

STATE OF NEW HAMPSHIRE

9th Circuit Court

Manchester Division

Supporting Affidavit in Support of Arrest Warrant

I, Detective Alexander April, being duly sworn, depose and say:

I am a detective with the Manchester New Hampshire Police Department, and have been so employed since 2014. Since being employed, I have received training from the Manchester New Hampshire in-house academy, as well as the New Hampshire PSTC Academy. I have also participated in further trainings offered by the Manchester Police Department, as well as attended advanced educational courses such as crime scene investigations and breaking and entering evidence recovery. I have also attended numerous in-house training sessions conducted by the Manchester Police Department.

My duties and responsibilities as a detective include the investigation of major crimes that occur in the City of Manchester. I have participated in several homicide, robbery, reckless conduct, shooting, and serious assault investigations both as a patrol officer and a detective.

The information set forth below is based upon my personal involvement in the investigation into the shooting death of Jaden Connor outside 276 Central Street in Manchester, New Hampshire, at about 11:30 p.m. on July 14, 2020, as well as discussions with other members of law enforcement in that investigation.

1. At approximately 11:35 p.m. on July 14, 2020, officers from the Manchester Police Department went to the area of 276 Central Street in Manchester, New Hampshire, in response to a 911 call reporting in substance that a shooting had occurred. Outside of 276 Central Street, officers encountered **Isalah Rivera Perez** (age 21, hereinafter "**Perez**"), who stated in substance that he had shot at armed intruders who had robbed him inside his residence at 276 Central Street. **Perez** was bleeding from an apparent head wound, and had visible injuries to his head, face, and body consistent with an assault. **Perez** subsequently received medical treatment for his wounds at a local hospital.
2. About 150 feet from **Perez's** residence at 276 Central Street, police saw, laying on Central Street, a young male. That young male was subsequently identified as Jaden Connor (age 17). Mr. Connor was pronounced dead soon after police first observed him and rendered medical assistance to him. There were no firearms or other apparent weapons found either on Mr. Connor's person or in his vicinity (but see paragraph 15, infra). He was wearing hospital-type rubber gloves, and a surgical-style mask was found near his body.

3. Central Street runs in a roughly east-west direction. The section of Central Street that includes Perez's home at 276 Central Street is intersected by Maple Street on the east and Beech Street on the west. 276 Central Street is located on a residential block, and there are houses in which people live to each immediate side of the house, as well as across the street. Attached to this affidavit are photographs of 276 Central Street, seen as it faces Central Street. The "porch" and the "front gate" referenced in Perez's account of events infra have been circled in the photograph ("porch" circled in red, "front gate" circled in yellow).
4. On the evening of July 14, Perez was home at 276 Central Street with his wife, his two young children (ages 3 and 1), and his step-mother.
5. Perez advised the police in substance that he had been the victim of an armed home invasion (discussed in further detail infra), and that he had shot at the culprits in self-defense. Perez further advised that the pistol that he used was inside his home at 276 Central Street.
6. Pursuant to judicially-authorized search warrant, police searched 276 Central Street and found inside the residence a Smith and Wesson brand .40-caliber semiautomatic pistol. The weapon was not loaded with bullets. That weapon was the same make, model, and caliber that Perez admitted that he had shot. Police also found inside the residence a box of .40-caliber bullets.
7. Based on experience, I know that the typical mechanism for firing a semi-automatic pistol like the Smith and Wesson brand .40-caliber pistol that Perez acknowledged firing is as follows: once a magazine is inserted into the weapon, the "slide" at the top of the weapon is manually cocked back, which chambers a round and makes the weapon ready to fire. This particular pistol has a safety lever that must be manually switched in order to depress the trigger. Once the weapon is cocked and the safety disengaged, pulling the trigger will fire a single bullet. That same action ejects the shell casing from the weapon and automatically loads another bullet from the magazine into the firing chamber, allowing a subsequent shot to be fired by a separate pull of the trigger. Barring a "jam" or similar incident that prohibits ordinary use of the weapon, that firing process can be repeated until the magazine is empty. Shell casings for the Smith and Wesson brand .40-caliber pistol that Perez acknowledged firing eject to the right; thus, absent events such as a shell bouncing off an object or being moved by kicking or the like, a discharged shell casing would be found to the right of the area where the weapon is fired.
8. Police recovered six shell casings from the front of 276 Central Street. The specific location of those casings is documented in the photograph attached to this affidavit that is a close-up of the front gate at the Central Street entrance of 276 Central Street. The location of the six shell casings are documented by the yellow marker-flags numbered 3 through 7 and the blue-circled area. All six of those recovered shell casings were .40-caliber, and had manufacturer markings that matched the markings found on the bullets in the box of .40-caliber ammunition found inside 276 Central Street.

9. No shell casings were found inside 276 Central Street. A subsequent search of the block of Central Street wherein 276 Central Street is situated, as well as surrounding blocks, recovered no shell casings other than the six casings found outside 276 Central Street discussed supra.
10. According to Perez, he purchased the Smith and Wesson brand .40-caliber pistol, that he acknowledged firing, brand-new a couple months earlier. The handgun had been legally purchased, and it was lawful for Perez to own/possess it. Perez had never fired that pistol before the night of July 14, and acknowledged that he had limited experience with firearms. Perez is not a law enforcement officer.
11. Associate Medical Examiner Christine James conducted an autopsy of Jaden Connor on July 15, 2020. Dr. James documented a single gunshot wound, which entered on the left side (facing forward) of Mr. Connor's upper body (i.e., the trunk), continued sideways across his chest, exited through his right side and then entered his right arm, where it was found lodged. Dr. James ruled that the manner of Mr. Connor's death was homicide, with the cause of death being a gunshot wound to the trunk.
12. Jaden Connor's body was found on Central Street toward Maple Street, about 100 feet from 276 Central Street. One walking toward Maple Street from 276 Central Street would have that address to his/her left, which is the side of the body where the fatal bullet entered Mr. Connor. The fatal gunshot wound was not immediately incapacitating, and Mr. Connor could have ran to the area where he fell and died after being shot.
13. Police recovered footage from several surveillance cameras in the area where the fatal shooting occurred. Among the recovered surveillance footage was that taken from 293 Central Street. 293 Central Street is on the opposite side of 276 Central Street, and about 150 feet from 276 Central Street, going toward Maple Street. The camera angle of the recovered footage is toward 276 Central Street, although that residence is not visible on the footage. The recovered footage has an embedded timestamp that contemporaneously records time as events are recorded.
14. The recovered surveillance footage from 293 Central Street depicts, at a timestamped time of about 11:39 p.m., two figures running full-speed from the area of 276 Central Street toward Maple Street (and towards the security camera). From Perez's accounts (see infra) these appear to be two of the four men who robbed him inside his house, depicting them immediately as they fled the residence. The other two men cannot be seen on this footage.
15. The two figures seen on the surveillance footage are running together on the sidewalk toward Maple Street, until at one point one of the figures runs onto Central Street and continues running up the street parallel to parked cars on the curb. About three houses up from 276 Central Street, the figure running in the street stumbles and collapses on the road, dropping a small item that falls to the street. The other figure who had been running toward Maple Street returns back to the area of the fallen figure, his arm raised

towards 276 Central Street as if pointing a gun, picks up the dropped item, and leaves. The fallen figure does not move, and about four minutes later police units are seen on the surveillance footage and officers attend to the fallen figure. That fallen figure is Jaden Connor. At no time between when Mr. Connor and the other figure are seen running from the area of 276 until Mr. Connor collapses on the street does either stop running or turn back towards 276 Central Street.

16. I am familiar with New Hampshire law on self-defense, which is delineated by statute in RSA Chapter 627. At the time of the fatal shooting of Jaden Connor, Perez was not (and is not) a law enforcement officer, and is a private citizen whose use of deadly physical force in firing a loaded pistol is viewed under the parameters set forth in RSA 627:4.
17. New Hampshire law does not recognize what is sometimes referred to as the "fleeing felon" rule with respect to the use of deadly physical force by private citizens. That is, in New Hampshire a private citizen cannot use deadly physical force against a fleeing felon, even when the felon just committed a violent felony and may be armed with a deadly weapon, based on those circumstances alone.
18. Instead, under New Hampshire law a private citizen is legally justified in using deadly physical force upon another only when he reasonably believes that such other person:
 - is about to use unlawful, deadly force against the actor or a third person; or
 - is likely to use any unlawful force against a person present while committing or attempting to commit a burglary; or
 - is committing or about to commit kidnapping or a forcible sex offense; or
 - is likely to use any unlawful force in the commission of a felony against the actor within such actor's dwelling or its curtilage.
19. Investigators interviewed Perez on two separate occasions: July 15 and July 24. In both interviews, Perez recounted being the victim of a violent and armed home invasion. Specifically, Perez recounted in substance that he sells marijuana products at his home. He stated that on the evening of July 14, he communicated by cellphone with a person known to him from previous marijuana sales ("the buyer") to sell products at his (Perez's) home at 276 Central Street.
20. According to Perez, the buyer arrived alone at Perez's home at 276 Central Street at about 11:15 p.m. on July 14, and Perez invited him inside the house in order to complete the discussed marijuana sale. While inside 276 Central Street, the buyer asked to use the bathroom, and Perez escorted him to a bathroom and went to a nearby "game room" area in the house and waited for him. While waiting, three males entered the game room, using a door near the bathroom that the buyer had gone to. According to Perez, the three men were armed with handguns – one with a revolver and the other two possibly with pistols – and wearing surgical-style masks and hospital-type rubber gloves. Perez described the masked man armed with the revolver as "black," one of the other two masked men as "white," and the third masked man as "light-skinned Hispanic."

21. **Perez** reported that the three armed and masked men, as well as the buyer, began looking for items to steal, presumably marijuana and cash. **Perez** recounted that during the armed encounter he was struck multiple times in the head and face, primarily by the "black" man with the revolver, who used that weapon as a bludgeon against **Perez**. **Perez** stated that the injuries for which he subsequently received medical treatment were inflicted by the armed intruders as they beat him while looking for items to steal.
22. **Perez** further recounted that at one point, the armed intruders – the three masked men and the buyer – began to run from his house. At the time, **Perez** was lying on the floor, and he saw that his Smith and Wesson brand .40-caliber pistol, which he had placed on a counter before he had invited the buyer inside, was still where he had placed it. **Perez** took the pistol, which he knew to be loaded, and pointed the weapon at men he saw fleeing from his house. However, the pistol did not fire at that time either because **Perez** did not slide back the top of the gun to chamber a bullet or he did not deactivate the safety mechanism; he provided different explanations at different times. Just after **Perez** unsuccessfully attempted to shoot at robbers inside his home, he noticed that his young son was standing in the area that he had intended to shoot into.
23. **Perez** then ran to the front door of his house, in pursuit of the men who had robbed him at gunpoint. At the front door at the porch of his house (circled in red in the photographs attached to this affidavit), **Perez** saw the men at the front gate to his residence (circled in yellow in the photographs attached to this affidavit). **Perez** was unclear whether the men were inside or outside the front gate of his home when he saw them. As to the events that transpired outside his house, **Perez's** account differed in his two interviews that he had with investigators.
24. In **Perez's** interview with investigators on July 15, he stated in substance that while he was standing at the front door on the porch of his house, he saw the men who had fled his house right by the front gate, continuing to run away from his house. At that point, **Perez** fired his pistol in the "vicinity" of the fleeing men. **Perez** explained that he fired in order to get the men off his property. When **Perez** was specifically asked what he feared from the men at the point when he fired at them while they were running away, he answered that he wanted them off his property.
25. Over an hour into **Perez's** interview on July 15, for the first time he claimed that he was fired upon while he was outside of his home. Specifically, **Perez** recounted that after he fired at the fleeing men and his weapon was empty, and as he stood on the sidewalk in front of his house retrieving a bag of marijuana that the fleeing robbers had dropped, while those men were "up the street" they turned and fired at him twice, upon which he ran inside his house.
26. In **Perez's** interview with investigators on July 24, he stated in substance that when he was at his front door and on his porch, he saw two of the fleeing robbers (who he described as the "black" masked male and the "light skinned Hispanic" masked male) by the front gate running from the house, and the other two (the buyer and the one who he described as the "white" masked male) fleeing farther away on Central Street. **Perez**

stated that at time he fired two shots at the two men by the gate. Perez explained that he fired at them while they were running away because they were armed and on his property, and he could "stand his ground." Perez was repeatedly and directly asked what he perceived to be the threat at the point when he first fired his weapon, and he responded by referencing their previous actions inside his home, noting that at the time when he fired they were trespassing, and claiming that he at that time was entitled to "stand his ground."

27. Perez continued that after firing two shots from his front porch, he went to the sidewalk outside his house to retrieve a bag that the fleeing robbers had dropped. Perez claimed that while he was doing so he heard two gunshots. Perez explained that he did not see anyone appear to point a gun in his direction or see any gunshot, as his back was turned to the area where he claimed to have heard gunshots. Perez stated that at that time, when he heard the claimed gunshots, he turned and fired his remaining bullets in the "general area" where the gunshots came from.
28. Based upon the foregoing, there is probable cause to believe that **Isaiah Rivera Perez** did commit the crime of Second Degree Murder, in violation of RSA 630:1-b, I(b), in that he did recklessly cause the death of Jaden Connor under circumstances manifesting an extreme indifference to the value of human life by shooting him.

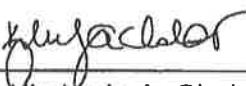
DATED: 8/10/2020



Detective Alexander April
Manchester Police Department

The above named Detective Alexander April contacted me telephonically/~~in person~~ and swore under oath that the information set forth above and his signature above is true to the best of his knowledge and belief.

Before me this 10th day of August, 2020



Justice Kimberly A. Chabot

