

# INFORMATION

JD-CR-71 Rev. 8-08

## STATE OF CONNECTICUT SUPERIOR COURT

DISPOSITION DATE

### TITLE, ALLEGATION AND COUNTS

STATE OF CONNECTICUT VS. (Name of accused)

Richard C. Dabate

G.A. NO.

19

DOCKET NO.

The undersigned Prosecuting  
Authority of the Superior Court  
of the State of Connecticut  
charges that:

ADDRESS

7 Birchview Drive, Ellington, CT

DATE OF BIRTH

07/29/1976

TO BE HELD AT (Town)

ROCKVILLE

COURT DATE

FIRST COUNT - DID COMMIT THE OFFENSE OF

Murder

CONT NUED TO

PURPOSE

REASON

AT (Town)

Ellington

ON OR ABOUT (Date)

12/23/15

IN VIOLATION OF GENERAL STATUTE NO.

53a-54a

SECOND COUNT - DID COMMIT THE OFFENSE OF

Tampering with Evidence

AT (Town)

Ellington

ON OR ABOUT (Date)

12/23/15

IN VIOLATION OF GENERAL STATUTE NO.

53a-155

THIRD COUNT - DID COMMIT THE OFFENSE OF

False Statement

AT (Town)

Hartford

ON OR ABOUT (Date)

12/23/15

IN VIOLATION OF GENERAL STATUTE NO.

53a-157b

☐ SEE OTHER SHEET(S) FOR  
ADDITIONAL COUNTS

DATE

04/11/17

SIGNED (Prosecuting Authority)

### COURT ACTION

DEFENDANT ADVISED OF RIGHTS BEFORE PLEA

(JUDGE)

(DATE)

BOND

SURETY

☐ 10%

☐ CASH

ELECTION

(Date)

☐ CT ☐ JY

SEIZED PROP. INVENTORY NO.

☐ ATTORNEY

☐ PUB. DEFENDER

GUARDIAN

BOND CHANGE

COUNT	PLEA DATE	PLEA	PLEA WITHDRAWN DATE	NEW PLEA	VERDICT FINDING	FINE	REMIT	ADDITIONAL DISPOSITION
1						\$	\$	
2						\$	\$	
3						\$	\$	

DATE	OTHER COURT ACTION	JUDGE

RECEIPT NO.

COST

☐ IMP ☐ NCI

BOND INFORMATION

☐ BOND FORFEITED

☐ FORFEITURE VACATED

☐ FORFEITURE VACATED  
AND BOND REINSTATED

APPLICATION FEE - RECEIPT NO.  
IF PAID

CIRCLE ONE  
W I Q

PROGRAM FEE - RECEIPT NO.  
IF PAID

CIRCLE ONE  
W I Q

PROBATION FEE - RECEIPT NO.  
IF PAID

CIRCLE ONE  
W I Q

PROSECUTOR ON ORIGINAL DISPOSITION

REPORTER/MONITOR ON ORIG. DISP.

SIGNED (Clerk)

SIGNED (Judge)

☐ SEE BACK OF PAGE 1

## JD-CR-71 Rev. 8-08

# ARREST WARRANT

G.A. NO. 19	DATE	STATE OF CONNECTICUT	Richard C. Dabate
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TO: Any Proper Officer of the State of Connecticut

By AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to arrest the body of the within-named accused. ("X" all that apply)

- ☐ A. Accused is ordered to be brought before a clerk or assistant clerk of the Superior Court.  
☐ B. Accused is not entitled to bail.

If A, B or both are checked above, you shall without undue delay bring the arrested person before the clerk or assistant clerk of the Superior Court for the geographical area where the offense is alleged to have been committed, or if the clerk's office is not open, to a community correctional center within said geographical area, or the nearest community correctional center if no such center exists in the geographical area, or to the Correctional Institution, as the case may be.

- ☒ C. Bail set at \$1,000,000 C/S  
☐ D. Non-financial conditions of release:

EXTRADITION BOUNDARIES  
ESTABLISHED BY PROSECUTOR

- ☐ E. Conditions of release not determined by court.

### BY THE COURT

SIGNED (Judge of the Superior Court)

NAME OF JUDGE (Print or type)

## RETURN ON ARREST WARRANT

G.A. NO. 19	TOWN OF Middletown	DATE 4-14-17	STATE OF CONNECTICUT
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Then and there, by virtue of the within and foregoing complaint and warrant, I arrested the body of the within-named accused and read the same in the hearing of said accused; and have said accused here in court for examination.

ATTEST (Officer's signature and Department)

[illegible]

# WARRANT APPLICATION

Ab Rev. 1-11  
§ 54-2a  
k. Sec. 36-1, 36-2, 36-3

## STATE OF CONNECTICUT SUPERIOR COURT www.jud.ct.gov

For Court Use Only	
Supporting Affidavits sealed	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

Police Case number <b>CFS15-00738693</b>	Agency name <b>Connecticut State Police, Eastern Dist. Major Crime</b>	Agency number <b>860-896-3230</b>
Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>
	Geographical Area number <b>19</b>	

### Application For Arrest Warrant

To: A Judge of the Superior Court

The undersigned hereby applies for a warrant for the arrest of the above-named accused on the basis of the facts set forth in the: ☒ Affidavit Below. ☒ Affidavit(s) Attached.

Date <b>04/11/17</b>	Signed (Prosecuting authority) 	Type/print name of prosecuting authority <b>MATTHEW C. GEDANSKY</b>
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### Affidavit

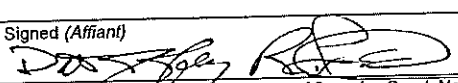
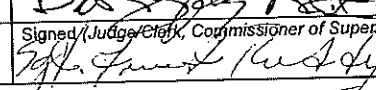
The undersigned affiant, being duly sworn, deposes and says:

1. That, affiant Detective Jeffrey Payette #679 is a member of the Connecticut State Police Department and has been a sworn member of said Department since 1998, and at all pertinent times mentioned herein was acting in his official capacity as a member of said department. That the affiant is presently assigned as Detective as part of the Eastern District Major Crime Squad, in Tolland CT. That the affiant has investigated numerous violent crimes, and has processed and collected physical evidence from the scenes of violent crimes, including sexual assaults, robberies and murders. That the affiant has received specialized training in the investigation of such violent crimes, and how to process the scenes of such crimes. That the affiant has testified in the Superior Court in such cases, including his processing of murder scenes and the collection of physical evidence from such scenes. That the affiant has personal knowledge of the facts and circumstances herein related as a result of his own investigative efforts and those of other police officers who reported their findings directly to him.

2. That on December 23rd, 2015, at approximately 1016hrs., the Connecticut State Police at Troop C - Tolland received a phone call from the LiveWatch Security Llc. reporting an audible panic alarm for the residence at 7 Birchview Drive in the town of Ellington, CT. Troopers from the Connecticut State Police were then dispatched to respond to the alarm. Shortly after the dispatch to the audible alarm, at approximately 1022hrs., Tolland County Mutual Aid Fire Service received a 911 call from the homeowner, **Richard G. Dabate (DOB 07-29-1976)**, at the same residence, moaning and requesting help, along with an audible alarm activation. On 12-23-15, at approximately 1030hrs., witness #1, a member of the Ellington Fire Department, arrived to the scene.

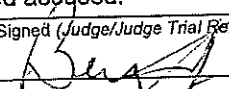
3. That upon the arrival of witness #1 to the scene, he stated, among other things (and later in a written statement) that at around 1030hrs., he pulled into the driveway to the residence at 7 Birchview Drive and stopped adjacent to several parked vehicles to the left of the residence. Witness #1 stated he observed the right side garage door was open. Witness #1 stated he walked to the front door and saw that the outer door (storm door) was closed, and the inner door was open. Witness #1 stated he rang the door bell and nobody answered. Witness #1 stated he then opened the storm door and yelled but nobody answered. Witness #1 stated he then smelled smoke and noticed a haze in the first level of the residence. Witness #1 stated he then proceeded into the house and saw blood drops leading from an open doorway that led from the basement area. Witness #1 stated he saw blood drops and a trail of blood that led to the kitchen area. Witness #1 stated he continued into the kitchen and saw a male, later positively identified as the homeowner, Richard Dabate (herein referred to as "Dabate") lying on the floor, on his right side, with a folding metal chair tangled on him. Witness #1 stated Dabate was moaning and he (witness #1) then realized Dabate was tied to the chair. Witness #1 stated he then asked Dabate if he could hear him, and Dabate moaned back, "they're still in the house". Witness #1 stated he

(This is page 1 of a 48 page Affidavit.)

Date <b>4-11-17</b>	Signed (Affiant)  <b>CSP-EDMCS</b>
Jurat Subscribed and sworn to before me on (Date) <b>4-11-17</b>	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)  <b>#229 EDMCS</b>

### Finding

The foregoing Application for an arrest warrant, and affidavit(s) attached to said Application, having been submitted to and considered by the undersigned, the undersigned finds from said affidavit(s) that there is probable cause to believe that an offense has been committed and that the accused committed it and, therefore, that probable cause exists for the issuance of a warrant for the arrest of the above-named accused.

Date and Signature <b>Rockville</b>	Signed at (City or town) <b>Rockville</b>	On (Date) <b>4/13/17</b>	Signed (Judge/Judge Trial Referee) 	Name of Judge/Judge Trial Referee <b>Bright, J.</b>
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**ARREST WARRANT APPLICATION**

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT  
SUPERIOR COURT**

www.jud.ct.gov

Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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**Affidavit - Continued**


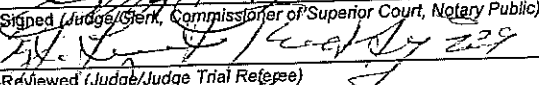
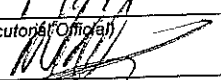
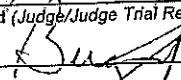
(witness #1) then exited the house back through the front door and called dispatch to have other units stage, and to update the State Police that the incident may be a home invasion. Witness #1 stated he then waited for the Police to arrive. Witness #1 stated he did not see anyone outside the residence, and that he did not pass any vehicles on the way to the residence.

4. That on 12-23-15, at approximately 1034hrs., Sgt. Patrick Sweeney arrived on scene. Simultaneously, State Police K-9 handlers were requested to respond to the scene. At approximately 1037hrs., Sgt. Christopher Sharland and TFC Ronald Richardson also arrived on scene at which time they immediately entered the residence to render aid to Dabate, and to secure the scene. Sgt. Sweeney reported that they entered the residence through the front door at which time he (Sgt. Sweeney) observed blood on the top of the basement stairs, trailing towards the kitchen. Sgt. Sweeney then entered the kitchen and observed Dabate, lying face down, with his right hand tied to a folding chair with what appeared to be a "zip-tie". Sgt. Sharland observed Dabate's right wrist attached to the chair with a white "zip-tie", his ankles possibly attached to the chair, and his left arm free. When asked what happened, Sgt. Sharland stated Dabate stated (victim #1) had been shot by a large person, wearing all camouflage clothing and a mask (victim #1 is a white female, with a date of birth of 07-31-76). Dabate stated he saw this intruder shoot (victim #1) and that she (victim #1) was in the basement. TFC Richardson was then assigned to provide medical attention to Dabate as Sgt. Sweeney and Sgt. Sharland, now accompanied by Tpr. Cormier, continued into the basement. As they continued into the basement, Sgt. Sweeney observed blood trails leading down the stairs. Sgt. Sweeney stated that once in the basement, he observed a larger area of blood drops at the bottom of the stairs. Sgt. Sweeney observed, on the floor by the couch, a small pile of paper that appeared to be burnt. In the same area, Sgt. Sweeney observed a box cutter and a hammer. Sgt. Sharland observed the box cutter to have blood on and around it. Sgt. Sharland also observed a yellow butane torch adjacent to the pile of burnt paper. Tpr. Cormier smelled the odor of smoke, and observed a small bag with tools inside it, by the razor knife and blow torch. Sgt. Sweeney continued to clear the basement, entering the mechanical room, which also contained the bulkhead. Upon entering this area, Sgt. Sweeney observed a stainless steel type revolver on the floor. Tpr. Cormier later identified the handgun as a Ruger .357 Magnum, with serial number 57594888, owned and registered to Dabate. At the right side of the mechanical room, near the boiler, Sgt. Sweeney observed victim #1 lying supine, on the floor, against the cellar wall. Sgt. Sweeney checked for signs of life, and none were observed. Sgt. Sweeney stated victim #1 was cool to the touch, had no color on her facial area, and appeared to have some lividity in her extremities. Tpr. Cormier was then assigned to secure the basement as Sgt. Sweeney and Sgt. Sharland finished securing the residence. Sgt. Sweeney observed that the residence appeared orderly, and not in disarray. Victim #1 was pronounced deceased, by a responding EMS paramedic, on 12-23-15 at 1058hrs.

5. That upon the arrival of TFC Connors, and after the scene was secured, he was assigned to photograph the condition of Dabate and victim #1 as they were found, prior to the arrival of medical personnel. On 12-23-15, at approximately 1048hrs., TFC Connors captured a number of digital images of Dabate. Observing the photos, Dabate can be seen lying on his stomach, on the kitchen floor, with his left hand raised above his head by a black cellular phone, also on the floor. Dabate appeared incapacitated (as he had been lying in the same position since the arrival of the first Troopers at 1034hrs.), with a standard, brown, aluminum folding chair, weighing approximately 9 lbs, observed resting on his buttocks and upper leg area. Dabate's right hand was connected to the front, right, upper leg of the chair, with a clear/white colored zip-tie, as it rested on his buttocks. Another plastic zip-tie can be seen on Dabate's right ankle, and possibly on his left wrist. Dabate is wearing tan colored pants, a blue/green polo style shirt, brown shoes, and tan socks. In the images, no blood like substance (BLS) can be seen on the back of Dabate's shirt. Some smears and drops can be seen on the backside of Dabate's pants.

6. That as Sgt. Sharland, Sgt. Sweeney and Tpr. Cormier were securing the residence, TFC Richardson stayed in the area of the kitchen where he was advised, by Sgt. Sweeney, that victim #1 was, "dead on arrival". After ensuring that

(This is page 2 of a 48 page Affidavit.)

Date <b>4-11-17</b>	Signed (Affiant) 
Jurat Subscribed and sworn to before me on (Date) <b>4-11-17</b>	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 
Reviewed (Prosecutor/Official) 	Date <b>04/11/17</b>
Reviewed (Judge/Judge Trial Referee) 	Date <b>4/13/17</b>

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

www.jud.ct.gov

Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

the residence was secure, TFC Richardson rendered aid to Dabate. TFC Richardson observed Dabate to be lying on his stomach, on the kitchen floor. TFC Richardson observed Dabate had blood on his head area and that his pants and shirt were blood stained. TFC Richardson observed that a white colored plastic tie held Dabate's right hand to a brown metal folding chair which was lying across his back. TFC Richardson stated Dabate had a white colored plastic tie around his left and right leg and one around his neck. TFC Richardson stated the tie around his neck was tight, but not embedded into Dabate's skin. TFC Richardson stated he then cut the tie off of Dabate's neck to allow him to breath easier. TFC Richardson stated he then asked Dabate what had happened. TFC Richardson stated Dabate stated he was driving when he had received a text message on his cellular phone that there was an alarm at the residence. Dabate stated he then returned to the residence, and upon entering, he heard a noise from the second floor. Dabate stated he thought the noise was initially from the cats. Dabate stated he then encountered a male intruder (herein referred to as the "intruder") on the second floor wearing all camouflage, a camouflage mask, and gloves. Dabate could not state whether the intruder was black or white. TFC Richardson asked Dabate if anyone else was in the residence, and Dabate replied that victim #1 had been at the YMCA. Dabate stated that when victim #1 arrived at the residence, he yelled at her to run. Dabate stated he (Dabate) had been tied to the chair. TFC Richardson then asked Dabate what had happened to victim #1. Dabate stated the intruder shot victim #1 in front of him. Dabate stated the intruder was then using a torch to burn him and that he (Dabate) was able to struggle and burn the intruder with the torch. Dabate stated the intruder also stabbed him with a box cutter or something. Dabate stated he was able to struggle up the stairs, and that when he got to the kitchen area, he used a panic alarm to call for help. Dabate stated he had left his cell phone on the kitchen counter, and was able to retrieve it to call 911.

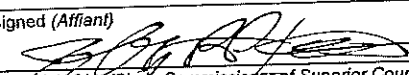
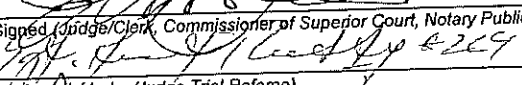
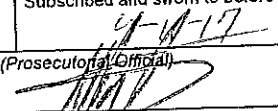
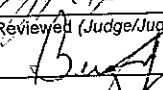
7. After the residence was secured, EMS personnel were allowed into the scene to render aid to Dabate. At that time, EMS personnel cut the plastic tie from the right wrist of Dabate, and TFC Richardson placed the folding chair against the wall in the kitchen. The plastic ties were also cut from Dabate's ankles at which time Dabate was rolled onto his back. TFC Richardson observed Dabate to be conscious and alert and that Dabate was able to communicate with EMS personnel. After EMS personnel cut Dabate's clothing off, TFC Richardson observed cuts to the left chest area, and on the thighs of both legs of Dabate. Dabate was then prepared for transport to the hospital.

8. That as Dabate was having aid rendered by EMS personnel, Tpr. Cloukey arrived at the scene with his K-9 Rocky. On 12-23-15, at approximately 1057hrs., Tpr. Cloukey began a K-9 track at the open rear bulkhead doors, at which time Dabate's wallet was located in the grass in the rear yard of the residence. The track continued from the wallet, proceeding along the exterior walls of the residence, and attempting to enter the front door, which was open as EMS tended to Dabate (and which had been opened at some point during the incident, and prior to the arrival of EMS). K-9 Rocky was led away from the door at which time he lost the track. A second attempt was done, casting K-9 Rocky again from the rear bulkhead. Again the track led around the perimeter of the residence towards the front door. Tpr. Cloukey observed that the ambulance had been backed up to the front steps, and Dabate had been loaded into it. K-9 Rocky then began to climb into the rear of the ambulance showing interest in Dabate. At that time, Tpr. Cloukey attempted a third track, and began to work K-9 Rocky towards the west side of the property in an extended perimeter to determine if there were any scent trails leading away from the property. These efforts produced no indication by K-9 Rocky that an individual had fled the property on foot, and no additional items of evidence were located.

9. That on 12-23-15, at approximately 1114hrs., TFC Anthony Cristy, along with K-9 Axel, began a second attempt at a K-9 track. TFC Cristy attempted two separate times, with K-9 Axel, to locate a scent trail leaving the area with negative results. A third K-9 team (TFC Scott Menard and K-9 Jesse) were also brought in to attempt a track of the suspect and were unable to locate any scent leaving the property.

10. That once the residence was cleared, and Dabate was transported to Hartford Hospital, the scene was secured

(This is page 3 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
	04/11/17		4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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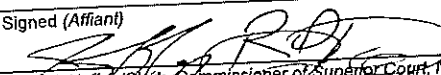
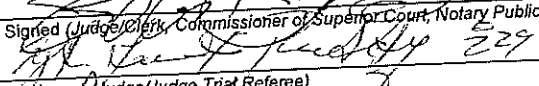

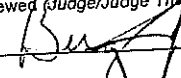
**Affidavit - Continued**

as the Eastern District Major Crime Squad was contacted and assigned to respond and assume investigative responsibilities.

11. That during the initial response, a neighborhood canvass of the area was completed by the responding Troopers and assisting Detectives, and a perimeter was set up throughout the area surrounding Birchview Drive, in Ellington. A number of neighbors and area residents were spoken to, and a number of various other leads were investigated, yielding negative results. A number of area hospitals and walk-in clinics were also contacted inquiring if any burn victims had been admitted yielding negative results.

12. That on 12-23-15, at approximately 1140hrs., Det. Frederick Abrams (EDMC-CI, Troop C) arrived at Hartford Hospital, and spoke briefly to Dabate to ascertain a description of the intruder. Dabate described the intruder as 6 feet tall, stocky, obese with a deep voice, wearing camouflage clothing, mask and gloves. Det. Abrams described Dabate as appearing upset, but with no tears in his eyes. That on 12-23-15 at approximately 1313hrs., affiant Payette and Det. Brett Langevin met with Dabate in the Emergency room at Hartford Hospital. Prior to entering the room affiant Payette asked of Dabate's condition and was told by ER personnel that Dabate was stable, and his wounds, consisting of small lacerations, were not life threatening. Upon meeting with Dabate, affiant Payette and Det. Langevin introduced themselves and identified Dabate. Affiant Payette and Det. Langevin then spoke to and eventually obtained a written statement from Dabate detailing his recollection of the incident. The entire interview with Dabate was digitally recorded. As the interview progressed, it was clear that Dabate's recollection of the incident was evolving as Det. Langevin and affiant Payette would ask for details. Initially, Dabate verbally stated he put the kids on the bus at 8:10am, and then went back into the residence (7 Birchview Drive, Ellington) to put on his work shirt. Dabate stated he saw victim #1, and told her, "goodbye" as she was looking for her spinning (exercise) shoes. Dabate stated he told victim #1 to call the YMCA before she left to see if her exercise class had been rescheduled. Dabate stated he saw victim #1 backing out of the garage when he left for work. Dabate initially stated that he left his residence at about 8:10am to be to work by 9:00am (Dabate later changed his recollection to leaving anywhere between 8:10am and 8:30am). Dabate stated it takes about 40 minutes to get to work depending on traffic. Dabate stated that while driving to work, he realized he forgot his laptop and turned around to go back home to get it. Dabate stated that at the same time, he received alerts on his phone regarding his home alarm system, which he and victim #1 use inconsistently, and figured he would check on that as well. Dabate stated he sent an email to his boss stating he was going back to check on his alarm system. Dabate stated his alarm system consists of motion sensors and door sensors. Det. Langevin, later in the interview, asks Dabate if the alarm was set when he left. Dabate replies, "Yes. Well, a couple times". Dabate stated, "I may have disarmed it when I left. I can't remember". Det. Langevin then pointed out that victim #1 would have left before him if he set the alarm. After a long pause, Dabate replied, "I was trying to do it through my phone, so I wasn't even at the house". Dabate stated, "I was assuming she left on time, so when I was parked, doing emails and stuff, I was screwing around with the alarm too. She should have been gone by then. I wouldn't have set it if she was in the house." Dabate stated he arrived back at 7 Birchview Drive between 8:45am and 9:00am. Dabate verbally stated that when he arrived home, he heard a noise from upstairs, which he initially thought was his cat. Dabate stated he did not notice anything out of place, and he went upstairs to see what the noise was. Dabate stated there was a, "guy in the house" who, "manhandled" him. Dabate had a difficult time describing the intruder, but stated the intruder was about 6'2", stocky build, and covered in a dark green camouflaged suit with a mask. Dabate stated he could not see the intruder's eyes or skin color due to the mask and that the intruder began, "throwing (him) around" the bedroom closet. Dabate stated the intruder asked for his wallet, credit cards, and PIN numbers which he gave to him. Dabate initially stated the intruder said something, "threatening" about his children. As the interview progressed, Dabate stated the intruder told him, "give me what I want, or I'm going to sit here quietly and wait for your family to get home". Dabate added, much later in the interview and after he had gone through the incident once with Det. Langevin and affiant Payette, that while in the bedroom closet, the intruder pulled out a knife which he described as, "like something you would pull out of a leather sleeve". Dabate describe the knife as curved, with "jags" on the bottom of the silver colored blade.

(This is page 4 of a 48 page Affidavit.)

Date <b>4-11-17</b>		Signed (Affiant) 	
Subscribed and sworn to before me on (Date) <b>4/11/17</b>		Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
Jurat	Reviewed (Prosecutorial Official) 	Reviewed (Judge/Judge Trial Referee) 	Date <b>4/13/17</b>

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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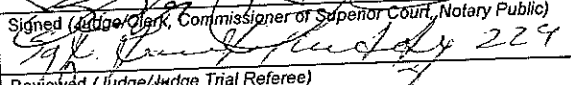
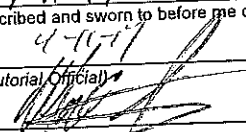
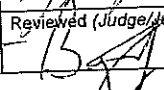
Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

Dabate stated he was in the closet with the intruder for about one minute. Dabate initially stated he (Dabate) then heard victim #1 arrive home, and he told her to run. Dabate stated the intruder was yelling at him, and then pushed him down the stairs. Dabate later stated that he (Dabate) fell down the stairs, and again later, that he "tripped" down the stairs, and then that he was, "pretty sure" he tripped. Dabate stated the intruder followed victim #1, and could tell that she was down in the basement because the basement door is loud, that it was open, and it was still moving (the basement door is not visible from the second floor). Dabate initially stated he was running with the intruder, and he (Dabate) tripped and the intruder, "must have" run in front of him as he (Dabate) followed. Dabate initially stated that in the time it took him (Dabate) to get up, he (Dabate) "stumbled" down the stairs to find the intruder and victim #1. Dabate stated, later in the interview, that he followed the intruder through the basement into the back side of the basement. Dabate stated that when victim #1 ran downstairs, she "must have unlocked it, she grabbed it, she must have grabbed it" (the handgun). Dabate later stated he heard victim #1 say, "I have a gun, get out of the house". Dabate stated he then heard a shot, and that he thought he saw her go down. Dabate stated the shot was loud and that he (Dabate) couldn't hear for 5 minutes. Dabate later added that he saw the intruder struggling with victim #1 prior to the shooting. Dabate stated he did not hear her after that. Dabate stated the intruder then pointed the gun at him, and that he (Dabate) "wrestled" with the intruder. Dabate stated there were no lights in the basement, and that it was dark. Dabate stated he, "thinks" the intruder pointed the gun at victim #1's head. Dabate later added that he saw the intruder shoot victim #1, and that victim #1 was facing away, looking towards the furnace. Dabate stated he (Dabate) was about 10 feet away, and that the intruder was only inches away from victim #1. Dabate stated he (Dabate) then went over to see victim #1, and that as he turned, he heard another gunshot. Dabate stated he (Dabate), "assumed it (the shot) was for him (Dabate), but not". Dabate stated the intruder then, "threw the gun down, or held it, or kept it". Dabate stated the intruder then did, "some kind of pressure point thing" to his (Dabate's) wrist and neck, and started tying him to a metal folding chair. Dabate later stated that the intruder dragged him (Dabate) in a, "headlock". Dabate stated the intruder, "must have" grabbed his (Dabate's) tool bag and that the intruder began burning him with his (Dabate's) own torch. Dabate stated the intruder then put something around his (Dabate's) neck, "slowly" and that he (Dabate), "couldn't swallow very well". Dabate stated the intruder then, "randomly" kept, "poking" him with box cutters. Dabate stated the intruder was poking his (Dabate's) legs, shoulder, and "light taps on (his) head. They weren't aggressive". Dabate stated the intruder, "wasn't overly aggressive". Dabate stated he could not hear the intruder because his ears were ringing. Dabate stated the intruder was putting stuff in a box, "like he wanted to light a fire". Dabate stated he (Dabate) was sitting in the chair, "kinda half tied up, in shock I guess". Dabate stated he (Dabate) had his, "right" arm free, and one leg free. Dabate stated that with his (Dabate's) free hand, he thought he burned the intruder's mask, "a little bit". Dabate later added that the mask, "caught fire". Dabate stated the intruder dropped the torch, put his hands to his face, and ran out. Dabate stated he (Dabate) then got, "really dizzy" and screamed for help. Dabate stated he was only tied to the chair (one hand and one leg) for 30 seconds to a minute. Dabate stated he crawled up the stairs, pressed the panic button on his alarm, and called 911. Dabate later added that after the intruder ran out of the basement, he (Dabate) fell, in the basement while attached to the chair. Dabate stated he was screaming, and couldn't get up. Dabate stated he slipped his ankles off the chair, and, "walked up the stairs, crawled, whatever" with the chair still attached to his wrist. Dabate stated a gentleman then came, and he (Dabate) couldn't speak because he was, "woozy or something". Dabate stated the gentleman, "saw what happened" and went outside and called. Dabate told Det. Langevin and affiant Payette, "the more I talk to you, the less I remember". As the interview progressed, Dabate stated he was starting to, "freak out". When asked why, Dabate stated he couldn't get the, "bang" out of his head.

13. Towards the end of the interview, Det. Langevin began typing a written statement as to Dabate's recollection of the incident. While typing the statement, and asking clarifying questions starting at the beginning of the incident, Dabate's recollection continued to change. In the written statement, Dabate stated, among other things, that on 12-23-15, he woke up at about 5:30am. Dabate stated victim #1 woke up at about 7:15am, and dressed in workout clothing to go to the gym. Dabate stated he left for work at about 8:20am, and that as he left 7 Birchview Drive, he observed victim #1 in her car, in the garage looking for her spinning shoes. Dabate stated he did not see victim #1 leave as he (Dabate) left for work.

(This is page 5 of a 48 page Affidavit.)

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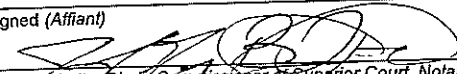
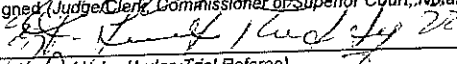
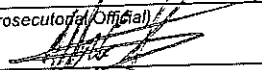
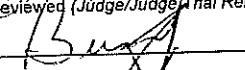
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Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

## Affidavit - Continued

Dabate stated that as he was on his way to work, he realized he had forgotten his laptop at which time he pulled over on Reeves Road, in Ellington. Dabate stated that when he pulled over, which was about 5 minutes after he left 7 Birchview Drive, he received an email and text message from his home alarm system company, LiveWatch. Dabate stated he had installed the alarm system after having vandalism on his and victim #1's vehicles. Dabate stated he did not know where, in the residence, the alarm notification was coming from and that he deleted the messages from his phone. Dabate stated he then emailed his supervisor, witness #3, and told him/her that he needed to check his security system. Dabate stated he was not concerned about his alarm system, but did not want to tell his supervisor that he had forgotten his laptop. Dabate stated it took 5 minutes to get to the area of Reeves Road where he pulled over, 5 minutes to use his phone and turn around, and 5 minutes to get back to 7 Birchview Drive (which would bring the time of day to approximately 0835hrs.).

14. Dabate stated that when he arrived at 7 Birchview Drive, the garage was closed, and he parked his car in the driveway. Dabate stated he went into the house through the garage and into the kitchen. Dabate stated he put his phone down by the stove, and put the coffee maker on to make a coffee. Dabate stated he put his keys by the hutch near a round table in the living room and that his wallet was in his back right pocket of his pants. Dabate stated he was wearing brown/tan pants and a greenish/grey golf type short sleeve shirt, with brown Sketchers shoes. Dabate stated he then heard something upstairs and went upstairs to check it out. Dabate stated he figured it would be one of the cats, and that he wasn't sure if any lights were on in the house. Dabate stated he did not notice anything suspicious like broken windows, doors or glass. Dabate stated he went upstairs and heard a noise in the master bedroom, which door was half closed. Dabate stated he noticed the light was lit in the walk-in closet, the door was cracked and not fully open. Dabate stated he opened the bedroom door and saw the intruder in the closet looking through things. Dabate stated he watched the intruder for a few seconds as he looked through plastic drawers/shelves. Dabate stated the intruder was about 6'2", larger than he was, and was wearing a dark green camouflaged suit and mask. Dabate stated the intruder was wearing the same colored shoes, and that he could not remember if the intruder was wearing gloves. Dabate stated the intruder then noticed he was in the room, and he (the intruder) pulled out a knife from his waist area. Dabate described the knife as having a 5 inch, silver colored blade with a black handle. Dabate stated the intruder then said something like, "give me your money, your wallet and your PIN numbers, and if you don't, I'm going to wait here for your wife and kids". Dabate stated the intruder had a deep voice, like the actor, "Vin Diesel", and that he was about 5 feet from him. Dabate stated he gave the intruder his wallet. Dabate stated that about 30 seconds later, he heard the garage door open (even though he - Dabate - had opened the garage door without alerting the intruder only moments prior). Dabate stated he heard the door close, then open again (all while standing by the second floor, bedroom closet with the intruder). Dabate stated he then heard victim #1 enter the residence from the garage (all the while, still standing by the second floor, bedroom closet with the intruder after hearing the garage door close, open, and assuming victim #1 would park her car, exit her car, and then enter the residence). Dabate stated he then yelled as loud as he could that there was someone in the house, and to run. Dabate stated the intruder then "man handled" him by preventing him (Dabate) to get by. Dabate stated the intruder used a wrist pressure point to guide him down to the ground. Dabate stated the intruder then got past him, and ran out of the bedroom door first. Dabate stated the intruder then ran down the stairs (past the front door leading out of the residence) and that he (Dabate) heard victim #1 run down the stairs to the basement. Dabate stated he (Dabate) then also ran down the stairs, tripping on the stairs by the landing, and that he could not see the intruder. Dabate stated he heard the intruder running down the stairs after victim #1. Dabate stated he (Dabate) got up and ran after him. Dabate stated the basement was divided into two parts, with one side used to store firewood, and the other used as a play area for children. Dabate stated the bulkhead is located on the wood side of the basement. Dabate stated he then heard them (the intruder and victim #1) on the wood side of the basement, which was dark with no lights on. Dabate stated he then saw the intruder close to victim #1, but that he could not see to well because it was dark, and that victim #1 was frozen. Dabate stated the intruder was about 3 feet from victim #1, with his arm out, pointing a gun at victim #1's head. Dabate stated he was about 4 feet from them (the intruder and victim #1) and running at them (the total distance from the doorway to the victim's final rest is approximately 13 feet, with the male between Dabate and victim #1). Dabate stated victim #1 was facing away from the intruder and standing up. Dabate

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## ARREST WARRANT APPLICATION

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STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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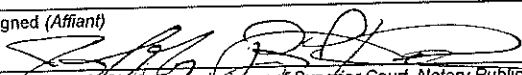
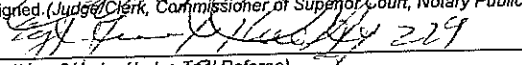
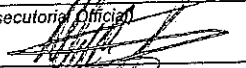
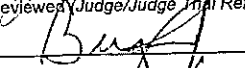
**Affidavit - Continued**

stated the intruder then shot the gun, and he thought he saw a flash (as Dabate attempted to close the 4 foot distance between him and the intruder). Dabate stated he then closed his eyes and fell to the ground. Dabate stated his ears were ringing, and he thought he heard another shot. Dabate stated he then got up, and saw victim #1 on the ground. Dabate stated he was not sure how victim #1 landed, but that he may have seen her face. Dabate stated it was **dark**, and she looked like a shadow. Dabate stated he then recognized the gun in the intruder's hand as his (Dabate's) gun as the man walked towards him (in the dark, unlit portion of the basement). Dabate stated he did not notice, "the open lock box or anything", but assumed it was his (Dabate's) gun because of victim #1 running downstairs. Dabate stated he wasn't sure if victim #1 had been hit, but that he later heard someone say that victim #1 was "DOA", and that she didn't respond later when he (Dabate) was calling for help. Dabate stated the intruder came towards him and did some sort of, "pressure point thing" on his neck and wrist walking him, "like a dog" (Dabate made no mention of what happened to the gun used to shoot victim #1 as the intruder used two hands to manipulate his "pressure points").

15. Dabate stated the intruder then walked him to a metal folding chair located on the storage side of the basement behind the sofa and near the stairs. Dabate stated the intruder guided him to sit down in the metal chair, which Dabate did not remember being there before (directly in the narrow corridor between the sofa and the stair wall where victim #1, the intruder, and he would have had to run through to make it to the wood storage area). Dabate stated he recognized the chair as one of his own chairs, belonging at 7 Birchview Drive. Dabate stated he was in shock, and not resisting as his ears were still ringing. Dabate stated the intruder then used zip ties or tie wraps to tie one of his feet to the leg of the chair, possibly his left foot. Dabate stated the intruder then used a zip tie to tie his **left** wrist to the chair behind his back like a, "chicken wing". Dabate stated the intruder did not tie his other hand or foot to the chair, but did put a zip tie around his neck. Dabate stated the zip ties were his (Dabate's) and that he kept them in a white/tan nylon tool holder with random tools which he kept in the wood side of his basement (Dabate did not state at what point in time the intruder was able to set the chair up, walk into the wood room, find the tool bag, and return back to him). Dabate stated the intruder then used a utility knife, which was also "probably" his (Dabate's) and began to impact him in fast jab type motions to his legs, left shoulder and the top of his head, in a less forceful manner (all the while as Dabate had **only one** hand and **one** leg tied to the chair). Dabate stated the intruder was wearing a yellow type of glove, similar to other gloves he (Dabate) owns. Dabate stated the intruder was doing this fast as he (the intruder) was also trying to find things to burn in a cardboard box in the basement. Dabate stated the intruder used his (Dabate's) small, portable propane torch, which has a built-in igniter, to start the box on fire. Dabate stated the torch has a small silver button on the top that locks the flame to stay lit, and the intruder used this setting to burn some of the clothes he (Dabate) was wearing. Dabate stated the intruder burned his (Dabate's) left ankle. Dabate stated he then saw an opening and pushed the blow torch towards the intruder's forehead. Dabate stated the intruder then dropped the torch, and ran out of the bulkhead. Dabate stated he was then able to crawl upstairs with the chair still attached, and possibly with his legs free. Dabate stated he crawled to where his keys were, and pushed the panic button for the alarm system. Dabate stated he then waited a few minutes and crawled to where his phone was. Dabate stated he was able to "hurl" himself up at the stove to get his phone to call 911. Dabate stated he wasn't able to speak much because of the zip tie around his neck. Dabate stated he then waited for help. Dabate stated he was only in the basement for about 5 minutes total from the time he initially ran down, to the time he made it to his phone to call 911 (Dabate initially stated he arrived at the residence at approximately 0835hrs., entered the residence, met the intruder, and the time he/she spent in the basement was approximately 5 minutes bringing the time, generously, to about **0845hrs. according to his time line**). Dabate later verbally stated he arrived home between 0845hrs. and 0900hrs. Dabate provided his Verizon cellular phone number, which he used to call 911, as 860-338-1756.

16. Dabate further stated that he has a pistol permit, and owns two handguns stored inside his residence. Dabate stated that one is a Ruger .357 handgun, that holds 5 shots. Dabate stated he keeps that pistol, **loaded**, in a small black Sentry safe (a briefcase style, portable fire safe with a built-in lock and handle), **usually used for documents**, in the basement on the wood side (**the room adjacent to where the children play**) below a windsurfing board. Dabate stated

(This is page 7 of a 48 page Affidavit.)

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**Affidavit - Continued**

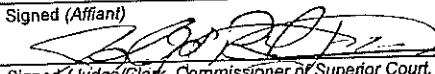
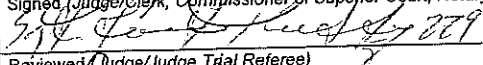
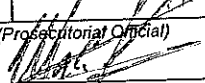
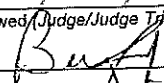
the key to this safe was kept on top of the windsurfing board. Dabate stated the ammo, Herters .38 caliber, is not kept in this safe. Dabate stated the other handgun is a Ruger .357 six shot revolver. Dabate stated this gun is **kept unloaded** and has a gun lock on it. Dabate stated this gun is kept locked in a Sentry Safe (another briefcase style, portable fire safe with a built-in lock and handle) in the master bedroom closet. Dabate stated victim #1 has not shot either of the two handguns, and that they have only owned the handguns for about two months. Dabate stated the handgun in the basement was bought new, and had never been fired. Dabate stated he fired the handgun, kept in the bedroom, about a month and a half ago, at Hoffman's Gun center in Newington. Dabate stated he did not clean the gun after he fired it as he does not know how.

17. That after obtaining the signed written statement, Det. Langevin and Affiant Payette continued to ask questions as to family background and dynamics which may be helpful to further the investigation. Dabate was advised that he was not under arrest, and that he was free to leave at any time. Dabate was then asked about his relationship with victim #1 to which he stated things were going "pretty good", but that victim #1 had been "angry lately", taking "angry stuff out on the family", but nothing, "abnormal". Dabate stated victim #1 had been depressed, but that, "things were getting better". Affiant Payette then asked Dabate if there were any relationship issues the investigation would reveal. Dabate took a deep breath, and replied, "yes and no". Dabate stated that nobody else knew, and that victim #1 was, "well aware of what was going on". Dabate stated that victim #1 wanted to have another baby, and that due to health issues, she was not able to. Dabate stated that a friend of theirs, witness #2, was single, had never been married, and wanted to have a baby. Dabate stated they were going to donate sperm, but the process was too lengthy and expensive. Dabate stated he did some, "untraditional things", and witness #2 got pregnant. Dabate stated they (Dabate, victim #1, and witness #2) were all going to co-parent the baby. Dabate stated victim #1 wanted another child, but was too busy and couldn't. Dabate stated "then this situation popped up like a frickin soap opera". Dabate stated that, in regards to the traditional way in which the baby was conceived, it was victim #1's idea, "in a way". Det. Langevin then asked if Dabate thought it bothered victim #1 that he had impregnated witness #2. Dabate replied, "She was amazing. I never expected it to go that way." Dabate stated he did not think victim #1 told anyone about the pregnancy.

18. Dabate further stated that witness #2 was a high school friend of his. Dabate stated witness #2 is due in late February, 2016. When asked if the conception was a surprise, Dabate initially stated, "no, we actually talked". Dabate stated that victim #1 and witness #2 do not talk. Dabate stated there was, "a lot about this that (witness #2) is ok with, but not". Dabate ended the sentence with, "but not", implying that there were things witness #2 was not, "ok" with. Dabate stated there are things that witness #2 does not know. Dabate stated they were going to wait until it all happened, and see where it goes. When asked if the pregnancy was accidental, Dabate stated, "there was cheating going on in the beginning, on both sides". When asked again if the pregnancy was unexpected, Dabate now stated, "the pregnancy was unexpected". Dabate stated, "the situation was something that we were talking about". Dabate stated, "(witness #2) brought it up, (victim #1) kind of brought it up to me because she knew about (witness #2)". Dabate stated, "theres a lot of people not knowing a lot of things with this". Dabate's responses to the questions regarding the unexpected pregnancy, and whether victim #1 knew about the pregnancy were vague, and he did not fully answer as to whether victim #1 was aware of the pregnancy. Despite the tragic, and serious nature of the incident, Dabate had no issues being misleading to affiant Payette and Det. Langevin regarding the pregnancy, initially stating that it was victim #1's idea, "in a way", for him to impregnate witness #2, then changing the story to it being an accidental pregnancy. Dabate further stated that things had been "really good lately", that he and victim #1 had been, "reconnecting", that they had recently gone to Vermont (which he earlier described as a "date night in Dover" to, "see some snow"), and that he booked a cruise in June "or something like that". When asked if Dabate and victim #1 argue, Dabate stated they have had "good arguments about bills".

19. Dabate further stated that he, "didn't want to lie". Dabate stated, "in the beginning, it was secretive because it was unexpected". Dabate stated it was hard for him to tell victim #1 (about the pregnancy). Dabate stated victim #1 was

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Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

mad for, "a little bit", but really wanted to keep the family together and have another child. Dabate stated they all wanted to fix it. Dabate stated that part of him was "potentially romantically involved" with witness #2, but that he wanted to "keep it together somehow for his kids". Dabate stated his relationship with witness #2 has been off and on for 7 years, and that victim #1 knew, "something was there". When asked if victim #1 was ever jealous, Dabate replied, "sometimes, but usually not". At this point in the interview, hospital staff needed the room in which we occupied, and were ready to discharge Dabate. Because the interview had not ended, hospital staff allowed us to utilize another, unoccupied room in the same wing. Upon entering the room, we, once again, advised Dabate that he was not under arrest, and that he was free to leave at anytime. Dabate continued stating that there were lies, back and forth, between him, victim #1, and witness #2. Dabate stated that, for a while, witness #2 thought he and victim #1 were going to get a divorce, but that they worked through it. Dabate stated witness #2 does not know how much they worked out. Dabate stated that there was no more stress in their family than normal, and that there were never any physical altercations. Det. Langevin then explained that the scene was being processed, and that questions were arising. Dabate replied, "I've been honest with everything you've been asking me". Dabate was told that a time line was going to be developed based on his recollection, phone calls, emails, and the 911 call to ensure that his recollection lines up with the facts. Dabate replied, "I want it to line up, I want to be honest". Det. Langevin explained that there were many inconsistencies in what he was telling us, to which Dabate replied, "ok". Det. Langevin explained that the facts were not adding up, to which he replied, "ok". Det. Langevin stated that the investigation is showing that things did not happen the way he (Dabate) had stated. Dabate replied, "I did not shoot (victim #1). I'm going to stick with my truth. I'm not going to lie to you". Dabate stated, "I know you have to drill me. It's your job". Dabate was then asked about not reacting to the intruder pointing at gun at victim #1's head to which he replied, "I reached up as fast as I could. I froze". Affiant Payette explained that the stresses of the various situations could have caused him to "snap", to which Dabate replied, "I did not snap today. I was weak and could not defend (victim #1). I froze like hell". Dabate was told that things were not adding up, to which he replied, "I understand". Affiant Payette then asked how he knew victim #1 was dead. Dabate stated he heard someone say that she was "DOA". Affiant Payette continued, pointing out that Dabate never went to check on the condition of victim #1. Dabate stated he, "yelled, and yelled and yelled", and that he "couldn't do anything to save her". Affiant Payette pointed out that he (Dabate) found the energy to make it upstairs, but he couldn't move to the next room over to check on victim #1. Dabate stated he was, "scared", "scared that someone was going to come back and shoot him". It was pointed out to Dabate that, during our entire interview (over 6 hours of speaking to him about watching victim #1 being shot, and his reported assault) he did not cry. Dabate then became defensive, stated that he cried earlier, and stated, "I cried so much. Ask the nurses". Dabate stated, "I'm not a criminal, and I'm not violent". Dabate stated, "we were getting solid. It wasn't me". When asked when he contacted witness #2 last, Dabate replied he texted witness #2 the night prior, and that he planned on seeing witness #2 later on 12-23-15.

20. Det. Langevin then explained that one of the tools we typically use to exclude people from investigations is a polygraph examination. Dabate stated, "Do it. I'm going to need to get a lawyer". Dabate continued, "I have to think smart now if you guys are here accusing me of this". Dabate further stated, "please let me have some time with my kids."

21. During the interview with Dabate, he was coherent, cooperative, and provided, not only a written statement, but written consent to search a number of items including his clothing, his person, his phone and his residence among others. Upon documenting Dabate's condition, affiant Payette observed Dabate to be a fit, white male, and in good physical health. In regards to Dabate's non life threatening injuries, affiant Payette observed two small, parallel lacerations (covered by Band-aids) on Dabate's right thigh (one with two stitches, and one with one stitch), an oblong burn to the lower, outside portion of Dabate's left calf measuring approximately 1" x 3/4", three small, parallel lacerations (covered by Band-aids) on Dabate's left thigh (one with three stitches, and two with one stitch), a small laceration (covered by a Band-aid) to the upper/outer left chest area, near the armpit with two stitches, and a number of small lacerations on his head, which he stated the doctors did not notice. Affiant Payette also observed a small laceration (consistent with being caused by a razor blade) to the tip of Dabate's left middle finger (which Dabate stated he had, "no idea" how it occurred), and small, scabbed abrasions

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Date	4-11-17	Signed (Affiant)	[Signature]
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Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/11/17	[Signature]	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

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Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
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**Affidavit - Continued**

on the left wrist of Dabate. The injuries to Dabate's legs were non-incapacitating (although Dabate appeared physically incapacitated upon the arrival of the first responders), and located on his upper thighs; an area of the body thick with fat and muscle, absent any internal organs or tendons. It was noted, that all of the lacerations to the legs of Dabate were parallel (on each leg). It is also noted that a person, using either his left or right hand, holding a utility knife with that hand, would be able to cause similarly parallel lacerations on their own legs and chest if they were to use the same hand to self inflict all of the injuries. It is also noted that all of the wounds are small, puncture type wounds. Based on affiant Payette's training and experience, the weapon used to cause these wounds, a standard, household razor knife, is typically used to cause slashing type lacerations due the extreme sharpness, and relatively small size of the blade. Longer bladed knives, such as the one described by Dabate as being possessed by the intruder (but not used to cause Dabate's injuries) are typically associated with stabbing/puncture wounds. There were no bruises, abrasions or other cuts or lacerations noted on the body of Dabate to indicate any struggle had occurred, no bruising noted in the area's used as, "pressure points" by the intruder, and there were no signs of defensive injuries. A Search and Seizure warrant was later served at the Hartford Hospital Health Information Management to obtain a copy of Dabate's medical records regarding the treatment he received on 12-23-15. The records indicate, among other things that Dabate was treated at the hospital on 12-23-15 for his injuries from the reported incident on 12-23-2015. The records list the Visit Summary as: "superficial lacs only, rest of trauma work up neg...". The Diagnosis was: "Laceration- multiple sites". Dabate was instructed upon discharge to: "Please wash your wounds gently with soap and water daily and apply bacitracin afterwards...". At the conclusion of the interview, Dabate walked out of Hartford Hospital with family members.

22. That on 12-23-15, at approximately 0900hrs., TFC Corey Sutherland arrived, off-duty, to the YMCA at 11 Pinney Street, in the town of Ellington for an exercise class. Upon his arrival, he observed victim #1, who he knows personally, at the desk speaking to the attendant. Victim #1 told TFC Sutherland that the exercise class had been canceled. TFC Sutherland stated he, along with his wife, and victim #1 spoke for a moment before leaving the YMCA. TFC Sutherland stated victim #1 was in a happy mood, was laughing, and was talkative as they all walked through the parking lot. TFC Sutherland stated victim #1 then got into her car, and left by herself. That on 12-24-15, TFC Ronald Richardson reviewed the video surveillance at the YMCA, in the town of Ellington. Upon reviewing the video, TFC Richardson observed victim #1 arrive, in her vehicle, at the YMCA at 0853hrs. (according to the time stamped on the recording equipment at the YMCA). Victim #1 was alone, wearing black clothing with her hair in a pony tail. Victim #1 was advised, that due to the holiday schedule, the exercise class she was to take was canceled. Victim #1 was seen, in the surveillance video, leaving the driveway, alone in her vehicle, at approximately 0908hrs. TFC Richardson observed, later at the scene of the incident, that victim #1 was still wearing the same clothing she wore on the video at the YMCA. The YMCA is located 4.9 miles from 7 Birchview Drive, and can be traveled in approximately 7 minutes, 38 seconds at normal speed, and with the flow of traffic. The clock on the video surveillance equipment at the YMCA was accurately set to the automatic Verizon set time of affiant Payette's cellular phone.

23. That on 12-23-15, at approximately 1730hrs., a Search and Seizure warrant was submitted and approved allowing for the processing of the scene of the murder located at 7 Birchview Drive, in the town of Ellington. That during the processing of the scene by Detectives from the Connecticut State Police Eastern District Major Crime Squad, the residence and property were documented, videotaped, photographed, and systematically searched for evidence related to this crime. During the processing, the following observations, among others, were observed. From the exterior of the residence, the right side garage door was open, with the vehicle driven by victim #1 parked in the driveway, in front of the open door. The vehicle driven by Dabate was backed into a parking area adjacent to the garage at the end of the driveway (a neighbor of Dabate later provided a written statement stating Dabate had backed his vehicle up his driveway at 0820hrs. after putting his children on the school bus). The front storm door to the residence was propped open, unlocked, with the main entry door open. The storm door was found closed and unlocked, with the main door open upon the arrival of witness #1, but no mention was made by Dabate as to how or when the door was opened. On the east side of the residence, one of the

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Date		Signed (Affiant)	
4-11-17			
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4/11/17			
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## ARREST WARRANT APPLICATION

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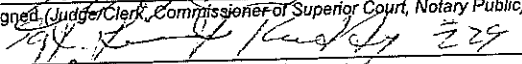
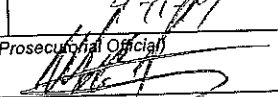
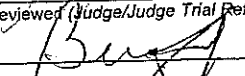
Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
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**Affidavit - Continued**

basement casement windows was removed (and later observed on the interior basement floor). Outside of this window was a bed of loose, soft, wet, brown mulch, surrounded by large bushes. Observed on the lower portion of the exterior sill of the window was a small amount of dirt and mulch which appeared to have been accumulated over time. A threshold, on the lower sill protects the bottom of the casement window from being breached with a similar threshold on the top portion of the window. No defects or pry marks were observed on the exterior thresholds of the window to indicate the window had been pried open. Also observed on the lower threshold of this window was a layer of white dust. No striations or indications of movement were noted in the layer of dust to indicate anyone entered through this window, which was approximately 1'0" high by 2'7" in width, and approximately 6'4" up from the basement floor (Dabate had described the intruder as a 6'2", stocky/obese male). Observed along the top, and sides of the window opening were areas of undisturbed spider webs, also indicating that nobody had entered through this opening. To the rear of the residence, a wallet containing Dabate's personal effects (including debit cards, credit cards, and twenty dollars in U.S. currency), were found in the grass in the rear yard. It did not appear as though any of Dabate's personal items had been removed from his wallet.

24. Entering the residence through the open front door leads into a foyer area with a hall and staircase directly ahead, an office room to the east (right), and a dining room to the west (left). Both the office and the dining room appeared neat, orderly and unremarkable with no signs of a burglary or a struggle. North of the office was a living room, which also appeared neat and orderly with Christmas decor. West of the living room was a small dining area attached to the kitchen. On the table in this dining area was a Microsoft Surface Pro computer. The computer was propped up, and facing the rear of the residence. In this dining area was observed a Nissan vehicle key FOB (a small security hardware device with built-in authentication typically used to unlock vehicle doors, or send radio frequencies to other electronic devices usually found on keychains) on the floor. Attached to the key chain, with the Nissan FOB, was a security alarm FOB, with BLS, as well. On the wood floor in front of the basement door, a small amount of drops of BLS were noted on the surface. At the transition of the wood floor, to the tiled kitchen floor, the drops of BLS transition into long smears of BLS with patterns of linear striations and rubs indicative of the clothing worn by Dabate. The drops on the wood floor, transitioning to smears on the kitchen floor at the transition of the floors indicates Dabate was walking, and dripping a small amount of BLS as he exited the basement, but fell to the floor and dragged his legs across the floor to create the smearing of BLS from the transition of the floor to where he was found by witness #1. This contradicts Dabate's statement where he stated he, "crawled" up the basement stairs (with the folding chair attached to him), and, "crawled" into the kitchen. Although it appears that Dabate was able to walk from the basement, up the stairs, and down the hall towards the kitchen, he was not able to continue walking approximately 6 feet to the kitchen counter where he stated he had left his cellular phone. Because of the contrast of the red BLS smeared against the light colored tile, it appeared as though there was a larger amount of BLS than the actual, nominal amount present. The smear of BLS lead to the center of the kitchen floor, in front of the kitchen sink. A small pooling of BLS was observed in the area of Dabate's left hand (as seen in the first responder's photos), where a black cellular phone was located. This area of BLS is consistent with the small laceration on the left, middle finger of Dabate (the injury of which he stated he did not know how he received) and was the larger of the pools of BLS observed on the kitchen floor. Another small pooling of BLS, along with smearing, was observed on the floor where the upper left chest area of Dabate was observed upon arrival of the first responders, and is consistent with the small laceration on Dabate's left chest. The areas of the pooling of BLS indicate the area of the injuries causing the BLS were stationary for some period of time as opposed to the trail of drops and smears indicating movement. Areas of smearing were observed on the floor in the area of both of Dabate's thighs, and head, also consistent with the other small lacerations on Dabate's body, indicating movement. A pair of tan colored pants with BLS and defects, and a blue shirt, both cut by EMS, were located on the floor, in the center of the kitchen. Observed on the front thigh area of the pants were a number of small defects, corresponding to the small lacerations on the thighs of Dabate noted at Hartford Hospital. The BLS noted on the front thigh portion of the pants was primarily contained to the upper thigh area of the pants, and did not transition to the lower section of the pants, or the rear thigh area of the pants. Noted attached to the pants was an employment photo identification card for Dabate. A black cellular phone was observed, on the tile floor in an area of BLS by the kitchen sink. Two white, plastic zip ties (attached

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## ARREST WARRANT APPLICATION

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## Affidavit - Continued

together), which appeared cut, were also located on the small carpet in front of the kitchen sink. A total of 3, locked, single zip ties, cut, were found on the kitchen floor in the area of BLS, and Dabate's pants as well as one double zip tie, also locked and cut. On the kitchen counter was an "IQ panel" LCD touchscreen, which displayed the alert, "Police Emergency Sent". Other than the floor, the kitchen also appeared neat and orderly.

25. Further noted were a small amount of drops of BLS leading from the kitchen (at the transition from tile floor to wood floor) into the hallway and on the basement stairs with small smears on the stairwell wall. A small half-bath was noted in this hallway, but no BLS was noted in the bathroom. 90 degree drops of BLS continued from the wooden basement stairs onto the painted, cement floor continuing west, and north into a semi-furnished basement area. This area contained typical living room furniture, including tables, a couch, love seat, entertainment center with television, a recreational game table, Halloween decorations, and numerous children's toys among other items. Dabate stated the children would play in this room. From the stairs, and progressing into this room were droplets of BLS as well as shoe prints, in BLS, visually consistent with the pattern observed on the shoes worn by Dabate (seized at Hartford Hospital ER). The drops of BLS continued to an area behind the couch, terminating to where a small tool bag, containing miscellaneous tools and admittedly owned by Dabate, was located. Inside Dabate's tool bag were a pair of yellow, cloth work gloves. Also noted on the bag itself, were a few drops of BLS, as well as BLS smeared by the hasp/lock area of the bag. Noted in the area around the tools were a hammer, a small sledge hammer, a small propane torch, a bundle of white plastic zip ties (consistent with the zip ties found cut in the kitchen), a grey/black utility knife (all owned by Dabate), and a small area of burned paper/cardboard. Another, burned plastic, white zip-tie, was located on the floor in the area of BLS, and tools. The width of this area is approximately 3'9" between the couch and the edge of the wall in the area where the burned paper/cardboard was located, and 5'2" between the back of the couch and the table across from it. The BLS in this area consisted mostly of 90 degree drops and were primarily concentrated in three different areas behind the couch before trailing towards the staircase leading up to the main floor. Comparing the different areas of concentration to the areas of BLS noted in the kitchen, a tighter grouping of 90 degree drops of BLS can be seen, on the cement floor, by the south end of the couch. This area, like the more concentrated area of BLS noted in the kitchen in the same area of Dabate's left hand, would most likely be attributed to the laceration on the left middle finger, as opposed to the thigh injuries, on Dabate. Based on Dabate's statements, that he used the torch to burn the intruders face after the intruder tied his left hand to the chair (Dabate was found by witness #1 with his right hand attached to the folding chair), another grouping of 90 degree drops of BLS can be seen, on the cement floor, by the yellow torch with a similarly tighter concentration of BLS drops. BLS was noted on the yellow propane torch as well. A similar area of BLS, in tighter concentrated drops, was observed trailing from the torch, to the area between the burned paper/cardboard and utility knife indicating that Dabate's left hand was in this area, by the burned paper and utility knife, long enough to produce the tighter concentration. Upon observing the utility knife, it was observed to be a, "Stanley 10-788" utility knife, with a triangular blade approximately 1 in. deep, by 7/8 in. wide. Although Dabate stated the male intruder was wearing gloves, "a yellow type of glove" similar to gloves that he (Dabate) owns, during the incident, there was a fair amount of BLS observed on the handle of the utility knife as well as obvious fingerprint ridge detail, in BLS, on various areas of the knife. The other concentrated area of BLS was directly in the path of travel from the staircase to the wood storage section of the basement. This area contained more 90 degree drops of BLS, but the area was larger and the drops were not as tightly concentrated indicating movement (of the injuries causing the BLS) in the area. Although Dabate stated he had been zip-tied to the metal folding chair in this area, there was no void in the drops of BLS to indicate the presence of the chair, and no pooling of BLS to indicate that he was stationary, and tied to the chair, as the injuries were inflicted. The area of BLS observed on Dabate's pants (cut off of him, and resting on the kitchen floor), indicated the BLS stayed on the upper/front of his thighs in the area of the small lacerations. The BLS on the pants did not run down on the back of his thighs, which gravity would dictate would happen if he was sitting and tied to the chair. This would have produced a pooling of BLS in the stationary area of where the chair would have been located (and below the injuries causing the BLS), as well as a void in the area protected by the seat portion of the chair which were both absent from the scene. Also, based on the statement provided by Dabate that victim #1, chased by the intruder as well as

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## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
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Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
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Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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**Affidavit - Continued**

himself, all had to run through this area prior to victim #1 being shot, there was no mention of the chair being in this path of travel (the chair, which measured approximately 18" by 20", in the path which measured 45" in width at most). Dabate could not explain when or how the chair appeared.

26. North of the semi-finished basement area was an open door leading to an unfinished basement storage area, described by Dabate as a wood storage area. Immediately upon entering this room, on the cement floor, was observed a Ruger .357 Magnum revolver, bearing serial number 57594888, owned and registered to Dabate (admitted by Dabate, and verified through the Connecticut Special Licensing and Firearms Unit). A firearm survey on this weapon revealed three of the five Winchester 38 Special shell casings were spent (fired). A box of the same brand of ammunition in this weapon, Winchester 38 Special was later found locked inside a Sentry gun safe (portable, briefcase style safe) in the second floor master bedroom closet (that box was missing 5 rounds of ammunition). No scratches or dents were noted on weapon itself to indicate it was dropped or thrown onto the cement basement floor, and no BLS or body/brain matter was observed on this weapon. To the west end of this room was an open door, leading to a staircase and open bulkhead which lead to the rear yard. The door leading into the bulkhead appeared to have a hasp style locking mechanism, but no lock was found. Outside the bulkhead, approximately 26 feet away, was Dabate's wallet, containing cash, credit cards, and his personal effects on the rear lawn (nothing appeared missing from the wallet). To the east of this room was a corridor leading to the furnace and wood stove. On the sides of the corridor were miscellaneous items to include a shelving unit, painting supplies, extra residential wood trim boards, and other items typically stored in a basement, with a wind sailing board held by ropes, against the floor joists. The floor joists were 7'9" above the floor. Because of the numerous items on both sides of this corridor, the width of the travel portion was narrowed significantly (making it nearly impossible for Dabate, as he initially stated, to go past the 6'2" stocky intruder to check on victim #1). On the right side of this corridor, on top a blue plastic storage bin approximately 2'6" from the door back into the semi-finished room children's play room, was a closed Sentry safe. This safe, according to Dabate, is the safe which contained the only loaded firearm in the residence, located in the basement, adjacent to the children's play area, and was found on the storage bin, approximately 2'5" off the floor. The safe (a briefcase style, portable fire safe with a built-in lock and handle) was found closed, but unlocked. Upon opening the safe, numerous personal papers (to include social security cards, birth certificates, love letters, and life insurance policies among other personal effects) as well as a Ruger gun lock, and keys to this same safe and Ruger gun lock, were found. This safe, containing important personal and financial paperwork, was located in the same room as the wood burning furnace. Further east, towards the furnace and on the left side of the corridor was the body of victim #1. Victim #1 was dressed in black exercise clothing, wearing sneakers, and lying face up. A defect was noted on the stomach area of her clothing, continuing on an angle into her stomach. Another defect/entry wound was later located on the rear/base of victim #1's head with a large pool of BLS located in a cardboard box below her head. No exit wounds were noted, and a small amount of drops of BLS were located on the floor and on various items east of her final rest. A very minimal amount of BLS was noted in the area of the bullet wound injury to the stomach of victim #1 indicating the bullet may have struck the victim after the bullet wound to the rear of victim #1's head. The angle of the trajectory of the wound to the victim's stomach, and through the surrounding clothing, pointed back towards the area of the door leading into the semi-finished area of the basement. In the floor joists, above victim #1's final rest, was a defect through one floor joist and into another floor joist where a copper colored projectile was observed lodged in the wood. The angle of trajectory of this projectile, found in the floor joist, also led back towards the same area of the door leading into the semi-furnished area of the basement. Because of the miscellaneous items stacked and stored on the sides of this narrow corridor, coupled with the angle of trajectory of the projectile found in the floor joist, it indicates that the person who fired the shots would have held the weapon in their right hand. Victim #1's final rest was approximately 11 feet from the door back into the semi-finished area of the basement. The area of this corridor, leading from the door into the semi-finished room towards the final rest of victim #1, and ending at the area of the furnace appeared fairly neat and its condition did not indicate that a struggle had occurred. The only window in this area of the basement was above the final rest of victim #1. This window was covered (exterior) by a porch, and did not provide any light into this area of the basement.

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## Affidavit - Continued

27. At the southeast corner of the basement was another, semi-finished, recreation room equipped with children's toys, a pool table, and attached closet. Noted in this room was the basement casement window (the same window observed missing from outside the residence), which was found, unbroken, on the floor of the room, with the locks removed and resting on the floor by the window. Upon further examination of the casement window, and based on an identical casement window located in the same room, it was noted that the two turn style locks, both of which were undamaged, had been removed (unscrewed) from the window from the interior of the basement (the two screws attaching the locks to the window were not recovered). A tool impression/pry mark was also noted on the interior/base portion of the window. This window sat above an empty area of the basement as opposed to the other casement window, in the same room, which sat above a wine rack stacked with various, unopened alcoholic beverage bottles and not visible from the exterior of the residence. The dimension of the opening of this window was approximately 1'0" in height by 2'7" in width, and it sat 6'4" above the basement floor. The exterior landscaped area of the window above the wine rack, as opposed to the removed window, would have provided more room to allow for the manipulation of a, "stocky, obese", "6'2" intruder, based on the position of the exterior shrubbery. Due to the fact that this was the possible point of entry of the intruder, and that the only way to enter the residence through this window would be to forcefully push the window into the residence, affiant Payette demonstrated pushing on the identical window, with the identical locking system, located in the same room as the, obvious, probable point of entry. The demonstration was documented, videotaped, and photographed. During the demonstration, affiant Payette pushed on the exterior, upper metal frame portion of the window between the two, interior locks which held the window secured in place. After forcefully pushing against the window frame, with his foot, the glass portion of the window shattered, sending shards of broken glass scattered into the room. At that point, the metal frame, as well as the turn style locks, were still intact. Upon pushing further against the upper metal frame of the window, the frame buckled, and the two turn style locks broke away from the window frame, bending, and traveling into the room. This marked a stark difference between the other window, on the floor in the same room, which was found unbroken, with a pry mark noted on the interior metal frame, and with the interior locks removed, and unscrewed from inside the basement room. Although the front door of the residence was found open upon arrival of the initial responder (witness #1), no other sign of possible suspicious, forced entry was located throughout the survey of the residence.

28. Observed on the main level of the residence, with a doorway leading to the kitchen, was the attached two-car garage. The garage appeared fairly organized, with a refrigerator, various storage/shelving units, a workbench, landscaping equipment, children's recreational toys, and tan and brown folding chairs (similar to the 9 lb. folding chair attached to Dabate upon the arrival of witness #1) among other unremarkable items. The right (south) side of the garage floor was clear and would allow for a vehicle to be parked. The left side of the garage floor contained miscellaneous items which would prohibit the parking of a vehicle. The vehicle driven by victim #1 (VW Jetta, color white) was observed parked, in the driveway, outside the open, right garage door. Backed into a parking space, west of the garage, was Dabate's Nissan Altima, color black.

29. Observed on the second floor of the residence were two, unremarkable children's bedrooms, an unremarkable television/exercise room (above the garage), and second bathroom, and a master bedroom (with attached closet and master bathroom). The inside of the master bedroom appeared fairly neat and orderly with an unmade bed, and children's toys on the floor. The door to the room, as well as the closet, were partially open. Noted on the floor, by the nightstand on the right side of the bed, was a black colored women's purse which appeared to be undisturbed. Inside the nightstand was a set of Sentry and Ruger keys (where Dabate had stated the safe and gun keys were located). Located inside the walk-in closet, hidden behind a cloth barrier, and safely hidden from children on the top shelf, was another locked Sentry safe (another briefcase style, portable fire safe with a built-in lock and handle) as well as a small duffel bag with three boxes of .38 caliber ammunition. Two boxes were full, and one box ("Winchester" .38 Special JHP) contained only 15 of 20 rounds (same brand and caliber found in the Ruger .357 Magnum, bearing serial number 57594888 found in the

(This is page 14 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	[Signature]
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge, Trial Referee)	Date
[Signature]	04/11/17	[Signature]	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

www.jud.ct.gov

Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

basement). Inside this hidden, locked Sentry Safe inside the second floor master bedroom closet, was a locked, unloaded, silver colored "Ruger GP100" 357 Magnum revolver, bearing SN -177-63987 also registered to Dabate (admitted by Dabate, and verified through the Connecticut Special Licensing and Firearms Unit). This handgun, admittedly bought for personal safety, was in this same closet where Dabate stated the initial confrontation with the intruder occurred, and would have been readily accessible after the intruder reportedly ran out of the closet, leaving Dabate alone, when victim #1 arrived home. The master bedroom closet itself appeared fairly neat and orderly and did not indicate that a struggle had occurred, or that it had been in the process of being burglarized. All of the drawers of clothing were closed, and the drawers which contained jewelry (jewelry of which could be visibly seen due to the clear plastic top of the drawer unit), were also closed, and undisturbed. The master bedroom closet is approximately 9" by 6'2" (wall to wall, with the shelves making the corridor narrower), with segmented sections including drawers and hangers. The sections of the closet would not permit an intruder (described as stocky, 6'2") to secrete themselves. The master bathroom, accessible from inside the master bedroom, was also found to be unremarkable. That during the survey of the residence, it was noted that it appeared that nothing had been removed from the property, and that all of the weapons/instruments used during the murder/assault originated from inside the Dabate residence.

30. That on 12-24-15, an autopsy was conducted on victim #1, by Dr. Frank Evangelista, at the Office of the Chief Medical Examiner, in Farmington, CT. Observed during the autopsy, were two apparent gunshot wounds to victim #1; one entrance wound to the lower left torso, and one entrance wound to the rear, center of her head. Two, copper-jacketed projectiles were removed from victim #1 during autopsy. No other injuries, defensive or otherwise, were observed on the body of victim #1 to indicate any struggle had occurred prior to her death. As a result of the autopsy, the cause of death was certified as, "Gunshot wounds of head and abdomen", with the manner of death certified as, "homicide".

31. That on 12-23-15, at approximately 2145hrs., Det. Langevin and Affiant Payette met with and obtained a written statement from witness #2. In the signed written statement, witness #2 stated, among other things, that she had heard about the incident at 7 Birchview Drive, that Dabate had been hurt, and victim #1 had been killed. Witness #2 stated she has known Dabate since junior high school, and that they reconnected about a year ago (and after she had become divorced). Witness #2 stated their relationship blossomed, and in the spring of 2015, she and Dabate began a romantic relationship. Witness #2 stated that as she and Dabate started the romantic relationship, Dabate was talking about getting a divorce from victim #1. Witness #2 stated she assumed the divorce was going to be mutual because they were both not happy. Witness #2 stated that in May of 2015, she ended up getting pregnant with Dabate's child. Witness #2 stated the pregnancy was completely unexpected. Witness #2 stated Dabate did not plan on having any other children with victim #1, and that she (witness #2) did not plan on having children under these circumstances. Witness #2 stated she told Dabate that she was pregnant on June 18, 2015. Witness #2 stated Dabate was surprised, but accepted it knowing it (the situation) was going to get messy because he (Dabate) was married. Witness #2 stated that by August 2015, Dabate told her he had met with an attorney regarding getting a divorce from victim #1. Witness #2 stated she could not remember the attorney's name or even if Dabate told her who it was. Witness #2 stated that during the next few months, she occasionally spoke to Dabate regarding the divorce because she did not want it to happen so close to Christmas, or her due date of February of 2016. Witness #2 stated Dabate told her the divorce was still going forward, and that there was no chance he was going to reconcile with victim #1. Witness #2 stated Dabate told her the feelings were mutual, and that victim #1 wanted the divorce as well. Witness #2 stated victim #1 did not know about the pregnancy.

32. Witness #2 further stated that over the past weekend (prior to the murder), Dabate and victim #1 went to Vermont to work on the divorce, and to talk about how they were going to go through the holidays. Witness #2 stated, as far as she knew, Dabate was not planning on telling victim #1 about the baby until after Christmas. Witness #2 stated Dabate was supposed to serve victim #1 with divorce papers this week (12-20-15 to 12-26-15), or last week (12-13-15 to 12-19-15), but she (witness #2) does not know if victim #1 had been served with the divorce papers. Witness #2 stated she

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[Signature]	04/11/17	[Signature]	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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**Affidavit - Continued**

spoke to Dabate earlier this week (12-20-15 to 12-22-15) and he still did not tell victim #1 about the pregnancy. Witness #2 stated the last time she had contact from Dabate was on the night of 12-22-15 when Dabate sent a text message, from his cellular phone number of 860-263-9595, which read, "I'll see you tomorrow my little love nugget". Witness #2 stated she and Dabate were supposed to get together and exchange Christmas gifts and talk about how the divorce discussions went over the past weekend.


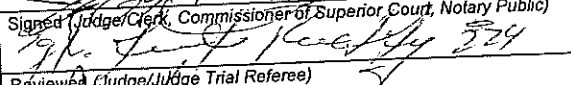
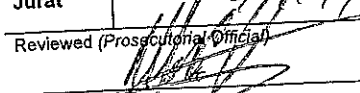
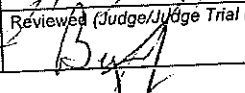
33. That on 12-24-15, Attorney Hubert Santos contacted affiant Payette to inform him that he was representing Dabate. Attorney Santos requested that no more interviews be conducted with his client, Dabate, until he (Atty. Santos) had a chance to speak with him (Dabate). I was later informed by State's Attorney Matthew Gedansky that Atty. Santos had contacted his office and stated that no other interviews or contact would be allowed with Dabate.

34. That on 12-28-15, affiant Payette and Det. Robert Given (EDMCS) met with and obtained a written statement from witness #3. In the written statement, witness #3 stated, among other things, that he/she is the current supervisor for Dabate. Witness #3 stated that on 12-23-15, at 9:05 A.M., he/she received an email from Dabate stating, "Our home alarm went off this morning, I think. And I think for procedural purposes, they send out a police officer. I got to go back to the house and see what's going on. Rich". Witness #3 stated Dabate has never sent him/her an email regarding his alarm system in the past, and has never spoken to him/her about an alarm system. Witness #3 further stated that on 12-23-15, approximately 10:43 A.M., he/she received a phone call from a relative of Dabate stating there was a, "horrible accident", and that victim #1 had died. Witness #3 stated the family member did not get into details as to what happened. Witness #3 stated that Dabate called him/her on 12-24-15, to tell him/her that what happened at 7 Birchview Drive was, "definitely a 'home invasion'", and that he was not involved. Witness #3 stated Dabate told him/her that he couldn't talk about what happened because he had retained a lawyer. Witness #3 also stated that Dabate provided him/her with his new cellular phone number of 860-969-9361. Witness #3 stated that, looking through the key card system at their facility, he/she was advised that Dabate did not use his key card to enter the property (at his place of employment) on 12-23-15. Dabate is scheduled to work Monday through Friday, 0900hrs. to 1700hrs.

35. That on 12-30-15, affiant Payette and Det. Brett Langevin met with and obtained a written statement from witness #4. In the written statement, witness #4 stated, among other things, that he/she is a psychotherapist. Witness #4 stated that on 12-23-15, at approximately 0858hrs., he/she received a Facebook private message from victim #1 which read, "Hi (witness #4), I hope you are doing well and that you are all set for the holidays :) I was just thinking of you and wondering if you are still doing therapy sessions? I would love to do another hypnosis session if possible. There has been a lot going on that I would like help with. If you are not doing it any longer and know someone that could see me, I would be open to that too. Thanks so much." Witness #4 stated that on 12-23-15, at approximately 0907hrs., he/she spoke to victim #1 by telephone. Witness #4 stated victim #1 told him/her that she was leaving the gym. Witness #4 stated victim #1 told him/her that she really needed to come in to see him/her, that she had so much going on, and that she needed the earliest appointment.

36. That on 12-30-15, Det. Given spoke to and obtained a written statement from witness #5. In the written statement, witness #5 stated, among other things, that he/she was on duty for the Vernon Ambulance, when on 12-23-15, he/she was dispatched to respond to 7 Birchview Drive, in the town of Ellington. Witness #5 stated that upon arrival, and after the scene was cleared by the State Police, he/she and his/her co-worker responded to the residence. Witness #5 stated that when he/she arrived, he/she was directed to attend to an injured person (Dabate) in the kitchen of the residence. Witness #5 stated he/she entered through the front door of the residence and observed a blood trail from the cellar stairs leading into the kitchen. Witness #5 stated that when he/she entered the kitchen, he/she observed blood smeared all over the kitchen floor, and an injured male being treated by a paramedic. Witness #5 stated (Dabate's) clothing had been cut off, and the paramedic was treating wounds. Witness #5 stated (Dabate) was loaded into the ambulance at which time he/

(This is page 16 of a 48 page Affidavit.)

Date <b>4-11-17</b>	Signed (Affiant) 
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Reviewed (Prosecutorial Official) 	Reviewed (Judge/Judge Trial Referee) 
Date <b>04/11/17</b>	Date <b>4/13/17</b>

## ARREST WARRANT APPLICATION

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STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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**Affidavit - Continued**

she (witness #5) observed wounds to both of Dabate's upper thighs, upper left chest area, and above his right eyebrow. Witness #5 stated he/she observed a red mark around (Dabate's) right wrist, and an abrasion on (Dabate's) left calf. Witness #5 stated that when he/she asked (Dabate) what had happened, (Dabate) stated he had returned home for his laptop and heard noises upstairs in the residence. Witness #5 stated (Dabate) told him/her he thought it was his cat(s), but that he did not say what he did when he heard the noise. Witness #5 stated he/she asked (Dabate) if there was someone in his house, and that (Dabate) did not respond. Witness #5 stated he/she then asked (Dabate) if the guy/person was wearing a mask and/or gloves to which (Dabate) replied, "yes". Witness #5 stated (Dabate) was transported to Hartford Hospital, and that he/she had no further communication with (Dabate).

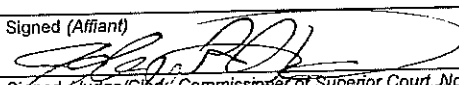
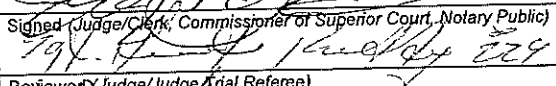
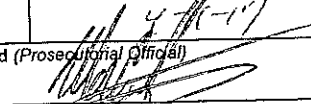
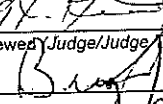
37. That on 12-30-15, Det. Lamoureux (EDMCS) and Det. Luther (EDMCS) spoke to and obtained a written statement from witness #6. In the written statement, witness #6 stated, among other things, that he/she lives next door to Dabate, and that he/she was home all morning on 12-23-15. Witness #6 stated that on 12-23-15, he/she did not notice anything or anyone out of the ordinary or suspicious. Witness #6 stated that on 12-23-15, while the police were at Dabate's residence, he/she saw that Dabate's black Nissan was parked, **backed in**, with the nose of the car facing down the driveway at 7 Birchview Drive. Witness #6 stated that he/she would see Dabate and victim #1 come and go from their house daily and noticed that if they stopped home briefly during the day, they would routinely just pull the cars towards the house, **nose first**, in front of the garage doors and leave a few minutes later. Witness #6 stated that since victim #1's death, he/she had heard that on 12-23-15, Dabate had come home because he had forgotten his cellular phone and that he came home to retrieve it. Witness #6 stated he/she had heard that Dabate went inside, and struggled with an intruder. Witness #6 stated he/she heard that victim #1 came home, and that Dabate told her to leave the house and call for help. Witness #6 stated that after hearing this, she found it **odd** that Dabate's car was **backed in** next to his truck, and not in front of the garage which it would have been if he was just going into the house to pick up his cell phone. Witness #6 stated he/she knows both Dabate, and victim #1, and that he/she had never known either of them to be violent towards each other.

38. That on 12-30-15, affiant Payette and Det. Langevin spoke to and obtained a written statement from witness #7. In the written statement, witness #7 stated that he/she is a relative of victim #1. Witness #7 stated that he/she has not spoken to Dabate about what had happened. Witness #7 stated he/she saw Dabate on 12-25-15, and that Dabate did not offer any explanation as to what happened, and did not say he was sorry for what happened. Witness #7 stated Dabate was visibly upset, that there were many people present when he/she saw Dabate. Witness #7 stated he/she continued to see Dabate throughout the process of planning the funeral services for victim #1, and that Dabate still never offered him/her an explanation as to what happened. Witness #7 stated that Dabate did tell him/her that he (Dabate) had been trying to call the police to get information, but that the police were not telling him anything (As of the date of this warrant, Dabate has not contacted any of the Detectives at CSP-EDMCS and has not spoken to Detectives since the initial interview on 12-23-15).

39. Witness #7 further stated that the last time he/she had seen Dabate and victim #1 was on 12-20-15, in Vermont. Witness #7 stated he/she has a residence in Vermont, and that Dabate and victim #1 had come up to Vermont, by themselves, for an assumed romantic getaway. Witness #7 stated he/she did not have any indication there were any relationship issues between Dabate and victim #1. Witness #7 stated that, on 12-19-15, he/she invited Dabate and victim #1 to their residence for dessert. Witness #7 stated Dabate replied, via text message on 12-19-15 at 9:23 P.M., "So, I'm sorry about not swinging by. I'd love to see you guys and the house another time. (Victim #1) is in a little bit of a mood this evening. Doing my best to have a solid date night and cheer her up. She's a bit moody :)". Witness #7 stated that Dabate and victim #1 did stop by his/her residence in Vermont on 12-20-15, and that victim #1 was quiet, stating she (victim #1) had some drinks the night before.

40. Upon being advised by affiant Payette that Dabate was having a baby with another woman, witness #7 stated that victim #1 would, **"absolutely not be ok with (Dabate) having a baby with someone"**. Witness #7 stated he/she

(This is page 17 of a 48 page Affidavit.)

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**Affidavit - Continued**

believes victim #1 would, "flip out" if she found that Dabate was having an affair. Witness #7 stated he/she was not aware of any pending divorce, and not aware of any relationship issues between Dabate and victim #1.

41. That on 12-29-15, Det. Given and affiant Payette met with and obtained a written statement from witness #8. In the written statement, witness #8 stated, among other things, that he/she is a relative of victim #1. Witness #8 stated that the last time he/she spoke to victim #1 was on the day she was killed, 12-23-15, at about 9:20 A.M. Witness #8 stated victim #1 told him/her that she was on the way to 7 Birchview Drive from the YMCA in Ellington. Witness #8 stated victim #1 told him/her that she had made an appointment with a psychotherapist (witness #4). Witness #8 stated the conversation with victim #1 was brief, and that he/she tried calling her back a short while later, but there was no answer. Witness #8 stated that it wasn't until later on 12-23-15, that Dabate's mother had called him/her and told him/her that victim #1 had been killed, and that Dabate was in the hospital with cuts all over his legs, and bruises on his head.

42. Witness #8 further stated that the next day (12-24-15), Dabate had come to his/her residence as he/she was with other relatives, including witness #9, witness #10, and witness #11 among others. Witness #8 stated that Dabate arrived with his father, and that the first thing Dabate said was, "It wasn't me". Witness #8 stated he/she thought Dabate's comment was unusual, and that Dabate didn't say anything like, "I miss her", or "I loved her". Witness #8 stated it seemed like Dabate was worried about himself. Witness #8 stated that Dabate told them he had been on his way to work, but had to go back to the house because he had forgotten his laptop or wallet. Witness #8 stated Dabate told them that when he walked into the house, he heard a noise in the bedroom at which time he went upstairs and found a burglar. Witness #8 stated the burglar asked Dabate for his credit cards and cash. Witness #8 stated Dabate did not mention if the man had a weapon, but did say he was wearing a mask. Witness #8 stated Dabate told them the only thing he could remember about the man was that he had a deep voice. Witness #8 stated Dabate told them he then heard victim #1's car, and he yelled at her to run, and that somebody was in the house. Witness #8 stated Dabate told them something about falling down the stairs. Witness #8 stated Dabate did not mention hearing a gunshot, however, another relative present when Dabate was recounting the incident mentioned to him/her that he/she heard Dabate saying he heard a very loud gunshot, and that he couldn't hear the intruder. Witness #8 stated Dabate told them he was tied to a chair, and cut with his own box cutter before managing to get one arm free. Witness #8 stated another relative present when Dabate was recounting the incident mentioned to him/her that he/she heard Dabate saying something about a blow torch, and hitting the guy with the torch after which the guy ran away. Witness #8 stated Dabate told them that after he freed himself, he called 911. Witness #8 stated Dabate told them the alarm had been turned off, and that he believed victim #1 was trying to save him by trying to get the gun. Witness #8 stated that victim #1 had worked on an ambulance when she (victim #1) was younger, and that her (victim #1's) first reaction, in that situation, would have been to call 911.

43. Witness #8 further stated that, in regards to Dabate's relationship with victim #1, he/she did not have any indication of any problems. Witness #8 stated he/she was victim #1's best friend, and if there was anything wrong, victim #1 would have told him/her. Witness #8 stated that victim #1 told him/her about an incident on Halloween (2015) when she and Dabate were having a party at their house. Witness #8 stated victim #1 told him/her that Dabate had gotten drunk, and had taken his clothes off in front of guests. Witness #8 stated victim #1 told Dabate he was being inappropriate, and that Dabate called her a, "bitch". Witness #8 stated this made victim #1 very upset, and that she was crying when she told him/her (witness #8). Witness #8 stated she believed Dabate and victim #1 had worked it out, and that she does not know of either of them being violent towards each other.

44. Witness #8 further stated that, in regards to guns in Dabate's residence, he/she knew victim #1 and Dabate had spoken about buying a gun for protection. Witness #8 stated that victim #1 didn't want a gun in the house, but that Dabate wanted one for protection, and to go shooting with his father. Witness #8 stated that at some point after the murder, a relative of Dabate had called him/her and told him/her that it was his/her belief that victim #1 wanted the guns in the

(This is page 18 of a 48 page Affidavit.)

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**Affidavit - Continued**

house. Witness #8 stated the relative told him/her that there were two guns in the house; one of which was loaded with one lock, and one of which was unloaded, with two locks. Witness #8 also stated that Dabate had mentioned to him/her that he had gone back to the house the day after the incident, and noticed that the basement window had been broken. Witness #8 stated Dabate never stated how the intruder got into the house.

45. Witness #8 stated that, regarding Dabate having a baby with another woman, his/her family did not have any idea about Dabate cheating on victim #1. Witness #8 stated that if victim #1 knew about the pregnancy, she would have told him/her. Witness #8 stated that if there was any talk about a divorce between victim #1 and Dabate, that victim #1 would have told them, and would have looked to her family for support. Witness #8 stated that victim #1 probably would have liked to have another baby, that she was able to have another baby, and that it was Dabate who did not want another child.

46. Witness #8 stated that on 12-31-15, a relative of Dabate had called him/her to tell him/her that they expected Dabate was going to be arrested on 12-31-15, and that they were planning on making the bail arrangements.

47. That on 12-29-15, Det. Given met with and obtained a written statement from witness #9. In the written statement, witness #9 stated, among other things, that he/she is a relative of victim #1. Witness #9 stated that on 12-24-15, he/she was with witness #8, witness #10, and witness #11 when they met with Dabate. Witness #9 stated that Dabate told them he wanted to give the family some information regarding victim #1's death as he felt the family was owed an explanation. Witness #9 stated Dabate told them he had hired an attorney. Witness #9 stated Dabate told them he had a security system installed at 7 Birchview Drive recently, and that he has had issues with the alarm activating. Witness #9 stated Dabate told them that on 12-23-15, he had returned home, possibly for his laptop. Witness #9 stated Dabate told them he heard noises coming from his bedroom upstairs, and that he saw a man in his bedroom closet. Witness #9 stated Dabate described the man as wearing, "all matching camo", with a deep voice like "Vin Diesel", and wearing a mask. Witness #9 stated Dabate told them he had confronted the man in the closet and the man demanded Dabate's wallet and credit card PIN numbers. Witness #9 stated Dabate told them he gave the man his wallet, but he did not mention if the man had a weapon. Witness #9 stated that Dabate did tell them, at some point, that the man had a box cutter.

48. That witness #9 further stated that Dabate told them he heard the garage door open, and that victim #1 had come home from the gym. Witness #9 stated that Dabate told them victim #1's class at the gym must have been canceled because she came home earlier than normal. Witness #9 stated Dabate told them he yelled to victim #1 that there was someone in the house, and to run. Witness #9 stated Dabate told them victim #1 ran into the basement, and that the man ran after victim #1. Witness #9 stated Dabate told them that he and victim #1 had purchased two guns, and that one gun was loaded, "single locked", and stored in the basement. Witness #9 stated Dabate told them that the second gun was stored, "double locked" and unloaded in their bedroom closet. Witness #9 stated Dabate then told them he heard a gunshot, and that he (Dabate) went deaf. Witness #9 stated Dabate told them the intruder was yelling at him, but that he (Dabate) couldn't hear because he had gone deaf. Witness #9 stated Dabate told them he (Dabate) was tied up, with one hand free, and was able to get a blow torch and burn the man. Witness #9 stated Dabate told them the man then covered his eyes, and ran from the house. Witness #9 stated Dabate did not tell them about his own injuries, and he didn't say how the man left the house. Witness #9 stated Dabate told them he was able to get loose, and call 911. Witness #9 stated Dabate also told them he (Dabate) had gone to his car and tried to activate the panic alarm. Witness #9 stated Dabate told them the panic alarm did not work, and that he (Dabate) remained there for a brief time. Witness #9 stated Dabate apologized for not saving victim #1. Witness #9 stated Dabate never mentioned victim #1's injuries, whether she was stabbed, shot, or shot with with his (Dabate's) gun.

49. That on 01-07-16, Det. Lamoureux and Det. Luther met with and obtained a written statement from witness

(This is page 19 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	[Signature]
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	01/10/17	[Signature]	4/13/17



## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

www.jud.ct.gov

Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19


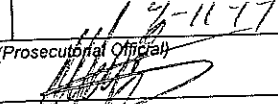
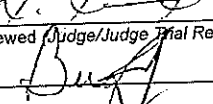
**Affidavit - Continued**

#10. In the written statement, witness #10 stated, among other things, that he/she was with witness #8, witness #9, and witness #11 when Dabate had come to speak to them on 12-24-15 regarding what happened to victim #1. Witness #10 stated that when Dabate arrived to speak to them, Dabate was not crying or sobbing, but he did have tears in his eyes, he had a hard time walking, and he was spitting up like he was physically ill. Witness #10 stated Dabate immediately said something like, "I didn't do this! Someone else was in the house. They told me I need a lawyer". Witness #10 stated Dabate repeated this several times, and that he/she was surprised he was saying it. Witness #10 stated he/she thought Dabate would assume they would never think he would have anything to do with the death of victim #1. Witness #10 stated he/she remembers the facts of what Dabate told them, but that he/she is not certain of the sequence of the events.

50. That witness #10 stated Dabate told them his lawyer told him not to say anything, but that he (Dabate) felt that he had to tell them something. Witness #10 further stated that Dabate told them that victim #1 had gone to the gym, and that he/she thought Dabate stated he left for work after victim #1 left. Witness #10 stated Dabate told them he had gotten an alarm notification on his phone, and that he (Dabate) assumed it was the cat. Witness #10 stated Dabate also told them he had forgotten his laptop at home and had to return to retrieve it. Witness #10 stated he/she did not remember if he got the alarm notification before he turned around for the laptop, or after he was already returning home. Witness #10 stated Dabate told them he went into the house and heard a noise upstairs which he thought were the cats. Witness #10 stated Dabate told them he went upstairs and found someone in the closet who demanded his wallet and PIN ID numbers. Witness #10 stated Dabate did not describe the person, other than the man had a deep voice. Dabate stated he gave the wallet and numbers to the person. Witness #10 stated Dabate told them he then heard victim #1 come home, and he (Dabate) yelled, "Run, there is someone in the house!". Dabate stated victim #1 ran downstairs instead of outside because she knew there was a gun in the basement. Witness #10 stated Dabate told them there were two guns in the basement, one of which was loaded with a single lock, and the other which was not loaded, and had a double or triple lock. Witness #10 stated Dabate told them he was tied up by the intruder. Witness #10 stated Dabate did not tell them what he was tied up with, and said that his hand was tied, looking at his left wrist as he told them. Witness #10 stated Dabate told them the man cut him with his (Dabate's) own box cutter. Witness #10 stated Dabate told them the guy, "dragged him around", then grabbed his (Dabate's) torch and started burning things. Witness #10 stated Dabate told them the guy burned his (Dabate's) shirt, and that he (Dabate) was able to push the intruder's hand away, and burn the person's mask. Witness #10 stated the guy was dressed from head to toe in "camo" and a mask. Witness #10 stated Dabate stated he thought the intruder was wearing gloves. Witness #10 stated he/she does not remember the sequence of events, but that Dabate told them the intruder ran down the stairs, and that he, Dabate, fell down the stairs. Witness #10 stated Dabate told them he heard people talking in the basement, so he (Dabate) ran to the basement. Witness #10 stated Dabate told them he was 3 feet from the gun when it went off in the basement. Witness #10 stated Dabate did not tell them how many times the gun went off, but said it was very loud. Witness #10 stated Dabate did not say anything about seeing the gun, or the person holding it. Witness #10 stated Dabate told them that immediately after the loud bang, the person ran out the hatchway door of the basement. Witness #10 stated Dabate told them he, "just wanted the boys to be ok", and then started talking about a trip to the Great Wolf Lodge he had planned with the children and victim #1. Witness #10 stated this comment caught him/her off guard because Dabate was already talking about a hotel getaway with the kids, and he/she (witness #10) was still trying to absorb the fact that victim #1 had been killed. Witness #10 stated Dabate did not say anything about seeing victim #1 after the gunshot, or anything about checking on victim #1.

51. That on 01-07-16, Detective Given met with and obtained a written statement from witness #11. In the written statement, witness #11 stated, among other things, that witness #8 was victim #1's best friend, and that victim #1 would confide most in witness #8. Witness #11 stated he/she was with witness #8, witness #9, and witness #10 when Dabate had come to speak to them on 12-24-15 regarding what happened to victim #1. Witness #11 stated that when Dabate arrived to speak to them, he/she was with witness #10, outside. Witness #11 stated that Dabate appeared very emotional, he was crying, and he said, "I didn't do this" and, "I can't believe I'm never going to see her again". Witness #11 stated Dabate then

(This is page 20 of a 48 page Affidavit.)

Date	Signed (Affiant)		
4-11-17			
Jurat	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)		
Subscribed and sworn to before me on (Date)	4-11-17		
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
	4/11/17		4/13/17



## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

went into the house to speak to the rest of the family. Upon entering the residence, Dabate told the family that he was not supposed to say anything, but he felt the family needed an explanation as to what happened. Witness #11 stated Dabate told them that on 12-23-15, he had left the house before victim #1 and that victim #1 was getting ready to go to the gym. Witness #11 stated he had to return home because he had forgotten something. Witness #11 stated Dabate told them he heard a noise upstairs, at which time he went upstairs where he found an intruder inside the bedroom closet. Witness #11 stated Dabate told them the intruder was a, "big man" with a, "Vin Diesel" voice and that he (the intruder) was wearing a mask. Witness #11 stated Dabate told them he confronted the intruder, and that the intruder demanded his wallet, credit cards and PIN numbers.

52. That witness #11 further stated that Dabate told them he gave the intruder his wallet and PIN numbers, at which time he (Dabate) heard the garage door open, assuming it was victim #1 returning from the gym. Witness #11 stated Dabate yelled from upstairs that, "there was someone in the house, run". Witness #11 stated Dabate then began talking about two guns in the house with an unloaded gun upstairs in the house, and one loaded gun in the basement. Witness #11 stated Dabate then said he heard a loud gunshot, and he couldn't hear because he had never been so close to a gun going off, and that he couldn't hear what the intruder was saying. Witness #11 stated Dabate then told them the intruder tied him up, but he did not say if victim #1 had been shot, or if he saw victim #1 get shot. Witness #11 stated Dabate never mentioned checking on victim #1. Witness #11 stated Dabate told them the man did not tie one of his (Dabate's) hands, and that he was able to get a blow torch and burn the man's face. Witness #11 stated he/she did not recall Dabate saying anything about how or when the intruder left. Dabate told them he called 911, and it took a few attempts because he had blood on his fingers.

53. Witness #11 further stated that victim #1 did not confide any information to him/her about her (victim #1's) marriage. Witness #11 stated he/she did know, that in June of 2012, victim #1 had noticed money missing from a bank account, and that Dabate had taken out several credit cards without victim #1's knowledge. Witness #11 stated he/she thought Dabate and victim #1 may have been seeing a marriage counselor at that time. Witness #11 stated that victim #1 was also capable of still having children, and that if victim #1 was considering having another child, she would have been excited and shared her excitement with her family. Witness #11 stated he/she (witness #11) never suspected that Dabate or victim #1 were having an affair. Witness #11 stated he/she was surprised to find out that Dabate was having a baby with another woman. Witness #11 stated that he/she does know that Dabate has had a long time female friend named (witness #2), and that victim #1 had been uncomfortable, in the past, with Dabate and (witness #2's) relationship.

54. That on 01-06-16, Detective Given met with and obtained a written statement from witness #12. In the written statement, witness #12 stated, among other things, that he/she has known Dabate and victim #1 for about one year. Witness #12 referred to victim #1 as his/her, "workout buddy", and Dabate as very quiet. Witness #12 stated that for the past 6-9 months, victim #1 has been coming to the YMCA alone. Witness #12 stated that victim #1 would confide in him/her that she (victim #1) was, "unhappily married", and that, "it didn't look good". Witness #12 stated victim #1 told him/her that she was tired of the financial burdens, all of the responsibilities of handling her son's medical issues and the responsibilities of taking care of the family and household. Witness #12 stated victim #1 did not tell him/her that she (victim #1) and Dabate were getting a divorce. Witness #12 stated that the last time he/she saw victim #1 (mid December 2015), victim #1 asked her if she (witness #12) had killed her husband yet. Witness #12 stated she did not know why victim #1 asked this question, and that victim #1 did not explain the comment. Witness #12 stated that victim #1 never mentioned that she or Dabate were having an affair, but also stated that Dabate occasionally, "loses control".

55. That on 01-11-16, Det. Luther and Det. Lamoureux met with and obtained a written statement from witness #13. In the written statement, witness #13 stated, among other things, that he/she has been a friend of Dabate's since junior high school. Witness #13 stated that in March, 2015, Dabate told him/her that he (Dabate) and victim #1 were having

(This is page 21 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	[Signature]
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	04/11/17	[Signature]	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
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Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

marital issues, and that they were going to counseling. Witness #13 stated Dabate mentioned, "divorce", but that he (Dabate) did not go into detail about his relationship problems. Witness #13 stated that when he/she would visit Dabate and victim #1, they appeared to be a normal, good family and that he/she (witness #13) did not have any information that Dabate was having an affair. Witness #13 described Dabate as having, "a temper", and a lot of, "energy". Witness #13 stated Dabate would, "spout off at the mouth" if he was upset. Witness #13 stated the last time he/she saw Dabate and victim #1 was on Thanksgiving, 2015 for the Manchester Road Race. Witness #13 stated Dabate was wearing a, "Superman" costume, and that he and victim #1 seemed normal, with no problems between them.

56. That on 01-13-16, Det. Langevin and Det. Given met with and obtained a written statement from witness #14. In the written statement, witness #14 stated, among other things, that he/she has been a friend of Dabate's since junior high school. Witness #14 stated he/she is very good friends with Dabate, and that Dabate would confide in him/her. Witness #14 stated that he/she knew, through Dabate, that he (Dabate) and victim #1 did not have, "the happiest marriage". Witness #14 stated that this was because victim #1 had a, "type-A" personality, and that Dabate was more, "laid back". Witness #14 stated that Dabate did not have a lot of time to himself. Witness #14 stated he/she was not sure if victim #1 was happy in their marriage, and that their children were her (victim #1's) life.


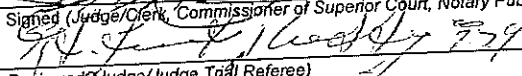
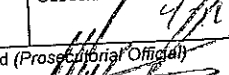
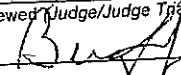
57. That witness #14 further stated that in June of 2015, Dabate has told him/her that he was thinking of divorcing victim #1. Witness #14 stated Dabate told him/her that he had met with a divorce attorney to get more information. Witness #14 also stated Dabate told him/her that he had been having an affair with (witness #2), and that she (witness #2) was 10 weeks pregnant. Witness #14 stated Dabate told him/her that he had feelings for witness #2, but that he also loved his children. Witness #14 stated Dabate was **concerned that victim #1 would divorce him**. Witness #14 stated he/she knew that Dabate was trying to work on his marriage in the Fall of 2015. Witness #14 stated that since victim #1's death, Dabate only mentioned that there was a, "bad guy" in the house. Witness #14 stated Dabate told him/her that he had an attorney, that he was experiencing flashbacks, and was having high anxiety. Witness #14 stated he/she can't imagine Dabate having anything to do with victim #1's death.

58. That on 01-28-16, affiant Payette and Det. Langevin met with and obtained a written statement from witness #15. In the written statement, witness #15 stated, among other things, that he/she has been friends with victim #1 and Dabate since 2007-2008. Witness #15 stated the last time he/she spoke to victim #1 was on 12-23-15, at 0707hrs. (later verified in victim #1's cellular phone records as 0708hrs.). Witness #15 stated he/she called victim #1, who stated she was home, and still in bed. Witness #15 stated victim #1 sounded happy, and that they spoke for about 15 minutes. Witness #15 stated victim #1 did not tell her if Dabate was home or not. Witness #15 stated that he/she always knew of Dabate and victim #1 to be happy together. Witness #15 stated he/she does know that Dabate has had problems spending money during the past few years, and that victim #1 has been talking about it (the money problems) with him/her more and more lately. Witness #15 stated victim #1 did not know where the money was going, and that she did not tell him/her how much money was missing. Witness #15 stated victim #1 was in charge of the family finances.

59. Witness #15 further stated that, in regards to having guns in their (Dabate's and victim #1's) residence, he/she described victim #1 as being, "**extremely against guns**". Witness #15 stated victim #1 told him/her that she (victim #1) is **afraid of guns**, and that Dabate told his/her husband/wife that victim #1 was completely against guns. Witness #15 stated he/she could not see victim #1 ever shooting a gun, and believed that she (victim #1) wouldn't know how to use a gun.

60. Witness #15 further stated that both Dabate and victim #1 were both in good physical shape. Witness #15 stated that Dabate was more athletic than victim #1, and was running marathons, and half-marathons. Witness #15 stated Dabate was also participating in Cross-fit exercising, and was working out regularly.

(This is page 22 of a 48 page Affidavit.)

Date 4-11-17		Signed (Affiant) 	
Subscribed and sworn to before me on (Date) 4/11/17		Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
Jurat	Reviewed (Prosecutorial Official) 	Reviewed (Judge/Judge Trial Referee) 	Date 4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

61. That on 02-05-16, Det. Luther and affiant Payette met with and obtained a written statement from witness #16. In the written statement, witness #16 stated, among other things, that he/she has known Dabate and victim #1 since 2000-2001. Witness #16 stated that about two weeks ago, he/she met with Dabate at 7 Birchview Drive in Ellington. Witness #16 stated that Dabate told him/her that on the day victim #1 was killed, he (Dabate) returned home because he forgot his laptop. Witness #16 stated Dabate told him/her he heard a noise upstairs in the house, which he thought was his cats. Witness #16 stated Dabate told him/her he went upstairs, and was confronted by an unknown male intruder who told Dabate to give him his money, credit cards, and wallet. Witness #16 stated Dabate gave him everything he had, and that he (Dabate) then heard the garage door open and victim #1 enter the house. Witness #16 stated Dabate told victim #1 to leave the house, but that she ran into the basement where they keep one of their guns. Witness #16 stated Dabate then told him/her all three of them ended up in the basement, but he did not say how they all got to the basement. Witness #16 stated Dabate then told him/her that he (Dabate) saw the intruder shoot victim #1, and that the gun made a real loud noise. Witness #16 stated Dabate then told him/her he (Dabate) was then zip tied to a chair in the basement, and that the intruder stabbed him with a box cutter on his legs and upper torso. Witness #16 stated the tools and the zip ties belonged to him (Dabate). Witness #16 stated Dabate told him/her the intruder then burned his (Dabate's) leg with a torch, and that Dabate was able to grab the torch and burn the intruder's mask at which time the intruder ran out of the bulk head. Witness #16 stated Dabate told him/her he was able to go upstairs and crawl into the kitchen where the police found him. Witness #16 stated Dabate told him/her that he assumed the intruder got into the house through a basement window because there were broken windows in the house.

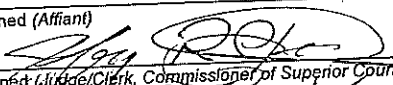
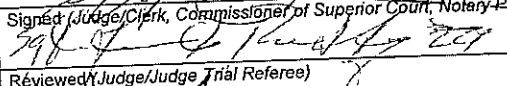
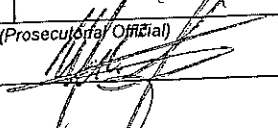
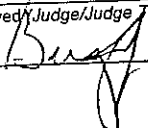
62. Witness #16 further stated that on 10-09-15, Dabate sent him/her a text message photo of a handgun he had bought. Witness #16 stated victim #1 agreed with Dabate to buy the handgun due to recent vandalism at their residence.

63. Witness #16 further stated that Dabate also told him/her (on the same day he told him/her what had happened on the day victim #1 was killed) that he (Dabate) had an affair with witness #2, and that witness #2 was pregnant. Witness #16 stated he/she had known that victim #1 wanted to have another baby, but couldn't due to physical conditions. Witness #16 stated Dabate told him/her that victim #1 knew about the baby with witness #2, and that they were all going to work out a plan where the three of them were going to co-parent the baby. Witness #16 stated Dabate told him/her victim #1 was also having an affair. Witness #16 stated Dabate told him/her he (Dabate) was also having affairs on victim #1 by, "messing around" with girls from the Electric Blue strip club. Witness #16 stated Dabate told him/her the final month of his relationship with victim #1 was great.

64. That on 01-11-16, affiant Payette contacted Protective Life Insurance Company regarding the two Life Insurance Policies located inside the Sentry Safe Dabate had stated was, "usually used for documents", but which on 12-23-15, reportedly held the Ruger .357 Magnum used to murder victim #1. Upon speaking to a representative at Protective Life Insurance Company, affiant Payette was advised that both Dabate and victim #1 had separate life insurance policies for \$475,000.00 each, and listed each other as the beneficiaries with victim #1's policy initiated 01-09-04, and Dabate's policy initiated 09-18-04. Affiant Payette was advised that the life insurance policy for Dabate had been canceled in 2012 due to non payment. Affiant Payette was also advised that the life insurance policy for victim #1, for \$475,000.00 was still active, and that Dabate had contacted their company, on 12-28-15 (5 days after the murder), to report that victim #1 had died and to make a claim. A hold was put on the policy, as is their normal course of business, pending the outcome of this investigation.

65. That on 01-14-16, a Search Warrant was approved allowing for the seizure of the Verizon cellular phone records of witness #2. Observed in those records were the following text message conversations, among others, between Dabate and witness #2. It should be noted that the phone number used by Dabate (860-263-9595) to contact witness #2 is a GoogleVoice phone number which Dabate did not divulge during the interview and the history of which is not stored with

(This is page 23 of a 48 page Affidavit.)

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Subscribed and sworn to before me on (Date) 4-11-17		Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
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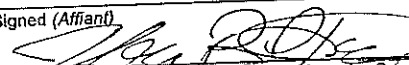
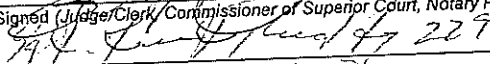
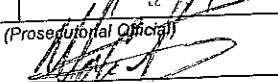
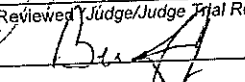
Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

## Affidavit - Continued

the text messages associated with Dabate's primary cellular phone (860-338-1756).

- 12-17-15, at 1535hrs. - (6 days prior to victim #1 being murdered) - Message from witness #2 to Dabate, "So, what would you like to do tonight on your sleepover".
- 12-17-15, at 1644hrs. - Message from Dabate to witness #2, "Pillow fight?"
- 12-18-15, at 0705hrs. - (5 days prior to victim #1 being murdered) Message from witness #2 to Dabate, "Thank you for coming over yesterday and staying I liked having you here and curling up with you I could get used to that I hope you were able to sleep a little".
- 12-18-15, at 0711hrs. - Message from Dabate to witness #2, "Sorry to wake you up at 1 15 I went into work and got in around 5 so I just passed out on my parents couch now I m headed back to Ellington with the boys I enjoyed being over there as well it was nice and relaxing".
- 12-18-15, at 0956hrs. - Message from witness #2 to Dabate, "I don't want you to be alarmed and please don't worry I m going to my OB for a non stress test at 11 We are FINE the kid just hasn't been as active as it usually is and this in the NORMAL procedure for that Babies change their routines and I m sure it s fine".
- 12-18-15, at 1247hrs. - Message from Dabate to witness #2, "You sure everything s OK Get some rest".
- 12-18-15, at 1251hrs. - Message from witness #2 to Dabate, "It s OK I figured you were tied up We re fine Dr. was glad I came in but all is well. So not to be a pain in the ass but do you think you re going to be able to come back next week"
- 12-18-15, at 1304hrs. - Message from Dabate to witness #2, "I'm glad you're OK and I will definitely make sure I can get over to the house before Christmas Eve. Give me till Monday, and will work something out. :-)".
- 12-18-15, at 1312hrs. - Message from Dabate to witness #2, "I hope sex is not the reason why you needed to go to the doctor?"
- 12-19-15, at 1113hrs. - (4 days prior to victim #1 being murdered) Message from witness #2 to Dabate, "I want you to understand I m not just interested in being with you for sex I feel relaxed and comfortable with you Home feels like home So it s not just sleeping with you".
- 12-19-15, at 2041hrs. - Message from witness #2 to Dabate, "Why did you surprise (victim #1) with a trip to VT without the kids???"
- 12-19-15, at 2041hrs. - Message from witness #2 to Dabate, "And, why didn't you warn me".
- 12-19-15, at 2042hrs. - Message from witness #2 to Dabate, "What are you doing Rick? Are you playing me???"
- 12-20-15, at 0843hrs. - (3 days prior to victim #1 being murdered) Message from Dabate to witness #2, "What you re reading on Facebook last night was not anything that actually happened I will call you later to explain My uncle that passed away that s the town The family needed somebody to go out and pick up some things at the house The new owner found some personal items I dropped the kids of a my parents and it gave (victim #1) and I chance to work out some items regarding the divorce She s also not ready to be public on Facebook about".
- 12-20-15, at 0856hrs. - Message from Dabate to witness #2, "This is certainly nothing romantic We have a lot to work out and she was gone all week Can t discuss things with the kids nearby I doubled up on family errand to get done. I did get a little depressed last night so I had to have a couple of drinks to get through but I was just depressed about being at my uncles house not about getting a divorce Allot has gotten done if you have time after work tomorrow I can swing by the house and talk".
- 12-20-15, at 1036hrs. - Message from witness #2 to Dabate, "I didn t read it in FB I m not friends with you or (victim #1) anymore (a friend of witness #2) did And I tried to tell her that (victim #1) makes things all sunshine and rainbows but you guys are trying to keep things good for the kids for Christmas And that s when she told me (victim #1) posted something like Surprise trip to VT with Rick without the kids".
- 12-20-15, at 1039hrs. - Message from witness #2 to Dabate, "I have no right to be jealous Or angry Or hurt I don t I shouldn t make you have to explain I just wish you had warned me It was more jarring than I expected To think that you were taking (victim #1) away for a weekend".

(This is page 24 of a 48 page Affidavit.)

Date 4-11-17		Signed (Affiant) 	
Subscribed and sworn to before me on (Date) 4-11-17		Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public) 	
Jurat			
Reviewed (Prosecutorial Official) 	Date 4/11/17	Reviewed (Judge/Judge Trial Referee) 	Date 4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

www.jud.ct.gov

Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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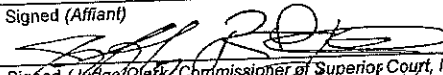
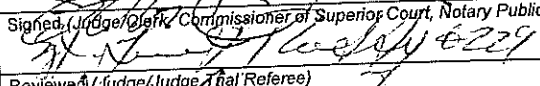
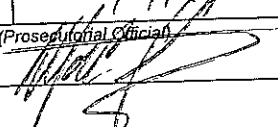
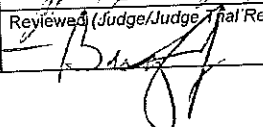
## Affidavit - Continued

- **12-20-15, at 1046hrs.** - Message from witness #2 to Dabate, "I understand what you are doing Thank you for explaining it to me And you shouldn't have to clear every last minute thing by me or explain this to me That s not how it should be It was just a very big surprise to be asked why you would surprise (victim #1) with a kidless trip to VT for the weekend Mondays usually suck for you but if you can stop by I ll be home".
- **12-20-15, at 1151hrs.** - Message from Dabate to witness #2, "It ll actually make more sense than it appears You see (victim #1) has a book or something on divorce for the modern times And we ve been going through exercises to get through certain emotional steps One of exercises is to actually post something that you normally would when marriage was good on social media Then delete it It's supposed to be something about putting the past in the past And moving on I ll explain more when I actually have time to give you a call but I m very optimistic about the next week and a half For real".
- **12-20-15, at 1212hrs.** - Message from witness #2 to Dabate, "I believe you Thank you for not getting upset with me and just explaining this to me I am glad you and (victim #1) are trying to work through your feelings about your divorce That s healthy".
- **12-20-15, at 1718hrs.** - Message from Dabate to witness #2, "Seriously? Me upset with you? You've show me nothing but honesty, bravery, understanding, compassion and patience".
- **12-20-15, at 1719hrs.** - Message from Dabate to witness #2, "My communication has been terrible, and I could have warned you about that. It was last minute, and I'll explain more when I see you".
- **12-20-15, at 1721hrs.** - Message from witness #2 to Dabate, "We are both navigating through bazaar circumstances We are both experiencing new feelings and coping with new situations I think we are both doing a good job being patient and understanding".
- **12-20-15, at 1721hrs.** - Message from Dabate to witness #2, "I need to help the kids now with some weekend school work holiday party etc I ll be in Manchester by 5 but if your busy I understand But I want to see you before Christmas".
- **12-21-15, at 1018hrs.** - (2 days prior to victim #1 being murdered) Message from Dabate to witness #2, "Good morning, how are we felling today?".
- **12-21-15, at 1020hrs.** - Message from witness #2 to Dabate, "Good. Kid's been moving around all morning. Apparently its gone from being a night owl to a morning person. How are you?".
- **12-21-15, at 1913hrs.** - Message from witness #2 to Dabate, "OK. And, I still hope you are naughty and make it over tonight ;)".
- **12-21-15, at 2122hrs.** - Message from Dabate to witness #2, "Just letting you know that I really would like to be naughty but tonight is not The night seriously would like to be noddy But going to spend a little time with my dad".
- **12-22-15, at 1251hrs.** - (1 day before victim #1 is murdered) Message from Dabate to witness #2, "I miss how comfortable you both make me feel Ive have so much to do this week I m not prepared for Christmas and I had no idea how much stuff is going on I have not exactly been firing on all cylinders But I feel recharged after spending time with you".
- **12-22-15, at 1248hrs.** - Message from Dabate to witness #2, "Thinking of you".
- **12-22-15, at 1250hrs.** - Message from witness #2 to Dabate, "I miss you".
- **12-22-15, at 2118hrs.** - Message from Dabate to witness #2, "See you tomorrow, my little love nugget".
- **12-22-15, at 2122hrs.** - Message from witness #2 to Dabate, "See you tomorrow, my little jack ass. ;P".

\*\*\*\*\*VICTIM #1 WAS MURDERED ON 12-23-15. ALARM WAS ACTIVATED AT 1011HRS. \*\*\*\*

- **12-23-15, at 1409hrs.** - Message from witness #2 to Dabate, "How's your day going?".
- **12-23-15, at 2005hrs.** - Message from witness #2 to Dabate, "I'm actually very worried about you. I'm going to send you an email too. I'm very concerned where you are."

(This is page 25 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	
Jurat	Subscribed and sworn to before me on (Date) 4-11-17	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
	04/11/17		4/13/17

**ARREST WARRANT APPLICATION**

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
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**STATE OF CONNECTICUT  
SUPERIOR COURT**

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**Affidavit - Continued**

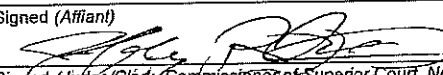
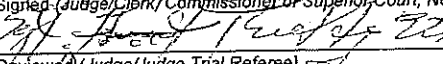
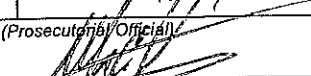
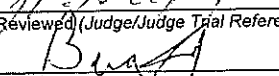
66. The next contact between Dabate and witness #2 is on 12-25-15, at 1933hrs., from Dabate's new cellular phone number (860-969-9361) to witness #2 for a 671 second phone conversation. In a written statement obtained from witness #2 (on 12-31-15) witness #2 stated, that during this conversation, Dabate told her he (Dabate) didn't do it. Witness #2 stated she assumed he meant that he didn't kill victim #1. Witness #2 stated the rest of the conversation was Dabate asking how she (witness #2) was doing, and making sure she was, "ok". Witness #2 stated Dabate did not talk about the investigation.

67. That on 01-14-16, a Search Warrant was approved allowing for the seizure of the Verizon cellular phone records of Dabate. Observed in those records were the following text messages between Dabate and victim #1, and others:

- 10-21-15, at 1014hrs. - Message from witness #2 to Dabate, "So. Names. How about; Nicholas Andrew Dabate or, William Andrew Dabate..."
- 10-26-15, at 2338hrs. - Message from Dabate to witness #16, "my wife is on a tear an pissed off about other shit. go easy on her."
- 10-26-15, at 2341hrs. - Message from witness #16 to Dabate, "Dude, I was never rude to your wife".
- 10-26-15, at 2342hrs. - Message from Dabate to witness #16, "I know. she's just in a mood. being a bitch actually".
- 11-03-15, at 1846hrs. - Message from witness #16 to Dabate, "you finishing up a lappy at the blue?" (lapdance at the Electric Blue Cafe).
- 11-03-15, at 2121hrs. - Message from Dabate to victim #1, "I love you more than I did yesterday but not more that I will tomorrow".
- 11-03-15, at 2121hrs. - Message from victim #1 to Dabate, "OK I love you buttercup".
- 11-18-15, at 0826hrs. - Message from victim #1 to Dabate, "I love you"
- 11-18-15, at 0827hrs. - Message from Dabate to victim #1, "I love you too"
- 11-21-15, at 1130hrs. - Message from victim #1 to Dabate, "I'm ready for u big boy"
- 12-02-15, at 1232hrs. - Message from Dabate to victim #1, "Hi dear, hope your day is going well. Did I mention I love and miss you? :-) I'm home now, I had to be on a conference call in a little bit and it would not have ended nearly early enough for me to make it back to Ellington and time. So I'm going to do it from here"
- 12-02-15, at 1330hrs. - Message from victim #1 to Dabate, "Perhaps u can see if the credit reports r there sweet pea"
- 12-02-15, at 1332hrs. - Message from Dabate to victim #1, "I will love, on a call with work"
- 12-13-15, at 2120hrs. - Message from unknown number to Dabate, "Actually, ask everybody to come over my house, we'll play poker. :-)"
- 12-13-15, at 2121hrs. - Message from Dabate to unknown number, "Sorry brother, but I'm really stressing it here on a school night. I really don't want to deal with (victim #1) yelling at me for this shit."
- 12-19-15, at 1835hrs. - Message from Dabate to unknown number, "Last minute date night. Took (victim #1) to West Dover for an overnight. Sonny's house looks the same. At Two Tanery."

68. That on 01-14-16, a Search Warrant was approved allowing for the seizure of the residential alarm records for Dabate's residence at 7 Birchview Drive, Ellington. The records, obtained from LiveWatch Security LLC., Criticom Monitoring Services LLC. and Alarm.com, indicate that the alarm system was purchased on 05-20-15, and activated on 06-08-15 (around the time Dabate impregnated witness #2, and despite Dabate stating that the alarm was installed after vandalism at his residence in October of 2015). The records indicate the alarm system was set up with seven separate zones, and two keychain FOB's (one listed at "Keychain", and one listed as "KEY FOB 6" which is on Dabate's key ring with his Nissan key FOB). The zones are listed as the following; "Front Door", "Sliding Door Door", "Garage Door", "Basement Door", "Kitchen

(This is page 26 of a 48 page Affidavit.)

Date <b>4-11-17</b>	Signed (Affiant) 
Jurat Subscribed and sworn to before me on (Date) <b>4-11-17</b>	Signed (Judge/Clerk/Commissioner of Superior Court, Notary Public) 
Reviewed (Prosecutor/Official) 	Reviewed (Judge/Judge Trial Referee) 
Date <b>04/11/17</b>	Date <b>4/13/17</b>

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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**Affidavit - Continued**

Hall - Motion", "Entry Front - Motion", and "Second Hall - Motion". Specifically, in regards to 12-23-15, the records show that the only alarm activation on this day occurred at 1012hrs., and was a panic alarm activated by, "KEY FOB 6". No other alarm activations were recorded on 12-23-15. Dabate initially set the alarm system to notify his cellular telephone (860-338-1756) and email (rickdabate@outlook.com) to be notified of all alarm system activities. Upon viewing the Debate's Verizon cellular telephone records (also received under the authority of a valid search warrant approved on 01-14-16), numerous notifications could be observed, in the text messages, from LiveWatch Security/Alarm.com showing activities such as the date and time of the front door opening or closing, the sliding doors opening and closing, the basement door opening and closing etc., and how and when the system is armed or disarmed. Specifically, and in summary, on 12-23-15, the records show the following:

- The first motion sensor activation at the Dabate residence occurs on **12-23-15 at 0547hrs.** (there is no motion registered from 0000hrs to 0547hrs. and the records only cover 12-23-15). This sensor (labeled as "Second Hall") is located above the door to the second floor master bedroom, and faces the hallway, bathroom, children's bedrooms, and the top of the staircase leading to the first floor. At 0606hrs., the sensor at the bottom of the stairs facing the basement door and hallway to the kitchen (labeled "Entry Front") and at 0607hrs., the sensor labeled "Kitchen Hall", located in the dining area in the kitchen facing the kitchen, is activated. Once these sensors are activated, they will stay in, "active" mode for up to an hour, but will register the time of the last motion activation. These are the only three motion sensors in Dabate's alarm system. The "Second Hall" motion sensor registers, "idle" at **0934hrs.** indicating the last time motion was detected on the second floor was at **0934hrs.** The "Kitchen Hall" and, "Entry Front" sensors register idle at **1101hrs.**

- From the initial activation times of the three motion sensors (listed above), all are sensing motion (within a one hour period) with numerous activations of doors opening and closing through **0847hrs.** Dabate's alarm system utilized magnetic door sensors on the garage door (labeled as "Garage door" and located on the interior door leading from the kitchen to the garage), the rear sliding door (labeled as, "Sliding Door Door" located on the sliding door leading from the kitchen to the rear yard), the basement door (labeled as, "Basement Door", located on the door leading from the first floor hallway to the basement), and the front door (labeled as, "Front Door" and located on the front door, leading to the front porch.)

- On **12-23-15, at 0843hrs.,** the garage door is opened and then closed at 0844hrs.

- On **12-23-15, at 0847hrs.,** the garage door is opened and closed. This registers as, "open/close" as opposed to "open" and then "closed" and is indicative of a person opening a door, walking through the opening, and closing the door behind them or opening a door to check on something, and then closing it quickly.



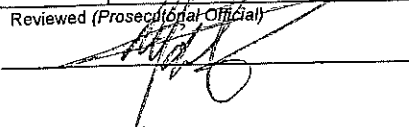
- On **12-23-15, at 0847hrs.,** the alarm system is armed in, "Stay" mode by the Key FOB on Dabate's keychain (which also has his vehicle's key attached). The "Stay" mode of the alarm system arms the exterior door sensors, but disables the interior motion sensors from activating the alarm so that an individual can be inside the residence and not activate the alarm. The key FOB has an activation distance listed at 500 feet. Also at 0847hrs., Dabate logs into website of the alarm system (with his email of "rickdabate@outlook.com" as the username) and attempts to disarm the system. This initial attempt does not disarm the system.

- On **12-23-15, at 0847hrs.,** the basement door is opened and closed.

- On **12-23-15, at 0850hrs.,** Dabate successfully disarms the alarm system by use of the website login. Also at **0850hrs.,** the alarm system is fully armed, through the website login. It should be noted that the last door to open and close prior the the arming of the alarm system is the basement door, and not a door leading out of the residence. In the interview of Dabate, he states that he is not at home when he is using his phone to arm/disarm the alarm system and to delete the notifications from his phone.

- On **12-23-15 at 0859hrs.,** the alarm is disarmed by the Key FOB on Dabate's key chain. During the 9 minute period the alarm is fully armed, any movement in the residence (by the motion sensors) or the opening of any of the doors (with sensors) would have activated the alarm. Based on Dabate's recollection of the incident, for the intruder to be in the second floor master bedroom closet, he would have had to have been in the closet prior to 12-23-15 (as there is no movement in the residence from 0000hrs. to 0547hrs.), or been able to make his way into the residence, and walk through

(This is page 27 of a 48 page Affidavit.)

Date <b>4-11-17</b>	Signed (Affiant) 
Jurat Subscribed and sworn to before me on (Date) <b>4/11/17</b>	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 
Reviewed (Prosecutorial Official) 	Reviewed (Judge/Judge Trial Referee) <b>Burg</b>
Date <b>04/11/17</b>	Date <b>4/13/17</b>



## ARREST WARRANT APPLICATION

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**Affidavit - Continued**

the house up to the second floor closet with the entire family getting ready in the morning. The intruder would also have to stay inside the closet for the 9 minute period (0850hrs. to 0859hrs.) that the alarm is fully armed. The master bedroom closet is approximately 9' by 6'2", with segmented sections including drawers and hangers. The closet appeared neat and orderly, with the clothing folded or hung, and the drawers closed. The sections of the closet would not permit an intruder to secrete themselves.

- On 12-23-15, at 0900hrs., the basement door opens and closes. It should be noted that the first door to open and close after the *disarming* of the alarm is the *basement door*, and not a door leading into the residence.
- On 12-23-15, at 0901hrs., the garage door opens and closes.
- On 12-23-15, at 0923hrs., the garage door opens.
- On 12-23-15, at 0928hrs., the basement door opens.
- On 12-23-15, at 0934hrs., the garage door closes.
- On 12-23-15, at 0934hrs., the second floor motion sensor registers as, "idle" indicating the last movement on the second floor is at 0934hrs.
- On 12-23-15, at 0935hrs., the front door opens. This is the last door to open prior to the panic alarm.
- On 12-23-15, at 1011hrs., the panic alarm is activated by the Key Fob on Dabate's key chain.
- On 12-23-15, at 1012hrs., the panic alarm is received by the alarm company.
- On 12-23-15, at 1044hrs., the second floor motion sensor is activated, and is idle at 1046hrs. This is consistent with State Police personnel clearing the residence.
- On 12-23-15, at 1101hrs., the motion sensors in the kitchen and the front entry register as, "idle". This is consistent with the transport of Dabate to Hartford Hospital, and the securing of the residence prior to drafting and submitting a search warrant.
- On 12-23-15, at 1821hrs., the garage door opens. From this point on, the motion sensors are also activated. This is consistent with the start of the scene processing by EDMCS Detectives after the approval of the search warrant (1730hrs).

A complete, and more specific listing of all of the motion sensor activations, and door openings and closings can be found in the closing time line paragraph of this warrant.

69. That on 01-04-16, twelve days after victim #1 was murdered, and even though Richard Dabate stated that an unknown intruder entered his residence, murdered victim #1 in front of him, and left him as the only witness to the murder, Richard Dabate canceled his LiveWatch residential alarm system contract.

70. Upon reviewing the text message notifications (regarding the alarm system) sent to Dabate's cellular telephone (from 10-25-15 to 12-23-15), affiant Payette observed that the only instance the alarm had been armed in the "Stay" mode was on 12-23-15, at 08:47:50hrs. by Dabate's "Key FOB 6". It was also observed that the only time the alarm system was armed in the month of December, 2015 (other than the day of the murder, 12-23-15) was during the weekend of 12-05-15 (when Dabate and victim #1 went to New Hampshire), and on 12-19-15 (when Dabate and victim #1 went to Vermont).

71. That during this investigation, search and seizure warrant applications were submitted and approved for the seizure of "Facebook" records associated with victim #1, witness #2, and Dabate for the time period of May, 2015 (when Dabate conceived a baby with witness #2) through January of 2016. Observed in the "Facebook" records of victim #1 (3,791 pages) were numerous photos, and conversations with friends and family, including Dabate. The majority of the photos were family orientated and depicted victim #1, with Dabate, and their children at various locations. Searching through victim #1's postings and private messages, there was no mention of, "divorce", and no mention of witness #2 and

(This is page 28 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	[Signature]
Jurat	Subscribed and sworn to before me on (Date) 4-11-17	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutorial Official)	[Signature]	Reviewed (Judge/Judge Trial Referee)	[Signature]
Date	04/11/17	Date	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

**Affidavit - Continued**

her pregnancy. Victim #1's conversations with Dabate were friendly and affectionate, and no indication that victim #1 knew about Dabate's extramarital affair, the pregnancy, or a divorce with Dabate could be found. The last "Facebook" message posted by victim #1 was recorded on **12-23-15 at 0946hrs.**, from Comcast Broadband IP address 73.218.167.49. The majority of the postings made by victim #1, as well as postings made by Dabate (including digital images taken of 7 Birchview Drive, and sent from the residence at 7 Birchview Drive), originated from this same IP address indicating victim #1 was at 7 Birchview Drive, Ellington, utilizing the Comcast Broadband internet service on **12-23-15 at 0946hrs.** Upon contacting "Facebook", affiant Payette was informed that, although not all "Facebook" entries include an IP address, the IP addresses listed in the entries is the IP address of the person sending the entry. Upon conducting a Forensic Examination of victim #1's cellular phone (Apple iPhone), it concluded that this "Facebook" message was sent utilizing victim #1's Apple iPhone. This phone was located tucked in the right side waistband of victim #1's sweatpants, under her jacket, and towards the floor and was seized on 12-24-15 during the body survey of victim #1. A search warrant was subsequently submitted and approved for Comcast Communications which verified that this message was sent via the IP address assigned to the Comcast high speed internet service to Richard Dabate within the residence at 7 Birchview Drive, Ellington. Another search warrant was submitted and approved for "Facebook" regarding the IP history log of victim #1's account. Upon reviewing those records, I observed the following activity registered at the IP address of the Dabate residence on 12-23-15 indicating victim #1 was home, at 7 Birchview Drive, Ellington when she registered the following activity;


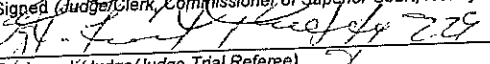
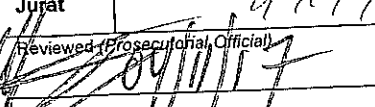
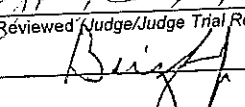
- **0723hrs.** - This is the first Facebook IP address registration listed as, "Session updated".
- **0734hrs.** - Registration listed as, "Message Sent". This corresponds to a message sent to friends, including Richard Dabate regarding setting up future dinner plans.
- **0736hrs.** - Registration listed as, "Message Sent". This corresponds to a, "Smiley Face" emoji sent.
- **0807hrs.** - Registration listed as, "Photo uploaded".
- **0946hrs.** - Registration listed as, "Message Sent". This time of this posting (0946hrs.) is verified through victim #1's seized, "Facebook" records, the data extraction of victim #1's cellular phone by the Connecticut Division of Scientific services, as well as in a written statement from the recipient of the "Facebook" message stating the message was received at 0946hrs.

Upon receiving the Facebook records for victim #1, it appears the records do not register when a user, "shares" a post or a video. Upon logging into Facebook using the credentials of friend of victim #1, I was able to view three videos, "shared" by victim #1, on victim #1's "Facebook" page, on 12-23-15. The videos and times are as follows:

- **0724hrs.** - Victim #1 shares a video from, "Cooler Magazine" with the quote, "Ingenious"
- **0940hrs.** - Victim #1 shares a video from, "Allwomenstalk".
- **0945hrs.** - Victim #1 shares a video from, "Malzifit" with the quote, "Lol".

72. That upon analyzing the Facebook records of witness #2 (36,310 pages), witness #2 confides in two of her friends, individually and as a group, constantly from May 2015 through January of 2016 through the use of "Facebook" private messages. In summary, witness #2 explains that she has been in love with Dabate, and Dabate in love with her since they were 14 years old. Witness #2 states that the first time she slept with Dabate was after he was married, but before he and victim #1 had children. She states that she did not have sex again with Dabate until after her own divorce (2014). Witness #2 states that through the summer of 2014, Dabate, "made a lot of promises, including filing (for divorce)", but that he, instead, tried to fix the relationship with victim #1. Witness #2 states Dabate, "promised" her, in January of 2015, that he was going to file for a divorce from victim #1, and again in February of 2015, telling witness #2 that it would be her Valentine's Day gift. On 05-01-15, witness #2 states that Dabate told her that, "maybe" he will file for divorce in the summer of 2015, after their house is fixed up so that he and victim #1 can sell it. Witness #2 states that Dabate has a rental property which he could use as a residence after the divorce. Witness #2 states that victim #1 will, "flip her shit" when they divorce, and will, "eviscerate him in court" if she found out about their relationship. Witness #2 states she receives a message from Dabate on 05-11-15 that victim #1 had to be brought to the hospital for a, "nervous breakdown",

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		Date 4/13/17	

## ARREST WARRANT APPLICATION

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## Affidavit - Continued

and that, "she's nuts".

73. Witness #2 further states that Dabate tells victim #1 that he is, "working late" when he meets up with her (witness #2). Witness #2 explains that she was planning on meeting Dabate on May 28, 2015 for dinner, and that, "he can stay till LATE". On 06-15-15, witness #2 states that Dabate told her that victim #1 was in the hospital, and sent her a text which read, "(victim #1) is passed out and I was told she'd be like that for a couple hours, so I zipped over to the main pub for a quick bite and a drink if you're nearby". Witness #2 stated she did not meet with Dabate that night. On 06-18-15, witness #2 states that she is pregnant, that she told Dabate, and that the baby was conceived on 05-28-15. On 06-28-15, witness #2 states that Dabate is, "seeing a divorce attorney" on 06-30-15.

74. Witness #2 further states to her friends, on 07-10-15, that she told Dabate not to have sex with victim #1, and that Dabate told her he hasn't had sex with (victim #1) in almost a year, and that he does not find (victim #1) attractive anymore. Witness #2 also posts a digital image of flowers, which she states were from Dabate, with a card which read, "Thinking of you, from Superman". On 07-23-15, witness #2 posts that Dabate is, "super stressed" and that he needs to find a therapist to prescribe him medication. Witness #2 states that Dabate, "needs to calm down and collect his thoughts and focus. But he's already so worked up that he can calm himself". Witness #2 further states that Dabate, "can't focus on one day at a time because he's worried about: his parents; his kids; what will happen if the boys can't stay in Ellington; what if (victim #1) goes off the rails; he's going to lose so many friends; he never thought he'd be the kind of person who would have people hate him, he feels people will hate him; if his parents reject him for this, where will he live?; he's going to be broke; what if (victim #1) doesn't keep working; his family (the 4 of them) will NEVER be the same; he doesn't know what the future holds for him; his kids; our kid; us. That's the tip of the iceberg. If that helps give you a picture."

75. Witness #2 states to her friends on "Facebook", on 08-05-15, that she received a text message from Dabate which began, "Today is one of those days when really could have been nice coming home to see you. When I talk about things with somebody, it makes me slightly upset with the reality of what's going to happen." Witness #2 stated that Dabate further told her that his friends will be upset that he cheated on victim #1, and that, "I (Dabate) truly believe I'm going to lose a lot of friends and relationships and traditions." Witness #2 stated that Dabate further stated, "I'm angry because I love you. ...I love our kid. ...I love the life that we should have. I just have a hard time dealing with the fact that things get worse before they get better." Witness #2 states that Dabate's, "friends won't like him anymore, his family will be disappointed, they may not like him anymore, (victim #1's) family will hate him, he has to move, he just started to like Ellington, (legitimately) he's worried about the boys, his finances will be ruined... it goes on..." By 08-14-15, witness #2 receives a text from Dabate stating that he may stay with victim #1, but by 10-01-15, witness #2 states that Dabate is committed to seeing her every Thursday, telling victim #1 that he has to, "work late", and that Dabate told her he is seeing his attorney again. On 10-11-15, witness #2 states that Dabate has not told his parents about the baby, or about wanting a divorce. By 10-23-15, witness #2 states that the divorce papers are being worked on, and, "No serve date, but, after Rick talks to his parents, and hopefully they let him move in, he's going to get a storage unit, pack his crap, tell (victim #1) he wants a divorce, and move home". By the end of October, 2015, Dabate hadn't served any divorce papers, and had not moved out at which time witness #2 stated she told Dabate, "The baby will be 6 months along next week. Where is my friend? Where is the man I sat on my porch and took away my fears 5 months ago? Where is the man that told me this baby was made from love and will be loved? I don't want to get to the point where things are broken and you can't fix it. So I'm shutting you out until you can do this. Until you don't have excuses. Until you want to be here and will move heaven and earth to be here." Witness #2 states that Dabate replies, "I'm going to get my shit together. I now have a pit in my stomach like you just broke up with me if we were in high school. I am NOT going to let you both down". Witness #2 states that Dabate tells her the following day (10-28-15), that he rented a storage unit and moved half of his stuff out.

(This is page 30 of a 48 page Affidavit.)

Date

Signed (Affiant)

Jurat

Subscribed and sworn to before me on (Date)

Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)

Reviewed (Prosecutor's Official)

Date

Reviewed (Judge/Judge Trial Referee)

Date

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## Affidavit - Continued

76. Witness #2 further states, on 11-16-15, that Dabate is supposed to be moving out, "this week or early next". By 11-20-15, witness #2 states that Dabate told her, "he and (victim #1) have talked about the divorce and are on the same page." (It should be noted that when analyzing victim #1's "Facebook" records, she (victim #1) sends Dabate a provocatively suggestive digital image on 11-21-15, depicting her in a night gown, with the caption, "I'm ready for you big boy"). On 11-23-15, witness #2 states that Dabate told her he and victim #1 were having a, "slow-moving divorce, to make it easier on the kids. She knows about the infidelity issues, as I believe she has been doing something similar. I know, it sounds too easy but it's happening. She knows there's other things that are happening, like you being pregnant, but she doesn't know the full details about who you are, and how far things have gotten." By 11-24-15, witness #2 stated that victim #1 does **not** know about the pregnancy, that she and Dabate just, "agree it's time for a divorce", and that Dabate's parents know about the divorce.

77. Witness #2 further stated on 12-10-15, that, "divorce papers should arrive tomorrow or Monday. Not sure who is being served. I think (victim #1)". On 12-14-15, witness #2 receives more flowers from Dabate. By 12-17-15, witness #2 stated that the divorce papers are going to be served, "next week", because victim #1 had been away. On 12-20-15, witness #2 is told that victim #1 posted on her "Facebook" page that Dabate was surprising victim #1 with a trip to Vermont without the kids, and that her post, "makes everything look amazing". Witness #2 replies that, "(victim #1) will post if everything is fine until the divorce is final". Witness #2 then posts a message she received from Dabate which read, "What you're reading on Facebook last night was not anything that actually happened. I will call you later to explain. My uncle that passed away, that's the town. The family needed somebody to go out and pick up some things at the house. The new owner found some personal items. I dropped the kids off at my parents, and it gave (victim #1) and I chance to work out some items regarding the divorce. She's also not ready to be public on Facebook about This is certainly nothing romantic. We have a lot to work out, and she was gone all last week. Can't discuss things with the kids nearby. I doubled up on the family errand to get done, I did get a little depressed last night so I had to have a couple drinks to get through, but I was just depressed about being at my uncles house, not about getting a divorce". By 12-24-15, witness #2 posts that, "Rick Dabates wife was killed yesterday in a home invasion. Rick was sent to the hospital, the boys were at school".

78. That upon analyzing the Facebook records of Dabate (444 pages), the vast majority of the messages were deleted ("Facebook" could not provide the dates as to when the messages were deleted). There were a number of digital images in the records depicting Dabate with victim #1, at various locations, with their children. There were also digital images of Dabate dressed in a, "Superman" costume. When analyzing the records, no mention of witness #2, "divorce", "pregnant", "baby" could be located. The only mention of "attorney" appeared on 12-25-15, when Dabate wrote in response to the question of what happened on 12-23-15, "I'm really not supposed to be telling anybody details so I have to be as vague as possible. To be honest, I'm not sure why the media is not reporting that someone broke into the house and did what they did to (victim #1) and did what they did to me. Although, I've been trying to not read the news. I was questioned for hours. Since it's unresolved, I had to get an attorney, this is why I can't say exactly what happened that morning. This is been the worst two days of my life. I hope more details will come out soon, but for now just trying to get through Christmas with the boys."

79. That on 02-23-16, affiant Payette spoke to attorney Brian Murphy, of Manchester. Attorney Murphy specializes in various areas of law to include divorce. Attorney Murphy was listed in Dabate's iPhone calendar with an appointment set for 06-30-15 at 0830hrs. It was also observed, in witness #2's "Facebook" messages, that she told her friends that Dabate was meeting with a divorce attorney on 06-30-15. Upon speaking to attorney Murphy, he stated that he did, in fact, meet with Dabate concerning divorce. Attorney Murphy stated he could not divulge the specifics of the conversation, but stated he only met with Dabate one time, that Dabate did not retain him, and, as far as he (attorney Murphy) knew, Dabate did not go forward with filing for a divorce.

(This is page 31 of a 48 page Affidavit.)

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## Affidavit - Continued

80. That during the course of the investigation, a number of search warrants were submitted and approved to obtain the financial records of the six (6) debit cards and one (1) credit card found in Dabate's wallet (the wallet located on the rear lawn at 7 Birchview Drive, Ellington). That while analyzing the CapitalOne records, affiant Payette observed checking and savings accounts with both Dabate and victim #1 named on the accounts. The monthly statements for these accounts were sent to 7 Birchview Drive, in Ellington. Also observed in the records was a separate CapitalOne credit card, in Dabate's name, with the statements mailed to a P.O. Box in Ellington (upon checking with victim #1's family, they were unaware of a P.O. Box listed to Dabate or victim #1). Upon reviewing the records for this account, affiant Payette observed numerous purchases, including a purchase on December 12, 2015 for flowers at, "FromYouFlowers". This transaction corresponds with witness #2's "Facebook" message, on 12-14-15, that she received flowers from Dabate. Also observed on the statement for this credit card was a transaction, dated 12-22-15, for \$300.00 towards a Carnival Cruise in Miami. After victim #1 was murdered, the mailing address for this credit card was changed to Dabate's families address in Manchester (where Dabate was temporarily residing). For the credit card statement dated 01-16-16 to 02-15-16, the mailing address was changed to 7 Birchview Drive, in Ellington. That while analyzing the Bank of America financial records, affiant Payette observed these accounts to also be in the name of Richard Dabate with the same P.O. Box address in Ellington, as well as the address of a past employer of Dabate in Plantsville, CT. Within the records, affiant Payette observed a check, made out to Dabate on 01-25-16, through Fidelity Investments (at victim #1's place of employment) for the amount of \$18,000.00. Another check, also made out to Dabate, on 01-26-16 through Fidelity Investments at victim #1's place of employment was for the amount of \$75,000.00. Also, within the various Bank of America financial records for Richard Dabate, affiant Payette observed numerous payments to, "Blue Cafe Tolland". The, "Electric Blue Cafe" is a gentleman's exotic dance club, located at 62 Merrow Road, in Tolland, CT. The payments observed were as follows:

- 11-20-12, payment to, "Blue Cafe" in the amount of \$340.00
- 03-18-15, payment to, "Blue Cafe" in the amount of \$90.00 (with a withdrawal the day before for \$500.00)
- 03-30-15, payment to, "Blue Cafe" in the amount of \$280.00
- 04-06-15, payment to, "Blue Cafe" in the amount of \$470.00
- 04-06-15, payment to, "Blue Cafe" in the amount of \$73.75

The total amount spent at the Electric Blue Cafe, located in Dabate's financial records is \$1253.75. Also noted, around the times of the spending at the Electric Blue Cafe, were payments made to the, "Motel 6" in Vernon, CT. Those payments are as follows:

- 12-06-12, payment to, "Motel 6", Vernon ROCKVLCT for \$57.49
- 12-19-12, payment to, "Motel 6", Vernon ROCKVLCT for \$57.49
- 04-08-15, payment to, "Motel 6", Vernon ROCKVLCT for \$62.09

It should also be noted, that within Richard Dabate's Bank of America records was a payment made to a marriage counselor in Manchester, CT dated 04-01-15 for \$20.00.

81. That during the course of the investigation, a number of items of evidence were seized, and sent to the State of Connecticut Department of Emergency Services and Public Protection Division of Scientific Services for examination. As a result of the examinations requested and performed by the Division of Scientific Services, the following results were concluded;

- The Ruger .357 revolver, serial number # 57594888, seized from the basement floor, was sent to the Forensic Lab for analysis. The results from the Latent Print Section revealed no identifiable fingerprints on the Ruger .357. The results from the Firearm Section revealed that the projectiles removed from victim #1 at autopsy were fired from the Ruger .357 revolver, serial number # 57594888. The results from the DNA Section revealed that a swabbing of the handle-grip of the firearm resulted in Dabate's DNA profile being found, as well as another, unknown profile. Upon contacting Forensic Science Examiner Angela Przech, the author of the report, I was informed that the unknown profile was entered into the Connecticut CODIS database, but was not sufficient enough to be entered into the National CODIS database. I was also informed that the mixture includes DNA profiles of at least two people, with the possibility of a third person's profile

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**Affidavit - Continued**

in the mix as well. The report also concluded that victim #1's DNA profile, "could not be eliminated" from the mixture found on the cylinder latch release/loading area of the firearm, and her DNA profile was found on the barrel area of the firearm. It is unknown as to whether Dabate let anyone else handle the firearm prior to the murder. It should also be noted that EDMCS Detectives located the sales attendant, at Cabela's in East Hartford, who sold the firearm to Dabate and who voluntarily provided a DNA sample. That sample was eliminated as being included in this investigation. It is unknown as to who handled the firearm prior to Cabela's, or who Dabate may have had handle the firearm.

- The box of "Winchester" .38 special ammunition (same brand and caliber in the Ruger .357 revolver, and missing (5) rounds from the box) was sent for DNA analysis. The results concluded that Richard Dabate's DNA profile was included in a mixture found on the box and base of ammunition. I was informed (by Przech) that the mixture included at least three people, and that the unknown profile was entered into the Connecticut CODIS database, but was not sufficient enough to be entered into the National CODIS database.

- Gunshot Residue Evidence Collection kits were seized from Dabate and victim #1 and sent to the Division of Scientific Services for analysis. The examination concluded that the elements of lead, barium and antimony were found on both of victim #1's hands. The examination concluded that the examination of Dabate's hands failed to reveal the presence of lead, barium or antimony. An examination of Dabate's shirt revealed the presence of lead and barium, but not antimony. It should be noted that the GSR collection kit obtained from Dabate was collected on 12-23-15 at 1517hrs., while at Hartford Hospital, and after he received treatment for his wounds, and with an IV attached to his right hand. It is unknown if his hands were wiped or washed either by Dabate himself, or by Hospital personnel.

- The Sentry Safe, seized from the basement in the area of victim #1, and which, according to Dabate, held the only loaded handgun in the residence, was submitted for DNA and fingerprint analysis. The results concluded that all of the areas tested on the safe, to include the, "latch, "lock and front (bottom half) black surface of safe", "front (top half) black surface of safe", "left" and "right" side of safe, "top and front (top half) grey surface of safe", and "interior (top and bottom edges) of safe" showed the presence of victim #1's DNA profile. Dabate's DNA profile was found on the "left" and "right" side of the safe, the "top and front (top half) grey surface", and the "interior (top and bottom edges)". All of the samples collected were, "mixtures" of DNA, and one of the mixtures ("from lock and front (bottom half) black surface") was entered in the Connecticut CODIS database (not sufficient enough to be entered into the National CODIS database). No DNA profiles were obtained from the keys to the safe, or the key to the handgun lock, both of which were found inside the safe. No identifiable latent fingerprints were found on either the safe or the keys.

- The basement casement window, found lying on the basement floor, was submitted for DNA and fingerprint analysis. The results concluded that Dabate's DNA was located on the exterior frame of the window, and on the two window latches found lying on the floor by the window. The DNA found on the latches contained a mixture of profiles, with Dabate's profile, and a profile which was insufficient for CODIS entry. No identifiable latent prints were found on the window or the window latches.

- The "Stanley" razor knife was sent to the Forensic Laboratory for analysis. The results from the Latent Print Examination Section revealed limited friction ridge detail, in a blood like substance, in numerous areas on the knife (Dabate stated the intruder was wearing gloves, and he (Dabate) did not state he held the knife at any point after he began bleeding). No identifiable impressions, suitable for comparison, were located on the knife. A sample of the ridge detail BLS was sent to the DNA Section where the DNA profile developed from the BLS matched the DNA profile of Dabate.

- The "Bernzomatic" blow torch was sent to the Forensic Laboratory for analysis. The results from the Latent Print Examination Section revealed no identifiable fingerprints on the torch. The results from the Forensic Biology Section

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**Affidavit - Continued**

revealed that blood was found on the nozzle/regulator, the red dial (trigger) on the regulator as well as on the canister of the torch.

- A sample of the blood like substance, taken from the basement floor in the area of where Dabate stated he was assaulted, was sent to the Forensic Laboratory for analysis. The results from the Forensic Biology Section revealed the substance to be blood, and the DNA Section matched the DNA profile of the blood to Dabate.

- Dabate's Microsoft Surface Pro Tablet, seized from the kitchen table, was sent to the Computer Crimes Section for examination and extraction. Upon viewing the report, the following websites were visited on 12-23-15, using Dabate's Microsoft Surface Pro (the laptop Dabate stated he forgot at 7 Birchview Drive, had to return home to retrieve, and was found [during processing] propped up on the kitchen table);

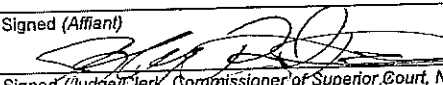
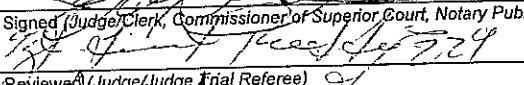
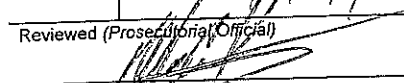
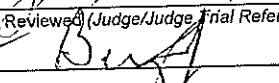
- 12-23-15, at 0621hrs. - Dabate checks his email (rickdabate@outlook.com).
- 12-23-15, at 0622hrs. - Dabate checks his work email website(mail.duncaster.org).
- 12-23-15, at 0806hrs. - Dabate logs into "Facebook".
- 12-23-15, at 0807hrs. to 0825hrs. - There is no activity on Dabate's Microsoft Surface Pro.
- 12-23-15, at 0826hrs. to 0842hrs. - Dabate logs into Facebook, and researches tattoo ideas sporadically.
- 12-23-15, at 0841hrs. - Dabate logs into "Facebook", his calendar, and his email account at "rickdabate@outlook.com".
- 12-23-15, at 0842hrs. - Dabate reads an article on the, "Star Wars" movie. This website is visited by the Dabate clicking on a link.
- 12-23-15, at 0859hrs. - Dabate logs into, "Facebook" on the Microsoft Surface Pro (The alarm system is disarmed by Dabate (Key FOB 6) at 0859hrs., and victim #1 is seen on video surveillance at the Indian Valley YMCA, in Ellington, arriving at 0853hrs., and leaving at 0908hrs.) This website is visited by Dabate clicking on a link.
- 12-23-15, at 0917hrs.-0918hrs. - Dabate visits, "Facebook". This website is visited by the Dabate reloading the page, and then clicking on a link.
- 12-23-15, at 0918hrs. - Dabate visits the Indian Valley YMCA website, and downloads the, "Group Exercise Schedule". This website is visited by the Dabate physically typing in the web address.
- 12-23-15, at 0920hrs - Dabate visits, "Facebook". This website is visited by Dabate clicking on a link.
- 12-23-15, at 0922hrs - Dabate visits, "Facebook" sites for ESPN, and the New York Giants. These websites are visited by the Dabate clicking on a link.

A complete, and more specific listing of all of the Microsoft Surface Pro activity, including specific websites visited can be found in the closing time line paragraph of this warrant.

- Dabate's Apple iPhone was sent to the Computer Crimes Section for examination and extraction. Upon viewing the report, numerous messages were observed between victim #1 and Dabate through the use of the Apple iMessage application. While reviewing the messages, affiant Payette could find no indication of divorce, or that victim #1 knew about Dabate's upcoming child with witness #2. Observed were the following messages, among others:

- 12-21-15, at 1250hrs. - From victim #1 to Dabate, "you are amazing!!!!"
- 12-21-15, at 1250hrs. - From Dabate to victim #1, "Duty"
- 12-21-15, at 1250hrs. - From Dabate to victim #1, "I meant to say ditto. Fucking iPhone!"
- 12-21-15, at 1251hrs. - From victim #1 to Dabate, "Hopefully by the start to the year without Verizon, cable and you raise maybe you can now have \$500.00 extra a month to save?"
- 12-21-15, at 1253hrs. - From victim #1 to Dabate, "And if you can get your interest rate lower on your car loan you can pay off your loan by the very latest dec of next year freeing up almost another \$300."
- 12-21-15, at 1254hrs. - From Dabate to victim #1, "This is getting you wet, isn't it?"

(This is page 34 of a 48 page Affidavit.)

Date <b>4-11-17</b>	Signed (Affiant) 		
Jurat	Subscribed and sworn to before me on (Date) <b>4/11/17</b>	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
Reviewed (Prosecutorial Official) 	Date <b>04/11/17</b>	Reviewed (Judge/Judge, Trial Referee) 	Date <b>4/13/17</b>



## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

www.jud.ct.gov

Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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## Affidavit - Continued

- 12-21-15, at 1254hrs. - From victim #1 to Dabate, "Yep!!!!"
- 12-21-15, at 1255hrs. - From victim #1 to Dabate, "It would make me wet if I saw you saving it :)"
- 12-21-15, at 1259hrs. - From victim #1 to Dabate, "Love you!!!!"
- 12-21-15, at 1302hrs. - From victim #1 to Dabate, "While u are at work can you find out how much vaca you have and what days so I can plan the week"
- 12-21-15, at 1305hrs. - From Dabate to victim #1, "Thank you my wonderful love"
- 12-21-15, at 1831hrs. - From Dabate to victim #1, "I love you. :)"
- 12-21-15, at 1923hrs. - From victim #1 to Dabate, "The window fell out of the basement window again and it's freezing down there."
- 12-21-15, at 1945hrs. - From Dabate to victim #1, "OK, when I get home I'll prop it up with something a little more permanent until I get the correct screws. Also, Ill stuff an old blanket or something up there. And I love you."
- 12-22-15, at 1123hrs. - (1 day before victim #1 is murdered) From victim #1 to Dabate, "I have been on the phone with Comcast for the last two hours. They are saying our bill was 302 a month instead on 149 because you added the sports channels!!!! They are not paying me back!!!! So I am out over fucking \$1200 for CABLE for hours this and you again lied to me and I am again cleaning g up your fucking mess!"
- 12-22-15, at 1124hrs. - From victim #1 to Dabate, "I can not fucking pick up because I am still trying to clean up this shit!!!!"
- 12-22-15, at 1125hrs. - From Dabate to victim #1, "I never added sports channels."
- 12-22-15, at 1125hrs. - From victim #1 to Dabate, "Great day off and merry fucking Christmas!"
- 12-22-15, at 1125hrs. - From Dabate to victim #1, "It will be a very Merry Christmas. Just give me a call when you're ready."

The examination report also concludes that the email sent to Dabate's supervisor, which read, "Our home alarm went off this morning, I think. And I think for procedural purposes, they send out a police officer. I got to go back to the house and see what's going on. Rich", was sent at on 12-23-15 at 09:04:44hrs. from Dabate's Apple iPhone. The alarm to Dabate's residence was disarmed, by Dabate's Key FOB, at on 12-23-15 at 0859hrs., indicating this email was sent while Dabate was at his residence while sending the email, and not parked on the side of Reeves Road as he stated. A search warrant submitted to Microsoft regarding the IP address of where this email was sent from yielded negative results (Affiant Payette was advised that no record could be located, which is indicative of the user deleting the specific email message.)

The examination report also shows the following information in regards to text messages sent and received by Dabate's iPhone:

- 0807hrs. - Dabate sends a text message to his mother asking if he left two of his children's jackets at her residence.
- 0808hrs. - Dabate sends a text message to witness #8 asking if he left two of his children's jackets at her residence.
- 0812hrs. - Dabate receives a text message from his mother stating she does not have the jackets.
- 0849hrs. - Dabate receives alarm notifications via text messages to his iPhone, and by email to rickdabate@outlook.com. Dabate had stated he deleted the alarm notifications after receiving them. In order to delete the email notifications, Dabate would have to login to Outlook.com. The status of the text message on his iPhone is marked as, "Read".
- 0849hrs. - Dabate receives a text message from witness #8 stating she found one of the kid's jackets.
- 0850hrs. - Dabate receives the alarm notification via text message to his iPhone that the alarm system is disarmed. The status of the text message on his iPhone is marked as, "Read".
- 0850hrs. - Dabate receives an additional alarm notification via text message to his iPhone that the alarm system is armed. The status of the text message on his iPhone is marked as, "Read".

(This is page 35 of a 48 page Affidavit.)

Date 4-16-17		Signed (Affiant) 	
Jurat	Subscribed and sworn to before me on (Date) 4-16-17	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
Reviewed (Prosecutorial Official) 	Date 4/11/17	Reviewed (Judge/Judge Trial Referee) 	Date 4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

www.jud.ct.gov

Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

## Affidavit - Continued


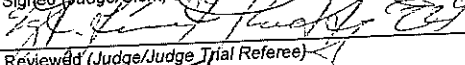
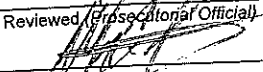
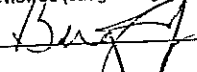
- 0900hrs. - Dabate receives the alarm notification via text message to his iPhone that the alarm system is disarmed. The status of the text message on his iPhone is marked as, "Read".
- 0901hrs. - An email (with no identifying information) is observed on Dabate's iPhone.
- 1005hrs. - Dabate receives the alarm notification via text message to his iPhone reminding him to arm the system. The status of the text message on his iPhone is marked as, "Unread".
- 1011hrs. - The panic alarm is activated by the Key Fob on Dabate's key chain.
- 1011hrs. - Dabate receives the alarm notification via text message to his iPhone notifying him of the pending alarm activation. The status of the text message on his iPhone is marked as, "Unread".

Also observed in the examination report are the mis-dialed 911 call, and the successful 911 call made by Dabate to report this incident:

- 1018hrs. - Dabate misdials, "911" on his iPhone.
- 1019hrs. - Dabate dials, "911" on his iPhone.

- Victim #1's Apple iPhone was sent to the Computer Crimes Section for examination and extraction. Upon viewing the report, it concluded that the "Facebook" message (sent by victim #1 on 12-23-15 at 0946hrs., from the Comcast Broadband IP address of 73.218.167.49 at the Dabate residence) was sent utilizing this phone (victim #1's Apple iPhone). This phone was located tucked in the right side waistband of victim #1's sweatpants, under her jacket, and towards the floor and was seized on 12-24-15 during the body survey of victim #1. Observed in the data extraction of her cellphone in the, "Images" section was a report that she accessed and modified (rotated) an image (depicting her and a male on a snowmobile) on 12-23-15 from 0806hrs to 0807hrs. Also observed in the data extraction of victim #1's cellphone was an entry in the "Notes" section titled, "Why I want a divorce" The entry, created 12-04-14 at 0519hrs., listed the following reasons why victim #1 wanted a divorce from Dabate; "He takes money from a lot of accounts that don't belong to him, says he is sorry, but takes no responsibility for it, lets the kids want tv for hours, does not keep any of his promises to me in regards to getting a list together for (son's) medical, having questions prepared for apts at the drs, or at school meetings, he forgets everything!, he is not sympathetic when my dad was dx he let me just cry without helping, he lies to people and makes them think we have a great sex life and that we are this super couple, he does not take any responsibility for why I am angry, he has to be the center of attention ALL the time! Ex Disney he was more worried about his costume looking good then running after (son), he does not worry about anything, he has no money in his bank acct, his credit is horrible, he acts like a kid constantly, I don't know anything about his day who he speaks to or what goes on in his life other than work, he does not share his cell phone or computer pw there is no trust, he is NEVER happy nothing I do is EVER good enough, he does not appreciate anything he has and takes it for granted, Im tired of covering for him, Im tired of lying and acting like things are great when they aren't, I am tired of him getting all the credit and glory for everything I do and he doesn't correct them, I hate that he procrastinates on everything, he does not romance me unless forced, he does not discipline the kids at all, he just screams all the time, he swears at me, I can not count on him to keep his promises ever, I always have to plan everything I do not feel connected to him, I don't feel like I can ever trust him, he never makes me feel like we are his top priority, when we r in bed he only cares about him getting off, he drinks and drives, he promises to be home on time and is not, he promised to help with Disney he did nothing until the last week and that was only parking, he waits for the very last minute to get help with watching the kids and adds on a lot more stress to my day, he blames everyone and thing else for his problems, he can not focus, he does not call me through out the day when he does its a two sec conversation that he does not remember anything that was discussed, the conversations we have are never romantic they r about him, he gets mad that i don't trust him to do things and when i give him the responsibility he forgets, he teaches the kids nothing, he never works on their homework with them goes over why school is important. I have to do it all!" This entry in the, "Notes" section" is followed up by an entry, created on 12-04-14 at 0545hrs., titled, "The good". Listed in this entry are the following comments; "The good, he fixes things at the rental, he babysits, he gets me tea, he does feet and neck rubs, he helps my parents and family when they need it, people like him, when he is in a great mood he is fun to be

(This is page 36 of a 48 page Affidavit.)

Date 4-11-17		Signed (Affiant) 	
Subscribed and sworn to before me on (Date) 4/11/17		Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
Jurat			
Reviewed (Prosecutorial Official) 	Date 04/10/17	Reviewed (Judge/Judge Trial Referee) 	Date 4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

## Affidavit - Continued

around, I still find him attractive, Im myself around him".

82. That during this investigation, a search and seizure warrant application was submitted and approved for the seizure of "Fitbit" records associated with victim #1. "Fitbit" is an activity monitoring service where by an individual (victim #1) would wear a "Fitbit" device, and that device would monitor and record fitness activity of the wearer, to include calories burned, steps taken, movement, as well as distance the wearer would travel during physical activity. The "Fitbit" would be paired with the wearer's cellular telephone. During the body survey, conducted on victim #1 on 12-23-15, she was found to be wearing a "Fitbit" transmitter on her waistband, with her her cellular phone tucked into her waistband. Upon receiving victim #1's "Fitbit" records, and later a report prepared by Fitbit for 12-23-15, Affiant Payette observed the following:

- The first activity recorded on victim #1's "Fitbit" is on 12-23-15 at 0752hrs. From 0752hrs., until 0805hrs, the records show both movement in steps and distance fairly consistently, with small breaks of inactivity.
- Victim #1's "Fitbit" registers stationary from 0806hrs. to 0812hrs.
- Victim #1's "Fitbit" registers movement from 0813hrs. to 0834hrs.
- Victim #1's "Fitbit registers stationary from 0835hrs. to 0839hrs.
- There is a gap in the record from 0839hrs. to 0842hrs.
- Victim #1's "Fitbit" registers movement from 0843hrs. to 0845hrs.
- At 0846hrs., victim #1's "Fitbit" records show an extended period of inactivity (9 minutes). This is consistent with victim #1 driving to the YMCA, in Ellington. The next period of activity occurs at 0855hrs. (victim #1 is seen in the YMCA surveillance video arriving to the YMCA in her vehicle at 0853hrs.) and continues, intermittently, until 0908hrs. (victim #1 is seen in the YMCA surveillance video leaving the YMCA at 0908hrs.).
- The next period of activity recorded by victim #1's "Fitbit" occurs at 0918hrs. The "Fitbit" registers stationary from 0908hrs. to 0918hrs. (10 minutes). This is consistent with victim #1's drive back to 7 Birchview Drive, in Ellington (the alarm records indicate the door in the garage leading into the kitchen opened at 0923hrs. This is the first door activation after victim #1's "Fitbit" becomes active after leaving the YMCA). The "Fitbit" records then show fairly consistent activity in steps and distance through 0937hrs.
- Victim #1's "Fitbit" registers stationary from 0937hrs. to 0943hrs. There is a gap in the record from 0944hrs. to 0946hrs. Although this is an extended period of time similar to the time it would take to drive home from the YMCA, there is no opening of the garage door when the "Fitbit" registers movement. This would indicate the victim arrived home at 0923 (last opening of the garage door), and that this period of non-movement would be indicative of the victim resting inside the residence.
- Victim #1's "Fitbit" registers movement from 0947hrs. to 0948hrs.
- Victim #1's "Fitbit" registers stationary from 0949hrs. to 1001hrs.
- Victim #1's "Fitbit" registers movement from 1002hrs. to 1003hrs.
- Victim #1's "Fitbit" registers stationary at 1004.
- Victim #1's "Fitbit" registers movement at 1005hrs. This is the last movement registered by the victim's "Fitbit".
- The METs (Metabolic Equivalent per minute) recorded by the sensors of the device registering motion indicate, "varying states of movement indicative of minimal physical activity on the morning of 12-23-15. After 1010hrs, no movement is recorded by the Fitbit. Minor movement is then registered at 1537hrs. More substantial movement is registered by the device on 12-24-15 at 0226hrs. to 0238hrs. **It should be noted that the body survey was conducted on victim #1 by EDMCS Detectives on 12-24-15 beginning at 0225hrs.**
- The Distance recorded by the Fitbit shows varying periods of distance throughout the morning of 12-23-15. From 0813hrs. to 0834hrs., the Fitbit recorded a distance of .98 miles, "indicative of walking" and, "moderate activity". The records show that no distance is recorded from 0846hrs. to 0854hrs. (corresponding to victim #1's drive to the YMCA in Ellington). The records show that no distance is recorded from 0908hrs. to 0917hrs. (corresponding to victim #1's drive home from the YMCA). **From 0918hrs. to 1010hrs., the Fitbit recorded a distance of 1217.68 ft. (the total distance victim #1 would walk to get**

(This is page 37 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	
Jurat	Subscribed and sworn to before me on (Date) 4-11-17	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date 4/11/17	Reviewed (Judge/Judge Trial Referee)	Date 4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
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Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

## Affidavit - Continued

from her vehicle, to her final rest in the basement would be no more that 125 ft.). No steps or distance are recorded after 1005hrs.

- The synchronization logs state that victim #1's Fitbit synchronized from two separate IP addresses over the course of 12-23-15 to 12-24-15. The IP address of 73.218.167.49 is the IP address at the Dabate residence. The other IP address (70.215.5.242) is a Verizon mobile IP address. Although the Fitbit syncs are fairly random, the records show that victim #1's Fitbit synced primarily at 7 Birchview Drive, Ellington from 0757hrs. to 0843hrs. indicating she was home during this time period. The next synchronization, at 0846hrs., shows victim #1's Fitbit begins syncing utilizing the Verizon mobile IP address, indicating she is away from her residence, and corresponding to her travel to the YMCA in Ellington. The Fitbit continues to sync, utilizing the Verizon IP address until 0911hrs. The next sync occurs at 0936hrs at the IP address at 7 Birchview Drive, Ellington indicating victim #1 arrived home between 0911hrs. to 0936hrs. The Fitbit continues to sync at 7 Birchview Drive, Ellington through 1016hrs.


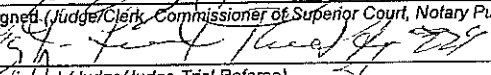

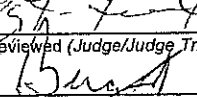
83. On 08-03-16, I received the attached records from the Global Criminal Compliance section of the Microsoft Corporation in response to a search warrant submitted on 06-13-16 (see supplemental Search Warrant Report for details). The records show the Microsoft Account service login's for rickdabate@outlook.com, and DabateFamily@outlook.com for 12-23-15 to 12-24-15. Microsoft Account services include Office, Windows, Skype, Bing as well as the Outlook email service among other services. The records show the date and time the account of rickdabate@outlook.com logged into a Microsoft service (to include Dabate's email at Outlook.com) **specifically from the IP address of 73.218.167.49 (the physical residence of 7 Birchview Drive, Ellington)**. There was no access of Microsoft Office, Skype, Bing or OneDrive noted in the data extraction of Dabate's Microsoft Surface Pro laptop computer for 12-23-15. When speaking to Microsoft (425-722-1299) regarding Dabate's records, I was informed that the records do not differentiate which device (whether it was a Dabate's laptop or Dabate's cellular phone) logged into the account, or what Microsoft service was accessed. The records only show that the account of rickdabate@outlook was accessed from inside the residence of 7 Birchview Drive at various times. Upon viewing the records for 12-23-15, I observed the following:

- **0415hrs.** - The first successful login for the account of rickdabate@outlook.com. This is followed by another successful login at 0420hrs.
- **0550hrs.** - Another login from rickdabate@outlook.com.
- **0619hrs.** - Another login from rickdabate@outlook.com. An email, at 0619hrs. (with no identifying information) is observed on Dabate's iPhone.
- **0620hrs.** - Another login from rickdabate@outlook.com. An email, at 0620hrs., (with no identifying information) is observed on Dabate's iPhone.
- **0621hrs.** - Another login from rickdabate@outlook.com.
- Login's then occur sporadically until 0737hrs.
- **0737hrs. to 0833hrs.** - No login activity. It should be noted that neighbors of the Dabate's stated Richard Dabate would drive his children to the end of the driveway between 0815hrs. to 0830hrs. to put them on to the school bus.

\*\*\*It should be noted that Richard Dabate states he leaves the residence at 7 Birchview Drive between 0820hrs. and 0830hrs. (before victim #1 leaves, and after putting his children on the school bus) to drive 40 minutes to be to work at 0900hrs. in Bloomfield.\*\*\*

- **0833hrs.** Two logins for rickdabate@outlook.com at 7 Birchview Drive, Ellington.
- **0841hrs.** Another login for rickdabate@outlook.com at 7 Birchview Drive, Ellington. While analyzing the

(This is page 38 of a 48 page Affidavit.)

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Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
	04/11/17		4/13/17

## ARREST WARRANT APPLICATION

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C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
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**Affidavit - Continued**

data extraction of Dabate's Microsoft Surface Pro laptop (which he stated he forgot at his residence), I observed, in the, "Chrome Web History", that Dabate logged into Outlook.com using this laptop, at 0841hrs.

\*\*\*It should be noted that Richard Dabate states that after leaving the residence, he receives text messages, and email notifications (at rickdabate@outlook.com) regarding his alarm system. When asked if he set the alarm before leaving the residence, Dabate stated, "yes, well a couple times" Dabate further stated, "I was trying to do it through my phone, so I wasn't even at the house". Dabate stated, "I was assuming she (Connie) left on time, so when I was parked (a five minute drive away from the residence), doing emails and stuff, I was screwing around with the alarm too". Dabate states he deleted the alarm notifications from his phone.\*\*\*

While observing the records for the alarm system at the Dabate residence, the alarm system is armed in, "stay mode", by Dabate's key FOB at 0847hrs. Also occurring at 0847hrs. is a successful web login to Alarm.com/Livewatch by Dabate using his email address of rickdabate@outlook.com. Dabate is notified, via text and email that the alarm is armed. Dabate promptly disarms the alarm at 0848hrs. through the web login at Alarm.com. At 0848hrs., the interior basement door of the residence is opened and closed.

- 0849hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. Dabate had stated he deleted the alarm notifications after receiving them. In order to delete the email notifications, Dabate would have to login to Outlook.com.

At 0850hrs., Dabate fully arms the alarm system using the web login at Alarm.com/Livewatch and his email of rickdabate@outlook.com. Dabate is then sent an email (to rickdabate@outlook.com) and text notification that the alarm is armed.

- 0851hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. Dabate had stated he deleted the alarm notifications after receiving them. In order to delete the email notifications, Dabate would have to login to Outlook.com.

At 0859hrs., Dabate fully disarms the alarm system using his key FOB. Dabate is then sent an email (to rickdabate@outlook.com) and text notification that the alarm is armed. At 0900hrs., the basement door opens and closes.

- 0901hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. Dabate had stated he deleted the alarm notifications after receiving them. In order to delete the email notifications, Dabate would have to login to Outlook.com.

- 0902hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. Dabate sends the email, from rickdabate@outlook.com, to his supervisor at 0904hrs.

- 1723hrs. - The final successful logon for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. At this time, Dabate was being treated at Hartford Hospital. His cellphone was located on the kitchen floor, and his laptop was on the kitchen table in the residence at 7 Birchview Drive, Ellington. The search warrant for the residence was signed at 1730hrs., and the residence was entered at 1815hrs. When speaking to Microsoft regarding this successful login from the residence, I was informed that devices will login successfully, without user input, when updating software.

(This is page 39 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	[Signature]
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
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[Signature]	4/11/17	[Signature]	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
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## Affidavit - Continued

In order for Dabate to gain access to the internet at the IP address at his residence, Dabate would be logged into the wireless internet at his residence. According to numerous websites regarding the range of typical home wireless internet systems, most wireless internet systems have an average indoor connection distance of 150ft., with the maximum distance at approximately 230feet. According to Dabate, he was on Reeve's Road, in Ellington, when he was, "screwing around with the alarm" with his cellular phone and deleting the alarm notifications; a distance of approximately 1.9 miles (10,032 feet) away.

A complete, and more specific listing of all of the Microsoft activity occurring specifically at the IP address at the Dabate residence, including corresponding the login times with activity either on Dabate's iPhone or Microsoft Surface Pro, can be found in the closing time line paragraph of this warrant.

84. That upon reviewing the written and oral statements made by Dabate as to the time line of events which occurred on 12-22-15/12-23-15, and comparing his statements to the YMCA surveillance video, witness statements, 911 call times, cellular phone, "Facebook records", alarm records, "Fitbit" records, and Forensic Laboratory Reports, the following observations were noted.

- 12-22-15 - Victim #1 and Dabate argue about the cable bill, during which victim #1 tells Dabate that he, "lied again" and that she is, "again cleaning g up your fucking mess!". Victim #1's last message during this argument is, Great day off and merry fucking Christmas! This is the last text message found from Victim #1 to Dabate.
- 12-23-14 at 0415hrs. - The first successful login for the account of rickdabate@outlook.com. This is followed by another successful login at 0420hrs. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
- 0530hrs. - Dabate states he wakes up at 7 Birchview Drive, Ellington.
- 0547:19hrs. - The second floor alarm motion sensor (Second Hall Motion) senses motion after not having detected motion for an hour or more. The sensor remains in active mode while the Dabate family get prepared for school, and work.
- 0550hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
- 0606:11hrs. - The first floor entry hall alarm motion sensor (Entry Front Motion) senses motion after not having detected motion for an hour or more. The sensor remains in active mode while the Dabate family get prepared for school, and work.
- 0606:26hrs. - The motion sensor in the kitchen (Kitchen Hall Motion) senses motion after not having detected motion for an hour or more. The sensor remains in active mode while the Dabate family get prepared for school, and work.
- 0607:00hrs. - The Sliding Door Contact (in the kitchen) opens and stays open for at least 20 seconds.
- 0607:25hrs. - The Sliding Door Contact (in the kitchen) closes.
- 0612:02hrs. - The Sliding Door Contact (in the kitchen) opens and closes in less than 20 seconds.
- 0613:41hrs. - The Basement Door Contact opens and closes in less than 20 seconds.
- 0615:08hrs. - The Sliding Door Contact (in the kitchen) opens and closes in less than 20 seconds.
- 0616:44hrs. - The Basement Door Contact opens.
- 0617:07hrs. - The Basement Door Contact closes.
- 0619hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington. An email, at 0619hrs. (with no identifying information) is observed on Dabate's iPhone.
- 0619:48hrs. - The Basement Door Contact opens.
- 0620hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate

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STATE OF CONNECTICUT  
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## Affidavit - Continued

- residence, 7 Birchview Drive, Ellington. An email, at 0620hrs., (with no identifying information) is observed on Dabate's iPhone.
- 0621hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
  - 0621hrs. - Dabate checks his email (rickdabate@outlook.com) on his Microsoft Surface Pro laptop.
  - 0622hrs. - Dabate checks his work email website (mail.duncaster.org) on his Microsoft Surface Pro laptop.
  - 0656:09hrs. - The Sliding Door Contact (in the kitchen) opens and closes in less than 20 seconds.
  - 0656:19hrs. - The Basement Door Contact closes.
  - 0656:44hrs. - The Basement Door Contact opens.
  - 0657hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
  - 0708hrs. - Victim #1 begins using her Apple iPhone to talk to friends, and to send, messages using "Facebook Messenger" (using the IP address at the residence of 7 Birchview Drive, Ellington). Victim #1 is on her iPhone with a friend (witness #15) from 0708hrs. to 0723hrs.
  - 0712:13hrs. - The Basement Door Contact closes.
  - 0713hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
  - 0715hrs. - Dabate states victim #1 wakes up at 7 Birchview Drive, Ellington.
  - 0720hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
  - 0723hrs. - Victim #1 updates her, "Facebook" session (using the IP address at the residence of 7 Birchview Drive, Ellington) after ending her phone call beginning at 0708hrs.
  - 0724hrs. - Victim #1 posts a humorous video to her, "Facebook" profile page.
  - 0731:27hrs. - The Sliding Door Contact (in the kitchen) opens and closes in less than 20 seconds.
  - 0734hrs. - Victim #1 sends a group message through, "Facebook" (using the IP address at the residence of 7 Birchview Drive, Ellington) regarding the phone conversation with her friend (0708hrs. to 0723hrs.) and setting up future dinner plans.
  - 0736hrs. - Victim #1 sends a message through, "Facebook" (using the IP address at the residence of 7 Birchview Drive, Ellington).
  - 0737hrs. - Another login from rickdabate@outlook.com. This occurs utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
  - 0743:11hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens and closes in less than 20 seconds.
  - 0746:12hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens and closes in less than 20 seconds.
  - 0752hrs. The first activity recorded on victim #1's "Fitbit" is on 12-23-15 at 0752hrs. From 0752hrs., until 0846hrs, the records show both movement in steps and distance fairly consistently with small breaks of inactivity. The IP address, used by Fitbit to record information, is the IP address at the Dabate residence, 7 Birchview Drive, Ellington.
  - 0753:07hrs. Victim #1's "Fitbit" syncs it's information utilizing the IP address at the Dabate residence, 7 Birchview Drive, Ellington. Victim #1's "Fitbit" syncs sporadically throughout the morning of 12-23-15.
  - 0757:39hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens and closes in less than 20 seconds.
  - 0759:54hrs. - Victim #1's Fitbit synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
  - 0800:44hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens and closes in less than 20 seconds.

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## Affidavit - Continued

- 0803:32hrs. - The Sliding Door Contact (in the kitchen) opens and stays open for at least 20 seconds.
- 0803:48hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens and closes in less than 20 seconds.
- 0804:01hrs. - The Sliding Door Contact (in the kitchen) closes.
- 0804:04hrs. - The Basement Door Contact opens and closes in less than 20 seconds.
- 0806hrs. - Victim #1 is using her Apple iPhone to look at photographs. Activity on her "Fitbit" registers stationary from 0806hrs. to 0812hrs. The "Fitbit" then registers movement from 0813hrs. to 0834hrs.
- 0806:47hrs. - Victim #1's Fitbit synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0806hrs. - Dabate's Microsoft Surface Pro visits, "Facebook.com". Observed in the data extraction of victim #1's cellphone in the, "Images" section was a report that she accessed and modified (rotated) an image (depicting her and a male on a snowmobile) on 12-23-15 from 0806hrs to 0807hrs.
- 0807hrs. - Victim #1 uploads a "Facebook" photo (using the IP address at the residence of 7 Birchview Drive, Ellington).
- 0807hrs. - Dabate sends a text message to his mother asking if he left two of his children's jackets at her residence.
- 0808hrs. - Dabate sends a text message to witness #8 asking if he left two of his children's jackets at her residence.
- 0809:30hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens and closes in less than 20 seconds.
- 0810:21hrs. - The Basement Door Contact opens and closes in less than 20 seconds.
- 0811:52hrs. - Victim #1's Fitbit synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0812hrs. - Dabate receives a text message from his mother stating she does not have the jackets.
- 0812:36hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens.
- 0813:24hrs. - The Basement Door Contact opens and closes in less than 20 seconds.
- 0818:30hrs. - Victim #1's Fitbit synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0815hrs. to 0830hrs. - It should be noted that neighbors of the Dabate's stated Richard Dabate would routinely drive his children to the end of the driveway between 0815hrs. to 0830hrs. to put them on to the school bus. Specifically, on 12-23-15, Dabate was observed at the end of his driveway as the children were put on the bus between 0815hrs. and 0820hrs. After putting the children on the bus, Dabate was observed backing his vehicle up to his residence. There is no activity on Dabate's Microsoft Surface Pro between 0807hrs. and 0825hrs.
- 0820hrs. to 0830hrs. - Dabate states that he leaves his residence to go to work on 12-23-15, at about 0820hrs. to 0830hrs. (according to Dabate, it takes 40 minutes to drive to work, and he begins work at 0900hrs.) Dabate stated he drove 5 minutes towards work, and pulled his vehicle over to send an email to his supervisor informing him/her that he was going to be late due to an alarm activation at his residence and to retrieve his laptop (Microsoft Surface Pro) which he stated he forgot. Dabate stated he stayed on the side of the road for 5 minutes, before driving back home, arriving back home between 0845hrs. and 0900hrs. and meeting the intruder as soon as he arrives home.
- 0822:58hrs. - Victim #1's "Fitbit" synchronizes utilizing a Verizon Mobile IP address.
- 0823:02hrs. - The Garage Door Contact closes.
- 0826:22hrs. - Victim #1's "Fitbit" synchronizes utilizing a Verizon Mobile IP address.
- 0826hrs. - Dabate's Microsoft Surface Pro visits, "Facebook.com".
- 0827hrs. - Dabate's Microsoft Surface Pro visits, "Facebook.com".
- 0828:51hrs. - The Basement Door Contact opens and closes in less than 20 seconds.
- 0828:58hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0831:14hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0831:56hrs. - The Basement Door Contact opens and closes in less than 20 seconds.

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## Affidavit - Continued

- 0833hrs. Two logins for rickdabate@outlook.com at the IP address for 7 Birchview Drive, Ellington.
- 0834:13hrs. - Victim #1's "Fitbit" synchronizes utilizing a Verizon Mobile IP address.
- 0835hrs. - Victim #1's "Fitbit" registers stationary from 0835hrs. to 0839hrs.
- 0837hrs. - A google search is conducted on Dabate's Microsoft Surface Pro looking for, "long lasting tatoo ideas". The word, "tatoo" is spelled wrong.
- 0837hrs. - Another google search is conducted on Dabate's Microsoft Surface Pro looking for, "long lasting tattoo ideas", with "tattoo" being spelled correctly.
- 0838hrs. - Another google search is conducted on Dabate's Microsoft Surface Pro looking for, "tattoo ideas for men arm".
- 0838hrs. - The website, "oddstuffmagazine.com/best-tattoo-designs-for-men-arm.html" is visited on Dabate's Microsoft Surface Pro.
- 0839:47hrs. - Someone logs into the Alarm.com website using Rick Dabate's login credentials (rickdabate@outlook.com).
- 0841hrs. - Dabate logs into his email account at "rickdabate@outlook.com" using the Microsoft Surface Pro. This is done using the IP address at the residence of 7 Birchview Drive, Ellington.
- 0841hrs. - Dabate's Microsoft Surface Pro visits, "Facebook.com".
- 0842hrs. - Dabate reads an article from, "Vinnie's Spoiler Free Review: Star Wars - The Force Awakens" using the Microsoft Surface Pro.
- 0843:03hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0843hrs. - Victim #1's "Fitbit" registers movement to 0845hrs.
- 0843:56hrs. - The Garage Door Contact (leading from the kitchen into the garage) opens.
- 0844:35hrs. - The Garage Door Contact (leading from the kitchen into the garage) closes.
- 0845:28hrs. - The Basement Door Contact opens and closes in less than 20 seconds.
- 0846:32hrs. - The Sliding Door Contact opens and closes in less than 20 seconds.
- 0846hrs. - Victim #1's "Fitbit" records show an extended period of inactivity. This is consistent with victim #1 driving to the YMCA, in Ellington. The next period of activity occurs at 0855hrs.
- 0846:00hrs. - Victim #1's "Fitbit" begins syncing utilizing a Verizon Mobile IP address for an extended period of time indicating she leaves the residence, and consistent with her driving to the Ellington YMCA.
- 0847:00hrs. - The Garage Door Contact opens and closes in less than 20 seconds.
- 0847:31hrs. - The alarm system is armed in, "Stay" mode by the Key FOB #6 on Dabate's keychain (which also has his vehicle's key attached). According to the manufacture, the key FOB has a range of 500 feet.
- 0847:34hrs. - Dabate is sent an email and text message regarding the arming of the system
- 0847:52hrs. - Victim #1's "Fitbit" synchronizes utilizing a Verizon Mobile IP address.
- 0847:58hrs. - Dabate logs into the Alarm.com website.
- 0848:04hrs. - A disarm command is sent to the alarm panel from the website or mobile app.
- 0848:28hrs. - The basement door is opened and closed. This is the last door to open and close prior to Dabate fully arming the alarm system.
- 0849hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. Dabate receives alarm notifications via text messages to his iPhone, and by email to rickdabate@outlook.com. Dabate had stated he deleted the alarm notifications after receiving them. In order to delete the email notifications, Dabate would have to login to Outlook.com. The status of the text message on his iPhone is marked as, "Read".
- 0849hrs. - Dabate receives a text message from witness #8 stating she found one of the kid's jackets.
- 0850:17hrs. - Dabate successfully disarms the alarm system by use of the website login.
- 0850hrs. - Dabate receives the alarm notification via text message to his iPhone that the alarm system is disarmed. The status of the text message on his iPhone is marked as, "Read".

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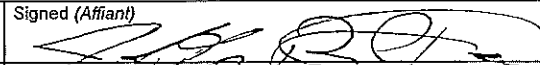
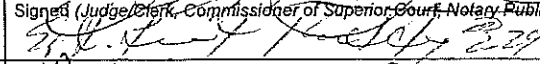
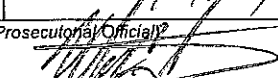
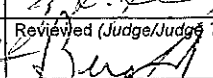
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## Affidavit - Continued

- 0850:23hrs., the alarm system is fully armed, through the website login. It should be noted that the last door to open and close prior the the arming of the alarm system is the basement door (0848:28hrs.), and not a door leading out of the residence. There are no motion sensors in the basement
- 0850hrs. - Dabate receives an additional alarm notification via text message to his iPhone that the alarm system is armed. The status of the text message on his iPhone is marked as, "Read".
- 0851hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. Dabate had stated he deleted the alarm notifications after receiving them. In order to delete the email notifications, Dabate would have to login to Outlook.com.
- 0853hrs. - Victim #1 arrives at the YMCA in Ellington for an exercise class (observed in YMCA surveillance video). This would indicate victim #1 left the residence when the garage door was opened and closed at 0844hrs.
- 0854:26hrs. - Victim #1's Fitbit synchronizes utilizing a Verizon Mobile IP address.
- 0855hrs. - Victim #1's "Fitbit" registers movement from 0855hrs. to 0857hrs. consistent her arrival at the YMCA. The "Fitbit" then registers stationary from 0858hrs. to 0859hrs. Victim #1 is observed in the YMCA surveillance video walking to the entrance, and inside the YMCA from 08:54:51 to 09:00:08, stopping at times to check the schedules, and stopping to speak to an employee.
- 0858hrs. - Victim #1 sends a Facebook message to a psychotherapist/friend (witness #4) requesting an appointment because, "there has been a lot going on that (she) would like help with). Victim #1 accesses the Facebook messenger with her Apple iPhone. Victim #1's "Fitbit" is stationary from 0858hrs. to 0859hrs.
- 0859:38hrs. - Dabate disarms the alarm using "KEY FOB 6" on his key ring. Dabate is sent an email and text message confirmation of the disarming of the system.
- 0859hrs. - Dabate visits, "Facebook.com" on the Microsoft Surface Pro.
- 0900hrs. - This is the latest time Dabate states he would have arrived back to his residence. Dabate's presence at his residence, by 0900hrs., is supported by his statements, as well as the disarming of the alarm system (at 0859hrs), via the key FOB (key FOB 6, with an activation distance of up to 500ft.) on his vehicle's key chain (of the vehicle he stated he was driving).
- 0900hrs. - Dabate receives the alarm notification via text message to his iPhone that the alarm system is disarmed. The status of the text message on his iPhone is marked as, "Read".
- 0900:45hrs. - The basement door opens and closes. It should be noted that the first door to open and close after the disarming of the alarm is the basement door, and not a door leading into the residence.
- 0900hrs. - Victim #1's "Fitbit" registers movement to 0902hrs.
- 0901hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington. Dabate had stated he deleted the alarm notifications after receiving them. In order to delete the email notifications, Dabate would have to login to Outlook.com. An email (with no identifying information) is also observed on Dabate's iPhone.
- 0901:02hrs. - The door from the kitchen to the garage opens and closes.
- 0902hrs. - A successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive, Ellington.
- 0903hrs. - Victim #1's "Fitbit" registers stationary to 0905hrs. Victim is observed in the YMCA surveillance video speaking to off duty Trooper Sutherland at the Ellington YMCA.
- 0904hrs. - Dabate sends his supervisor an email, from rickdabate@outlook.com, stating he had to go back to his residence and check on an alarm activation.
- 0905hrs. - Dabate told detectives that from the time he chased the intruder into the basement, witnessed victim #1 being shot, was assaulted, and was eventually able to make it to his cellular phone, to call 911, was approximately 5 minutes bringing the time to 0905hrs. (if he arrived home at 0900hrs.).

\*\*Everything listed in this time line, from this point on, would have happened after Dabate stated he confronted and

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## Affidavit - Continued

was assaulted by the intruder, and witnessed the intruder murder victim #1.\*\*

- 0905hrs. - Dabate's supervisor receives the email from Dabate stating he had to go back to his residence and check on an alarm activation. Dabate stated he sent the email from his phone while parked in his vehicle, 5 minutes prior to arriving home. A forensic examination of Dabate's cellular phone revealed the email was sent at 09:04:44, after he had already disarmed the alarm with his key FOB #6, and after a successful login for rickdabate@outlook.com from the IP address at 7 Birchview Drive at 0902hrs.
- 0906hrs. - Victim's "Fitbit" registers movement to 0907hrs.
- 0907hrs. - Victim #1 speaks to witness #4 by telephone, stating she is leaving the gym.
- 0908hrs. - Victim #1's "Fitbit" registers as stationary to from 0908hrs. to 0917hrs. This is consistent with victim #1 driving back to 7 Birchview Drive, Ellington.
- 0908hrs. - Victim #1 is seen (surveillance video) the parking lot of the YMCA in Ellington. The drive to 7 Birchview Drive is approximately 7 minutes, 38 seconds at normal speed
- 0911:16hrs. - Victim #1's "Fitbit" syncs using a Verizon mobile IP address indicating she is not at 7 Birchview Drive, Ellington.
- 0917hrs.- 0918hrs. - Dabate visits, "Facebook" on the Microsoft Surface Pro after showing NO activity between 0859hrs. to 0917hrs.
- 0918hrs. - Dabate visits the Indian Valley YMCA website, and views the, "Group Exercise Schedule". This website is visited by Dabate physically typing in the website address, and the schedule is downloaded to Dabate's Surface Pro.
- 0918hrs. - Victim #1 speaks to witness #8 by telephone. Victim #1 stated she was on her way to 7 Birchview Drive from the YMCA. Victim #1's cellular phone utilizes the cell tower closest to 7 Birchview Drive to complete the call. This call lasts 3 minutes and 23 seconds, bringing the time to 0922hrs.
- 0918hrs. - Victim #1's "Fitbit" registers movement. The "Fitbit" records then show fairly consistent activity in steps and distance through 0937hrs.
- 0919hrs. - Dabate's Microsoft Surface Pro visits, "Facebook.com".
- 0920hrs. - Dabate's Microsoft Surface Pro visits, "Facebook.com".
- 0920hrs. - Dabate's Microsoft Surface Pro visits, the "Facebook.com" page for the New York Giants.
- 0920hrs. - Dabate's Microsoft Surface Pro visits, "Facebook.com" page for ESPN personalities, "Mike and Mike". This is the last recorded use of Dabate's laptop on the morning of 12-23-15.
- 0922hrs. - Victim #1 ends her phone call with witness #8.
- 0923:08hrs. - The door from the kitchen to the garage opens. This is the first door activation after victim #1's "Fitbit" becomes active after leaving the YMCA, and right after she ends the phone call with witness #8. Dabate states that victim #1 enters the residence through the garage door when she arrives home. This is also the last time the garage door is opened indicating that this is the time victim #1 arrives at 7 Birchview Drive, Ellington.
- 0928:12hrs. - The basement door opens.
- 0934:19hrs. - The door from the kitchen to the garage closes.
- 0934:20hrs. - The second floor motion sensor registers as, "idle" indicating the last movement on the second floor is at 0934hrs.
- 0935:08hrs. - The front door opens. This is the last door to open or close prior to the panic alarm (which occurs 36 minutes later).
- 0936:03hrs. - Victim #1's Fitbit synchronizes utilizing the IP address at 7 Birchview Drive, Ellington. Utilizing only the "Fitbit" syncing IP address records, this would indicate Victim #1 arrived home sometime between 0911hrs. and 0936hrs.
- 0937hrs. - Victim #1's "Fitbit" registers as stationary. There is a gap in the records from 0944hrs. to 0946hrs.,

(This is page 45 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	[Signature]
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutorial Official)	Date	Reviewed (Judge/Judge Trial Referee)	Date
[Signature]	4/11/17	[Signature]	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

www.jud.ct.gov

Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

## Affidavit - Continued

but the next registered movement is at 0947hrs.

- 0938:49hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0940hrs. - Victim #1 posts a video to her Facebook page utilizing her Apple iPhone.
- 0945hrs. - Victim #1 posts another "Facebook" video.
- 0946hrs. - Victim #1 posts a message to a friend on Facebook (47 minutes after Dabate disarmed the alarm with his key FOB, and 23 minutes after her probable arrival to the residence from the YMCA). This message is sent by victim #1's Apple iPhone, which was located tucked in her waistband and located during the body survey of the victim on 12-24-15. This time of this posting (0946hrs.) is verified through victim #1's seized, "Facebook" records, the data extraction of victim #1's cellular phone by the Connecticut Division of Scientific services, as well as in a written statement from the recipient of the "Facebook" message stating the message was received at 0946hrs. The message is sent via the IP address assigned to the Comcast high speed internet service within the Dabate residence at 7 Birchview Drive, Ellington.
- 0946:58hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0947hrs. - Victim #1's "Fitbit" registers movement to 0948hrs.
- 0949hrs. - Victim #1's "Fitbit" registers stationary to 1002hrs.
- 0950hrs. - Victim #1 is sent two "Facebook" messages that are not read by victim #1.
- 0951:53hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 1002hrs. - Victim #1's "Fitbit" registers movement to 1003hrs.
- 1004hrs. - Victim #1's "Fitbit" registers stationary.
- 1005hrs. - Victim #1's "Fitbit" registers movement. This is the last movement registered by the victim #1's "Fitbit" prior to EMS arrival. **From 0918hrs. to 1010hrs., the Fitbit recorded a distance of 1217.67 ft.** (the total distance victim #1 would walk to get from her vehicle, to her final rest in the basement would be no more that 125 ft.). No steps or distance are recorded after 1005hrs.
- 1005hrs. - Dabate receives the alarm notification via text message to his iPhone reminding him to arm the system. The status of the text message on his iPhone is marked as, "Unread".
- 1011:09hrs. - The panic alarm is activated by the Key Fob on Dabate's key chain.
- 1011hrs. - Dabate receives the alarm notification via text message to his iPhone notifying him of the pending alarm activation. The status of the text message on his iPhone is marked as, "unread".
- 1012:03hrs. - LiveWatch receives the "Panic Alarm" from Dabate using FOB #6. This is the **only alarm activation** which occurred on 12-23-15.
- 1016hrs. - The Connecticut State Police at Troop C - Tolland received a phone call from the LiveWatch Alarm Company reporting an audible panic alarm for the residence at 7 Birchview Drive in the town of Ellington, CT.
- 1016:45hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 1018hrs. - Dabate misdials, "911" on his iPhone.
- 1019hrs. - Dabate dials, "911" on his iPhone. (a gap in time of 1 hour and 14 minutes from when Dabate stated he had called 911).
- 1020:48hrs. - Tolland County Mutual Aid Fire Service receives the 911 call from Dabate.
- 1022hrs. - Tolland County Mutual Aid Fire Service dispatches personnel to the Dabate residence
- 1030hrs. - Witness #1 is the initial First Responder to arrive. Dabate's vehicle is still **backed** into a parking spot at his residence.
- 1044:40hrs. - The second floor alarm motion sensor (Second Hall Motion) senses motion after not having detected motion for an hour or more.
- 1046:52hrs. - The second floor alarm motion sensor (Second Hall Motion) goes idle.
- 1101:40hrs. - The Kitchen Hall Motion sensor goes idle.
- 1101:56hrs. - The Entry Front Motion sensor goes idle.
- 1544:46hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.

(This is page 46 of a 48 page Affidavit.)

Date	4-11-17	Signed (Affiant)	[Signature]
Jurat	Subscribed and sworn to before me on (Date)	Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public)	[Signature]
Reviewed (Prosecutorial Official)	04/11/17	Reviewed (Judge/Judge Trial Referee)	[Signature]
		Date	4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
SUPERIOR COURT

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Name (Last, First, Middle Initial)	Residence (Town) of accused	Court to be held at (Town)	Geographical Area number
Richard G. Dabate (DOB 07-29-1976)	Ellington	Rockville	19

## Affidavit - Continued

- 1730hrs. - The Search Warrant to process 7 Birchview Drive is approved.
- 1815hrs. - The scene is entered by EDMCS personnel.
- 1821:08hrs. - The Garage Door Contact opens and stays open.
- 1821:49hrs. - The Entry Hall Motion sensor detects motion.
- 1822:39hrs. - The Kitchen Hall Motion sensor detects motion.
- 1825:23hrs. - The Second Floor Hall Motion sensor detects motion.

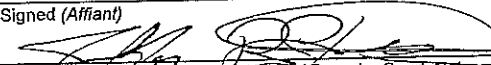
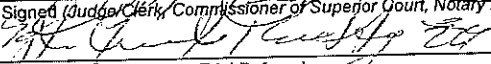
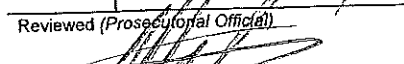
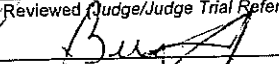
12-24-15

- 0225hrs. - EDMCS Detectives conduct a body survey on victim #1. The body survey involves photographing, and documenting and eventually moving victim #1. Victim #1's Fitbit registers movement, "which may not coincide with physical activity such as walking, but would indicate an increase in calorie burn (example: tapping foot while sitting)". Victim #1's "Fitbit" registers movement.
- 0233:49hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0239:07hrs. - Victim #1's "Fitbit" synchronizes utilizing the IP address at 7 Birchview Drive, Ellington.
- 0245hrs. - Victim #1's "Fitbit" and iPhone were seized as evidence.

85. This affiant believes probable cause exists, and requests that an arrest warrant be issued based upon the above stated facts and circumstances developed during this investigation to include the following (in summary);

- No evidence of forced entry was located; none of the instruments used during the incident were brought into the residence, and nothing from the residence left the property; three separate K-9's were utilized at the scene, none of which were able to locate any evidence that an individual fled the property and one of which repeatedly tracked directly to Dabate.
- Dabate admits to having an extramarital affair during which he impregnated a woman (witness #2) with whom he has had feelings for and who was coming towards the end of her pregnancy. Dabate initially states the pregnancy was a planned, "co-parenting" arrangement between witness #2 and victim #1 before later stating the pregnancy was unplanned, but that victim #1 was, "O.K." with the arrangement. Dabate states to Detectives that his relationship with victim #1 is stable, but tells witness #2 that divorce papers are being served the week of the murder. No evidence was found to indicate victim #1 was aware of the pregnancy, and no evidence was found to indicate that divorce papers were being served.
- Dabate admits to having, "good arguments" with victim #1 regarding finances. Victim #1 and Dabate are seen arguing in text messages regarding a cable bill the night before victim #1 was murdered.
- Alarm company records indicate the alarm was armed by Dabate's "Key FOB" from inside the basement at 0850hrs., and disarmed from the basement by Dabate's "Key FOB" at 0859hrs. No evidence was found to indicate that Dabate left the residence during the morning of 12-23-15.
- Forensic examination records and Microsoft records show that Dabate utilized his Surface Pro laptop after he disarmed the alarm system at 0859hrs. up until 0920hrs. (21 minutes) while utilizing the IP address of the residence, and while victim #1 was at the YMCA.
- The email Dabate sent to his supervisor stating he had to return home was time stamped at 0904hrs. while Microsoft records indicate he was at home (utilizing the home IP address) at 0902hrs. and not parked on the side of Reeves Road as he had stated.
- Victim #1's "Fitbit" records show when she is driving to the YMCA from 0846hrs. to 0855hrs., driving back from the YMCA at 0908hrs. to 0917hrs., and show that she was moving up until 1005hrs. with a total distance of 1217 feet after the drive back from the YMCA.
- Forensic examination of Dabate's Microsoft Surface Pro which show that Dabate downloads the YMCA "Group Exercise Schedule" at 0918hrs.
- Alarm company records show that the last movement detected on the second floor occurred at 0934hrs. (35 minutes after Dabate disarmed the alarm system).
- "Facebook" records show that victim #1 was actively utilizing "Facebook", at the residence (IP address), at 0940hrs., 0945hrs., and 0946hrs.;

(This is page 47 of a 48 page Affidavit.)

Date 4-11-17		Signed (Affiant) 	
Subscribed and sworn to before me on (Date) 4/11/17		Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
Jurat	Reviewed (Prosecutorial Official) 	Date 04/11/17	Reviewed (Judge/Judge Trial Referee) 
			Date 4/13/17

## ARREST WARRANT APPLICATION

JD-CR-64a Rev. 1-11  
C.G.S. § 54-2a  
Pr. Bk. Sec. 36-1, 36-2, 36-3

STATE OF CONNECTICUT  
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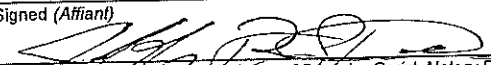
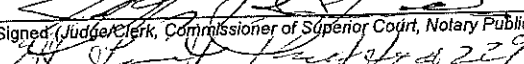
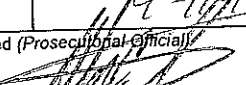
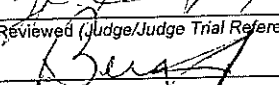
Name (Last, First, Middle Initial) <b>Richard G. Dabate (DOB 07-29-1976)</b>	Residence (Town) of accused <b>Ellington</b>	Court to be held at (Town) <b>Rockville</b>	Geographical Area number <b>19</b>
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**Affidavit - Continued**

- The panic alarm occurs at 1011hrs. which is a full 72 minutes after Dabate disarms the alarm system, 67 minutes after Dabate sends the email to his supervisor, 48 minutes after victim #1 arrives home (0923hrs.), and 37 minutes after the last motion was observed in the second floor hallway, all of which contradict the written statement provided by Richard Dabate (which continually evolved during the recorded interview) in which he stated he arrived home at 0900hrs. to find an unknown intruder in his residence who subsequently disabled him through the use of "pressure point" techniques, chased victim #1 into the basement and shot and killed her (with Dabate's own handgun and the only loaded gun in the residence), then tied Dabate to a chair (one arm and one leg with Dabate's own zip-ties), assaulted Dabate with Dabate's own utility knife (causing non-debilitating, "superficial" wounds) before leaving (and leaving the only witness still alive) after Dabate was able to burn him.

86. Therefore, this affiant requests that an arrest warrant be issued for Richard G. Dabate (DOB 07-29-1976) for violations of the Connecticut General Statutes.

(This is page 48 of a 48 page Affidavit.)

Date <b>4-11-17</b>		Signed (Affiant) 	
Subscribed and sworn to before me on (Date) <b>4-11-17</b>		Signed (Judge/Clerk, Commissioner of Superior Court, Notary Public) 	
Jurat	Reviewed (Prosecutorial Official) 	Date <b>4/11/17</b>	Reviewed (Judge/Judge Trial Referee) 
			Date <b>4/13/17</b>