

SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS

Superior COURT DEPARTMENT

Worcester DIVISION

SEARCH WARRANT DOCKET NUMBER

16625w 185

TO THE SHERIFFS OF OUR SEVERAL COUNTIES OR THEIR DEPUTIES, ANY STATE POLICE OFFICER, OR ANY CONSTABLE OR POLICE OFFICER OF ANY CITY OR TOWN, WITHIN OUR COMMONWEALTH:

Proof by affidavit, which is hereby incorporated by reference, has been made this day and I find that there is **PROBABLE CAUSE** to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
- is intended for use or has been used as the means of committing a crime.
- has been concealed to prevent a crime from being discovered.
- is unlawfully possessed or concealed for an unlawful purpose.
- is evidence of a crime or is evidence of criminal activity.
- other (specify) _____

YOU ARE THEREFORE COMMANDED within a reasonable time and in no event later than seven days from the issuance of this search warrant to search for the following property:

Any weapon that could have been used in the crime, any paperwork concerning the ownership or operation of the vehicle, keys, cell phones, clothing, footwear, weapons, firearms, blood, bodily fluids, hair, fibers, footwear impressions, all trace evidence and any and all evidence, pertaining to the crime of Murder. I request permission to take photographic, digital, and video documentation of the Infiniti QX4. I request that the warrant allow for the collection of evidence to be performed by sworn members of the State Police and Auburn Police with the assistance of civilian forensic scientists.

at:

White 1997 Infiniti QX4 with a Vehicle Identification Number (VIN) of JNRAR05Y7VW017472. The vehicle is stored at the Auburn Police Department.

which is occupied by and/or in possession of:

Jorge Zambrano

on the person or in the possession of (identify any specific person(s) to be searched):

You are are not also authorized to conduct the search at any time during the night.

You are are not also authorized to enter the premises without announcement.

You are are not also commanded to search any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

YOU ARE FURTHER COMMANDED if you find such property or any part thereof, to bring it, and when appropriate, the persons in whose possession it is found before the Worcester Division of the Superior District Court Department.

DATE ISSUED

May 23, 2016

SIGNATURE OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK

X James R. Lemire

FIRST OR ADMINISTRATIVE JUSTICE

WITNESS: Judith Fabricant, Chief Justice
SUPERIOR COURT

PRINTED NAME OF JUSTICE, CLERK-MAGISTRATE OR ASSISTANT CLERK

JAMES R. LEMIRE

1662Sw185

RETURN OF OFFICER SERVING SEARCH WARRANT

A search warrant must be executed as soon as reasonably possible after its issuance, and in any case may not be valid executed more than 7 days after its issuance. The executing officer must file his or her return with the court named in the warrant within 7 days after the warrant is issued G L. c. 276, §3A.

This search warrant was issued on May 23, 2016, and I have executed it as follows:
DATE

1. Digital Photographs
2. Latent Prints
3. Gunshot Residue Collection Kit
4. Swab(s) Steering wheel and shifter
5. Swab Driver's door exterior
6. Swab Passenger door exterior
7. Swab Driver's door interior
8. Swab Passenger door interior
9. Black Glove
10. Bank of America Debit Card - Heather Philip
11. Blue Notebook/wallet with identification for Jorge Zambrano
12. (4) Broken cellular phones & SanDisk Card
13. Motorola Cellular Phone
14. Black container with scale
15. Plastic bags with white powder
16. White Tank Top
17. (5) Knives
18. MassHealth Card for Jorge Zambrano, Family Photos, & Court Summons for Zambrano
19. Dell Laptop Computer with charger cord
20. _____

(attach additional pages as necessary)

This inventory was made in the presence of: Sgt. Danial Wildgrube

I swear that this inventory is a true and detailed account of all property taken by me on this search warrant.

SIGNATURE OF PERSON MAKING SEARCH X <u>[Signature]</u> #3291	DATE AND TIME OF SEARCH 5/24/2016 09:15	SWORN AND SUBSCRIBED TO BEFORE X <u>[Signature]</u> Signature of Justice, Magistrate or Assistant Clerk
PRINTED NAME OF PERSON MAKING SEARCH Robert Parr	TITLE OF PERSON MAKING SEARCH Trooper	DATE SWORN AND SUBSCRIBED TO 5-27-16

APPLICATION FOR SEARCH WARRANT

G.L. c. 276, §§ 1-7

TRIAL COURT OF MASSACHUSETTS



Superior COURT DEPARTMENT

Worcester DIVISION

NAME OF APPLICANT

Robert D. Parr

POSITION OF APPLICANT

Trooper, Massachusetts State Police

SEARCH WARRANT DOCKET NUMBER

1662 SW 185

I, the undersigned APPLICANT, being duly sworn, depose and say that:

1. I have the following information based upon the attached affidavit(s), consisting of a total of 10 pages, which is (are) incorporated herein by reference.

2. Bases upon this information, there is PROBABLE CAUSE to believe that the property described below:

- has been stolen, embezzled, or obtained by false pretenses.
- is intended for use or has been used as the means of committing a crime.
- has been concealed to prevent a crime from being discovered.
- is unlawfully possessed or concealed for an unlawful purpose.
- is evidence of a crime or is evidence of criminal activity.
- other (specify) _____

3. I am seeking the issuance of a warrant to search for the following property (describe the property to be searched for as particularly as possible):

Any weapon that could have been used in the crime, any paperwork concerning the ownership or operation of the vehicle, keys, cell phones, clothing, footwear, weapons, firearms, blood, bodily fluids, hair, fibers, footwear impressions, all trace evidence and any and all evidence, pertaining to the crime of Murder. I request permission to take photographic, digital, and video documentation of the Infiniti QX4. I request that the warrant allow for the collection of evidence to be performed by sworn members of the State Police and Auburn Police with the assistance of civilian forensic scientists.

4. Based upon this information, there is also probable cause to believe that the property may be found (check as may as apply):

at (identify the exact location or description of the place(s) to be searched):

White 1997 Infiniti QX4 with a Vehicle Identification Number (VIN) of JNRAR05Y7VW017472. The vehicle is stored at the Auburn Police Department.

which is occupied by and/or in possession of:

Jorge Zambrano

on the person or in the possession of (identify any specific person(s) to be searched):

on any person present who may be found to have such property in his or her possession or under his or her control or to whom such property may have been delivered.

THEREFORE, I respectfully request that the court issue a Warrant and order of seizure, authorizing the search of the above described place(s) and person(s), if any, to be searched, and directing that such property or evidence or any part thereof, if found, be seized and brought before the court, together with such other and further relief that the court may deem proper.

- have previously submitted the same application.
- Have not previously submitted the same application.

PRINTED NAME OF APPLICANT

Robert D. Parr

SIGNED UNDER THE PENALTIES OF PERJURY

X [Signature] #3491
Signature of Applicant

SWORN AND SUBSCRIBED TO BEFORE

X [Signature]
Signature of Justice, Clerk-Magistrate or Assistant Clerk

5-23-16
DATE

COMMONWEALTH OF MASSACHUSETTS

WORCESTER SS

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
WORCESTER DIVISION

AFFIDAVIT IN SUPPORT OF THE APPLICATION FOR SEARCH WARRANT
G.L. C. 276, SS 1 to 7; St. 1964, c. 557 As amended

May 23, 2016

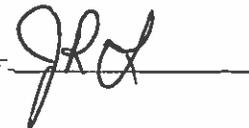
1. I, Robert D. Parr, being duly sworn, depose and say;
I am currently a Trooper in the Massachusetts State Police, a position I have continuously held for the past 9 1/2 years. Presently, I am assigned to the Criminal Section of the Worcester County Detective Unit, located at 81 Lafayette St. Worcester, Massachusetts. Previous assignments have included the Uniform Branch of the State Police, having been assigned to the Leominster and Concord Barracks. In addition, I have served as a reserve police officer in York, Maine for 3 years and as a police officer in Rockport, Massachusetts for 1 year. I have received training in the investigations of: Homicides, Sexual Assaults, Child and Infant Death Investigations, Evidence Preservation, Domestic Violence Incidents, Terrorism, Fire Investigation, Interview and Interrogation, Search Warrants, Cell Phone Analysis and Mapping, Blood Spatter Analysis, Crime Scene Reconstruction and Crime Scene Security. During my tenure as a Law Enforcement Officer I have been involved in numerous investigations that have resulted in the arrest and conviction of individuals for various forms of criminal activity including Murder, Assault, Larceny, Firearms and Narcotics violations. I possess a Master of Arts degree in Criminal Justice from the University of Massachusetts in Lowell, Massachusetts. During my time at UMASS I also earned a Certificate in Domestic Violence Prevention. I also possess a Bachelor of Arts degree in Criminal Justice from Saint Anselm College in Manchester, New Hampshire.

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2. Based upon your affiant's training and experience, and the collective knowledge of the other officers that your affiant has worked with on this investigation as noted in this affidavit, your affiant believes that evidence of the crimes of; Murder in violation of Massachusetts General Laws, Chapter 265, Section 1 will be located in a white 1997 Infiniti QX4 bearing with a Vehicle Identification Number (VIN) of JNRAR05Y7VW017472 which was located behind 31-33 Watch St. Rochdale, Massachusetts.

3. On Sunday, May 22, 2016, at approximately 12:26 AM, Officer Ronald Tarentino of the Auburn Police Department radioed Auburn Police Dispatch that he was stopping an Infiniti QX4 Sport Utility Vehicle (SUV) bearing a Massachusetts registration of 4PJX80 on Rochdale St. at Zabelle Ave. A short time later, Ofc. Tarentino reported that shots had been fired and that he had been struck. Arriving officers found Ofc. Tarentino seated in his cruiser bleeding from at least two gunshot wounds. Ofc. Tarentino was transported to UMass Memorial Medical Center in Worcester where he was later pronounced deceased.

4. Investigators identified a witness, Brian Barber (5/19/1994) who was traveling on Rochdale St. when he overheard on his personal scanner the broadcast of shots fired. Mr. Barber reversed direction and headed towards the scene. Before he arrived at the crime scene, Mr. Barber observed a white Infiniti SUV traveling westbound on Rochdale St. away from the crime scene at a high rate of speed.

5. Numerous assets responded to the scene including State Police Crime Scene Services and State Police Firearms Identification Section. At the scene investigators located at least five (5) spent .45 caliber gold colored shell casings in the area of where the Infiniti should have been parked. Investigators also located four (4) spent projectiles in the area of Ofc. Zambrano's cruiser.

| Tpr. Robert D. Parr 

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6. Investigators learned that the 1997 Infiniti QX4 bearing Massachusetts registration 4PJX80 had been stopped on May 16, 2016 by Tpr. Christian Paluk of the State Police Holden barracks. Tpr. Paluk identified and arrested the operator of that vehicle as Jorge Zambrano (3/14/1981). The vehicle was towed by Boulevard's Towing. It was later released to Heather Philip who was identified as the girlfriend of Jorge Zambrano.

7. A review of Jorge Zambrano's Board of Probation (BOP) file indicates that he has a lengthy criminal history including violence toward law enforcement. Zambrano has numerous charges for Resisting Arrest, Assault & Battery on a Police Officer, Assault & Battery with a Dangerous Weapon, and Possession of a Firearm.

8. On the same date, at approximately 7:45 AM, Tpr. Douglas Grout and Tpr. Michael Travers interviewed Julie Smola at 89 Houghton St. Worcester, Massachusetts. Smola is the mother of Zambrano's daughter. Investigators also spoke with Zambrano's juvenile daughter who advised that she had received a phone call from Zambrano at approximately 12:30 AM. Zambrano stated that he was sorry and wished that he had been there for her.

9. On the same date, at approximately 8:43 AM, Tpr. Grout and Tpr. Travers responded to 30 Suffield St. in Worcester. Investigators were given this address from the probation department who reported that Zambrano identified 30 Suffield as where he was staying. Investigators observed that Zambrano's name is on the mailbox for the third floor apartment. Investigators also spoke with neighbors who stated that Zambrano was at the building sometime around midnight on this date. One neighbor heard a male and a female arguing in the apartment and she heard Zambrano leave the apartment. This neighbor knows that Zambrano drives a white SUV. Around 3 AM, this same neighbor heard a loud bang from the apartment. Worcester Police conducted a protective sweep of the apartment and

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located Heather Philip (1/16/1982) in the apartment with her son. Zambrano was not located. Ms. Philip was brought to SPDU Worcester to be interviewed.

10. On the same date, at approximately 9:15 AM, Tpr. Scott Driscoll and Det. Eric Dyson interviewed Amanda Zambrano at the Auburn Police Department. Ms. Zambrano is the ex-wife of Jorge Zambrano. She advised that she has received a text message and several voice phone calls from Giancarlo Zambrano, brother of Jorge Zambrano. Ms. Zambrano did not answer any of these phone calls.

11. On the same date, at approximately 10:36, Tpr. Michael Leo and Tpr. Eric Higgins interviewed Jack Sweeney (8/21/1968) and his wife, Karen Rawlston (1/1/1968) at 151 Hartford Turnpike #4 in Shrewsbury, Massachusetts. Mr. Sweeney was the previous owner of the 1997 Infiniti QX4. Mr. Sweeney stated that he gave the vehicle to Zambrano approximately 6 months ago. Mr. Sweeney and Ms. Rawlston were shown a photo of the Infiniti that was taken while it was parked at 31 Watch St. Mr. Sweeney and Ms. Rawlston positively identified the vehicle as the vehicle that was given to Zambrano. Ms. Rawlston recalls that the vehicle's front driver's side window had been smashed. Rawlston stated that Zambrano smashed the window out approximately one month ago when he locked the keys inside of the vehicle. Sweeney remembers that there is some right front damage to the bumper.

12. On the same date, at approximately 10:58 AM, Heather Philip was interviewed at SPDU Worcester by Tpr. Grout and Tpr. Travers. She stated that she got into an argument with Zambrano the previous evening around 11:30 PM. She then stated that Zambrano left the residence in the white SUV with a license plate that might be hanging off of it. Zambrano took with him her cell phone which she identified as (508-713-2746), a bag of clothes, and his pit bull. She did not know where he was planning on going and did not come back. Zambrano was wearing shorts, and a white tank top and black sneakers. Philip stated that she last saw

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Zambrano carry a firearm approximately 6 months ago. She described the firearm as a black pistol similar to what the State Police carry. She further stated that Zambrano wears a plastic holster in his waist band and that he keeps his ammunition in a blue and white bag. Philip had told Zambrano to stop bringing the firearm in the house and that he may have been keeping it in the car. Philip was in the Infiniti with Zambrano yesterday afternoon. She was shown a picture of the Infiniti taken while it was parked at 31 Watch St. and stated that it was definitely the vehicle.

13. On the same date, at approximately 10:00 AM, Eric Blomquist (8/20/1982) called the Auburn Police and reported seeing a white Infiniti SUV with no plates on it in the driveway of 31 Watch St. in Rochdale, Massachusetts. Blomquist stated that when he woke up this morning and he heard about the murder of Ofc. Tarentino through the online blog Turtleboy Sports. Turtleboy Sports had posted a photo of Jorge Zambrano and the vehicle and Blomquist immediately identified the man in the photo as Zambrano. This morning the vehicle had plastic sheeting partially covering the vehicle. Blomquist and his girlfriend, Christine Blevins (8/20/1982) came to the Auburn Police Department where he was interviewed by Tpr. Driscoll and Det. Dyson. Blomquist advised that he knows that Jorge Zambrano frequents 31 Watch St., operates a white Infiniti with a dog sticker on the back and believes that he is selling crack cocaine to "Crazy John". Blomquist identified 31 Watch St. as the right side of the duplex with a dark green door with multi-colored stain glass window. Zambrano is frequently seen at the residence and has identified Zambrano traveling with a pit bull. Blomquist identified the RMV photo of Jorge Zambrano.

14. On the same date, at approximately 11:15, a probation violation warrant was issued for Jorge Zambrano.

15. On the same date, at approximately 1:15 PM, a search warrant for 31

| Tpr. Robert D. Parr



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Watch St. Rochdale, Massachusetts was authorized out of Worcester Superior Court.

16. On the same date, at approximately 1:45 PM, the search warrant for 31 Watch St. was executed by members of the State Police STOP Team. Operators for the STOP Team initially attempted to have Zambrano come out of the house voluntarily. Operators then entered the home to clear it. During the course of clearing the residence, Operators located a small passageway connecting the basements of 31 and 33 through a shared wall. STOP Team Operators entered 33 Watch St. upon written consent from the homeowners. Operators proceeded to the second floor. Upon entering a second floor bedroom, Zambrano began firing at the Operators from a bedroom closet striking an Operator. Operators returned fire striking Zambrano several times. Zambrano was transported to UMass Memorial Medical Center where he was pronounced.

17. A subsequent search of 31-33 Watch St. discovered the registration plates that Ofc. Tarentino had reported were on the vehicle at the time of the stop, as well as numerous personal articles connected to Zambrano. Investigators also located a .45 caliber Smith & Wesson MMP45 in the second floor bedroom where Zambrano was located. Drenzo's Towing removed the Infiniti QX4 and towed it back to Auburn Police where it was stored in the police department garage.

18. Based upon my experience and training, that crimes of violence often involve a struggle, a break, the use of weapons and other instrumentalities and/or the elements of unpredictability. I also know that the person or persons participating in the commission of a violent offense are in contact with the physical surroundings in a forceful or otherwise detectable manner. I also know there is often an attempt to alter, destroy, remove, clean up or cover up evidence of a crime but that traces may be left in the form of blood, semen, saliva, physiological fluids and secretions, hair, fibers, fingerprints, palm prints, footprints, shoeprints, weapons, cutting instruments

Tpr. Robert D. Parr



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and cutting tools. Many of the above items are minute and/or microscopic, thus requiring additional specialized examination by forensic laboratory techniques.

19. Based on my training and experience and the training and experience of other senior officers, papers, letters, journals, personal effects, cell phones, and other similar written and electronic communication can provide investigators with information as to who resides or who operates or uses a motor vehicle. Repair slips, inspection reports, and vehicle registrations can all provide clues to investigators regarding the occupants of a particular vehicle.

20. Based on my training and experience and the training and experience of other senior officers, clothing, towels, shoes and other personal items can all contain trace elements of blood, DNA, and other microscopic material that can be used to identify involved parties, particularly if one is bleeding. In addition, these trace elements can move from one place to another if they are attached to clothing or footwear.

21. Based on my training and experience and the training and experience of other senior officers, weapons, to include firearms and sharp edged weapons are capable of puncturing the skin and causing bleeding and traumatic injuries that could lead to death or injury. Also, these weapons can also possess trace elements, like blood or DNA, of the victim as well as the perpetrator of the injuries.

22. Based on my training and experience and the training and experience of other senior officers, blood, bodily fluids, and hair all contain DNA specific to an individual, whether the decedent or a perpetrator. Moreover, during a violent confrontation, blood, bodily fluid, and other microscopic fiber material can be transferred from victim to suspect or from suspect to victim.

| Tpr. Robert D. Parr 

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23. Based on my training and experience and the training and experience of other senior officers, fingerprints, footwear impressions, and other microscopic material can provide vital information identifying potential witnesses or suspects.

24. Based on my training and experience and the training and experience of other senior officers, I am aware of the fact that cell phones and other electronic devices (to include but not limited to computers, laptops, and tablets) are a common means of communication between individuals. I am aware that cell phone and other electronic device communications include voice communication, video communication, direct connect communication, e-mail and internet communication, and text messaging. In addition to the communication functions described, cell phones and other electronic devices frequently have the ability to take, preserve and transfer photograph, audio recordings and video.

25. I also am aware that individuals frequently utilize cell phones to communicate via text messages. Text messages are written messages sent from one person to another and the affiant knows that the content of text messages is usually preserved either in the phone or by the cell phone carrier. Furthermore the affiant is aware of the fact that the incoming and outgoing phone numbers attached to voice communications, text messages and e-mail are captured and stored by cell phones and that individuals with cell phones usually maintain a phonebook stored in the phone. In many cases these stored numbers and names frequently reference the contact numbers, nicknames and other information related to specific contacts and the sender and receiver of various communications.

26. Based on my training and experience and the training and experience of other senior officers, I know that cellular phones and other electronic devices (to include but not limited to computers, laptops, and tablets) are capable of being used to send and receive text messages, photographs, short videos, other electronic data

| Tpr. Robert D. Parr



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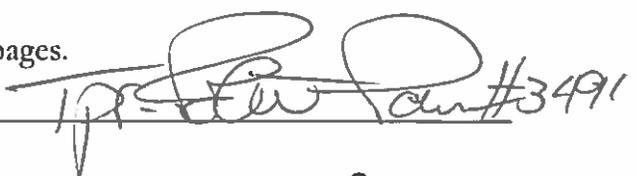
and voice communication. I also know that cellular phones contain internal memory which can store records of received, dialed, and missed calls on that particular phone. That cellular phone memory also stores downloaded ring tones, data downloaded from the internet, pictures, text messages, phone books, date books, address books, personal contacts, voicemails and other data. Many users will program the phone with personal information to identify the owner of that particular phone.

27. Based on my training and experience and the training and experience of other senior officers, this affiant submits that there is probable cause to believe that evidence of the crime of Murder in violation of Massachusetts General Laws, Chapter 265, Section 1 will be located in a white 1997 Infiniti QX4 with a Vehicle Identification Number (VIN) of JNRAR05Y7VW017472. This affiant requests a warrant to search for and seize evidence of this crime, to wit any weapon that could have been used in the crime, any paperwork concerning the ownership or operation of the vehicle, keys, cell phones (specifically recent calls, text messages, and contacts), clothing, footwear, weapons, firearms, blood, bodily fluids, hair, fibers, footwear impressions, all trace evidence and any and all evidence, pertaining to the crime of Murder. Your affiant also requests permission to take photographic, digital, and video documentation of the Infiniti QX4. Your affiant requests that the warrant allow for the collection of evidence to be performed by sworn members of the Massachusetts State Police and Auburn Police with the assistance from civilian forensic scientists assigned to the Massachusetts State Police Crime Lab.

28. For the purposes of this affidavit, the vehicle is described as a white 1997 Infiniti QX4 with a Vehicle Identification Number (VIN) of JNRAR05Y7VW017472. The vehicle is stored at the Auburn Police Department.

This affidavit consists of ten (10) type written pages.

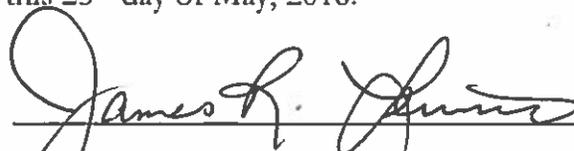
Tpr. Robert D. Parr 

 #3491

Justice Clerk 

Trooper Robert D. Parr #3491 - May 23, 2016

Then personally appeared the above named Robert D. Parr and made oath that the foregoing affidavit by him is true, this 23rd day of May, 2016.


Justice/ Clerk - May 23, 2016

| Tpr. Robert D. Parr 

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Justice/Clerk- 

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COMMONWEALTH OF MASSACHUSETTS

Worcester, SS.

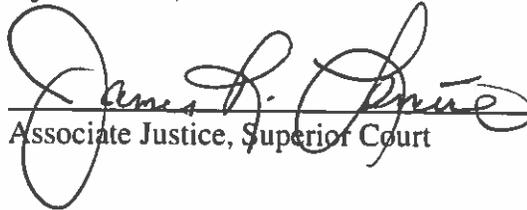
SUPERIOR COURT DEPARTMENT

IN THE MATTER OF THE APPLICATION AND AFFIDAVIT OF
MASSACHUSETTS STATE POLICE TROOPER ROBERT PARR
IN SUPPORT OF A SEARCH WARRANT ISSUED ON
May 23, 2016

ORDER

It is hereby ordered that the above-entitled Application and Affidavit be placed in an envelope which shall be then be sealed in my presence and signed thereafter by me. The envelope containing the affidavit shall then be placed in the custody of a Trooper Robert Parr who shall within three days of the date of this Order return it to the Worcester District Court, in accordance with the provisions of G.L. c. 276, § 2B. When the warrant is returned, the affidavit shall be removed from the envelope and attached to the warrant and subject to any motion to impound.

By the Court,


Associate Justice, Superior Court

Dated: 5-23-16