

### PROBABLE CAUSE STATEMENT FOR ARREST WARRANT

NHJB-2330-DS (11/01/2021)

**PROBABLE CAUSE STATEMENT FOR ARREST WARRANT**

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Additional space for source description, facts indicating reliability and credibility of source and nature of information.

**See Attachment A**

Additional space for source description, facts indicating reliability and credibility of source and nature of information.

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This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
<https://www.courts.nh.gov>

Court Name: \_\_\_\_\_ Agency Case Number: \_\_\_\_\_

**ARREST WARRANT**

To the sheriff of his deputies of any county in this state, or any police officer state or federal, within the state:

Chief Investigator Richard C. Tracy has established under oath that probable cause exists and an arrest warrant shall issue against the defendant,

Michael R. Drouin, D.O.B. [REDACTED],

In the county of \_\_\_\_\_ for one count of \_\_\_\_\_  
\_\_\_\_\_ contrary to the New Hampshire

RSA: 659:40-a Descriptor: Interference With Communications.

RSA: \_\_\_\_\_ Descriptor: \_\_\_\_\_

RSA: \_\_\_\_\_ Descriptor: \_\_\_\_\_

RSA: \_\_\_\_\_ Descriptor: \_\_\_\_\_

RSA: \_\_\_\_\_ Descriptor: \_\_\_\_\_

We command you to take him/her, if found to be in your jurisdiction, and bring him/her before the \_\_\_\_\_ Court.

7/13/2022  
Date

Kimberly T. Myers  
Signature of ~~Judge~~ Justice of the Peace  
Kimberly T. Myers  
Name of ~~Judge~~ Justice of the Peace

**RETURN**

STATE OF NEW HAMPSHIRE COUNTY OF \_\_\_\_\_

I have arrested the Defendant and now have him/her before the court as commanded.

7/19/2022  
Date

Officer K. Desilva  
Kimberly T. Myers #49  
Signature of Officer  
Officer K. Desilva CONCORD PD  
Name of Officer/Department

## ATTACHMENT A

### AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Chief Investigator Richard C. Tracy, being duly sworn, depose and say: I am currently the Chief Investigator with the New Hampshire Department of Justice. I have been employed with the New Hampshire Department of Justice since July of 2007. Prior to being employed by the New Hampshire Department of Justice, I was employed as a Manchester, New Hampshire Police Officer for 27 ½ years. I retired from the Manchester Police Department as a Captain. My duties with the New Hampshire Attorney General's Office include investigation of possible violations of the New Hampshire Criminal Code Annotated and New Hampshire Election Laws.

As set forth below, the factual basis for the issuance of this warrant is based upon information obtained by my own personal knowledge, observations and beliefs, my training and experience, information provided to me by other law enforcement officers and the experience of other law enforcement officials:

1. April 13, 2021, at 10:18 AM, Joe SWEENEY, NHGOP Executive Director notified the Attorney General's Election Law Unit (ELU) via email of a false ad placed on Craigslist that contained a "Republican candidate's phone number as the contact." SWEENEY further explained that the candidate, Bill BOYD, was receiving multiple calls about the advertisement for a free trailer on Craigslist, which was jamming up his phone.
2. In addition to the few times that Boyd answered his phone on April 13, 2022 before shutting it off once he realized it was scam or a frustrating prank, Boyd received approximately 23 text and 14 voicemail messages related to the false Craigslist Ad, from 9:34am to 10:17am.
3. ELU attempted to locate the ad, which had been taken down by Craigslist. SWEENEY emailed ELU screenshots of the ad taken by BOYD on April 13, 2021, prior to Craigslist removing the ad.
4. April 28, 2021, ELU sent Craigslist Legal Department a subpoena requesting "Any and all documents or information related to a post formerly located at the following URL: [https://nh.craigslist.org/zip/d/nashua-free-trailer/\[REDACTED\].html](https://nh.craigslist.org/zip/d/nashua-free-trailer/[REDACTED].html) and posted on or around April 13, 2021."

5. April 30, 2021, Craigslist responded with the following information. Poster email: [REDACTED] User id: [REDACTED] Poster ip: [REDACTED] Record created: Tue. Apr. 13, 2021 06:14:36 (Pacific). Posted date: Tue. Apr. 13, 2021 06:18:36 (Pacific). Record modified: Tue. Apr. 13, 2021 07:15:44 (Pacific) Contact phone: [REDACTED]
6. July 14, 2021, ELU subpoenaed Comcast Cable Communications requesting "Any and all account information, subscriber information, associated email or phone information, customer name and address, payment information, account set up information, and IP logs related to the following IP address: [REDACTED] from 09:00 EDT 04/13/21 until 10:30 EDT on 04/13/21."
7. August 19, 2021, Comcast Legal responded, they provided the following information. Subscriber Name: Stephen DIPERNA, Service Address: [REDACTED] Hampton, NH. Billing Address: [REDACTED] Medford, MA. Telephone #: [REDACTED]
8. September 24, 2021, I went to [REDACTED] Hampton, where I located Margaret CELONA, one of the condo association board of directors for [REDACTED] CELONA informed me that Stephen DIPERNA owns [REDACTED] which he rents out. CELONA stated that DIPERNA lives in Medford MA and Del Ray, Florida in the winter. CELONA agreed to call DIPERNA and provide him with my contact information.
9. A short time later I received a phone call from DIPERNA who confirmed that he owns [REDACTED] Hampton. DIPERNA stated that he rented the unit off season to Michael DROUIN, a disabled American Naval veteran whom he never met in person but believed he was about 30 years old based on phone conversations and information received from the rental agent. DIPERNA did not know where or if DROUIN was working, he recalled that DROUIN told him he was looking to go back to school.
10. On October 6, 2021, I made contact with Michael DROUIN, [REDACTED] Merrimack, NH [REDACTED] on the telephone. I introduced myself and told DROUIN that I was calling to determine where he lived on April 13, 2021 that records I had showed him living in Merrimack and Hampton. DROUIN explained that after his brother sold his home at 3 DROUIN Way, in Merrimack, he, DROUIN, rented a unit at [REDACTED] Hampton, temporarily until he found another place in Merrimack to live, which is where he currently lives. DROUIN's recollection is that he lived at [REDACTED] from October 1, 2020 to sometime in June, 2021.
11. DROUIN acknowledged that he was familiar with Craigslist, but denied creating a false ad for a free trailer, I told DROUIN that we subpoenaed records from Craigslist and Comcast

where we learned that the ad for the free trailer that contained Bill BOYD's phone number was created at [REDACTED] DROUIN paused for a moment before stating that "it was a joke I meant no harm". DROUIN claims that he does not recall where he obtained the photo of the trailer or why he chose the day that he did, April 13, 2021. I pointed out that April 13, 2021, was the day of the special election for state representative in Merrimack, DROUIN denied that it had anything to do with the election stating that it was "bad timing" a joke that he didn't mean for anything bad to happen.

12. DROUIN stated that he is "friends" with BOYD that they are on Facebook together. DROUIN further stated that he is in the same "political party" as BOYD. I told DROUIN that was not accurate that I was viewing his voter registration on ElectionNet that he is a registered Democrat and BOYD is a registered Republican. DROUIN claims that he tried to change his party affiliation a few years ago at the town clerk's office.
13. I asked DROUIN again why he chose April 13 and Rep BOYD when creating this false ad on Craigslist. DROUIN responded that he is was "not quite sure" why he chose that date, stating it was "bad timing" on his part. DROUIN stated again that it was meant as a joke, that he likes BOYD, he thinks BOYD is a "good guy". DROUIN stated he "messed up" and shouldn't have done this that he will have to take BOYD "out to dinner to make up for this". DROUIN stated that he was "not looking for any trouble sometimes people make mistakes".
14. When asked again, DROUIN maintains that he is not sure why he created the false ad for the free trailer that he didn't think it was a "big deal at the time" he realizes now the mistake he made that he will bring BOYD out to dinner as he doesn't want to "get hooked up in the court system".
15. October 6, 2021, I contacted Rep BOYD, who stated that he is familiar with Michael DROUIN. Rep BOYD explained that in addition to being a state rep he is also a Merrimack Town Councilor and that DROUIN approached Rep BOYD after moving from Hudson to Merrimack seeking appointment to the Merrimack Conservation Committee, which DROUIN was appointed to.
16. Rep BOYD stated that he recently received a Facebook friend request from DROUIN, which he accepted not because they are friends but rather DROUIN is a constituent of State Representative & Town Councilor BOYD and DROUIN serves on the Conservation Committee and is a library trustee.
17. Wednesday, October 6, 2021, Rep BOYD received the following message after I spoke with DROUIN. *Some things been bothering me for a while, last spring my buddy asked if I'd like to do a prank like we used to years ago and I saw no harm in it at the time. Your number was posted and the first I saw so you were the one that got pranked.*

*Afterwards I realized it was terrible timing with the election, and it's been bothering me ever since. I never meant any harm, I should have had more consideration. I'd like to bring you out to lunch as an apology if that's alright. I think you're a good guy and I've taken this long to come forward because I didn't want to risk losing you as a potential friend.*

18. Rep BOYD received a follow up message from DROUIN, on October 7, 2021, which he sent to me. *I'm not sure if you read messenger, so I'll tell you in person when we cross paths.*

19. On 04/14/2022 I ran DROUIN in ElectionNet, where I confirmed that DROUIN voted in the 04/13/2021 Special Election. While reviewing Drouin's voter registration and voting history, I noted that DROUIN changed his political party affiliation from Democrat to Republican, which I later confirmed with the Merrimack Supervisor of the Checklist, Margie PETROVIC that DROUIN made his party affiliation change on February 16, 2022, 5-months after my initial contact with DROUIN.

20. Based on the foregoing, there is probable cause to believe that on April 13, 2021, Michael DROUIN created a false Craigslist ad for a free trailer, and provided the personal cell phone number [REDACTED] for Republican State Representative Candidate Bill Boyd, which prompted more than 37 phone calls and text messages in less than 45 minutes from citizens inquiring about the free trailer on Craigslist, contrary to RSA 659:40-a Interference with Communications in that he, knowingly blocked the access of a candidate's communications equipment or services with the intent of interfering with campaign activity.

Based upon the foregoing information, there is probable cause to believe that the defendant did commit the crimes, or offenses, as stated above. Wherefore I request the issuance of an arrest warrant and an order for a duly authorized officer to take the defendant and bring him before the court having jurisdiction.