

COMPLAINT AFFIDAVIT
 SHADDED FIELDS MUST BE ANSWERED IF DEFENDANT NOT IN CUSTODY

Affidavit #: 2018003824

OBTs #

☐ ARREST FORM

Filing Agency	NNPD		Offense Report			Local ID #			FILE #			SS #			Date/time arrested	/ /						
Defendant's Last Name	SMITH		First	ZACHARY		Middle	DE JAN		Alias/Street Name			Citizenship			Arresting officer(s) CCN							
Race	Sex	Hgt	Eyes	Hair	Wgt	Comp	Age	DOB	Birthplace			Scars, marks, IT			Place of arrest							
B	M	6' 00"	BRO	BLK	160		21								Transporting officer / CCN							
Permanent Address									[REDACTED] WMS, VA 23607											Officer injured	Y ☐ N ☐	
Residence Type:			(1)	City	(2)	County	(3)	County State	(4)	Out of State	Place of Employment				Length	0.0						
How long defendant in current County:			0.0		Breathalyzer by CCN		Reading		PMD	Y ☐ N ☐	Drug Type				Pick-up time:							
Type:	NANA		B-Bandit/Car		H-Hallucination		P-Paraphernalia		U-Urban		A-Adultery		NANA		B-Buy		E-Use					
A-Amphetamine		E-Heroin		O-Opium		S-Synthetic		Z-Other		S-Sell		P-Processes		A-Smuggle		D-Deliver		M-Manufacture				
K-Dispense/Distribute		Z-Other		Cultivate		Indication of:		Alcohol Influence:		Y ☐ N ☐ UK ☐		Drug Influence:		Y ☐ N ☐ UK ☐								

Attach
 Defendants
 Photo

Defendants Vehicle Make _____
 Year _____
 Color _____
 VIN# _____
 Vehicle towed to: _____

Other identifiers or remarks

Count #	Offenses Charged	Citation # if Applicable	FS or Capias/Warrant #

Probable Cause Affidavit

Before me this date personally appeared _____ who being first duly sworn deposes and says that on 28th day of November, (year) 2018 at 31ST ST/MARSHALL AVE, NEWPORT NEWS, the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

On November 28, 2018, at approximately 1237 hours, Officer [REDACTED] attempted a traffic stop in the area of 31st Street and Marshall Avenue on a blue Honda Civic, Virginia registration [REDACTED], activating both emergency lights and siren. The driver of the vehicle was known to be Zachary Smith, date of birth: 12/06/1996, who was actively wanted out of Newport News for Carjacking, and the vehicle returned stolen out of Chesapeake, Virginia. Mr. Smith disregarded officers attempt to stop the vehicle and began to drive recklessly, travelling at up to 80 miles per hour in residential traffic zones, travelling into oncoming traffic, and disregarding multiple traffic control devices, interfering with other drivers on the road. Officers pursued the vehicle for approximately six minutes, before Mr. Smith crashed the vehicle into a parked, unoccupied vehicle, causing damage to both the stolen vehicle and the parked vehicle. Mr. Smith then fled on foot, despite officers giving commands for him to stop. Mr. Smith was apprehended and officers located a firearm in his jacket pocket, concealed from common observation, as well as a clear plastic baggy containing suspected marijuana.

The firearm returned stolen out of Chesapeake, Virginia.

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PROBABLE CAUSE AFFIDAVIT CONTINUATION☐ ARREST FORM

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Mr. Smith was placed in custody and transported to South Precinct, where he was mirandized and interviewed. Mr. Smith denied the larceny of the vehicle and the firearm, but stated he knew they were stolen. Mr. Smith admitted to possession of the marijuana.

Mr. Smith admitted to having a prior felony conviction when he was 17 years of age. Mr. Smith returns out of Virginia with a driver's license status of "not licensed."

██████████ date of birth: ██████████ is Zachary Smith's 12 year old cousin and was the front passenger of the stolen Honda Civic. ██████████ also fled on foot from the accident and was apprehended and turned over to his mother.

The marijuana was field-tested with a positive result at South Precinct. Both the firearm and the vehicle were reported stolen on 11/27/2018 out of Chesapeake, Virginia.

I am seeking the following charges for Zachary Smith: possession of the stolen vehicle, possession of the stolen firearm, possession of marijuana, possession of a firearm by convicted felon, felony evade and elude, hit and run, obstruction of justice, driving without a license, and contributing to the delinquency of a minor.

I base my belief on the following facts:

On October 2, 2018, [redacted] reports to the Newport News Police Department a past attempt carjacking. [redacted] stated he gave an unknown black male a ride home and when the male existed and appeared as though the male was contemplating something. The male stated thank you and took his hand off the door and walked behind the car. [redacted] advised he put his car in reverse waiting for male to clear his path, he watched the side mirrors because the rear one was blocked with a privacy protector screen.

[redacted] advised, the male appeared in his driver side window and asked him to roll it down. [redacted] stated the male had his right hand in his hoodie and with the left hand he grabbed the car door and opened it. [redacted] stated the male stated, "You already know what it is, give it up". The victim further advises the two struggled with the door pulling it back and forth. The victim reverses the car a little but does not go back further because there was a gate behind him. While reversing the car, the side mirror hits the male and caused it to push forward. The stated, the male reached over the door with the firearm and strikes him in the face. [redacted] stated he was finally able to shut the door and the male attempted to break the window by striking it with a firearm multiple times. The victim saw there was a one way street sign so he drove forward to get away.

[redacted] was transported to Riverside for his injuries and received stitches for the laceration to his upper lip.

Officer Dotson recovered latent fingerprints and submitted it to the Forensic Services Unit. On 24 October 2018, the Forensic Services Unit indicated that recovered latent fingerprint was found to be consistent with the fingerprint of Zachary Dejon Smith.

Eagle was able to identify Smith as the offender in the carjacking.

The statements above are true and accurate to the best of my knowledge and belief

Stewart, H.D.
Detective
Title

Applicant

Subscribed and sworn to before me this day

11/2/2018 2:37 p.m.
Date and time

Magistrate

Anna Watson