests of that night have ended, incidents that occurred are still being investigated. The disruptive, criminal behavior will not be tolerated.



Toledo



Smith

** There is no picture available of Stroud**

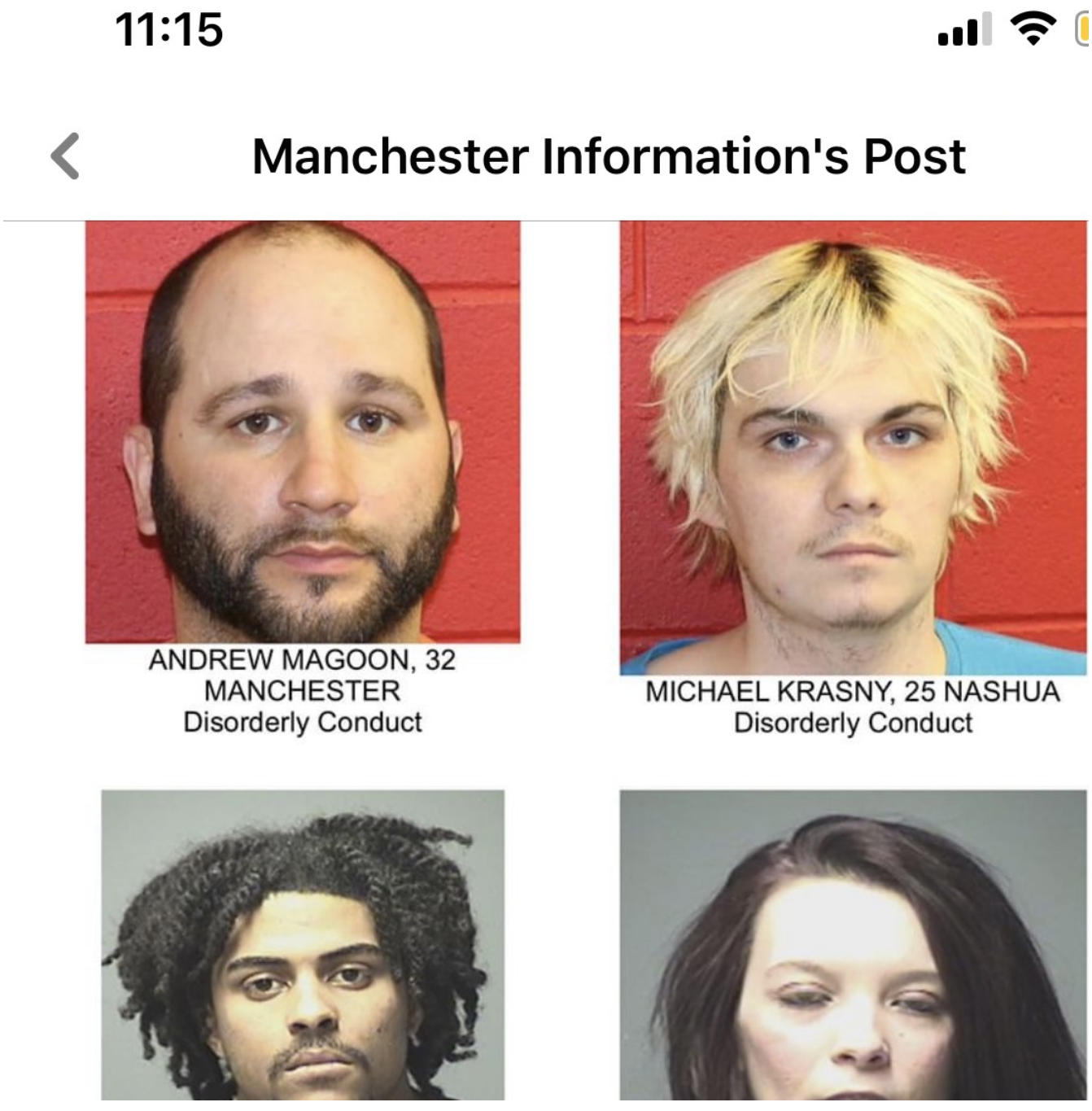
ATTACHMENT N

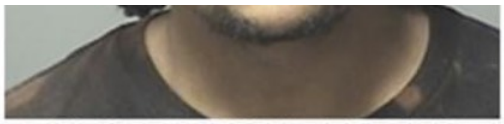
From: Gilles Bissonnette < gilles@aclu-nh.org>
Sent: Friday, June 5, 2020 1:00 PM
To: Michael Conlon
Subject: Manchester NH Protest

Dear County Attorney Conlon:

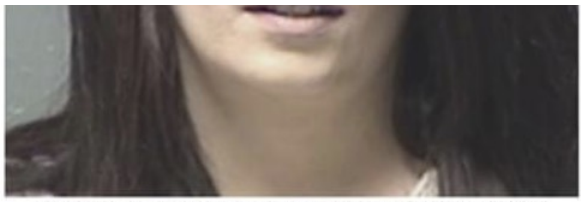
I hope all is well. As you know, several individuals were arrested during Wednesday's protests in Manchester. We have received a complaint that the people of color who were arrested were charged with "riot," while the white individuals arrested were only cited with disorderly conduct. (see below) Would it be possible, under Chapter 91-A, to receive the police reports for all the arrests on Wednesday (including of those below), as we do not have all the facts. If there is a disparity, we would also ask for the factual circumstances, if any, that explain the differing charges. Thank you again, and always happy to chat if that would be helpful.

Best,
Gilles Bissonnette
ACLU-NH Legal Director





TRENTON EDMOND LIGGINS, 19
MANCHESTER
Riot, Disorderly Conduct, Resisting Arrest



KAYLA SHARP, 24 NOTINGHAM
DISORDERLY CONDUCT

10 19 Comm

Like Comment Shar



JAMESON BRISENDINE, 24 WEARE
ARSON



CARMELO RODRIGUEZ, 45
MANCHESTER
Riot, Disorderly Conduct, Resisting Arrest

11:15

Manchester Information's Post

SHANIA NABORS, 19 MANCHESTER
Riot, Disorderly

RYAN YIANAKOPPLOS, 25 MANCHESTER
Disorderly Conduct

232 427 Comments 222 Sh

Haha Comment Shar



RYAN YIANAKOPPLOS, 25
MANCHESTER
Disorderly Conduct



SHANIA NABORS, 19 MANCHESTER
Riot, Disorderly



KEGAN HALL 26 MANCHESTER
Disorderly Conduct, Resisting Arrest

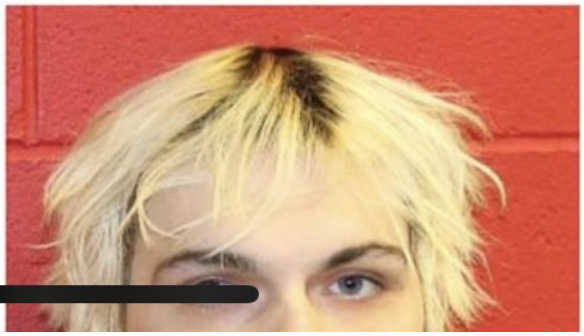


MILTON NABORS III, 28
MANCHESTER
Riot

Bŕénďøñ Pøuḷiøt and 16 others 5 Comm

Like Comment Shar





ATTACHMENT O

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/04/2020 14:16:42	ADDT'L INFORMATION	(100408) HEILE, RYAN R
Contact Name		Supervising Officer
		(100227) SANDERS, CHRISTOPHER M

Supplement Notes

(100408) HEILE, RYAN R

State of New Hampshire
Hillsborough County 9th Circuit-District Division-Manchester

Supporting Affidavit for Request to Issue Arrest Warrant
MPD Case # 20- 6790
I, Detective Ryan Heile being duly sworn, depose and say;

I am a Police Officer. I herewith make application for the issuance of an Arrest Warrant against the defendant(s): Kyle Toledo (10/11/1999) OF 4 Vindale Road, Hooksett, NH

1. I have information that a crime (or offense) has been committed by the defendant(s) as follows:

NH RSA 631:3 Reckless Conduct (M)
644:1 Riot (B)

2. Details:
On June 3, 2020, I was on Facebook in the attempt to look for footage that was taken during the period of civil unrest that occurred on South Willow Street from the night of June 2, 2020 into the early morning of June 3, 2020.

It was during my search I came upon a males Facebook page that was using the name of Otm Dsmoove. The URL name shows the males name being Antwan Stroud. The URL of the Facebook profile is:

https://www.facebook.com/antwan.stroud

Once I was located on that Facebook profile I noticed that there was a Facebook Live video that was saved on his Facebook profile outline. This video began at June 2, 2020 at 2043 and lasts for 1 hour three minutes and 48 seconds.

When I clicked play on this video, I noticed right away that the male holding the camera was the same person whose Facebook page I was currently on and that video took place in the area of South Willow Street in Manchester NH. I also noticed that the male was apart of a large group of people and they were standing out side of Budget Gas (445 South Willow Street).

The group then began walking south on South Willow before stopping again and yelling things like "fuck the police" "fuck MPD" "fuck the feds" "fuck all those niggas".

At approximately 1240 into the video a group of Manchester Police Officers approached the group and informed them that they had to keep moving. The group then continues to move south on South Willow Street. The group then stops in front of Laundro Max (465 South Willow Street).

At approximately 2158 into the video, you can hear a female say "Kyle is lighting off the firework right now". The female then says that she brought four or five fireworks and that he brought them all.

At approximately 2235, you can hear the male holding the camera say "light that shit" twice. Afterwards you can see a male who is wearing a blue shirt, blue jeans, black baseball hat exposing his front left pocket showing multiple items that are cylinder like in shape and light brown, which I believe to be fireworks. The male then removes the fireworks from his pocket.

The male holding the camera again says, "you light that shit nigga". At approximately 2342 into the video, you can hear the male holding the camera say "Someone on my live said light that shit don`t be a bitch" At approximately 2346 into the video you can see the male in the blue shirt lighting the firework on fire. The male is holding the fireworks in his left hand and holding a fire-producing product (possibly a lighter) in his right hand. After the firework is lit he throws the firework over the heads of the people in the group they are in. The lit firework lands in the front parking of the Laundromax Free Dry Laundry (465 South Willow Street). The actually lit firework lands roughly 10 feet from an occupied lighter colored vehicle. In the video, you can see someone exit the vehicle and then the vehicle quickly reverses out of the parking space that they were legally parked in to leave the area. At approximately 2423 you can see the vehicle reversing. In the video, you can see the firework actively sending sparks in all directions.

On June 2, 2020, at the time of the firework going off Officer Austin Good, Detective Aaron Stone, Detective Guy Kozowyk and I were providing security to the area of 401 South Willow Street and were positioned in the area of the Zoo health club (377 South Willow Street). I was personally able to see the firework go off and called it over the radio. Directly south and west of the parking lot there was grassy areas and I was worried that a fire would be produced from the firework. As the lead arson investigator with the Manchester Police Department, I know that fireworks burn at extreme temperatures, which can cause other items to be ignited on fire, which are included but not limited to grass, clothing, vehicles and structures. I then began walking towards the firework. I was not close to the firework but I could tell the fire work was sending sparks feet in all directions. It was while I was walking towards the firework it went out, due to the fact that there was no actual fire I went back to my post.

After the firework was thrown by the male in the blue shirt the entire group again started walking further south on South Willow Street. The group then stops near the entrance of the strip mall containing Petco (1049 South Willow Street).

It was during the time the group was near the entrance they noticed a police officer (Mark Aquino) was speaking with someone while he was inside of an unmarked black police SUV. The male holding the camera along with the male in the blue shirt began walking west towards Officer Aquino. As the two males are walking towards Officer Aquino, Officer Aquino begins to drive towards the exit of the parking lot. As Officer Aquino is driving towards the exit the male holding the camera turns back and begins walking towards the cruiser and says "you pig, you pig bitch, you fucking faggot, I will slap anyone of you niggas". As the male is yelling this, he is walking towards the cruiser as well as the group of people that are still located at the entrance/exit of the parking lot. As the male holding the camera gets close to the group and the cruiser you can hear him say "roll your window up pussy". Due to the fact that there is a red light at the exit of the parking lot Officer Aquino had to stop at this location.

At approximately 4528 into the video you can hear the male holding the camera say "run this bitch ass nigga out of this shit". As the male is saying this, he walks closer to Officer Aquino. At this point, there are large group of people, which include individuals on pedal bikes. The male holding the camera said that "that there is niggas spitting on this shit" After he said that you can hear the male holding the camera spitting on Officer Aquino`s police cruiser as well. The male then said "we spitting on his shit" "nigga on god" "nigga we spitting on his shit bad". Throughout this part of the video, you can see people walking in front of Officer Aquino`s vehicle.

Due to the fact that I was currently working during this incident I heard Officer Aquino saying on the radio that he was being blocked in by a group of individuals and that his cruiser was kicked. Due to this, a group of police officers arrived on scene, which can be also seen on the video and arrested an individual or kicking his cruiser.

On June 3, 2020 at approximately 1341, I emailed still pictures I took from the video of the male in the blue shirt that lit the firework department wide looking to see if anyone could identify him.

Shortly after, I spoke with Detective Thomas Ouellette who is a school resource officer for the Manchester Police Department who identified the male as: Kyle Toledo (10/11/1999)

Due to the fact that Toldeo has never been arrested by Manchester Police nor has any criminal history I requested his driver license picture through the New Hampshire State Police. I emailed this request on June 4, 2020 at approximately 0903.

On June 4, 2020l, at approximately 1224 I received an email from Tom Gallagher who is an intelligence liaison officer for the NH Information and & Analysis Center. In this email Gallagher provided me with a copy of Toldeo`s driver license picture.

Based off that picture I was personally able to confirm that Toldeo was the male who was wearing the blue shirt. The driver license picture will be attached to this report.

Based upon the foregoing information (and upon my personal knowledge) there is probable cause to believe the defendant did commit the crime of Reckless Conduct (M) as above stated, due to the fact Kyle Toledo (10/11/1999) recklessly engaged in conduct which placed another in danger of serious bodily injury when Toledo lit a firework and threw it over a group of individuals, which caused an actively lit firework to land roughly 10 feet from an occupied vehicle that was parked in Laundro Max (465 South Willow Street) which caused the vehicle to reverse and leave the area.

Based upon the foregoing information (and upon my personal knowledge) there is probable cause to believe the defendant did commit the crime of Riot (B) as above stated, due to the fact Kyle Toledo (10/11/1999) simultaneously with 2 or more persons, engaged in tumultuous or violent conduct and thereby purposely or recklessly created a substantial risk of causing public alarm, when Toledo along with a large group of people got in close conduct Officer Mark Aquino while he was located in a unmarked Police Cruiser, this group then blocked Officer Aquino`s exit, spit on his vehicle and threatened violence on Officer Aquino which included pulling him out of his police cruiser.

There is probable cause to believe the defendant did commit a crime I request the court issue an arrest warrant and order a duly authorized officer to take the defendant and bring him before the court having jurisdiction.

_____

(name)

Then personally appeared the above named Detective Ryan Heile and made oath that the foregoing affidavit by him subscribed is true.

Before me this 4th day of June, 2020

_____

Justice of the Peace-Manchester

District Court

ATTACHMENT P

State of New Hampshire

Hillsborough COUNTY — 9th Circuit- Manchester 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, Detective Ryan Helle

of Manchester Police Department

in the County of Hillsborough has exhibited to me, _____

William H. Lyons, a Justice/~~Justice of the Peace~~ in the County of

Hillsborough, his complaint upon oath against the Defendant,

Anlwan Stroud (09/14/2001), of 331 Lake Ave, Apartment 1

Manchester NH, in the County of

Hillsborough for the crime of: Criminal Liability for Conduct of Another, Reckless Conduct (M), Riot (B)

(RSA 631:3, 644:1)

WE COMMAND YOU to take the Defendant, if found to be in your precinct, and bring him before the

9th Circuit - Manchester District Court.

Dated the 4 day of June ,20 20

Justice/Justice of the Peace

RETURN

STATE OF NEW HAMPSHIRE

COUNTY OF HILLSBOROUGH

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

6/6/20
Date

Name of Officer

DETECTIVE
Title of Officer

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006790 **Date:** 06/08/2020 11:29:50

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/06/2020 13:47:43	FOLLOW UP	(100516) BOMBARD, GARRETT M
Contact Name		**Supervising Officer**
STROUD, ANTWAN		(100121) HOUGHTON, PATRICK M

Supplement Notes

(100516) BOMBARD, GARRETT M

Case #: 20-6790
Date: 6/6/20
Offense: Warrant Service (Riot B Felony; Criminal Liability to Conduct of Another in crime of Reckless Conduct Misd A)
Submitted by: Detective Bombard

On 6/6/20 at approximately 1300 hours, while assigned to my regular shift within the Detective Division, I was contacted by dispatch. Dispatch advised that a wanted subject had walked into the lobby of the police station to turn himself in and requested that I complete the booking process. Upon arrival, I contacted:

Stroud, Antwan
6/6/20
331 Lake Ave #1
Manchester, NH
(603)341-8588

Stroud identified himself by name and date of birth. I was notified prior to my arrival that dispatch had already confirmed that they had the warrant in hand. Stroud had active warrants from Manchester on the charges of Riot (B Felony) and Criminal Liability for the Conduct of another in the crime of Reckless Conduct (Misd A).

I placed Stroud in handcuffs and escorted him to booking. There I completed the booking process. It should be noted that Detective Davenport completed the fingerprint process.

Due to the nature of the incident, while in booking, I advised Stroud that I was a Detective with the police department. I told Stroud that I wished to speak with him about the incident that he was being arrested for if he was willing to do so. Stroud immediately stated "lawyer". Therefore, I did not interview Stroud.

This ended my involvement with this case.

NFI/GB

Notes/Narrative

(100408) HEILE, RYAN R

Case Number: 20-6790
Offense: Reckless Conduct (M), Riot
Date of Report: 4 June 2020
Submitted By: Det. R. Heile
Facebook live video

On June 3, 2020, I was on Facebook in the attempt to look for footage that was taken during the period of civil unrest that occurred on South Willow Street from the night of June 2, 2020 into the early morning of June 3, 2020.

It was during my search I came upon a males Facebook page that was using the name of Otm Dsmoove. The URL name shows the males name being Antwan Stroud. The URL of the Facebook profile is:

https://www.facebook.com/antwan.stroud

Once I was located on that Facebook profile I noticed that there was a Facebook Live video that was saved on his Facebook profile outline. This video began at June 2, 2020 at 2043 and lasts for 1 hour three minutes and 48 seconds.

When I clicked play on this video, I noticed right away that the male holding the camera was the same person whose Facebook page I was currently on and that video took place in the area of South Willow Street in Manchester NH. I also noticed that the male was apart of a large group of people and they were standing out side of Budget Gas (445 South Willow Street).

The group then began walking south on South Willow before stopping again and yelling things like "fuck the police" "fuck MPD" "fuck the feds" "fuck all those niggas".

At approximately 1240 into the video a group of Manchester Police Officers approached the group and informed them that they had to keep moving. The group then continues to move south on South Willow Street. The group then stops in front of Laundro Max (465 South Willow Street).

At approximately 2158 into the video, you can hear a female say "Kyle is lighting off the firework right now". The female then says that she brought four or five fireworks and that he brought them all.

At approximately 2235, you can hear the male holding the camera say "light that shit" twice. Afterwards you can see a male who is wearing a blue shirt, blue jeans, black baseball hat exposing his front left pocket showing multiple items that are cylinder like in shape and light brown, which I believe to be fireworks. The male then removes the fireworks from his pocket.

The male holding the camera again says, "you light that shit nigga". At approximately 2342 into the video, you can hear the male holding the camera say "Someone on my live said light that shit don't be a bitch" At approximately 2346 into the video you can see the male in the blue shirt lighting the firework on fire. The male is holding the fireworks in his left hand and holding a fire-producing product (possibly a lighter) in his right hand. After the firework is lit he throws the firework over the heads of the people in the group they are in. The lit firework lands in the front parking of the Laundromax Free Dry Laundry (465 South Willow Street). The actually lit firework lands roughly 10 feet from an occupied lighter colored vehicle. In the video, you can see someone exit the vehicle and then the vehicle quickly reverses out of the parking space that they were legally parked in to leave the area. At

approximately 2423 you can see the vehicle reversing. In the video, you can see the firework actively sending sparks in all directions.

On June 2, 2020, at the time of the firework going off Officer Austin Good, Detective Aaron Stone, Detective Guy Kozowyk and I were providing security to the area of 401 South Willow Street and were positioned in the area of the Zoo health club (377 South Willow Street). I was personally able to see the firework go off and called it over the radio. Directly south and west of the parking lot there was grassy areas and I was worried that a fire would be produced from the firework. As the lead arson investigator with the Manchester Police Department, I know that fireworks burn at extreme temperatures, which can cause other items to be ignited on fire, which are included but not limited to grass, clothing, vehicles and structures. I then began walking towards the firework. I was not close to the firework but I could tell the fire work was sending sparks feet in all directions. It was while I was walking towards the firework it went out, due to the fact that there was no actual fire I went back to my post.

After the firework was thrown by the male in the blue shirt the entire group again started walking further south on South Willow Street. The group then stops near the entrance of the strip mall containing Petco (1049 South Willow Street).

It was during the time the group was near the entrance they noticed a police officer (Mark Aquino) was speaking with someone while he was inside of an unmarked black police SUV. The male holding the camera and at least the male in the blue shirt begin walking west towards Officer Aquino. As at least the two male are walking towards Officer Aquino, Officer Aquino begins the drive towards the exit of the parking lot. As Officer Aquino is driving towards the exit the male holding the camera turns back and begins walking towards the cruise and say "you pig, you pig bitch, you fucking faggot, I will slap anyone of you niggas". As the male is yelling this, he is walking towards the cruiser as well as the group of people that are still located at the entrance/exit of the parking lot. As the male holding the camera gets close to the group and the cruiser you can hear him say "roll your window up pussy". Due to the fact that there is a red light at the exit of the parking lot Officer Aquino had to stop at this location.

At approximately 4528 into the video you can hear the male holding the camera say "run this bitch ass nigga out of this shit". As the male is saying this, he walks closer to Officer Aquino. At this point, there are large group of people, which include individuals on pedal bikes. The male holding the camera said that "that there is niggas spitting on this shit" After he said that you can hear the male holding the camera spitting on Officer Aquino's police cruiser as well. The male then said "we spitting on his shit" "nigga on god" "nigga we spitting on his shit bad". Throughout this part of the video, you can see people walking in front of Officer Aquino's vehicle.

Due to the fact that I was currently working during this incident I heard Officer Aquino saying on the radio that he was being blocked in by a group of individuals and that his cruiser was kicked. Due to this, a group of police officers arrived on scene, which can be also seen on the video and arrested an individual or kicking his cruiser.

This is the last noteworthy part of the video.

Detective Louis Krawczyk was able to make a copy from the orinigal post from the Facebook profile outline and it will be entered into evidence as:

RH1-Facebook

NFI

ATTACHMENT Q

HILLSBOROUGH SUPERIOR COURT NORTHERN DISTRICT

CASE SUMMARY

CASE NO. 216-2020-CR-00804

State v. Jameson Brisendine

§ Location: **Hillsborough Superior Court Northern District**
§ Judicial Officer: **Delker, N. William**
§ Filed on: **06/08/2020**
§ Agency Case Number: **20-006737**

CASE INFORMATION

Offense	Statute	Deg	Date		
Jurisdiction: **Manchester**				Case Type:	**Criminal**
1. Bail Order	BO	UNKN	06/02/2020	Case Status:	**12/11/2020 Closed**
ChargeID: 1750211C ACN: 007025J201750211001					
Arrest:					
2. Arson	634:1	MISDA	06/03/2020		
ChargeID: 1757173C ACN: 007025J201757173002					
Filed As: Arson	634:1	FELB	6/8/2020		
Arrest:					

PARTY INFORMATION

		Attorneys
Defendant	**Brisendine, Jameson** [redacted] *Male* *DOB:* [redacted] *Age: 24*	**Raymond, Eric L., ESQ** *Public Defender* (603) 669 - 7888(W)
Prosecutor	**Hillsborough County Attorney's Office** *300 Chestnut Street* *Manchester, NH 03101*	**Craig, Thomas J., ESQ** 603-627-5605(W)
Plaintiff	**Hillsborough County Attorney's Office** *300 Chestnut Street* *Manchester, NH 03101*	**Craig, Thomas J., ESQ** 603-627-5605(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/08/2020	Bail Order *Env. #1180427*	*Index #1*
06/30/2020	**Disposition** (Judicial Officer: Delker, N. William) 1. Bail Order Underlying Charges Filed	
06/30/2020	Ntc of Eligibility and Appt of Counsel *1212060 env* *Charges: 2*	*Index #2*
06/30/2020	Complaint *Arson 1757173c 1212060 env*	*Index #3*
06/30/2020	Affidavit *Affidavit1212060 env*	*Index #4*
07/06/2020	Other *Notice of Continuance of July 9, 2020 Arraignment due to COVID (ENV 1218027)*	*Index #5*
07/06/2020	Appearance	*Index #6*

Filed by: Defendant Brisendine, Jameson
appearance for defense counsel

07/09/2020 *CANCELED* **Arraignment**

08/12/2020 Bail Order — *Index #7*
PR

08/13/2020 Order Made (Judicial Officer: Delker, N. William)
Envelope 1277319

08/13/2020 Waiver of Arraignment-Waiver of Extradition — *Index #8*
Party: Defendant Brisendine, Jameson
Waiver of Arraignment and Extradititon

08/18/2020 *CANCELED* **Arraignment**
(Webex ENV 1223229)

10/14/2020 *CANCELED* **Dispositional Conference**
Envelope 1277319

10/14/2020 Other — *Index #9*
Case Status

11/17/2020 **Status Conference** (Judicial Officer: Delker, N. William)
Webex Env#: 1382188
Plea Hearing Scheduled

12/10/2020 Other — *Index #10*
Filed by: Defendant Brisendine, Jameson
Misdemeanor Paper Plea Packet

12/11/2020 *CANCELED* **Plea and Sentencing Hearing**
WEBEX - ENV 1425710

12/11/2020 **Disposition** (Judicial Officer: Nadeau, Tina L)
2. Arson
Guilty by Court

12/11/2020 **Sentence** (Judicial Officer: Delker, N. William)
2. Arson
House of Correction - All or Portion Suspended
Confinement
Effective Date: 12/11/2020
Agency: Hillsborough County Jail
Maximum
Term: 12 Months
Mandatory Minimum
Not Applicable
Suspended
All Suspended

Suspended For: 3 Years

Condition - Adult:

1. 09 Counseling, Treatment or Educational Programs, 12/11/2020, Active 12/11/2020
2. Law Enforcement may Destroy Evidence, 12/11/2020, Active 12/11/2020
3. Law Enforcement may Return Evidence to Rightful Owner, 12/11/2020, Active 12/11/2020
4. 13 Good Behavior, 12/11/2020, Active 12/11/2020
5. 05 Other, The State has complied with the victim's bill of rights., 12/11/2020, Active 12/11/2020

12/11/2020	Mittimus *Env#: 1469648* *Charges: 2*	*Index #11*

TARGET DATE	TIME STANDARDS

ATTACHMENT R

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006746 **Date:** 07/27/2020 09:29:29

Incident Information

Date/Time Reported	Date/Time Found	Date/Time Found	Officer
06/03/2020 01:14	06/03/2020 01:14	06/03/2020 01:14	(100311) SKERRY, PATRICK J
Incident Location			
100 Cahill Ave, Manchester, NH 03103			

Charges

1	Charge Type	Description	Statute	UCR	
	State	ARSON (B)	634:1 (B)	200	☐ Att ☑ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
☐ Alcohol ☐ Drugs ☐ Computers	DEPARTMENT/DISCOUNT		☐ Yes ☑ No	1. 2. 3.

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
2	BUSINESS	None	Unknown	Unknown

Name(Last, First, M)	Race	Sex	DOB	Age
SHERWIN-WILLIAMS				

Address	Home Phone
100 CAHILL AVE, MANCHESTER, NH 03103	(603) 626-6999
Employer Name/Address	**Business Phone**
	(603) 626-6999

Victim of Crimes	
1	

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006746 **Date:** 07/27/2020 09:29:29

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	BRISENDINE, JAMESON T

AKA	Race	Sex	DOB	Age	Height	Weight
	W	M	[redacted]	24	6'06" - 6'06"	220 lbs

Address	Home Phone
[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted]	

Scars, Marks, Tatoos or other distinguishing features
Tattoo/Right Right-Gone Fishing R Arm

Physical Characteristics

Suspect Details

Property

Seq. #	Description	Serial Number	Make/Model
1	DUMPSTER		

Owner	License / State	Color
FIVE BELOW		

Status	Status Officer	Quantity	Units of Measure	Value
BURNED	(100311) SKERRY, PATRICK J	1.00		$1.00

Gun Type	Caliber	Finish	Grip	Gun Stock

Condition	Gun Test	Test Type	Sight Test	Sight Type
	☐ Yes ☑ No		☐ Yes ☑ No	

Property Notes

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006746 **Date:** 07/27/2020 09:29:29

Seq. #	Description	Serial Number	Make/Model
1	PJS1-NHDL JAMESON BRISENDINE	NHL11554396	NH DRIVER / LICENSE

Owner	License / State	Color
FIVE BELOW		

Status	Status Officer	Quantity	Units of Measure	Value
EVIDENCE	(100311) SKERRY, PATRICK J	1.00		$1.00

Gun Type	Caliber	Finish	Grip	Gun Stock

Condition	Gun Test / Test Type	Sight Test / Sight Type
	☐ Yes ☑ No	☐ Yes ☑ No

Property Notes

Seq. #	Description	Serial Number	Make/Model
1	PJS3-DISC W/PHOTOS FROM FIRE		MAXELL / DVD-R

Owner	License / State	Color
SHERWIN-WILLIAMS		

Status	Status Officer	Quantity	Units of Measure	Value
EVIDENCE	(100311) SKERRY, PATRICK J	1.00		$1.00

Gun Type	Caliber	Finish	Grip	Gun Stock

Condition	Gun Test / Test Type	Sight Test / Sight Type
	☐ Yes ☑ No	☐ Yes ☑ No

Property Notes

Seq. #	Description	Serial Number	Make/Model
2	PJS2-TWO (2) BIC CIG LIGHTERS		2 BIC CIG / LIGHTERS

Owner	License / State	Color
FIVE BELOW		

Status	Status Officer	Quantity	Units of Measure	Value
EVIDENCE	(100311) SKERRY, PATRICK J	2.00		$1.00

Gun Type	Caliber	Finish	Grip	Gun Stock

Condition	Gun Test / Test Type	Sight Test / Sight Type
	☐ Yes ☑ No	☐ Yes ☑ No

Property Notes

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006746 **Date:** 07/27/2020 09:29:29

Related Name Relationships

SHERWIN-WILLIAMS	**is**	STRANGER	**to**	BRISENDINE, JAMESON T

Assisting Officers

(100021) BELLENOIT, ROBERT P

Notes/Narrative

(100311) SKERRY, PATRICK J

NH RSA 634:1 (B)

M.O. Subject seen leaving rear of building right before reporting a dumpster fire

On 06-03-2020 at approx 0055hrs, I (Det Skerry) was conducting surveillance during a large protest on S.Willow St in the area of Weston Rd to Jobin Dr. I was working in a plain clothes capacity, and operating an unmarked Manchester Police Dept vehicle. While I was parked in a shopping mall lot at Newbury Comics/Five Below (777 S.Willow St), I observed a tall white male wearing tan cargo shorts, a black "hoodie" sweatshirt, and a baseball hat later identified as (Jameson Brisendine [redacted], walk from the rear of the building between 777 S. willow St and 100 Cahill Ave and walk along side of the end unit (Newbury Comics) northerly. I observed him walking in the direction of Det Fierimonte, so I advised him there was a male walking toward the rear of his vehicle.

Det Fierimonte advised that the male stood in front of the stores and smoked a cigarette. Det Fierimonte advised that the male had returned to the rear of the building minutes later. Det Fierimonte then advised the male walked back by his vehicle minutes later, and approached Det Olsen and DeJoy`s vehicle. The male advised Det DeJoy that there was a dumpster fire behind the building. I observed Det Olsen and DeJoy drive toward the rear of the building. They advised over the radio what this male had told them. I observed the male now walking easterly through the lot toward S. Willow St. He turned north on the west side walk and was mixed in with a group of Nashua Officers. I was able to follow him to the vacant lot south of Wendys on S. Willow St where he entered the driver seat of a white 2014 Volvo 60 registered to Bonnie Brisendine [redacted]. It should be noted that there was in fact an active dumpster fire in the alley behind Five Below/Sherwin-Williams, and MFD responded to put the fire out.

We followed the vehicle south on S. Willow St and Det Feather attempted to stop the vehicle using his unmarked police vehicle equipped with emergency lights. The vehicle did not immediately stop, and then pulled back into the same parking lot and stopped. We conducted a Felony Stop on the vehicle, and the driver complied with our commands immediately. He was placed into handcuffs by me, and checked for proper fit. He was told he was not under arrest, and a short time later was taken out of handcuffs and agreed to questioning. I checked him for weapons with negative results, and he consented to a search of his person. I located two cigarette lighters in his right pocket.

He was positively identified through his NH Drivers License as:

Jameson Brisendine [redacted]
[redacted]
[redacted]
6`06" 280lbs Blonde/Blue

Det Feather read Jameson his rights and we asked him where he was coming from. He said that he was watching the protest, and then walked north on S. Willow St and cut through behind Newbury Comics/Five Below. He said he was trying to observe which way the protesters were being moved. He initially advised that he had not been behind the business, but then changed his mind when we advised him that we physically watched him come out from behind the building. Jameson ultimately stated that he stood out front, and smoked a cigarette. He then said that he was "pumped up" thinking about the band Sublime and walked back behind the building. He then stated that he drank a beer. We asked him how the dumpster fire started, and he stated that he started it. I asked him if he threw his cigarette in the dumpster? He replied "No". I asked him if he lit something on fire and threw it in the dumpster? He replied "No" I then asked him if he reached into the dumpster and used the one of the cigarette lighters found on his person? He replied "Yes".

Based on the observations made by Detectives, and the fact that Jameson admitted starting the fire, He was the placed into custody for one count of Arson. The transport wagon arrived and transferred him to VSJ with out incident. The evidence was submitted as PJS1 (NH Driver License) and PJS2 (Two cigarette lighters).

NFI/Skerry

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006746 **Date:** 07/27/2020 09:29:29

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/03/2020 03:04:45	ADDT`L INFORMATION	(100443) O`CONNOR, MATTHEW W
Contact Name		**Supervising Officer**
		(100269) DITULLIO, GREGORY M

Supplement Notes

(100443) O`CONNOR, MATTHEW W

Additional Information

On June 3rd, 2020 at 0100 hours, I, Det O`Connor, was assigned to the Manchester Police Department Special Enforcement Division/ Street Crime Unit. I was wearing plain clothes with my badges displayed around my neck. I was operating in an unmarked police vehicle. I, along with other members of SED were tasked to conduct surveillance on the organized/ non- organized protests occurring around the city.

At this time, detectives were alerted to a dumpster fire that had just been ignited behind Five Below, located at 777 South Willow Street. Detectives observed an individual coming from behind the store shortly before the fire started. Detectives watched as he walked northerly down S. Willow Street and got into a white color Volvo sedan. Detectives attempted to conduct a motor vehicle stop but the vehicle continued to travel for several hundred feet without stopping. The vehicle final came to a stop in the parking lot of Five Below.

Detectives conducted a felony stop and detained the driver, later identified as

Jameson Brisendine DOB[redacted]

The vehicle was cleared and Brisendine was being cooperative so the handcuffs were removed. It was explained to Brisendine that he was being detained, he said he understood and agreed to answer some questions after Det. Feather advised him of his rights. Brisendine was asked what he was doing in the area, he explained that he came down to see a "once in a life time thing" referring to the protests. Brisendine said that he was by Chipotle but started to clear out when everyone else did. Brisendine said that he went down towards Home Depot before cutting back up to South Willow Street.

Brisendine initially denied having anything to do with starting the fire. I explained to Brisendine that there were cameras behind the business and that we would be reviewing the footage. I told him that now would be the time to come clean and be honest. Brisendine said "okay, I lit it". Brisendine said that he was "pump up" and thinking about the band "Sublime. Brisendine said that he walked behind there, drank a beer, took a piss, and lit whatever was in the dumpster with his lighter. Brisendine then turned around and placed him hands behind his back wanting to be placed under arrest.

Brisendine was subsequently placed under arrest, he was handcuffed which were double locked and check for proper

fit. He was charge with one count of Arson RSA 634:1.

NFI-MWO

Incident/Investigation Report

Agency: MPD **Case Number:** 20-006746 **Date:** 07/27/2020 09:29:29

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
06/03/2020 12:45:36	FOLLOW UP	(100311) SKERRY, PATRICK J
Contact Name		**Supervising Officer**
		(100021) BELLENOIT, ROBERT P

Supplement Notes

(100311) SKERRY, PATRICK J

Follow up investigation

On 06-03-20, I conducted a follow up investigation into the dumpster fire from approx 0100hrs. I located the dumpster in the alley and photographed the damage to it. It was behind a vacant business (Formerly- Wood Floors by JBW). I then walked into the next door business:

Sherwin-Williams
100 Cahill Ave
Manchester NH 03103
603-626-6999

I spoke to the Store Manager (April Hall) who walked out back to the alley with me. She confirmed that the dumpster was rented by Sherwin-Williams and gave me the contact information for her District Manager (Kevin Donovan [redacted].

I provided Hall my information and a case number for the report. The photographs were entered into evidence under PJS3

NFI/Skerry

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
NH0063400	Manchester Police Department	20002203	20-006746	

5 LAST, FIRST, MIDDLE NAME	6 ALIAS AKA
Brisendine, Jameson T	

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[X] W [3] A [2] B [4] I	6'06-6'06	220-0	BLU	BLN		[1] SCARS [2] MARKS [X] TATTOOS [4] AMPUTATIONS Tatt/Righ/Arm/Gone Fishing R Arm

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
[redacted]	[redacted]	[redacted]	24	

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
	HENRY CLASS							[redacted]	
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[X] RESIDENT [2] NON-RESIDENT	[redacted]	[redacted]	Utility Work

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE
[redacted]	[redacted]	

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
777 S Willow St Manchester, Nh		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [3] SOBER [2] DRINKING [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [X] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST	45 ARRESTED BEFORE?
06/03/2020	03:46 [1] 1. AM [2] 2. PM [X] MIL.	S[1] M[2] T[3] W[X] T[5] F[6] S[7]	ARRESTED ON PROBABLE	[X] YES [2] NO [3] UNKNOWN

46 CHARGE-1	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
Arson (b) [X] FEL [2] MISD	200	634:1 (B)		Pending Court	
48 CHARGE-2 [1] FEL [2] MISD	49 UCR CODE	53 STATE CODE/LOCAL ORD.	54 WARRANT #	DISPOSITION	55 DATE ISSUED
56 CHARGE-3 [1] FEL [2] MISD	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
58 CHARGE-4 [1] FEL [2] MISD	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED

66 ARREST DISPOSITION	68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)
Cleared By Arrest	69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO (TOP / BOTTOM)	75 TAG #	76 LIS	77 LIY

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT

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 #
[1] AM [3] MIL. [2] PM			

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE	99 PROPERTY NOT RELEASED/HELD AT:	100 PROPERTY #
[1] YES [2] NO [3] PARTIAL		

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 ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Skerry, Patrick J	100311				

ADDITIONAL ARREST NARRATIVE CONTINUED	117 DATE AND TIME OF ARREST	1 AM 2 PM X MIL	118a. CASE #	119 SFX
	06/03/2020 03:46		20-006746	
			118b. ARREST # 20002203	

120 ADDITIONAL ARREST INFORMATION

ATTACHMENT S

Filed
File Date: 7/2/2020 12:08 PM
Hillsborough Superior Court Northern District
E-Filed Document

The State of New Hampshire
SUPERIOR COURT COMPLAINT

Case Number: 216-2020-CR-00820 Charge ID: 1758367C

MPD Case # 20-006790

☐ VIOLATION	MISDEMEANOR ☐ CLASS A ☐ CLASS B ☐ UNCLASSIFIED (non-person)
	FELONY ☐ CLASS A ☒ CLASS B ☐ SPECIAL ☐ UNCLASSIFIED (non-person)

You are to appear at the: HILLSBOROUGH (NORTH) SUPERIOR Court
address: 300 CHESTNUT STREET, MANCHESTER 03101
in: HILLSBOROUGH County
at: 1:00 PM
on: 7/16/20

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

THE UNDERSIGNED COMPLAINS THAT:

Last Name	First Name	Middle Initial
STROUD	ANTWAN	

Address	City	State	Zip
331 LAKE AVE 1	MANCHESTER	NH	

Sex	Race	Height	Weight	Eye Color	Hair Color
M	B	505	220	BRO	BRO

DOB	License #:	OP License State
09/14/2001		

☐ COMM. VEH. ☐ COMM. DR. LIC. ☐ HAZ. MAT. ☐ 16+ PASSENGER

AT SOUTH WILLOW STREET
☒ On or about ☐ Between 06/02/2020 In the above county and state, did commit the offense of:
RSA Name: RIOT
Contrary to RSA: 644:1
Inchoate:

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

simultaneously with 2 or more persons, engaged in tumultuous or violent conduct and thereby purposely or recklessly created a substantial risk of causing public alarm, when Toledo along with a large group of people got in close conduct Officer Mark Aquino while he was located in a unmarked Police Cruiser, this group then blocked Officer Aquino's exit, spit on his vehicle and threatened violence on Officer Aquino which included pulling him out of his police cruiser.

☐ Additional allegations are attached.
against the peace and dignity of the State.

Date: 7.2.2020

Prosecutor's Signature	NH Bar ID # Printed name	Prosecuting Attorney
	269608 Thomas J. Craig	

NHJB-2486-S (12/01/2016)

ATTACHMENT T

HILLSBOROUGH SUPERIOR COURT NORTHERN DISTRICT

CASE SUMMARY

CASE NO. 216-2020-CR-00815

State v. Kyle Toledo

§ Location: **Hillsborough Superior Court Northern District**
§ Judicial Officer: **Messer, Amy B**
§ Filed on: **06/08/2020**
§ Agency Case Number: **20-006790**

CASE INFORMATION

Offense	Statute	Deg	Date		
Jurisdiction: **Manchester**				Case Type:	**Criminal**
1. Bail Order ChargeID: 1750288C ACN: 007025J201750288001 Arrest:	BO	UNKN	06/04/2020	Case Status:	**01/15/2021 Closed**
2. Riot ChargeID: 1758371C ACN: 007025J201758371002 Arrest:	644:1	FELB	06/02/2020		
3. Reckless Conduct (Criminal Liability for Conduct of Another) ChargeID: 1758378C ACN: 007025J201758378003 Arrest:	631:3	MISDA	06/02/2020		

PARTY INFORMATION

		Attorneys
Defendant	**Toledo, Kyle** [redacted] *Male* *DOB: 1[redacted] Age: 20*	**Kossick, Kimberly A., ESQ** *Retained* 603-669-7888(W)
Prosecutor	**Hillsborough County Attorney's Office** *300 Chestnut Street* *Manchester, NH 03101*	**Craig, Thomas J., ESQ** 603-627-5605(W)
Plaintiff	**Hillsborough County Attorney's Office** *300 Chestnut Street* *Manchester, NH 03101*	**Craig, Thomas J., ESQ** 603-627-5605(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/08/2020	Bail Order *Env. #1180902*	*Index #1*
08/28/2020	Order Made (Judicial Officer: Messer, Amy B) *PR Env#: 1299856*	
07/02/2020	Affidavit *Affidavit Env#: 1216845*	*Index #2*
07/02/2020	**Disposition** 1. Bail Order Underlying Charges Filed	
07/02/2020	Complaint *RIOT 1758371C Env#: 1216845*	*Index #3*
07/02/2020	Complaint *RECKLESS CONDUCT 1758378C*	*Index #4*

CASE SUMMARY

CASE NO. 216-2020-CR-00815

07/02/2020 Ntc of Eligibility and Appt of Counsel — *Index #5*
Public Defender Env#: 1216845

07/06/2020 Other — *Index #6*
Notice of Continuance of July 9, 2020 Arraignment due to COVID (ENV 1218111)

07/08/2020 Appearance — *Index #7*
Filed by: Defendant Toledo, Kyle
appearance for defense counsel; Kimberly A. Kossick, ESQ

07/09/2020 *CANCELED* **Arraignment**

08/28/2020 **Arraignment** (Judicial Officer: Messer, Amy B)
(Webex ENV 1223930)
Agreement - No Hearing Necessary

08/28/2020 Waiver of Arraignment-Waiver of Extradition — *Index #8*
agreement

08/31/2020 Other — *Index #9*
CSR Deadline Env#: 1299856

11/10/2020 Motion to Extend — *Index #10*
Extend Indictment Deadline [no objection]

11/23/2020 Granted (Judicial Officer: Messer, Amy B)
Envelope 1447581

12/16/2020 **Status Conference** (Judicial Officer: Messer, Amy B)
Defendant and counsel to appear by Webex.ENV 1425807
Plea Hearing Scheduled

01/15/2021 Other — *Index #11*
Misdemeanor Paper Plea

01/15/2021 **Plea** (Judicial Officer: Nadeau, Tina L)
3. Reckless Conduct (Criminal Liability for Conduct of Another)
Guilty

01/15/2021 **Disposition** (Judicial Officer: Nadeau, Tina L)
.
2. Riot
Nolle Prossed
3. Reckless Conduct (Criminal Liability for Conduct of Another)
Guilty by Court

01/15/2021 **Sentence** (Judicial Officer: Nadeau, Tina L)
3. Reckless Conduct (Criminal Liability for Conduct of Another)
House of Correction - All or Portion Suspended
Condition - Adult:
1. 05 Other, Defendant shall write meaningful letter apology to Manchester Police Dept. Shall enroll in job corps or suspension window will be extended to 2 years, 01/15/2021, Active 01/15/2021

2. 09 Counseling, Treatment or Educational Programs, 01/15/2021, Active 01/15/2021
3. 13 Good Behavior, 01/15/2021, Active 01/15/2021
4. Law Enforcement may Return Evidence to Rightful Owner, 01/15/2021, Active 01/15/2021
5. Law Enforcement may Destroy Evidence, 01/15/2021, Active 01/15/2021

Confinement
Effective Date: 01/19/2021
Agency: Hillsborough County Jail
Maximum
Term: 6 Months
Mandatory Minimum
Not Applicable
Suspended
All Suspended
Suspended For: 6 Months
Comment: from today

Community Service
Hours: 50
Comment: and provide proof to State within 6 months today's date

01/15/2021	Mittimus *ENV# 1524407* *Charges: 3*	*Index #13*
01/15/2021	Return *ENV# 1524407* *Charges: 2*	*Index #14*
01/19/2021	*CANCELED* **Plea and Sentencing Hearing** *Defendant and counsel to appear by Webex/ envelope 1474764*	
01/19/2021	Agreement *Agreement re charge id*	*Index #12*
01/19/2021	Approved (Judicial Officer: Messer, Amy B) *Envelope 1524018*	

TARGET DATE	TIME STANDARDS

ATTACHMENT U

9TH CIRCUIT - DISTRICT DIVISION - MANCHESTER

CASE SUMMARY

CASE NO. 456-2020-CR-01677

State v. Kayla Sharp

§
§ Location: **9th Circuit - District Division - Manchester**
§ Filed on: **06/04/2020**
§ Police Incident Number: **20-006754**
§

CASE INFORMATION

Offense	Statute	Deg	Date		
Jurisdiction: **Manchester**				Case Type:	**Criminal**
1. Disorderly Conduct	644:2	MISDA	06/02/2020	Case Status:	**11/17/2020 Closed**
ChargeID: 1749378C ACN: 007025J201749378001					
Arrest: 06/02/2020					

PARTY INFORMATION

		Attorneys
Defendant	**Sharp, Kayla** [redacted] *White Female Height 5' 6" Weight 120* *DOB: 0[redacted] Age: 24*	
Arresting Agency	**Manchester Police Dept** *405 Valley Street* *Manchester, NH 03103*	
Prosecutor	**City Solicitor's Office** *One City Hall Plaza* *Manchester, NH 03101*	**Harmon, Jeremy A., ESQ** *Retained* 603-624-6523(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/04/2020	Complaint As Accepted For Filing	
11/04/2020	Acknowledgement and Waiver of Rights Party: Defendant Sharp, Kayla	*Index #1*
11/10/2020	**Case Status Hearing** *301*	
11/10/2020	**Plea** (Judicial Officer: Lyons, William H) 1. Disorderly Conduct Guilty	
11/10/2020	**Disposition** (Judicial Officer: Lyons, William H) 1. Disorderly Conduct Finding of Guilty	
11/10/2020	**Sentence** (Judicial Officer: Lyons, William H) 1. Disorderly Conduct Sentenced Fees Fines: $186.00 Confinement Effective Date: 11/10/2020 Agency: Hillsborough County Jail Maximum Term: 45 Days Mandatory Minimum Not Applicable Suspended	

CASE SUMMARY

CASE NO. 456-2020-CR-01677

All Suspended
Suspended For: 2 Years

Condition - Adult:
1. Good Behavior for Two Years, 11/10/2020, Active 11/10/2020

DATE	FINANCIAL INFORMATION	
	Defendant Sharp, Kayla	
	Total Charges	186.00
	Total Payments and Credits	186.00
	Balance Due as of 2/8/2021	**0.00**

ATTACHMENT V

CASE SUMMARY

CASE NO. 456-2020-CR-01676

State v. Ryan M Yianakopolos

§ Location: **9th Circuit - District Division - Manchester**
§ Filed on: **06/04/2020**
§ Police Incident Number: **20-6760**
§

CASE INFORMATION

Offense	Statute	Deg	Date		
Jurisdiction: **Manchester**				Case Type:	**Criminal**
1. Disorderly Conduct	644:2	MISDA	06/03/2020	Case Status:	**09/23/2020 Closed**
ChargeID: 1749377C ACN: 007025J201749377001					
Arrest: 06/03/2020					

PARTY INFORMATION

		Attorneys
Defendant	**Yianakopolos, Ryan M** [redacted] *White Male Height 6' 2" Weight 180* *DOB:[redacted] Age: 25* *DL:[redacted]*	**Blanchard, Jerome R., ESQ** *Retained* 603-772-3433(W)
Arresting Agency	**Manchester Police Dept** *405 Valley Street* *Manchester, NH 03103*	
Prosecutor	**City Solicitor's Office** *One City Hall Plaza* *Manchester, NH 03101*	**Harmon, Jeremy A., ESQ** *Retained* 603-624-6523(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/02/2020	Bail Order *P/R Bail* *Charges: 1*	*Index #1*
06/04/2020	Complaint As Accepted For Filing	
06/08/2020	Entry of Not Guilty Plea & Waiver of Arraignment by Counsel Party: Attorney Blanchard, Jerome R., ESQ *Charges: 1*	*Index #2*
09/17/2020	**Case Status Hearing** *TELEPHONIC HEARING*	
09/17/2020	**Plea** (Judicial Officer: Lyons, William H) 1. Disorderly Conduct Guilty	
09/17/2020	**Disposition** (Judicial Officer: Lyons, William H) 1. Disorderly Conduct Finding of Guilty	
09/17/2020	**Sentence** (Judicial Officer: Lyons, William H) 1. Disorderly Conduct Sentenced Fees Fines: $248.00	

CASE SUMMARY

CASE NO. 456-2020-CR-01676

09/17/2020 Acknowledgement and Waiver of Rights *Index #3*

Party: Attorney Blanchard, Jerome R., ESQ; Defendant Yianakopolos, Ryan M

Charges: 1

DATE	FINANCIAL INFORMATION	
	Defendant Yianakopolos, Ryan M	
	Total Charges	248.00
	Total Payments and Credits	248.00
	Balance Due as of 2/8/2021	**0.00**

ATTACHMENT W

CASE SUMMARY

CASE NO. 456-2020-CR-01667

State v. Michael Krasyn

§ Location: **9th Circuit - District Division - Manchester**
§ Filed on: **06/04/2020**
§ Police Incident Number: **20-6748**
§

CASE INFORMATION

Offense	Statute	Deg	Date		
Jurisdiction: **Manchester**				Case Type:	**Criminal**
1. Disorderly Conduct	644:2	MISDB	06/03/2020	Case Status:	**11/16/2020 Closed**
ChargeID: 1749238C ACN: 007025J201749238001					
Filed As: Disorderly Conduct	644:2	MISDA	6/4/2020		
Arrest: 06/03/2020					

PARTY INFORMATION

		Attorneys
Defendant	**Krasyn, Michael** [redacted] *White Male Height 5' 4" Weight 155* *DOB:*[redacted] *Age: 25*	
Arresting Agency	**Manchester Police Dept** *405 Valley Street* *Manchester, NH 03103*	
Prosecutor	**City Solicitor's Office** *One City Hall Plaza* *Manchester, NH 03101*	**Blanchard, John G., ESQ** *Retained* 603-624-6523(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/03/2020	Bail Order *P/R* *Charges: 1*	*Index #1*
06/04/2020	Complaint As Accepted For Filing	
08/03/2020	Returned Mail Party: Defendant Krasyn, Michael *Notice of Hearing*	*Index #3*
10/01/2020	Complaint - Amended Party: Attorney Blanchard, John G., ESQ *complaint amendment form - Offense degree* *Charges: 1*	
10/01/2020	Acknowledgement and Waiver of Rights Party: Defendant Krasyn, Michael *Approved 11/10/20 KAC* *Charges: 1*	*Index #2*
11/10/2020	**Case Status Hearing** *Telephonic Hearing*	
11/10/2020	**Plea** (Judicial Officer: Chabot, Kimberly A) 1. Disorderly Conduct Guilty	

CASE SUMMARY

CASE NO. 456-2020-CR-01667

11/10/2020 **Disposition** (Judicial Officer: Chabot, Kimberly A)

1. Disorderly Conduct
   Finding of Guilty

11/10/2020 **Sentence** (Judicial Officer: Chabot, Kimberly A)

1. Disorderly Conduct
   Sentenced
   Fees
   Fines: $1,488.00
   Suspended Fines: $1,488.00
   Comment: For 12 months
   Condition - Adult:
   1. Good Behavior for One Year, 11/10/2020, Active 11/10/2020

ATTACHMENT X

CASE SUMMARY

CASE NO. 456-2020-CR-01670

State v. Andrew Magoon

§
§ Location: **9th Circuit - District Division - Manchester**
§ Filed on: **06/04/2020**
§ Police Incident Number: **20-6737**
§

CASE INFORMATION

Offense	Statute	Deg	Date		
Jurisdiction: **Manchester**				Case Type:	**Criminal**
1. Disorderly Conduct	644:2	MISDB	06/02/2020	Case Status:	**11/16/2020 Closed**
ChargeID: 1749281C ACN: 007025J201749281001					
Filed As: Disorderly Conduct	644:2	MISDA	6/4/2020		
Arrest: 06/02/2020					

PARTY INFORMATION

Attorneys

Defendant **Magoon, Andrew**
[redacted]
White Male Height 5' 7" Weight 175
DOB: 0[redacted]3 Age: 32

Arresting Agency **Manchester Police Dept**
405 Valley Street
Manchester, NH 03103

Prosecutor **City Solicitor's Office**
One City Hall Plaza
Manchester, NH 03101

Blanchard, John G., ESQ
Retained
603-624-6523(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/04/2020	Complaint As Accepted For Filing	
08/31/2020	Returned Mail Party: Defendant Magoon, Andrew *NOH*	*Index #1*
11/07/2020	Complaint - Amended Party: Attorney Blanchard, John G., ESQ *Offense Degree* *Charges: 1*	
11/09/2020	Acknowledgement and Waiver of Rights *Approved 11/10/20 KAC* *Charges: 1*	*Index #2*
11/10/2020	**Case Status Hearing** *Telephonic Hearing*	
11/10/2020	Order (Judicial Officer: Chabot, Kimberly A) *Defendant called in telephonically, now wants to apply for court appointed Attoreny. Defendant to drop off Request for Lawyer, then case status to be set*	*Index #3*
11/10/2020	**Plea** (Judicial Officer: Chabot, Kimberly A) 1. Disorderly Conduct Nolo Contendere	
11/10/2020	**Disposition** (Judicial Officer: Chabot, Kimberly A)	

1. Disorderly Conduct
Finding of Guilty

11/10/2020 **Sentence** (Judicial Officer: Chabot, Kimberly A)
1. Disorderly Conduct
Sentenced
Fees
Fines: $1,488.00
Suspended Fines: $1,488.00
Comment: For 12 months
Condition - Adult:
1. Good Behavior for One Year, 11/10/2020, Active 11/10/2020

EXHIBIT C

FD Case #

State of New Hampshire
Hillsborough County 9th Circuit-District Division-Manchester

Supporting Affidavit for Request to Issue Arrest Warrant

MPD Case # 20- 6790

I, Detective Ryan Heile being duly sworn, depose and say,

I am a Police Officer. I herewith make application for the issuance of an Arrest Warrant against the defendant(s): Antwan Stroud (09 14 2001) OF 331 Lake Avenue, Apartment 1, Manchester NH

1. I have information that a crime (or offense) has been committed by the defendant(s) as follows:

NH RSA 626:8/631:3 Criminal Liability for Conduct of Another, Reckless Conduct (M)
644:1 Riot (B)

2. Details:
On June 3, 2020, I was on Facebook in the attempt to look for footage that was taken during the period of civil unrest that occurred on South Willow Street from the night of June 2, 2020 into the early morning of June 3, 2020.

It was during my search I came upon a males Facebook page that was using the name of Otm Dsmoove. The URL name shows the males name being Antwan Stroud. The URL of the Facebook profile is:

https: www.facebook.com antwan.stroud

Once I was located on that Facebook profile I noticed that there was a Facebook Live video that was saved on his Facebook profile outline. This video began at June 2, 2020 at 2043 and lasts for 1 hour three minutes and 48 seconds.

When I clicked play on this video, I noticed right away that the male holding the camera was the same person whose Facebook page I was currently on and that video took place in the area of South Willow Street in Manchester NH. I also noticed that the male was apart of a large group of people and they were standing out side of Budget Gas (445 South Willow Street).

The group then began walking south on South Willow before stopping again and yelling things like "fuck the police" "fuck MPD" "fuck the feds" "fuck all those niggas".

At approximately 1240 into the video a group of Manchester Police Officers approached the group and informed them that they had to keep moving. The group then continues to move south on South Willow Street. The group then stops in front of Laundro Max (465 South Willow Street).

At approximately 2158 into the video, you can hear a female say "Kyle is lighting off the firework right now". The female then says that she brought four or five fireworks and that he brought them all.

At approximately 2235, you can hear the male holding the camera say "light that shit" twice. Afterwards you can see a male who is wearing a blue shirt, blue jeans, black baseball hat exposing his front left pocket showing multiple items that are cylinder like in shape and light brown, which I believe to be fireworks. The male then removes the fireworks from his pocket.

The male holding the camera again says, "you light that shit nigga". At approximately 2342 into the video, you can hear the male holding the camera say "Someone on my live said light that shit don't be a bitch" At approximately 2346 into the video you can see the male in the blue shirt lighting the firework on fire. The male is holding the fireworks in his left hand and holding a fire-producing product (possibly a lighter) in his right hand. After the firework is lit he throws the firework over the heads of the people in the group they are in. The lit firework lands in the front parking of the Laundromax Free Dry Laundry (465 South Willow Street). The actually lit firework lands roughly 10 feet from an occupied lighter colored vehicle. In the

video, you can see someone exit the vehicle and then the vehicle quickly reverses out of the parking space that they were legally parked in to leave the area. At approximately 2423 you can see the vehicle reversing In the video, you can see the firework actively sending sparks in all directions.

On June 2, 2020, at the time of the firework going off Officer Austin Good, Detective Aaron Stone, Detective Guy Kozowyk and I were providing security to the area of 401 South Willow Street and were positioned in the area of the Zoo health club (377 South Willow Street). I was personally able to see the firework go off and called it over the radio. Directly south and west of the parking lot there was grassy areas and I was worried that a fire would be produced from the firework. As the lead arson investigator with the Manchester Police Department, I know that fireworks burn at extreme temperatures, which can cause other items to be ignited on fire, which are included but not limited to grass, clothing, vehicles and structures. I then began walking towards the firework. I was not close to the firework but I could tell the fire work was sending sparks feet in all directions. It was while I was walking towards the firework it went out, due to the fact that there was no actual fire I went back to my post.

After the firework was thrown by the male in the blue shirt the entire group again started walking further south on South Willow Street. The group then stops near the entrance of the strip mall containing Petco (1049 South Willow Street).

It was during the time the group was near the entrance they noticed a police officer (Mark Aquino) was speaking with someone while he was inside of an unmarked black police SUV. The male holding the camera along with the male in the blue shirt began walking west towards Officer Aquino. As the two males are walking towards Officer Aquino, Officer Aquino begins to drive towards the exit of the parking lot. As Officer Aquino is driving towards the exit the male holding the camera turns back and begins walking towards the cruiser and says "you pig, you pig bitch, you fucking faggot, I will slap anyone of you niggas". As the male is yelling this, he is walking towards the cruiser as well as the group of people that are still located at the entrance/exit of the parking lot. As the male holding the camera gets close to the group and the cruiser you can hear him say "roll your window up pussy". Due to the fact that there is a red light at the exit of the parking lot Officer Aquino had to stop at this location.

At approximately 4528 into the video you can hear the male holding the camera say "run this bitch ass nigga out of this shit". As the male is saying this, he walks closer to Officer Aquino. At this point, there are large group of people, which include individuals on pedal bikes. The male holding the camera said that "that there is niggas spitting on this shit" After he said that you can hear the male holding the camera spitting on Officer Aquino's police cruiser as well. The male then said "we spitting on his shit" "nigga on god" "nigga we spitting on his shit bad". Throughout this part of the video, you can see people walking in front of Officer Aquino's vehicle.

Due to the fact that I was currently working during this incident I heard Officer Aquino saying on the radio that he was being blocked in by a group of individuals and that his cruiser was kicked. Due to this, a group of police officers arrived on scene, which can be also seen on the video and arrested an individual or kicking his cruiser.

On June 4, 2020, at approximately 0903 I emailed Detective Canada Stewart and Detective Matthew Mara a picture I took off the original Facebook profile who I believed to be: Antwan Stroud. Both Detectives confirmed that the person who was holding the camera was in fact Stroud.

Based upon the foregoing information (and upon my personal knowledge) there is probable cause to believe the defendant did commit the crime of **Criminal Liability for Conduct of Another Reckless Conduct (M)** as above stated, due to the fact **Antwan Stroud (09/14/2001)** was an accomplice of another person in the commission of an offense with the purpose the commission of the offense when he told **Kyle Toledo (10/11/1999)** multiple different times to lit a firework while they were both located on South Willow Street within a large group of people. Toledo recklessly engaged in conduct which placed another in danger of serious bodily injury when Toledo lit a firework and threw it over a group of individuals, which caused an actively lit firework to land roughly 10 feet from an occupied vehicle that was parked in Laundro Max (465 South Willow Street) which caused the vehicle to reverse and leave the area.

Based upon the foregoing information (and upon my personal knowledge) there is probable cause to believe the defendant did commit the crime of **Riot (B)** as above stated, due to the fact **Antwan Stroud (09/14/2001)** simultaneously with 2 or more persons, engaged in tumultuous or violent conduct and thereby purposely or recklessly created a substantial risk of causing public alarm, when Toledo along with a large group of people got in close conduct Officer Mark Aquino while he was located in a unmarked Police Cruiser, this group then blocked Officer Aquino's exit, spit on his vehicle and threatened violence on Officer Aquino which included pulling him out of his police cruiser.

There is probable cause to believe the defendant did commit a crime I request the court issue an arrest warrant and order a duly authorized officer to take the defendant and bring him before the court having jurisdiction.

DSY
(name)

Then personally appeared the above named Detective Ryan Heile and made oath that the foregoing affidavit by him subscribed is true.

Before me this 9th day of June, 2020

Justice of the Peace-
Manchester District Court

And I, William H. Evans Justice of the ~~Peace~~, Manchester District Court 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 cause for the issuance of the arrest warrant sought. Therefore, the arrest warrant is (granted) ~~(denied)~~ and the arrest warrant (is) – ~~(is not)~~ issued.

Name and Title of Magistrate

Notes of issuing Magistrate
On Reverse

EXHIBIT D

HILLSBOROUGH SUPERIOR COURT NORTHERN DISTRICT

CASE SUMMARY

CASE NO. 216-2020-CR-00815

State v. Kyle Toledo

§ Location: **Hillsborough Superior Court Northern District**
§ Judicial Officer: **Messer, Amy B**
§ Filed on: **06/08/2020**
§ Agency Case Number: **20-006790**

CASE INFORMATION

Offense	Statute	Deg	Date		
Jurisdiction: **Manchester**				Case Type:	**Criminal**
1. Bail Order ChargeID: 1750288C ACN: 007025J201750288001 Arrest:	BO	UNKN	06/04/2020	Case Status:	**01/15/2021 Closed**
2. Riot ChargeID: 1758371C ACN: 007025J201758371002 Arrest:	644:1	FELB	06/02/2020		
3. Reckless Conduct (Criminal Liability for Conduct of Another) ChargeID: 1758378C ACN: 007025J201758378003 Arrest:	631:3	MISDA	06/02/2020		

PARTY INFORMATION

		Attorneys
Defendant	**Toledo, Kyle** [redacted] *Male* *DOB: 1[redacted] Age: 20*	**Kossick, Kimberly A., ESQ** *Retained* 603-669-7888(W)
Prosecutor	**Hillsborough County Attorney's Office** *300 Chestnut Street* *Manchester, NH 03101*	**Craig, Thomas J., ESQ** 603-627-5605(W)
Plaintiff	**Hillsborough County Attorney's Office** *300 Chestnut Street* *Manchester, NH 03101*	**Craig, Thomas J., ESQ** 603-627-5605(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
06/08/2020	Bail Order *Env. #1180902*	*Index #1*
08/28/2020	Order Made (Judicial Officer: Messer, Amy B) *PR Env#: 1299856*	
07/02/2020	Affidavit *Affidavit Env#: 1216845*	*Index #2*
07/02/2020	**Disposition** 1. Bail Order Underlying Charges Filed	
07/02/2020	Complaint *RIOT 1758371C Env#: 1216845*	*Index #3*
07/02/2020	Complaint *RECKLESS CONDUCT 1758378C*	*Index #4*

CASE SUMMARY

CASE NO. 216-2020-CR-00815

07/02/2020	Ntc of Eligibility and Appt of Counsel *Public Defender Env#: 1216845*	*Index #5*
07/06/2020	Other *Notice of Continuance of July 9, 2020 Arraignment due to COVID (ENV 1218111)*	*Index #6*
07/08/2020	Appearance Filed by: Defendant Toledo, Kyle *appearance for defense counsel; Kimberly A. Kossick, ESQ*	*Index #7*
07/09/2020	*CANCELED* **Arraignment**	
08/28/2020	**Arraignment** (Judicial Officer: Messer, Amy B) *(Webex ENV 1223930)* *Agreement - No Hearing Necessary*	
08/28/2020	Waiver of Arraignment-Waiver of Extradition *agreement*	*Index #8*
08/31/2020	Other *CSR Deadline Env#: 1299856*	*Index #9*
11/10/2020	Motion to Extend *Extend Indictment Deadline [no objection]*	*Index #10*
11/23/2020	Granted (Judicial Officer: Messer, Amy B) *Envelope 1447581*	
12/16/2020	**Status Conference** (Judicial Officer: Messer, Amy B) *Defendant and counsel to appear by Webex.ENV 1425807* *Plea Hearing Scheduled*	
01/15/2021	Other *Misdemeanor Paper Plea*	*Index #11*
01/15/2021	**Plea** (Judicial Officer: Nadeau, Tina L) 3. Reckless Conduct (Criminal Liability for Conduct of Another) Guilty	
01/15/2021	**Disposition** (Judicial Officer: Nadeau, Tina L) . 2. Riot Nolle Prossed 3. Reckless Conduct (Criminal Liability for Conduct of Another) Guilty by Court	
01/15/2021	**Sentence** (Judicial Officer: Nadeau, Tina L) 3. Reckless Conduct (Criminal Liability for Conduct of Another) House of Correction - All or Portion Suspended Condition - Adult: 1. 05 Other, Defendant shall write meaningful letter apology to Manchester Police Dept. Shall enroll in job corps or suspension window will be extended to 2 years, 01/15/2021, Active 01/15/2021	

2. 09 Counseling, Treatment or Educational Programs, 01/15/2021, Active 01/15/2021
3. 13 Good Behavior, 01/15/2021, Active 01/15/2021
4. Law Enforcement may Return Evidence to Rightful Owner, 01/15/2021, Active 01/15/2021
5. Law Enforcement may Destroy Evidence, 01/15/2021, Active 01/15/2021

Confinement
Effective Date: 01/19/2021
Agency: Hillsborough County Jail
Maximum
Term: 6 Months
Mandatory Minimum
Not Applicable
Suspended
All Suspended
Suspended For: 6 Months
Comment: from today

Community Service
Hours: 50
Comment: and provide proof to State within 6 months today's date

01/15/2021	Mittimus *ENV# 1524407* *Charges: 3*	*Index #13*
01/15/2021	Return *ENV# 1524407* *Charges: 2*	*Index #14*
01/19/2021	*CANCELED* **Plea and Sentencing Hearing** *Defendant and counsel to appear by Webex/ envelope 1474764*	
01/19/2021	Agreement *Agreement re charge id*	*Index #12*
01/19/2021	Approved (Judicial Officer: Messer, Amy B) *Envelope 1524018*	

TARGET DATE	TIME STANDARDS

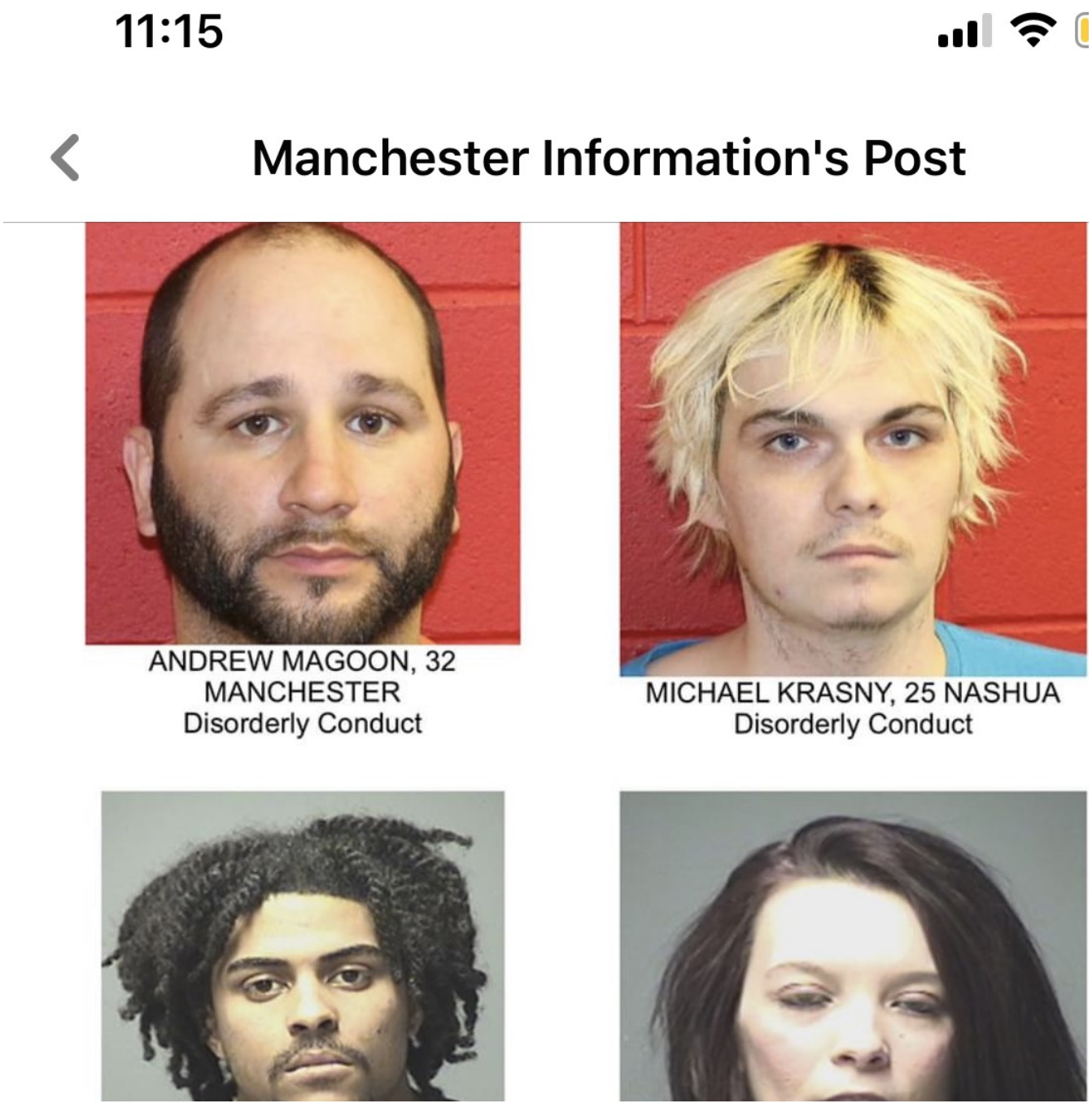
EXHIBIT E

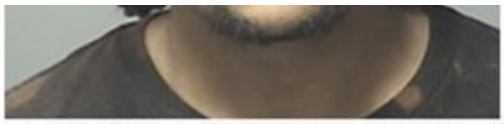
From: Gilles Bissonnette < gilles@aclu-nh.org>
Sent: Friday, June 5, 2020 1:00 PM
To: Michael Conlon
Subject: Manchester NH Protest

Dear County Attorney Conlon:

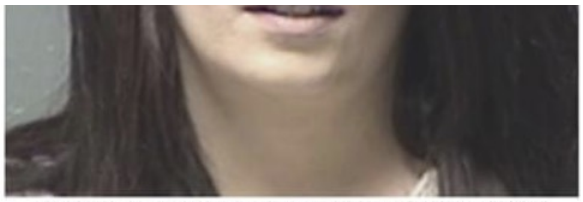
I hope all is well. As you know, several individuals were arrested during Wednesday's protests in Manchester. We have received a complaint that the people of color who were arrested were charged with "riot," while the white individuals arrested were only cited with disorderly conduct. (see below) Would it be possible, under Chapter 91-A, to receive the police reports for all the arrests on Wednesday (including of those below), as we do not have all the facts. If there is a disparity, we would also ask for the factual circumstances, if any, that explain the differing charges. Thank you again, and always happy to chat if that would be helpful.

Best,
Gilles Bissonnette
ACLU-NH Legal Director





TRENTON EDMOND LIGGINS, 19
MANCHESTER
Riot, Disorderly Conduct, Resisting Arrest



KAYLA SHARP, 24 NOTINGHAM
DISORDERLY CONDUCT

10 19 Comm

Like Comment Shar



JAMESON BRISENDINE, 24 WEARE
ARSON



CARMELO RODRIGUEZ, 45
MANCHESTER
Riot, Disorderly Conduct, Resisting Arrest

SHANIA NABORS, 19 MANCHESTER
Riot, Disorderly

RYAN YIANAKOPPLOS, 25 MANCHESTER
Disorderly Conduct

232 427 Comments 222 Sh

Haha Comment Shar



RYAN YIANAKOPPLOS, 25
MANCHESTER
Disorderly Conduct



SHANIA NABORS, 19 MANCHESTER
Riot, Disorderly



KEGAN HALL 26 MANCHESTER
Disorderly Conduct, Resisting Arrest



MILTON NABORS III, 28
MANCHESTER
Riot

Bŕénďøñ Pøuḷiøt and 16 others 5 Comm

Like Comment Shar



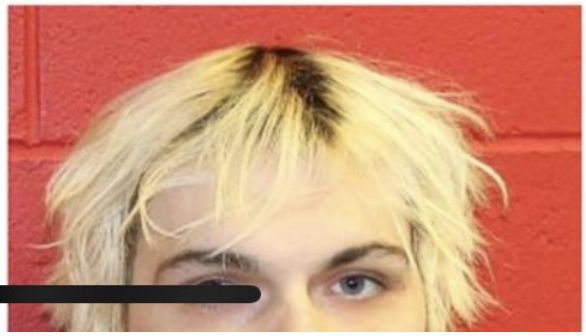


EXHIBIT F

Justin Shepherd

From: Thomas Craig <tcraig@hcnh.org>
Sent: Tuesday, October 13, 2020 9:28 AM
To: Justin Shepherd
Subject: RE: Antwon Stroud

I understand. However, that's the best I can do.

From: Justin Shepherd [mailto:justin@shepherdandosborne.net]
Sent: Tuesday, October 13, 2020 9:08 AM
To: Thomas Craig
Subject: Re: Antwon Stroud

Of course - the only issue is the stand committed portion. Let me know your thoughts on that portion

Justin Shepherd, Esq.
www.shepherdandosborne.net
603/595-5525

On Oct 13, 2020, at 9:05 AM, Thomas Craig <tcraig@hcnh.org> wrote:

> Good morning,
>
> We have a case status due to be filed tomorrow in this case. Were you planning on filing that?
>
> Thanks,
>
> **Tom Craig**
> Assistant County Attorney
> Hillsborough County Attorney's Office
> 300 Chestnut Street
> Manchester, NH 03101
> Phone: (603) 627-5605
> Fax: (603) 627-5627
>
> **STATEMENT OF CONFIDENTIALITY**
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