

DEFENDANT: Adam S. Tatro Jr.
DOB: 08/31/1990 AGE: 32
ADDRESS:
TRANSIENT - Franklin/Grand Isle Counties
, VT

ARRAIGNMENT DATE: May 24, 2023
SA CASE ID.: 23-8041
ASSIGNED (D)SA: Diane C Wheeler Esq. ERN:
POLICE DEPT.: St. Albans Police Department
INVESTIGATING OFFICER: Sgt. Benjamin Gates
VICTIM ADVOCATE:
INCIDENT NO.: 23SA002881

STATE OF VERMONT

SUPERIOR COURT
FRANKLIN UNIT

STATE OF VERMONT

CRIMINAL DIVISION

v.

DOCKET NO.

ADAM S. TATRO JR.

INFORMATION BY STATE'S ATTORNEY

By the authority of the State of Vermont, the State's Attorney for Franklin County, upon the oath of office charges:

COUNT 1 OF 2

CHARGE CODE: 13V7559E | CODE ID: 728 | OFFENSE CLASS: M
CHARGE NAME: VIOLATION OF CONDITIONS OF RELEASE

Adam S. Tatro Jr., in the County of Franklin, at St. Albans on or about May 23, 2023, being subject to release conditions issued under 13 V.S.A. § 7554, violated condition eleven to abide by a 24-hour curfew, in violation of 13 V.S.A. § 7559(e).

Penalty: Imprisoned not more than 6 months or fined not more than \$1,000.00 or both.

COUNT 2 OF 2

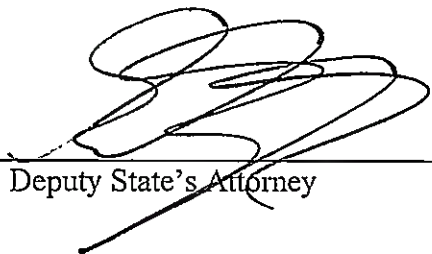
CHARGE CODE: 13V3001 | CODE ID: 528 | OFFENSE CLASS: F
CHARGE NAME: IMPEDING PUBLIC OFFICER

Adam S. Tatro Jr., in the County of Franklin, at St. Albans on or about May 23, 2023, hindered a law enforcement officer acting under the authority of this state, in violation of 13 V.S.A. § 3001.

Penalty: Imprisoned not more than 3 years or fined not more than \$500.00 or both.

Against the peace and dignity of the State.

DATED: May 24, 2023



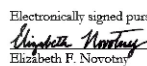
Deputy State's Attorney

Referral(s) if applicable: -

Diversion Tamarack No Referral – Reason:

This information has been presented to me and I have found probable cause.

DATED: 5/24/2023

Electronically signed pursuant to V.R.E.F. 9(d)

Elizabeth F. Norcross
Superior Court Judge

Superior Court Judge

PROBABLE CAUSE AFFIDAVIT

NOW COMES, Sergeant Benjamin Gates, affiant, being duly sworn and on oath deposes and says that he has probable cause to believe that Adam S. Tatro Jr. DOB 08/31/1990 has committed the offense(s) of:

-Violation of Conditions of Release: Title 13 VSA sub-section 7559e

-Impeding Public Officers: Title 13 VSA sub-section 3001

1. On 05/23/2023, I was on patrol in Saint Albans City as a supervisor assigned to the Patrol Division of the Saint Albans City Police Department, on a regular shift. At approximately 6:30 PM on 05/23/2023, I was in the wooded area located north of the Agrimark warehouse at 29 Lower Newton Street in Saint Albans City, searching for Adam S. Tatro Jr. DOB 08/31/1990 and Ashley L. Bates DOB 02/08/1996, in relation to an investigation documented under case 23SA002881.
2. At approximately 6:30 PM on 05/23/2023, I located Tatro standing near a black Subaru Impreza parked adjacent the north end of the aforementioned warehouse. Upon seeing Tatro standing in that position, I was immediately able to identify him from my visual observations of his appearance, as I had reviewed photographs of Tatro available in police databases prior to conducting this search.
3. I immediately took Tatro into physical custody in relation to case 23SA002881. Tatro was a person of interest in case 23SA002881. In that incident, Tatro was involved in the alleged purchase of a controlled substance (crack cocaine), conveyed a counterfeit note of US currency during the transaction, then fought with the person allegedly conveying the illegal substance, before contributing to that person being injured while interacting with a motor vehicle in operation.
4. I also suspected at that time that Tatro was subject to active conditions of release which included a 24 hour curfew, requiring that he be at a residence in Alburgh, Vermont. Later, Central Dispatch was able to confirm the existence of that curfew condition.
5. After taking Tatro into physical custody, he made multiple attempts to reach into his clothing and/or pockets on his clothing. I suspected that Tatro was attempting to remove some form of incriminating evidence from his person. Tatro was successfully able to remove an item allegedly containing papers for rolling marijuana or tobacco cigarettes from his person before I again took action to stop him from reaching into his clothing while under arrest.
6. Tatro repeatedly demanded that he be allowed to remove objects / possessions from his person and convey them to either Nicholas A. Hoyt DOB 11/05/1988, who was at the scene of the arrest and in Tatro's company at the time of his arrest, or Ashley L. Bates DOB 02/08/1996, who was also at the scene of the arrest and in Tatro's company at the time of his arrest. Tatro was repeatedly told that his possessions would be removed from his person by police, and that they would be brought to the police station with him. This behavior, like his reaching into his clothing, increased my belief that Tatro was attempting to remove incriminating evidence from his person.
7. I searched Tatro incident to arrest, and while removing items from his person, I discovered a small object, approximately half an inch long, on his person. I recognized the object as a druggist fold, whereby people use paper or some similar substance, folded multiple times, so as to allow the paper or similar substance to securely contain material within itself. I know from my police training and professional experience that druggist folds are commonly used by people to contain controlled substances, i.e., illegal drugs.

8. Based on my observations of the druggist fold, I suspected that Tatro was in possession of a controlled substance, which is a criminal act. I intended to appropriately investigate Tatro's criminal act of possessing a controlled substance after completing the search of his person incident to arrest.
9. While continuing the search of Tatro's person incident to arrest, Tatro bent down toward the hood of the police vehicle that he was positioned against, placed his mouth around the druggist fold, and closed his mouth while it contained the druggist fold. Tatro was instructed to spit out the druggist fold, and he refused. Tatro appeared to chew the druggist fold. Tatro then proceeded to speak after placing the druggist fold into his mouth and appearing to chew it.
10. When Tatro spoke, I was able to see into his mouth. I could see what I recognized as fragments of paper or some similar substance; I could also see a white, granular particulate matter in Tatro's mouth.
11. Given that SACPD officers possessed evidence that Tatro had purchased a controlled substance (crack cocaine) during the incident underlying this arrest, I suspected that the druggist fold contained crack cocaine or some similar substance.
12. I asked Tatro if the substance he ingested would cause him any harm, and he did not answer. Tatro did not identify the substance that the druggist fold contained. Shortly thereafter, I noted that Tatro was sweating profusely, and though it was relative warm at the time of, and in the location where, this arrest was made—with an approximate ambient temperature of 65 degrees Fahrenheit—this profuse sweating did not make sense to me as a reaction to either the ambient temperature or Tatro's level of exertion (he was standing still.) I noted that neither I, nor other police officers at the scene, or other civilians at the scene, were sweating profusely. I suspected that Tatro's profuse sweating was a physiological response by his body either to the substance he ingested or stress/fear about possible effects of that unknown substance (unknown to police) might have on his body.
13. Shortly after Tatro placed the druggist fold in his mouth and chewed it, he asked to be brought to hospital because he didn't feel well—he did not specify further—and because he had low blood sugar. Tatro was transported from the scene to the SACPD station where he was evaluated by EMS providers, who transported him to the hospital for further evaluation and treatment.
14. I reviewed active conditions of release that Tatro was subject to at the time of this arrest and found that:
 - a. On 02/28/2023, a judge of the Vermont Superior Court imposed amended conditions of release upon Tatro in relation to case number 57-1-21 FrCr. Those conditions of release included a condition of 11: "Curfew: Amended 1/20/22 2/28/23 You must abide by a 24-hour curfew except for regularly scheduled attorney appointments, scheduled court hearings, scheduled medical appointments, emergency medical care and daytime work Monday through Friday, for AA meetings, and counseling appointments. You must reside at 30 Leos Way, Albergh, VT 05440, Exception: You may travel to and from work and work at Swift Plant in Swanton VT"
 - b. On 03/24/2023, Judge Maley of the Vermont Superior Court, Franklin Unit, Criminal Division, imposed conditions of release upon Tatro in relation to case number 22-CR-06300. Those conditions of release included a condition 11: "You must abide by a 24 hour curfew with the exception of leaving the residence with condition 4, Mindy Alexander 37 Vantine Ave, Alburgh, VT for medical appointment, court appearances, and medical emergencies. Exception: you may travel to and from and work at the Swift Plant in Swanton, Vermont"
15. These active conditions of release for Tatro are hereby attached and incorporated by reference as if fully set forth herein.

16. While interacting with Tatro during this arrest, he acknowledged the existence of these conditions of release and mentioned his employment at the Swift Plant in Swanton, Vermont. Shortly after making that statement, Tatro implied that police didn't know where he worked. Tatro then spoke about the exception to his curfew condition, allowing him to work in Swanton. The location where Tatro was located, in the area of 29 Lower Newton Street in Saint Albans City, is not near either Swanton, Vermont, or Alburgh, Vermont. Tatro did not report that he was experiencing any medical emergencies prior to being arrested, nor did he report that he was attempting to attend a medical appointment. Tatro did not report that he was attempting to attend any counseling appointments or meetings. Tatro did not report that he was attempting to attend a meeting with his attorney. At the time of this interaction with Tatro, the Vermont Superior Court, Franklin Unit, was closed.
17. Tatro was evaluated and treated at the Northwestern Medical Center in Saint Albans City. Upon his release, he was transported back to the SACPD Station.
18. I consulted with DSA Hill of the Franklin County State's Attorney's Office regarding this arrest of Tatro. DSA Hill directed me to contact the on-call Judge and request that Tatro be held without bail prior to arraignment.
19. I contacted Judge Novotny of the Vermont Superior Court, as directed by DSA Hill, and requested that Tatro be held without bail. After reviewing my affidavit of probable cause, Judge Novotny communicated that she found probable cause on the acts specified. Judge Novotny then imposed cash bail in the amount of \$200 in relation to Tatro's act of VCOR, and \$1500 in relation to Tatro's act of Impeding. Judge Novotny further imposed conditions of release 1, 2, 10, 14-re: Kaleb Lavallee, and 15-re: Kaleb Lavallee. I explained and issued these conditions of release to Tatro.
20. I issued a citation to Tatro wherein he was ordered to appear at the Vermont Superior Court, Franklin Unit, Criminal Division, at a later time to be arraigned in relation to this arrest. I explained this citation to Tatro, and Tatro was provided with a copy of the citation.
21. I respectfully request that Tatro be ordered to appear at the SACPD station at a later time to be fingerprinted and photographed in relation to this arrest.

Subscribed and sworn before me on this 24th day of May, 2023

B 1775 (Affiant)

[Signature] (Notary Public)