

APPLICATION FOR CRIMINAL COMPLAINT

APPLICATION NO. (COURT USE ONLY)

14AC155

PAGE

1 of 1

Trial Court of Massachusetts
District Court Department



I, the undersigned complainant, request that a criminal complaint issue against the accused charging the offense(s) listed below. If the accused **HAS NOT BEEN ARRESTED** and the charges involve:

- ONLY MISDEMEANOR(S), I request a hearing WITHOUT NOTICE because of an imminent threat of
 - BODILY INJURY COMMISSION OF A CRIME FLIGHT WITH NOTICE to accused.
- ONE OR MORE FELONIES, I request a hearing WITHOUT NOTICE WITH NOTICE to accused.
- WARRANT is requested because prosecutor represents that accused may not appear unless arrested.

WESTERN WORC. DIST. COURT
544 E MAIN ST Apt. RT#9
EAST BROOKFIELD, MA. 01515

ARREST STATUS OF ACCUSED

- HAS HAS NOT been arrested

INFORMATION ABOUT ACCUSED

NAME (FIRST MI LAST) AND ADDRESS				BIRTH DATE		SOCIAL SECURITY NUMBER	
BRIAN J CORRIVEAU WARREN MA. 01083				[REDACTED]		[REDACTED]	
				PCF NO. 632393		MARITAL STATUS [REDACTED]	
				DRIVERS LICENSE NO. [REDACTED]		STATE MA	
HAIR BLN		RACE W		GENDER M		HEIGHT 602	
COMPLEXION FAR		SCARS/MARKS/TATTOOS		WEIGHT 240		EYES BLU	
EMPLOYER/SCHOOL CARPENTER				BIRTH STATE OR COUNTRY		DAY PHONE	
				MOTHER'S MAIDEN NAME (FIRST MI LAST)		FATHER'S NAME (FIRST MI LAST)	

CASE INFORMATION

COMPLAINANT NAME (FIRST MI LAST) Joseph R Laflower			COMPLAINANT TYPE <input checked="" type="checkbox"/> POLICE <input type="checkbox"/> CITIZEN <input type="checkbox"/> OTHER		PD WAN
ADDRESS Warren Police Department #1 Milton O. Fountain Way Warren, MA. 01083-0606			PLACE OF OFFENSE WARREN, MA		
			INCIDENT REPORT NO. 14-48-AR		OBTN
			CITATION NO(S).		

OFFENSE CODE	DESCRIPTION	OFFENSE DATE
1 272J40/A VARIABLES (e.g. victim name, controlled substance, type and value of property, other variable information; see Complaint Language Manual)	DISTURBANCE OF SCHOOLS OR ASSEMBLIES VICTIM(S): TOWN OF WARREN;	03/18/2014
2 VARIABLES		
3 VARIABLES		

REMARKS SID#	COMPLAINANT'S SIGNATURE x Joseph R Laflower	DATE FILED 3/20/2014
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COURT USE ONLY	A HEARING UPON THIS COMPLAINT APPLICATION } WILL BE HELD AT THE ABOVE COURT ADDRESS ON	DATE OF HEARING 5-8-14	TIME OF HEARING AT 9:30AM	COURT USE ONLY
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DATE	PROCESSING OF NON-ARREST APPLICATION(COURT USE ONLY)	CLERK/JUDGE
	NOTICE SENT OF CLERK'S HEARING SCHEDULED ON:	
	NOTICE SENT OF JUDGE'S HEARING SCHEDULED ON:	
	HEARING CONTINUED TO:	
	APPLICATION DECIDED WITHOUT NOTICE TO ACCUSED BECAUSE: <input type="checkbox"/> IMMINENT THREAT OF <input type="checkbox"/> BODILY INJURY <input type="checkbox"/> CRIME <input type="checkbox"/> FLIGHT BY ACCUSED <input type="checkbox"/> FELONY CHARGED AND POLICE DO NOT REQUEST NOTICE <input type="checkbox"/> FELONY CHARGED BY CIVILIAN; NO NOTICE AT CLERK'S DISCRETION	

DATE	COMPLAINT TO ISSUE	COMPLAINT DENIED	CLERK/JUDGE
5/8/14	<input checked="" type="checkbox"/> PROBABLE CAUSE FOUND FOR ABOVE OFFENSE(S) NO(S) 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. BASED ON <input checked="" type="checkbox"/> FACTS SET FORTH IN ATTACHED STATEMENT(S) <input checked="" type="checkbox"/> TESTIMONY RECORDED: TAPE NO. _____ START NO. _____ END NO. _____ <input type="checkbox"/> WARRANT <input type="checkbox"/> SUMMONS TO ISSUE ARRAIGNMENT DATE 5-8-14	<input type="checkbox"/> NO PROBABLE CAUSE FOUND <input type="checkbox"/> REQUEST OF COMPLAINANT <input type="checkbox"/> FAILURE TO PROSECUTE <input type="checkbox"/> AGREEMENT OF BOTH PARTIES <input type="checkbox"/> OTHER: COMMENT	

1 COMMONWEALTH OF MASSACHUSETTS
WORCESTER, SS. DISTRICT COURT DEPARTMENT
2 EAST BROOKFIELD DIVISION

3 TRANSCRIPTION OF RECORDING IN RE:

4 WARREN POLICE,
5 Plaintiff

6 v.

No. 14-AC-155

7 BRIAN CORRIVEAU,
8 Defendant

9
10 BEFORE: ELIZABETH MAUNSELL, CLERK-MAGISTRATE

11
12
13
14 A P P E A R A N C E S :

15 Officer C. Scott Romani

16 Brian Corriveau

17
18
19 May 8, 2014

20 _____
21 Dianne G. Rutan
22 Registered Professional Reporter
23
24

1 THE CLERK-MAGISTRATE: Get outside.

2 MALE VOICE: (INAUDIBLE) lap top.

3 THE CLERK-MAGISTRATE: Did I just say

4 have a seat outside? I'm not interested.

5 MALE VOICE: Okay.

6 THE CLERK-MAGISTRATE: Close the door.

7 MALE VOICE: Okay.

8 THE CLERK-MAGISTRATE: And leave.

9 MALE VOICE: Okay. Okay.

10 THE CLERK-MAGISTRATE: You are?

11 MR. CORRIVEAU: Brian Corriveau.

12 THE CLERK-MAGISTRATE: All right.

13 Raise your right hand, sir. Do you swear to tell

14 the truth, so help you God?

15 MR. CORRIVEAU: Yes.

16 THE CLERK-MAGISTRATE: All right.

17 Now, sir, you understand that you're here for

18 disturbance of school or assembly under two seven

19 -- 240 A. Officer Romani's here representing the

20 town of Warren.

21 Just so you know, this is a private

22 criminal show-cause hearing. It doesn't become

23 public until or unless the criminal charges are

24 issued. That's why the only people in the room

1 were Officer Romani --

2 MR. CORRIVEAU: I understand. I
3 apologize for his behavior. But he is a witness
4 to stuff.

5 THE CLERK-MAGISTRATE: Okay. Now, you
6 realize that anything that you say or he says is
7 getting recorded. And sometimes when people are
8 charged with a crime they don't want to say
9 anything and they don't want to present their
10 evidence at this point in time.

11 Are you aware of that, sir?

12 MR. CORRIVEAU: Absolutely.

13 THE CLERK-MAGISTRATE: All right, so,
14 it's important for me to go over that with you so
15 you're aware of that.

16 So Officer Romani's going to present
17 his evidence. And again, sir, you do not have to
18 present any evidence. You have a right to remain
19 silent.

20 The only issue is if there's enough
21 evidence to issue process. And that's below the
22 standard of proof. It does not reach the level
23 of beyond a reasonable doubt.

24 Do you understand that, sir? Have I

1 explained that to you?

2 MR. CORRIVEAU: Well, I mean, I'm not
3 a lawyer, ma'am. So I'm not -- I think there was
4 some confusion about the offensive code or
5 something. I'm not sure.

6 THE CLERK-MAGISTRATE: All right.
7 It's not something we see all the time, to tell
8 you the truth. We don't see the charge a lot.
9 But, in any event, the gist of it is disturbing a
10 school assembly. And we'll hear from Officer
11 Romani and you listen to him. Okay?

12 MR. CORRIVEAU: Okay. Could I just
13 say one thing, too? I did have a five-page
14 response that I wanted you to read.

15 THE CLERK-MAGISTRATE: What you're
16 going to do --

17 MR. CORRIVEAU: Okay.

18 THE CLERK-MAGISTRATE: -- is listen to
19 him first.

20 MR. CORRIVEAU: Okay, thank you.

21 OFFICER ROMANI: On 3/18/2014, at 1900
22 hours Sergeant LaFlower was assigned to be on
23 duty at the selectmen's meeting per Chief
24 Spiewakowski.