

#166

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss

SUPERIOR COURT DEPARTMENT  
FALL RIVER SUPERIOR COURT  
INDICTMENT NO.: BRRCR2013-00983

BRISTOL, SS SUPERIOR COURT  
FILED

COMMONWEALTH

NOV 21 2014

v.

MARC J. SANTOS, ESQ.  
CLERK/MAGISTRATE

AARON HERNANDEZ

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COMMONWEALTH'S RESPONSE TO DEFENDANT'S MOTION FOR DISCOVERY OF  
WITNESS STATEMENTS, REPORTS, OR NOTES NOT PREVIOUSLY DISCLOSED

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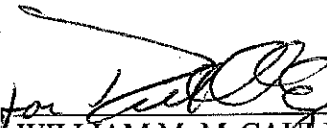
NOW COMES THE COMMONWEALTH in the above-captioned matter and respectfully responds to Defendant's motion and respectfully requests that This Honorable Court Deny the request. In support of this request, that subsequent to the defendant's filing of the motion which was the first notice to the Commonwealth provided by the defendant, the Commonwealth provided the defendant with the attached information [Exhibit A to this motion with redaction]. With one exception all of this material was previously provided to defendant. Some of this material has been in the defendant's possession for more than one year.

CONCLUSION

WHEREFORE, the Commonwealth respectfully requests that this Honorable Court  
DENY the defendant's motion.

RESPECTFULLY SUBMITTED,  
C. SAMUEL SUTTER  
DISTRICT ATTORNEY

BY:

  
WILLIAM M. McCAULEY

BBO: 562635

Assistant District Attorney

888 Purchase St.

New Bedford, MA 02740

(508) 961-1800

Dated: November 20, 2014

**Bomberg, Patrick (BRI)**

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**From:** McCauley, William (BRI)  
**Sent:** Monday, November 17, 2014 11:23 PM  
**To:** James Sultan; Mark Ferriera  
**Cc:** Bomberg, Patrick (BRI); Michel, Roger (BRI); Michael.Fee@lw.com; Charles Rankin  
**Subject:** RE: Comm. v. Aaron Hernandez  
**Attachments:** Response to Request for Witness Discovery.doc

Jamie - please see attached response to your motion regarding witness discovery. As you can see from our response, we have already provided you numerous materials related to most of these witnesses. Some of the others have not written reports or statements but are referenced in other testimony and therefore are on the witness list. I remain open to discussing areas that we could possibly agree to further reduce the witness list. Although there is a lot of material, we have made our best efforts to provide you all of the discovery in a well-organized manner. Despite your suggestion to the contrary, we also have limited resources and I hope that you will make a diligent effort to review these materials so we do not have to continue to address discovery that has already been provided. I hope this resolves this issue.  
Bill

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**From:** James Sultan [jsultan@rankin-sultan.com]  
**Sent:** Friday, November 14, 2014 12:42 PM  
**To:** Mark Ferriera  
**Cc:** McCauley, William (BRI); Bomberg, Patrick (BRI); Michel, Roger (BRI); [Michael.Fee@lw.com](mailto:Michael.Fee@lw.com); Charles Rankin  
**Subject:** Comm. v. Aaron Hernandez

Mark, Enclosed please find a cover letter and 6 court filings. The originals are being mailed to you today. Please note that the motion for criminal records is being filed under seal since it includes personal information (home addresses and birth dates) of civilians on the Commonwealth's witness list. Thank you. Jamie

This e-mail message is generated from the Office of the Bristol County District Attorney and contains information that is confidential and may be privileged as an attorney/client communication or as attorney work product. The information is intended to be disclosed solely to the addressee(s). If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this email information is prohibited. If you have received this email in error, please notify the sender by return email and delete it from your computer system.

## **CIVILIAN WITNESSES**

1. Nereida Alicea: Girlfriend of Roberto Olivares
  - a. January 31<sup>st</sup>, 2014
    - i. Disc Two, Item 60: MSP Rpt #167 re Eduardo Sandoval Interview, Tpr Benson, dated 10-28-13 (Alicea is mentioned by first name only and is identified as Roberto Olivares' girlfriend)
2. Mark Archambault: Employee of HomeTech - he is referred to in grand jury minutes of Mike Connor and relates to the defendant's knowledge of the surveillance system.
3. Edward Brennan, Jr.: Employee of Enterprise Rental/Keeper of Records - he provided the initial information to police regarding the rental of the Suburban to the defendant.
4. Larry Brown: Present at the arrest of Alexander Bradley on January 28<sup>th</sup>, 2013
  - a. May 5<sup>th</sup>, 2014
    - i. Disc One, Item 38: MSP Rpt #374 re Bradley Arrest, Tpr Crowley, Dated 2-18-14
5. Max Brown: [REDACTED]
  - a. June 30<sup>th</sup>, 2014
    - i. Disc One, Item 12: Folder labeled [REDACTED] [containing materials received from the [REDACTED]]
  - b. October 31<sup>st</sup>, 2014
    - i. Item 3: Folder labeled [REDACTED] [containing materials received from the [REDACTED]]
6. Carlos Ferreira: Present at May 28<sup>th</sup>, 2013 Incident in Providence (This interview was inadvertently left out of the May 5<sup>th</sup>, 2014 discovery package)
  - a. November 10<sup>th</sup>, 2014
    - i. Item 1: Folder labeled Ferreira, Carlos (3-26-14) containing an audio recorded interview
7. Jose Furtado: Friend of Steven Chaves
  - a. May 23<sup>rd</sup>, 2014
    - i. Item 2: Folder labeled Chaves, Steven (4-9-14) containing an audio recorded interview [Furtado is present during the interview and identified himself]
    - ii. Item 31: MSP Rpt #405 re Steven Chaves and Jose Furtado Interview, Tpr Benson, Dated 5-2-14 [Furtado is identified as being

present and participating in the audio recorded interview of Steven Chaves]

8. Jodi Jenkins: Shayanna Jenkins' Mother - mentioned in her grand jury minutes, included in phone records and was present in defendant's home in the days following the murder.
9. Jean Lorizio: City of Boston Licensing Board/Keeper of Records
10. Milian Mitrovich: Transcore (Weston Toll) employee/Toll violation on Mass Pike.
11. Zeid Nabulski: Rumor Nightclub Manager
  - a. January 17<sup>th</sup>, 2014
    - i. Item 3: Boston PD Rpt #130-370188 re Lloyd Homicide, Sgt Stratton, Dated 6-19-13
12. Steve Vujevich: Merrill Lynch Financial Advisor to Aaron Hernandez/referenced in phone records/texts messages regarding accounts.

#### **LAW ENFORCEMENT PERSONNEL**

1. Officer Craig Chapman (North Attleboro PD)
  - a. North Attleboro PD Incident Rpt #2013000015736: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)
  - b. August 5<sup>th</sup>, 2013
    - i. Item 12d: DVD containing the photo array interview administered to Keelia Smyth, dated June 18<sup>th</sup>, 2013
  - c. January 14<sup>th</sup>, 2014
    - i. Item 183: Photo Array - Keelia Smyth, Dated 6-18-13
2. Detective Ralph Constantino (Providence PD)
  - a. January 14<sup>th</sup>, 2013
    - i. Item 284: Brown University PD Rpt #13-860-OF, Ofc Bento, Dated 5-18-13
    - ii. Item 285: Providence RI PD Rpt Rpt #2013-00043505, Ofc Kennedy, Dated 5-18-13

3. Lt. Fredrick DeMarco (North Attleboro PD)
  - a. North Attleboro PD Incident Rpt #2013000015736 [Authored Narrative]: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)
  
4. Trooper Catherine Dias (Bristol County State Police Detective Unit)
  - a. June 23<sup>rd</sup>, 2014
    - i. Disc Two, Item 69: Supplemental Scene Rpt #7 re Recovery of Item 60-1, Sherri Menendez, Dated 2-12-14
  
5. Patricia Furdon (Massachusetts State Police)
  - a. August 8<sup>th</sup>, 2014
    - i. Disc Two, Item 10: MSP 911 Call Detail Rpt re Call Reference 1683824 [identified as 911 call dispatcher on page 3]
  
6. Officer Christiaan Grunewald (North Attleboro PD)
  - a. North Attleboro PD Incident Rpt #2013000015736 [Authored 18 Narratives]: January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)
  - b. Performed phone extractions/examinations of the following people:
    - i. Tyler Basso (January 17<sup>th</sup>, 2014; item 40 [CD]), Brandon Beam (June 30<sup>th</sup>, 2014; disc one, item 7), Joel Carrasquillo (January 17<sup>th</sup>, 2014; item 44 [DVD]), Carmen Colon (January 17<sup>th</sup>, 2014; item 43 [DVD]), Devon Crussana (January 17<sup>th</sup>, 2014; item 29 [CD]), Alec Fornaciari (July 30<sup>th</sup>, 2014; disc one, item 1), Hannah Fortier (January 17<sup>th</sup>, 2014; item 38 [DVD]), Catherine Garner (January 17<sup>th</sup>, 2014, items 14 [Blu-Ray] and 35 [CD]), Eric Jenkins (January 17<sup>th</sup>, 2014; item 32 [CD]), Devon Maisonet (January 17<sup>th</sup>, 2014; item 26 [CD]), Stephen McLay (June 30<sup>th</sup>, 2014; disc one, item 9), Tamika Negron (June 30<sup>th</sup>, 2014; disc one, item 10), Tim Ryan (June 23<sup>rd</sup>, 2014; disc three, item 1), Michael Shepard (January 17<sup>th</sup>, 2014; items 45 [DVD] and 46 [DVD]), Tatiana Singleton (May 5<sup>th</sup>, 2014; disc three, item 6), Eric

Therrien (January 17<sup>th</sup>, 2014; item 39 [CD]) and Ian Wessels (June 23<sup>rd</sup>, 2014; disc four, item 1)

c. Participated in the interviews of the following people:

- i. Tyler Basso (January 14<sup>th</sup>, 2014; Interviews, item 1 and January 31<sup>st</sup>, 2014; disc two, item 81), Brandon Beam (June 23<sup>rd</sup>, 2014; disc one, item 2 and July 3<sup>rd</sup>, 2014; item 31), Tracey Blyther (January 14<sup>th</sup>, 2014; Interviews, item 3 and January 31<sup>st</sup>, 2014; disc two, item 76), Joel Carrasquillo (January 14<sup>th</sup>, 2014; Interviews, item 9 and January 31<sup>st</sup>, 2014; disc two, item 82), Carmen Colon (January 31<sup>st</sup>, 2014; disc two, item 112) Devon Crussana (January 14<sup>th</sup>, 2014; Interviews, item 12 and January 31<sup>st</sup>, 2014; disc two, item 84), Charlotte Dudley (May 5<sup>th</sup>, 2014; disc one, item 66 and disc two, item 2), Alec Fornacari (July 30<sup>th</sup>, 2014; disc one, item 3 and disc two, item 20), Hannah Fortier (January 14<sup>th</sup>, 2014; Interviews, item 17 and January 31<sup>st</sup>, 2014; disc two, item 83), Kera Francis (January 14<sup>th</sup>, 2014; Interviews, item 18 and January 31<sup>st</sup>, 2014; disc two item 78), Micheline Gaboury (January 14<sup>th</sup>, 2014; Interviews, item 20 and January 17<sup>th</sup>, 2014, item 124), Catherine Garner (January 14<sup>th</sup>, 2014; Interviews, item 22 and January 17<sup>th</sup>, 2014, item 126), Christopher Jarvis (June 23<sup>rd</sup>, 2014; disc one, item 8 and July 30<sup>th</sup>, 2014; disc two, item 16), Eric Jenkins (January 14<sup>th</sup>, 2014; Interviews, item 28 and January 31<sup>st</sup>, 2014; disc two, item 79), Jose Martinez (January 14<sup>th</sup>, 2014; Interviews, item 33 and January 31<sup>st</sup>, 2014; disc two, item 80), Stephen McLay (June 23<sup>rd</sup>, 2014; disc one, item 15 and July 3<sup>rd</sup>, 2014; item 30), Tamika Negron (July 9<sup>th</sup>, 2014; item 2 and July 30<sup>th</sup>, 2014; disc two, item 14), Victor Negron (July 9<sup>th</sup>, 2014; item 3 and July 30<sup>th</sup>, 2014; disc two, item 15), Bianca Nieves (January 14<sup>th</sup>, 2014; Interviews, item 38 and January 31<sup>st</sup>, 2014; disc two, item 75), Anamaria Rodriguez (June 23<sup>rd</sup>, 2014; disc two, item 6 and July 30<sup>th</sup>, 2014; disc two, item 13), Tim Ryan (January 14<sup>th</sup>, 2014; Interviews, item 46 and January 17<sup>th</sup>, 2014, item 141), Eric Therrien (January 14<sup>th</sup>, 2014; Interviews, item 52 and January 17<sup>th</sup>, 2014; item 125) and Valerie Velez (January 14<sup>th</sup>, 2014; Interviews, item 54 and January 17<sup>th</sup>, 2014, item 144)

d. September 11<sup>th</sup>, 2014

- i. Item 48: Ofc Christiaan Grunwald CV

7. Officer Gary Maitland (North Attleboro PD)

- a. North Attleboro PD Incident Rpt #2013000015736 [Authored Narrative]: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>,

2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)

b. November 15<sup>th</sup>, 2013

- i. Item 132: (1) DVD labeled Anonymous Tip, North Attleboro Police Department, 6-22-13

8. Officer Kevin McKeon (North Attleboro PD)

- a. North Attleboro PD Incident Rpt #2013000015736: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)

9. Officer Kevin Mobley (North Attleboro PD)

a. January 14<sup>th</sup>, 2014

- i. Item 71: Evidence Submission 13-11925-21, Dated 6-20-13

b. March 17<sup>th</sup>, 2014

- i. Disc One, Item 1n: 13-11925-27

10. Detective Lt. Kevin Morrell (Bristol PD)

a. January 14<sup>th</sup>, 2014

- i. Item 11: Bristol CT PD Rpt re Search Warrant, 114 Lake Ave, Det Dorman, Dated 6-28-13

11. Detective Steve Pileski (Bristol PD)

a. January 14<sup>th</sup>, 2014

- i. Item 11: Bristol CT PD Rpt re Search Warrant, 114 Lake Ave, Det Dorman, Dated 6-28-13

12. Detective Jose Pineda (Providence PD)

a. January 14<sup>th</sup>, 2014

- i. Item 285: Providence PD Rpt #2013-00043505, Ofc Kennedy, Dated 5-18-13

13. Detective David Plasczynski (Bristol PD)

a. January 14<sup>th</sup>, 2014

- i. Item 6: Bristol CT PD Rpt re Contact with MSP, Det Dorman, Dated 7-4-13
- ii. Item 12: Bristol CT PD Rpt re Search Warrant, Chrysler 300C, Det Dorman, Dated 7-1-13



- iii. Item 13: Bristol CT PD Rpt re Search Warrants, Det Plaszynski, Dated 7-3-13
- iv. Item 221: MSP Rpt #48 re Chain of Custody, Chrysler 300C, Tpr Rodriguez, Dated 7-9-13

14. Chief John Reilly (North Attleboro PD)

- a. North Attleboro PD Incident Rpt #2013000015736: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)

15. Sgt. Jason Roy (North Attleboro PD)

- a. North Attleboro PD Incident Rpt #2013000015736 [Authored Narrative]: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)

16. Detective Timothy Stanton (Boston PD)

- a. January 14<sup>th</sup>, 2014
  - i. Item 215: MSP Rpt #13 re Notification of Family, Located Suburban, Tpr Laliberte, Dated 7-8-13
- b. January 17<sup>th</sup>, 2014
  - i. Item 3: Boston PD Rpt #130-370188 re Lloyd Homicide, Sgt Stratton, Dated 6-19-13
  - ii. Item 146: MSP Rpt #289 re Boston Video Surveillance, Tpr Dumont, Dated 1-16-14
  - iii. Item 147: MSP Rpt #290 re Investigation of Tip, Tpr Dumont, Dated 1-16-14
- c. January 31<sup>st</sup>, 2014
  - i. Disc Two, Item 61: MSP Rpt #211 re Club Rumor, Tpr Laliberte, Dated 7-2-13
  - ii. Disc Two, Item 72: MSP Rpt #294 re Fayston St, Tpr Dumont, Dated 1-16-14

17. Captain John White (North Attleboro FD)

- a. North Attleboro PD Incident Rpt #2013000015736: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item

142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)

- b. October 3<sup>rd</sup>, 2013
  - i. Item 1: MSP Case Initiation Rpt, Tpr Benson, Dated 7-5-13
- c. January 14<sup>th</sup>, 2014
  - i. Item 269: North Attleboro Fire Dept Rpt, Incident #20130001704, Dated 6-17-13
- d. September 11<sup>th</sup>, 2014
  - i. Item 45: NAFD Patient Rpt, Dated 6-17-13

18. Trooper Jeffrey Whitehead

- a. October 3<sup>rd</sup>, 2013
  - i. Item 27: MSP Rpt #60 re Search of Rt 128 South, Tpr Benson, Dated 8-11-13
- b. January 14<sup>th</sup>, 2014
  - i. Item 221: MSP Rpt #48 re Chain of Custody, Chrysler 300C, Tpr Rodriguez, Dated 7-9-13

19. Detective Carlton Williamson (Boston PD)

- a. January 17<sup>th</sup>, 2014
  - i. Item 3: Boston PD Rpt #130-370188 re Lloyd Homicide, Sgt Stratton, Dated 6-19-13
- b. January 31<sup>st</sup>, 2014
  - i. Disc Two, Item 72: MSP Rpt #294 re Fayston St, Tpr Dumont, Dated 1-16-14

20. Officer Edward Zimmer (North Attleboro PD)

- a. North Attleboro PD Incident Rpt #2013000015736 [Authored Narrative]: August 5<sup>th</sup>, 2013 (item 13a); January 14<sup>th</sup>, 2014 (item 271); January 31<sup>st</sup>, 2014 (disc two, item 142); February 7<sup>th</sup>, 2014 (item 41); March 17<sup>th</sup>, 2014 (disc one, item 52); April 4<sup>th</sup>, 2014 (item 14); May 5<sup>th</sup>, 2014 (disc one, item 77); June 23<sup>rd</sup>, 2014 (disc two, item 64); July 3<sup>rd</sup>, 2014 (item 33); July 30<sup>th</sup>, 2014 (disc two, item 22); September 11<sup>th</sup>, 2014 (item 46); September 29<sup>th</sup>, 2014 (item 17); October 10<sup>th</sup>, 2014 (item 40)