

# Massachusetts murder trial results in conviction of Florida man on all charges

A 50-year-old Florida man was convicted late Tuesday afternoon in Fall River Superior Court by a jury of his peers of the November 2016 murder of 35-year-old Daniel Gerald Smith Jr. in Easton, Bristol County District Attorney Thomas M. Quinn III announced.

Michael Noguera, formerly of Lehigh Acres, Fla., was convicted of First Degree Murder, Armed Robbery, Larceny of a Motor Vehicle and Carrying an Illegal Firearm. The jury returned its verdict just before 5 pm yesterday and sentencing has been scheduled for February 25th at 2 p.m. The trial lasted two full weeks and the jury deliberated for most of the day Tuesday before returning its verdicts. The defendant remains held in jail pending his sentencing.

The case was prosecuted by Co-First Assistant District Attorney Karen O'Sullivan and Assistant District Attorney Jeanne Veenstra.

At approximately 1pm on November 8, 2016, Easton police responded to a 911 call from two juveniles who were riding their bikes on Pond Street in Easton when they encountered the victim lying in a wooded area. When first responders arrived, they located Mr. Smith and found him to be unconscious and bleeding from a gunshot wound to the back of his head. The victim was rushed to an area hospital, where he died three days later.

After some investigation, it was determined that the defendant and the victim had driven together from Florida to Massachusetts before having a falling out over a dispute about money. After shooting the victim, Noguera used the victim's

vehicle to flee the state. The vehicle was recovered three days after the shooting in a motel parking lot in North Carolina and the defendant was apprehended in South Carolina on November 12.

“I want to thank the jury for their time and effort in this case. The evidence strongly supported the verdict. This was a chilling murder by the defendant, committed against someone who was supposed to be his friend,” District Attorney Quinn said. “I want to thank the prosecutors and investigators for their effort in this case. There was a lot of evidence, including voluminous text messages and cell phone records that had to be presented to the jury.”

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## **New Bedford Arsonist Sentenced to Prison**

A 33-year-old New Bedford man who intentionally set fire to two separate occupied multi-family homes in October of 2017 was sentenced to serve up to five years in state prison, Bristol County District Attorney Thomas M. Quinn III announced.

Jose Debrito pleaded guilty last Monday in Fall River Superior Court to indictments charging him with two counts of arson.

The defendant was charged with setting two fires approximately seven hours apart in New Bedford on October 11 and October 12, 2017. Both fires involved occupied multi-family residences and both were lit by igniting gasoline against the outside rear of the houses. No one was injured in either arson incident.

The first fire was set at a home in the 100 block of Myrtle

Street and was called in around 8:22 PM on October 11, 2017. The defendant was seen by a neighbor leaving the area of the fire just about that time and surveillance video showed the defendant traveling to and from the area just before that time. The defendant was also seen going to and from the area on a bicycle just after the fire. The same witness later saw him again in the area. The defendant was looking back at the witness multiple times as he walked away from the area as if he was checking to see if he was being followed.

The second fire was set at a multi-family home in the 200 block of State Street and was called in at 3:19 AM on October 12, 2017. Surveillance video obtained by police showed the defendant riding his bicycle towards the home and leaving the area shortly before the fire was called in. It also showed him going back towards the home several times. He had a back pack on and wore a sweatshirt.

A bike, sweatshirt and backpack were found during the execution of a search warrant at his house. These items were consistent with what the video showed. Police also found a butane torch lighter and fabric softener bottles. The fabric softener and backpack tested positive for gasoline. Samples taken from the area of both houses where the fire was started also tested positive for gasoline.

The case was prosecuted by Assistant District Attorney Stephen Nadeau and the three-and-a-half to five year state prison term was imposed by Judge Gregg Pasquale. Upon the defendant's release from prison, he will immediately be placed on supervised probation for an additional two years.

"The defendant engaged in very dangerous conduct that could have led to serious injury or death by igniting fires to two occupied multi-family homes. Fortunately, no one was injured. I am pleased the defendant accepted responsibility for these serious criminal acts," District Attorney Quinn said.

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# **Attleboro convicted child rapist sentenced to 15-20 years in prison**

A 56-year-old Attleboro man was convicted after a four-day trial in Fall River Superior Court last week of raping and indecently assaulting a young female family member during the late 1990s and early 2000s, Bristol County District Attorney Thomas M. Quinn III announced.

Albert Tremblay was convicted by a jury of his peers of indictments charging him with three counts of rape of a child and three counts of indecent assault and battery on a person under 14 years of age. The jury deliberated for about five hours before returning its verdict on February 12.

The case was prosecuted by Assistant District Attorney Casey Smith and a 15 to 20-year state prison term was imposed by Judge William Sullivan. The defendant, upon his eventual release from prison, will then be placed on five years of supervised probation.

In April of 2014, the victim who was now in her mid-20s, contacted the District Attorney's Office and ultimately attended a meeting with an investigator from our office. During that meeting, she recounted the sexual abuse she suffered at the hands of the defendant when she was a child. She explained to the investigator that the defendant had begun to sexually assault her, starting when she was eight or nine years old. She described a series of indecent touching that escalated to rape. Upon obtaining this preliminary information, our investigator contacted Sgt. Arthur Brillon of

the Attleboro Police Department. Sgt. Brillon took over the investigation and also met with the victim, who described indecent touching of her breasts and vagina, and that the defendant would make her manipulate his penis. She also described oral, digital, and penile rapes over a period of years. Sgt. Brillon also made contact with a witness, who confirmed the victim's statements to her about the rapes from a decade earlier. The defendant was later indicted and arrested.

"The defendant was in a position of trust as the victim's family member, and had easy access to her. The repeated sexual assaults caused serious trauma to the victim, who should have been enjoying her childhood. I commend her for coming forward and persevering through this very difficult ordeal. A substantial prison sentence was more than justified to hold the defendant accountable," District Attorney Quinn said.

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## **Dartmouth Police Department seeks public's help in identifying alleged shoplifters**

The following was posted on the Dartmouth Police's Facebook page:

"Calling all cAHs...Calling all cAHs

On this episode of Two Guys and a Girl (1998), Michael, Pete, and Sharon find themselves in hot water when the local police department plasters their images all over social media in an

effort to identify them as alleged shoplifters.

Confused by this, the three of them come together at the pizza parlor to try to figure out what happened.



After an in-depth conversation, and several satirical flashbacks, they discover that the incident is the result of several ironic events which led to all of them actually shoplifting ?

If you remember this show and can help us identify the actors shown in these images, please either send us a private message or call Detective Kyle Costa at 508-910-1755, so that he can update the DPD IMDb (Internet Movie Database).

Thank you!

PLEASE SHARE"

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# **Massachusetts State Police looking for a vehicle involved in an abduction of 5-year old**

According to Dave Procopio of the Massachusetts State Police, shortly before 5 p.m., a Massachusetts State Trooper located a missing 5-year-old girl who was in a car that was stolen when her father was away from the car.

Trooper David Frederick located the girl on Powdrell Avenue in Randolph. She appeared unharmed. The search for the vehicle and suspect or suspects is ongoing.

The girl was in the silver Honda Accord when it was stolen from Dorchester Avenue in Boston. A subsequent ping of the girl's father's cell phone, which was in the stolen car, revealed the car was traveling south of Boston.

The silver Accord has a Massachusetts registration plate of US117D.

Anyone who sees the car should call 911 immediately.

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## **Boston Police arrest three**

# woman on a number of assault, narcotics, and robbery charges

At about 1:08 AM on Sunday, February 16, 2020, officers assigned to District A-1 (Downtown) responded to a radio call for an assault and battery in progress in the area of 125 Tremont Street in Boston. While en route to the aforementioned location, officers received additional information that two females had entered the convenience store at 125 Tremont Street, assaulted an employee and took several items before fleeing.

As officers arrived on the scene, they observed three females punching and kicking a male on the ground. Upon observing officers, the females eventually stopped their assault on the victim. Officers spoke to the suspects who stated that the victim had approached them aggressively, asking for his cell phone. The suspects stated that they did not have his phone causing the females to attack him.

Officers spoke to the victim who stated he had asked one of the females for a cigarette when they suddenly began attacking him. The victim stated that while the suspects punched and kicked him, one of them grabbed his cellphone. Officers asked the suspects if they were in possession of the victim's phone, two of the suspects denied they had taken the phone, but the third suspect admitted that she had in fact taken the victim's phone during the assault.

While officers were speaking to the suspects and the victim, they were approached by the convenience store clerks from 125 Tremont Street who stated the suspects had been fighting and harassing passersby in the general vicinity of the convenience store. The clerks stated the females had been loitering in the



store for an extended period of time before they were asked to leave. The clerks stated the females returned to the store multiple times, throwing merchandise and assaulting them. The clerks stated the suspects left the store where they attacked another female as well.

Officers arrested Jenna Gonzalez, 21-years-old, of East Boston, Audrina May Hebert, 18-years-old, of Malden, and Brianna Romero, 21-years-old, of Malden. All three suspects are expected to be arraigned in Boston Municipal Court on charges including two counts of Assault and Battery by means of a Dangerous Weapon, Unarmed Robbery, and Disorderly Conduct.

Additionally, during the booking process, officers discovered Brianna Romero to be in possession of a small plastic bag containing a substance believed to be cocaine. Romero was subsequently charged with Possession of Class B Substance.

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## **Dartmouth Police seek public's help in identifying "Romeo" who allegedly "stole our hearts and a bunch of merchandise"**

This was recently posted on the Dartmouth Police Department's Facebook page:

"Calling all cAHs...Calling all cAHs

In an effort to express our love to him for not only stealing our hearts on Valentine's Day, but also a whole bunch of merchandise from Macy's, we are hoping that you can help us identify this Romeo, so that we can give him the pair of silver bracelets that he so desperately deserves.

Because I'm also a romantic, I wrote this catchy little poem for him, so that he can see just how much I love catching a bad guy ♥?

You are my little shoplifter; catching you brings me so much pleasure.

The amount of love I have for all of those who are going to help me get you, no one could ever measure.

So on this day I shall always treasure, making certain that you will think twice about messing with DPD and our followers for ever and ever.

If you have information that can help us identify him, you are encouraged to either send us a little love note, or call Detective Kyle Costa at 508-910-1755.

Thank you!"



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# New Massachusetts Law Requires Registry as Safeguard Against Caretaker Abuse

Michael P. Norton, State House News Service

A state commission will assemble a confidential registry to protect individuals with intellectual and developmental disabilities from abusive caregivers, under a bill Gov. Charlie Baker signed Thursday.

The new law is often referred to by supporters as “Nicky’s Law,” a reference to a young, non-verbal man with autism who was abused by someone who was supposed to be caring for him.

The legislation gained momentum in recent months following a sharp surge in abuse allegations made to the state.

Under the new law, which carries an effective date of Jan. 31, 2021, the Disabled Persons Protection Commission will establish and maintain a registry of care providers against whom the commission has made a “substantiated finding of registrable abuse.”

The law includes language outlining the ability of accused abusers to appeal and also requires the commission to notify the Department of Developmental Services, the last known employers of the care provider, and the victim of the abuse and their guardian of any finding of abuse, any appeal challenging an abuse determination, or any petition to remove a care provider from the registry.

It also requires the department and employers contracting with care providers to determine whether an individual is listed on the registry before hiring them. If the applicant is listed, their hiring would be prohibited. The bill is set up to require that the names of abusers stay on the registry for a minimum of five years.

“Our community is grateful that Nicky’s law has completed its journey and is now law in the Commonwealth!” Leo Sarkissian, executive director of The Arc of Massachusetts, said Friday. “Persons with disabilities served through the Department of Developmental Services will be assured that individuals who have abused in the past won’t be able to hurt others again. We look forward to the full implementation of the registry with the awareness that it has the full support of the Administration and Legislature.”

Students who attend Massachusetts Association of Approved Private Schools member schools may be non-verbal and are “medically fragile,” the association said last month, applauding the bill’s advancement.

“Educating and caring for our students in a safe, supportive, and healthy environment is our top priority,” association board president Rita Gardner, who is also president and CEO of Melmark, said. “The Massachusetts Legislature has time and time again shown its support for our most vulnerable populations.”

There was a 30 percent increase in abuse allegations called into the commission’s hotline between 2013 and 2018, and a nearly 20 percent increase in allegations of sexual abuse against people with intellectual or developmental disabilities, commission director Nancy Alterio said in 2018.

During fiscal 2017, the commission screened 11,395 cases and determined that 2,571 of the cases warranted a complete investigation, according to the Arc of Massachusetts. The organization said 1,478 abuse reports were referred to the local district attorney’s office in 2017, and that 102 of the referrals resulted in criminal charges.

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## **Boston Police Officers respond to two separate disturbances involving same group of juveniles**

INCIDENT #1: At about 3:43 PM on Wednesday, February 12, 2020, officers assigned to District A-1 (Downtown) responded to a radio call for a group of unruly juveniles that were destroying property inside of Macy’s located at 450 Washington Street in Boston. While employees were escorting the group of individuals out of the store, one of the female juveniles

swiped a shelf full of perfume onto the floor causing them to shatter. The estimated damage was approximately \$1000.00. The suspect will be summonsed into Boston Juvenile Court and was released to her parent.

A few minutes later officers were called to the basement area of the same store where they observed approximately 15 juveniles gathered around the escalator causing a disturbance and damaging store furniture. Officers were informed that the juveniles were sitting on the furniture for extended periods of time and have caused damage to fabric with knives and burn holes from marijuana.

The group of juveniles were asked to leave the store again and exited at about 4:15 PM.

INCIDENT #2: At about 4:45 PM on Wednesday, February 12, 2020, officers assigned to District A-1 (Downtown) Drug Control Unit, responded to a radio call for the same group of juveniles that were trespassing and causing a disturbance inside of Macy's located at 450 Washington Street, Boston.

Upon arrival, officers observed about 8 – 10 juveniles in the passageway of the store. The juveniles were placing ski masks over their faces while one juvenile was observed removing what appeared to be a stun gun and mace from a backpack. Officer approached the group of juveniles and recovered the stun gun from the backpack.

A 15-year-old juvenile male of Mattapan was arrested and charged with Delinquent to wit: Dangerous Weapons Unlawfully Carried (Stun Gun). He is expected to be arraigned in Boston Juvenile Court.



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## **Dominican National Sentenced for Stealing over \$17,500 in MassHealth Benefits**

A Dominican national formerly residing in Lawrence was sentenced Tuesday in federal court in Boston for Social

Security and benefit fraud.

Ismael Robles Tejeda, 30, was sentenced by U.S. District Court Judge Patti B. Saris to 18 months in prison and ordered to pay \$17,520 in restitution. Judge Saris signed a stipulated judicial order of removal thereby expediting the defendant's removal proceedings to the Dominican Republic following his incarceration. In October 2019, Robles Tejeda pleaded guilty to one count of false representation of a Security number and one count of false statements in matters relating to health care.

On Aug. 3, 2015, Robles Tejeda applied for a Massachusetts identification card using the name, date of birth and Social Security number of a Puerto Rican citizen. In October 2015, Robles Tejeda used that Massachusetts identification card to apply for and receive over \$17,500 worth of MassHealth benefits in the Puerto Rican citizen's name. When Robles Tejeda was arrested in April 2019, he had in his pocket a Massachusetts driver's license issued to him in the identity of the Puerto Rican citizen. Robles Tejeda was identified, among other things, from a fingerprint match with a Dominican Republic identification document issued to him and bearing his photo. The defendant obtained the Massachusetts identification card in a fraudulent identity less than one month after he provided his true identity and was arrested for selling heroin in Lawrence, posted bail, and failed to appear at his Lawrence District Court arraignment date.

United States Attorney Andrew E. Lelling; Jason Molina, Acting Special Agent in Charge of Homeland Security Investigations in Boston; Scott Antolik, Special Agent in Charge of the Social Security Administration, Office of Inspector General, Office of Investigations, Boston Field Division; and Phillip Coyne, Special Agent in Charge of Department of Health and Human Services, Office of Inspector General, Office of Investigations, Boston Field Division made the announcement today. Assistants U.S. Attorney Lindsey E. Weinstein and



Kenneth G. Shine of Lelling's Criminal Division prosecuted the case.