

CRIMINAL COMPLAINT PROSECUTOR COPY		DOCKET NUMBER 1307CR005389	NO. OF COUNTS 1	Trial Court of Massachusetts BMC Department
DEFENDANT NAME & ADDRESS Steven S Silva 812 Memorial Drive #1804 Cambridge, MA 02139			COURT NAME & ADDRESS BMC Dorchester 510 Washington Street Dorchester, MA 02124- (617)288-9500	
DEFENDANT DOB 04/01/1993	COMPLAINT ISSUED 11/22/2013	DATE OF OFFENSE 11/21/2013	ARREST DATE 11/21/2013	
OFFENSE CITY / TOWN Boston	OFFENSE ADDRESS JFK/UMASS		NEXT EVENT DATE & TIME 11/22/2013 09:00 AM	
POLICE DEPARTMENT MBTA POLICE		POLICE INCIDENT NUMBER 201310518		NEXT SCHEDULED EVENT Arraignment
OBTN TMTA190096952		<i>Arrest</i>		ROOM / SESSION Arraignment (1st) Session
The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.				

COUNT	CODE	DESCRIPTION
1	94C/32C/C	DRUG, POSSESS TO DISTRIB CLASS D c94C §32C(a)

On 11/21/2013, not being authorized by law, did knowingly or intentionally possess with intent to manufacture, distribute, dispense or cultivate a controlled substance in Class D of G.L. c.94C, §31, to wit: marijuana, in violation of G.L. c.94C, §32C(a).

PENALTY: imprisonment not more than 2½ years; or not less than \$500, not more than \$5000; or both; G.L. c.260, §6B; plus Drug Analysis Fee of not less than \$35, not more than \$100, with maximum fee of \$500 for multiple offenses from single incident.

SIGNATURE OF COMPLAINANT <i>X</i>	SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK/DEP. ASST. CLERK <i>X</i>	DATE
NAME OF COMPLAINANT	A TRUE COPY ATTEST <i>X</i>	CLERK-MAGISTRATE/ ASST. CLERK DATE

Notice to Defendant: 42 U.S.C. § 3796gg-4(e) requires this notice: If you are convicted of a misdemeanor crime of domestic violence you may be prohibited permanently from purchasing and/or possessing a firearm and/or ammunition pursuant to 18 U.S.C. § 922 (g) (9) and other applicable related Federal, State, or local laws.



MBTA Transit Police Affidavit

Defendant's Information		Case No. 2013-10518		ARREST	
		Date: 11/21/2013	Court: Dorchester		
Name: (L/F/I)	SILVA, Stephen	D.O.B:	4/1/1993	TPSA:	3
Street Address:	812 Memorial Dr. # 1804			Race: H	Sex: M
City:	Cambridge	State:	MA	Zip:	02139
Social Security:	025-76-8276	Height:	5'11"	Weight:	195
*NOTE: If juvenile, enter parent or guardian name					
Charges:		Chapter/Section:		PCF #	
1. Possession W/I Distribute Class D		94C / 32 E			

Detective Name:	Ida Candreva	ID #	636
Detective Name:	Luis Feliciano	ID #	360

Narrative:

1. On Thursday, November 21, 2013, at approximately 12:45pm members of the Special Crimes Unit were at JFK / UMass MBTA Station conducting a drug investigation. While in the walkway outside the station myself (Det. Candreva and Det. Feliciano) both smelled a strong odor of marijuana. While walking in the lobby we continued to smell the odor of marijuana. While standing in the paid section of the lobby, the odor of marijuana became stronger, when a male, later identified as Stephen Silva, walked by. Silva was observed speaking on the phone and walking around the paid section of the lobby. Each time Silva walked by or stood near Det. Feliciano and I, the odor of marijuana became stronger. We approached Silva and identified ourselves as police officers. We asked if we could speak with him, to which Silva replied in the affirmative. We informed Silva we could smell a strong odor of marijuana as he walked by and stood next to us. Silva replied he had a small amount of marijuana in a glass jar in his backpack, some of which he "just smoked."

2. We asked Silva, if we could look in his backpack. Silva replied, without any hesitation, "Yes. You can look in my bag." Det. Feliciano opened the backpack and observed a large glass jar, with residue of marijuana inside the jar. At that time, Silva began to appear nervous. We observed his hands started to shake and his facial expression change. We asked why he was nervous, but Silva did not reply. When we asked Silva if he had any weapons on him, Silva without hesitation lifted his arms and stated "No. You can search me." Silva's jacket was not

Officer #1 Signature:  ID# 636

Date 11/21/13 Supervisor's ID: 41



MBTA Transit Police Affidavit -Con't

zippered. When Silva lifted his arms, his jacket moved and the inside pockets of the jacket were visible. When Silva lifted his arms, Det. Feliciano observed a plastic bag with a green leafy substance, believed to be marijuana, protruding from the inside jacket pocket. Det. Feliciano took the bag and asked Silva, "How much is here, an ounce?" Silva replied, "a little less." With Silva's hands still up, Det. Feliciano observed a second plastic bag with a green leafy substance, believed to be marijuana, protruding from a different jacket pocket. Det. Feliciano took the bag from the jacket pocket.

3. Silva was placed in custody. During the search incident to arrest, Det. Feliciano found a large amount of cash folded in Silva's front right pocket. The money was counted on scene, and there was a total amount of \$555 US currency. While waiting for the transport, Silva continuously stated, "I smoke a lot of weed everyday because my best friend was the bomber." Silva was transported to MBTA Transit Police Headquarters by Officer Tony Dang. Silva was booked per department policy.

4. During the booking process, inside Silva's backpack, I located a 8.5 x 11 inch piece of white paper with the names of persons which appeared to be a list indicating who Silva sold drugs too, the amount paid and who was "cuffed" the drugs and still owed Silva money. In addition, Silva had in his possession two cell phones. One of the cell phones, a black cell phone, KYOCERA (Model # S3015BIRO), had several references to the sale of marijuana. The phone was seized.

5. The cell phone containing several references to the sale of marijuana, the white piece of paper containing names and amounts of money paid and owed, the 550.00 dollars of US Currency and the substantial amount of marijuana indicate Silva's intent to sell same. For the afore mentioned, Silva is being charged with Possession with Intent to Distribute Class D (Chapter 94C / 32E)

6. Back at TPD HQ Detective Feliciano conducted a field test kit utilizing a Narcotic Identification Kit number 908. After submitting a sample into the pouch and breaking glass vials left to right the color changed to purple indicating a positive result for Marijuana. Photographs taken of drugs as well as the field test color results.

Officer #1 Signature: _____

ID# 636

Date 11/21/13

Supervisor's ID: 411