

NEW HAMPSHIRE STATE POLICE
CONTINUATION OF INVESTIGATION REPORT

345

1. CASE NO. MCI-00-216	2. INVESTIGATING TROOPER Sgt. Russell S. Conte	3. I.D. NO. #551	4. TOWN OF CRIME Rochester	5. TN. CD. ****	6. DATE OF REPORT 11-09-2000
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INTERVIEW WITH CHAD EVANS

RC Okay. This is Sgt. Russ Conte from the New Hampshire State Police Major Crime Unit. Today's date is Thursday, November 16th of the year 2000. By my watch it is uh 11 uh 05PM, that's 2305PM. We're here in the upstairs conference room at the Rochester, New Hampshire Police Department. I am here with uh Jeff Linscott, who's employed by the Maine State Police and we're both here speaking to Chad Evans, uh gentlemen who lives here in Rochester New Hampshire. Uh Chad what I am gonna do, I'm gonna go through before we talk about anything, I'm gonna advise you what your constitutional rights are and explain and we'll talk about those and if theres any questions please free to uh to ask but I am gonna advise you that you have the right to remain silent, anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer and have him present with you while you are being questioned. If you cannot afford to hire a lawyer one would be appointed to you before any questioning takes place. If you decide to answer questions now without a lawyer present you still have a right to stop answering questions at any time. Now I know you're an educated man you have a good job, I fully fully understand from myself you probably understand what your rights are but I'm gonna go through and I'm just gonna ask ya so you're sure on all of these rights and know what they mean, when I say to you you have the right to remain silent what does that mean to you, what am I saying to you?

CE Means that like if I don't wanna answer, I don't have ta answer.

RC You got it, if you don't wanna talk ta me, you don't have ta talk to me, when I ask you about anything you say can and will be used against you in a court of law what's that mean?

CE If I tell ya somethin then it comes up in court someday then I told you, you heard it.

RC What'd ya say you have to be responsible for your words, what you say ta me now, we can we can bring up later whether its its in a court a law, do you understand that. Uh, you have the right to talk with a lawyer and have him go over and present with you while you're being questioned what does that mean to you?

CE It means that uh if I want my attorney here, I can tell you right now I want my attorney here and uh ya know.....You'll call him up.

RC Okay that's right, absolutely right, you know what an attorney is you know you have the right to have an attorney here present, if you cannot afford to hire a lawyer an attorney, one would be appointed to you before any questioning, what does that mean?

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- CE Means if I don't have one, you guys will call someone in and make him available before anyone starts questionong me.
- RC Right so you understand realistically how that happens' is uh the court as you fill out basically financial documents and they and they have court appointed attorney's and at that time uh if there was a court hearing, you would then be appointed an attorney that's correct, that's correct, you understand that uh and I think probably given your status and the job you have, you most likely can afford an attorney. Now the last thing I'm gonna ask you is if you have uh if you decide to answer questions now without a lawyer present, you still have the right to stop answering questions at any time what does that mean?
- CE It means I don't have to say anything I don't want to say and don't have to anwser no questions.
- RC Don't have to do it, you can stop absolutely that's exactly what that means. Now I'm gonna ask you, you understand each of these rights that I've explained ta you
- CE Yep
- RC And I think you do cause you've explained them back ta me and I think that's important that you understand what your constitutional rights are, now the next thing I'm gonna ask you is understanding these rights are you willing to answer questions?
- CE Yeah one of the things though, you know in the rights that you read ta me, I wanna answer every question you have, I wanna be as helpful as I can, but what thing that I recognize right now, I gotta a million and one things going through my head
- RC Sure you do
- CE And uh uh
- RC Sure you do
- CE Uh I think I'd like ta have my attorney present while I answer a few questions.


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- RC Okay let me let me clarify this so I know, let me clarify this so I know um cause I am bound both by who I work for and by by the United States Constitution on your rights, if I'm not mistaken you're tellin me you want an attorney here before you answer any questions and if that is the case, cause I am gonna have ta clarify this Chad cause it is important that we know this cause you know what your rights are, if you want an attorney here then I will stop right now cause I have ta stop and then we're probably not gonna be able to talk again this evening most likely because you're attorney I doubt is gonna is gonna jump himself outta bed at 11:00.
- CE He called like 20 minutes ago....and said that he'd come down
- RC Okay okay that's fine, I guess what you're sayin ta me then you wanna see your attorney prior ta talkin ta us
- CE Well no I mean yeah I guess what I'm saying is I'm not tryin to be a pecker head I wanna help you in anyway I can I wanna answer any question
- RC Hmmm Yep
- CE But ya know I know when I went through that last questioning ya know....ya know I got too many things goin through my head, I'd rather, theres two of you theres one of me I just feel comfortable answering any question with him sittin here beside me ya know
- RC Okay so if I'm clear
- CE Yeah
- RC You want an attorney present
- CE I'm sorry
- RC Okay okay and I have ta be clear Chad because we can just back back and forth you wanna have an attorney present here so what I have ta do now is I have ta stop cause you're invoking your right to have counsel present before and basically which is
- CE I'm not trying to be difficult.
- RC No no listen have I said once that you're tryin to be difficult

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CE Na I know I'm sorry

RC I haven't said that, haven't said that and I understand completely what you're sayin, all I am saying is that you're saying you want an attorney and basically you're saying I'm not gonna talk to ya until that point.

CE Ok, (inaudable)

RC Okay yeah how you say it I mean we have ta we have ta get it out okay given that fact, I'm certainly gonna honor your constitutional right to have an attorney an an to not talk to us and I'm just gonna say for the tape by my watch, it is uh 2311 hours, that's 1111PM on uh on Thursday, November 16th and we're gonna be goin off tape uh with Chad.

END OF TAPE

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