

22B1007703

Docket No. \_\_\_\_\_

State of Vermont

CHITTENDEN County

DISTRICT COURT OF VERMONT

Unit No. \_\_\_\_\_

CHITTENDEN

Circuit

STATE OF VERMONT

vs.

SEARCH WARRANT

At 80 LAUREL DR, ESSEX

in said county, this 21 day of DEC.

2022

by

virtue of this warrant, I entered at 2205

o'clock (a.m. - p.m.) upon the premises and

into DIGENOVAS POOLSON

(person, premises, or vehicle)

described in said warrant, and there made diligent search for the goods and chattels in said warrant described, and thereupon such search found and seized:

ONE IPHONE w/ BLACK CASE

Vermont State Police  
Bureau of Criminal Investigation  
Case: 22B1007730



State of Vermont  
Chittenden County, SS

**APPLICATION FOR SEARCH WARRANT WITH AFFIDAVIT (The person of Giancarlo DiGenova)**

I, Det. Sgt. Jesse Robson requests the Honorable Judge to issue a warrant to search:

- The person of Giancarlo DiGenova  
for the following:
- Men's Rolex Watch (pictured in the attached affidavit) serial number reported to be 63H40765
- Apple Air Pods, Apple Airpod case
- Identification, credit, or debit cards in the name of Cecil Whidbee
- Small stud style earrings (pictured in the attached affidavit)
- Brown paper evidence bag featuring a "File on Q" property label.
- Soft cloth bag (black)
- Receipts, bills of sale, pawn shop tickets, paperwork associated with the sale, appraisal, or pawn of property described above.
- Giancarlo DiGenova's personally owned cell phone (believed to be an iPhone) with associated telephone number of 802 999 3294

and if such property be found there, to seize it, prepare a written inventory, and promptly return the inventory to the Vermont Superior Court- Chittenden Criminal Division

The applicant has probable cause to believe that such person will be found and will constitute:

Grand larceny, sale of stolen property, possession of stolen property, official misconduct, neglect of duty, false information to police in violation of: 13 VSA 2501, 2561, 3006, 1754.

For the purposes of establishing probable cause for issuance of this warrant, there are attached hereto the following affidavits: Det. Sgt. Jesse Robson - Vermont State Police.

This application is made on this DATE

\_\_\_\_\_  
Judicial Officer

*Jesse Robson*  
\_\_\_\_\_  
Applicant



**SEARCH WARRANT (the person of Giancarlo DiGenova)**

**TO: Det. Sgt. Jesse Robson, Vermont State Police and/or any law enforcement officer:**

You are hereby commanded to search:

- The person of Giancarlo DiGenova

for the following:

- Men's Rolex Watch (pictured in the attached affidavit) serial number reported to be 63H40765
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- Soft cloth bag (black)
- Receipts, bills of sale, pawn shop tickets, paperwork associated with the sale, appraisal, or pawn of property described above.
- The personally owned cell phone, believed to be an iPhone of Giancarlo DiGenova (associated number 802 999 3294)

and if such property be found there, to seize it, prepare a written inventory, and promptly return the inventory to the Vermont Superior Court- Chittenden Criminal Division

The applicant has probable cause to believe that such person will be found and will constitute:  
**Grand larceny, sale of stolen property, official misconduct, neglect of duty, false information to police**  
in violation of: 13 VSA 2501, 2561, 3006, 1754, 2606.

Serving this warrant grants Vermont State Police and any law enforcement officer to conduct a complete search between the hours of (0600 hours -2359 hours), within 10 days from the date hereof, and if the person be found there, to seize him, prepare a written inventory, and bring such before the Vermont Superior Court- Chittenden Criminal Division.

This warrant is issued upon the basis of an affidavit and finding of probable cause by me, filed with the clerk of that unit.

Dated at Keene, New York at 850 pm on December 21, 2022.

Signed electronically pursuant to V.R.E.F. 9(d) on December 22, 2022.

  
Thomas Carlson  
Superior Court Judge



AFFIDAVIT OF PROBABLE CAUSE

Now comes Detective Sergeant Jesse Robson, affiant, being duly sworn, makes the following statement to establish that he has probable cause for the issuance of a search warrant:

The information contained within this affidavit is based upon my investigation, as well as information conveyed to me by other law enforcement officers. The following is either known to me personally or has been related to me by persons having direct knowledge of the events described, including but not limited to other law enforcement officers. This affidavit is written in support of my request for a search warrant. There is information known to me that is not written in this affidavit.

On 12-20-2022 I was assigned a special investigation related to missing personal property from the VSP Williston barracks temporary evidence room. I was given preliminary information such as:

- Vermont's Narcotics Investigation Unit (NIU) and Burlington Police Department arrested Cecil Whidbee on 11-22-2022. His personal property was taken from him, entered into VSP's property tracking system (File on Q), put into a brown paper evidence bag, and stored in the temporary evidence room. This property consisted of small stud earrings, Apple AirPods and Airpod case, a gold Rolex watch, keys, and a wallet.
- The following day, Det. Sgt. Dustin Robinson was trying to unite another person arrested with their keys. He looked into the above-described bag, showed the other person the keys that Cecil had on him when arrested, but they were not the keys she was looking for. Dustin put the keys back into the bag and at that time, the other property was in the bag.
- Cecil's designee was identified by Sgt. Joe Paquette to release the above-described property, however on 12-05-2022 the bag and property could not be located by Sgt. Paquette. Numerous actions were taken including a search of the evidence rooms, and e-mail sent to every VSP member whose keycard was used to access the evidence room during this timeframe.
- Det. Sgt. Ben Katz notified his supervisors that Vermont State Trooper Giancarlo DiGenova showed him a Rolex watch that he (DiGenova) said he bought on E-bay and ultimately told Katz was determined to be a fake.
- Det. Jason Letourneau and Det. Jason Danielson went to DiGenova's residence on 12-19-22 at 2100. DiGenova answered the door but opted not to invite them in and spoke with them outside of his residence and this conversation was recorded. Based on the statement provided by DiGenova and his explanation of the watch he showed Katz, DiGenova was suspended, and a criminal investigation ensued.

I was provided a list of dates and times that DiGenova's VSP ID card was used to access the temporary evidence room, and it showed that he accessed it numerous times between 11-23-2022 and 12-5-2022, including on 11-26-22 (4 times).

I listened to the audio recording of the interview with DiGenova conducted on 12-19-2022. During this interview he denies taking the property from the evidence room. DiGenova told detectives that he bought the watch from a Massachusetts guy he knows, to give to his son for his 21<sup>st</sup> birthday. DiGenova decided that he did not like the watch and brought it back to his cousin who got the watch from someone he knows. DiGenova said he paid about \$800 for the watch and then got his money back when he returned it. DiGenova told detectives that he has no receipt and had said that no text messages were exchanged between he and his cousin. DiGenova told detectives that he did not have this watch appraised, he just returned it to his cousin. Detectives asked DiGenova about Katz saying that he (DiGenova) bought the watch on-line, and DiGenova denied this, stating that he looked on-line. DiGenova began complaining about the system in place to store property. DiGenova said that he wishes he never showed the watch to Ben. He then said, "it's personal fucking property man". Said he gets it but can't believe it's getting to this point and questioned how far this was going to be taken. DiGenova



stated: " I, I, you know, if, if I did something I woulda fixed it. I wouldn't have kept this going. I didn't do anything wrong other than trying to find my son a Christmas present. I'm sorry, birthday present, now Christmas present." DiGenova spoke of knowing about things that have happened the past such as evidence getting flushed and that he keeps a lot of things in his back pocket just in case and told detectives that if he hears no one else got a knock on their door he was going to be pissed.

When DiGenova was suspended from duty, his assigned VSP cruiser, issued cell phone, and computer were taken. Captain Matt Daly searched through the cruiser and found a business card for Periwinkle Jewelers in Burlington.

On 12-20-2022 I briefly spoke with Ben Katz who told me that DiGenova has a work cell phone and a personal cell phone and provided me the numbers he has for DiGenova. I conducted a detailed recorded interview with Ben Katz on 12-21-22. In summary he told me that on 11-28-22 DiGenova was doing a small electrical job at Katz' house, and at lunch time Katz brought DiGenova out to lunch in DiGenova's truck. Once inside the truck DiGenova produced a watch from the center console of his truck (black Dodge). DiGenova told Katz that he paid \$700-\$800 for the watch on E-bay, in hopes that it was real. Katz specified that DiGenova did not give Katz another reason for purchasing it. Katz handled the watch, felt that it was heavy, turned it around to look at the back of it and saw there was no serial number or other writing and wondered if it was a real Rolex. Katz described the watch as a gold Rolex with a gold band, notches on the bezzel, and no numbers on the watch face to denote the hours and minutes, just hashes. Katz looked at current Rolex models on the internet, and saw likenesses to the watch shown to him on 2 current models: The Day Date and The Date Just. Katz was talking on the phone with DiGenova later and asked him if the watch turned out to be genuine Rolex. DiGenova told him that he brought it to a local jeweler for appraisal and was told that it was a good fake, but not a legit Rolex. Katz told me that he and other VSP received an e-mail from Captain Dunlap regarding a missing watch from temp evidence, and Katz noted that DiGenova was also on this list, thought it was strange, but did not think DiGenova would steal a watch. While at the scene of another case, Katz was speaking with Trooper Clay Knight. He asked if the missing items were located and Knight told him no, they were not. Katz contact his union director (Mike O'Neil) to ask for a description of the watch. O'Neil checked with NIU detectives and reported back to Katz that it was described as a gold Rolex. Katz felt that this was too many red flags, so he reported his concerns to his supervisors.

Detectives MacCallum and Mattuchio went to Periwinkle Jewelers on 12-21-22 and interviewed vice-president Winklette Taylor. Det. Mattuchio wrote a report summarizing this which said:  
*On December 21, 2022, at approximately 1000 hours, Det. LT John MacCallum and I went to Perrywinkle's located in Burlington, VT. We spoke with the Vice President, Winklette Taylor regarding a possible stolen Rolex watch. Winklette stated that Perrywinkle's was the only Rolex dealer in the State of Vermont. She then stated that she remembered a Vermont State Trooper coming into Perrywinkle's on November 29th, 2022. She remembered the Trooper being in uniform and stated his name was "John Digenova." He then pulled out a Rolex from a black bag and stated that he obtained this watch from a case he was working and needed to know if it was real and its estimated value. Winklette advised the Rolex was real "Datejust 41" and estimated that watch to worth \$14,000.00. She said it would be worth more if he had the box and proper documentation which he stated he did not have. The watch was Oyster steel and yellow gold. Winklette provided a "likeness only" picture of the Rolex. John then stated he was interested in purchasing a Rolex for his son who was turning twenty-one (21). Winklette was able to order a similar watch to what John showed her from the bag however it was all silver valued at \$8,000.00. Winklette also stated that she had a text message conversation with John. She texted John on November 29th, 2022, at 1011 hours stating it was "nice to meet you." John replied, "Same here and thank you." Winklette stated that she was able to order the silver Datejust 41 and called John several times and left voice messages. She then texted him on Tuesday December 6th at 1657 hours. That message states, "Good evening. John, this is Winkle from Perrywinkles. I've reached out by phone several times leaving you a message but I have not been able to connect. Please give me a call at..." Digenova then replied, "Hello! I'm so sorry I did get you message. I am currently in Italy for a couple of*



*weeks for family emergency and only check my phone time to time. I'm assuming you may have that watch in? If so I appreciate the call. I definitely am interested even if its not available by the time I get back but you kinda got me really interested in the Tudor as well lol. I will stop by again when I get back and figure out what I really want."*

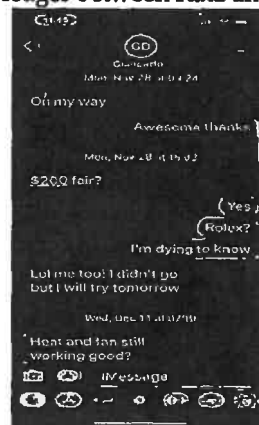
I contacted DiGenova's cousin Riccardo Servizio at the number provided by DiGenova. At first, he asked me: how would he know about his cousin having a watch? I asked him if he helped get his cousin (Giancarlo DiGenova) a watch. He then acknowledged that he helped get something for his cousin. His cousin didn't like it, so he gave it back to Riccardo who gave it back to the person he got it from. Riccardo said he found / got him a watch which was ugly. I asked to describe the watch. He said it goes around his wrist and has little tickers that tell time. He then added that it was a "fugazi" Rolex with gold in it. When I asked how much he paid him for it, Riccardo explained that he smacked his cousin for becoming a cop, he has 3 felonies and has done prison time, and gets leery with the questions. Eventually Riccardo told me that DiGenova gave him about \$800, some of this money was for the watch and some was for Riccardo to keep for himself, but Riccardo gave all of it back. This happened a month and a half ago. He came down one weekend then went back the following weekend. Riccardo told me that he his cousin exchanged no photos or messages prior to the watch purchase. He said that he always stays in touch but there were no photos exchanged. He specified that they live 4 hours away from each other. He was unable to provide any more details. He said that the watch was for DiGenova's son who turned 21. He said that he hasn't been in contact with DiGenova for 2-3 weeks.

From looking at record management systems (Spillman and Valcour) I determined that DiGenova had 2 phone numbers: 802 498 7730 and 802 999 3294. The 7730 was determined to be a number for his VSP issued cell phone (which was seized during his suspension). The 3294 was determined this was a Verizon Wireless number (his personal cell phone). Ben Katz specified that he exchanged messages related to the Rolex watch with DiGenova using the 3294-telephone number.

Contact card from Ben Katz:



Messages between Katz and DiGenova:



It has been my experience that cellular telephones can be used to discuss criminal activity. Now that Vermont State Police have taken DiGenova's work issued cell phone, I believe he is limited to one cell phone which could be used to further discuss the incident under investigation. I believe that 802 999 3294, DiGenova's personal cell phone is an iPhone based on blue and white message content between Katz and DiGenova's cell phones.

I looked at records of usage for DiGenova's work cell phone based on him telling me that he did not exchange any photos or texts with his cousin related to purchasing the watch. I found numerous instances of DiGenova using his work assigned cell phone to send and receive texts and media such as photos and videos. It did not make sense to me that if DiGenova was adept at basic use of messaging



(photos, texts, videos) that he would not have exchanged them with his cousin prior to driving several hours to pick this watch up, and prior to him returning it. This was specifically brought up by the detectives who interviewed him on 12-19-2022 and DiGenova specified that he had no texts to his cousin.

I was told that the employee at the jewelry store who met with DiGenova and appraised the watch, remembered that it was a Rolex Datejust however was not sure the model number (as there are different models of Rolex Datejust). She provided a likeness of the watch DiGenova brought in for appraisal: I compared it with a still image from body camera footage from the arrest of the owner of the missing watch, and saw that they were similar in appearance.

Likeness from the Jeweler:



Still image of the stolen watch:

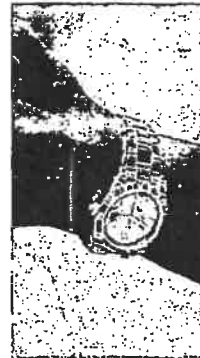


On 12-21-22 the owner of the missing property provided additional photos of some of this property to Det. Sgt. Angela Baker:

Stud earrings:



Rolex Watch:



Lt. Jason Letourneau advised that when he and Det. Danielson met with DiGenova at his home, they went to 80 Laurel Drive in Essex VT, which is on the right side of a duplex and has a garage. This is a photo from Google Earth of this address:



According to DMV records, there are 2 vehicles registered to DiGenova: A 2019 Toyota RAV-4 (White) bearing VT plate KFH987, and 2019 Dodge Ram truck (black) bearing VT plate 373A565.



Based on all information provided, I have probable cause to believe that evidence of the crimes of grand larceny, sale of stolen property, official misconduct, neglect of duty, false information to police in violation of 13 VSA 2501, 2561, 3006, 1754, 2606 could be found at the following locations:

- The residence of Giancarlo DiGenova, 80 Laurel Drive located in the Town of Essex, Chittenden County VT. This is a duplex residence, 80 is the residence on the right side of the building.
- The person of Giancarlo DiGenova
- Any vehicles parked at this residence, owned, or operated by Giancarlo DiGenova or anyone else residing at this address.

I believe that the following evidence could be located at the above listed locations:

- Men's Rolex Watch
- Apple Air Pods, Apple Airpod case
- Identification, credit, or debit cards in the name of Cecil Whidbee
- Small stud style earrings
- Brown paper evidence bag featuring a "File on Q" property label.
- Soft cloth bag (black)
- Receipts, bills of sale, pawn shop tickets, paperwork associated with the sale, appraisal, or pawn of property described above.
- The personally owned cell phone of Giancarlo DiGenova

This application, search warrant, and affidavit was reviewed and approved by Chittenden County State Attorney Sarah George.

This Affidavit was sworn to before me by the author over the phone at the date and time shown below.

*Jesse Robson*  
Signed electronically pursuant to V.R.C.F. 9(d) on December 22, 2022 at 850 pm.

*Thomas Carlson*  
Thomas Carlson  
Superior Court Judge

2261007703

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SEARCH WARRANT

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At 80 LAUREL DR, ESSEX

In said county, this 21 day of Dec.

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virtue of this warrant, I entered at 2205

o'clock (a.m. - p.m.) upon the premises and

into RESIDENCE  
(person, premises, or vehicle)

described in said warrant, and there made  
diligent search for the goods and chattels in  
said warrant described, and thereupon such  
search found and seized:

ONE PAIR OF DIAMOND-LIKE

EARRINGS



**APPLICATION FOR SEARCH WARRANT WITH AFFIDAVIT (residence and attached garage)**

I, Det. Sgt. Jesse Robson requests the Honorable Judge to issue a warrant to search:

- The residence and attached garage of Giancarlo DiGenova, 80 Laurel Drive located in the Town of Essex, Chittenden County VT. This is a duplex residence, 80 is the residence on the right side of the building (if facing the residence from the road).
- for the following:

- Men's Rolex Watch (pictured in the attached affidavit) serial number reported to be 63H40765
- Apple Air Pods, Apple Airpod case
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- Giancarlo DiGenova's personally owned cell phone (believed to be an iPhone) with associated telephone number of 802 999 3294

and if such property be found there, to seize it, prepare a written inventory, and promptly return the inventory to the Vermont Superior Court- Chittenden Criminal Division

The applicant has probable cause to believe that such person will be found and will constitute:

Grand larceny, sale of stolen property, possession of stolen property, official misconduct, neglect of duty, false information to police in violation of: 13 VSA 2501, 2561, 3006, 1754.

For the purposes of establishing probable cause for issuance of this warrant, there are attached hereto the following affidavits: Det. Sgt. Jesse Robson - Vermont State Police.

This application is made on this DATE

\_\_\_\_\_  
Judicial Officer

*Jesse Robson*  
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Applicant



**SEARCH WARRANT (residence and attached garage)**

**TO: Det. Sgt. Jesse Robson, Vermont State Police and/or any law enforcement officer:**

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- The residence and attached garage of Giancarlo DiGenova, 80 Laurel Drive located in the Town of Essex, Chittenden County VT. This is a duplex residence, 80 is the residence on the right side of the building (if facing the residence from the road).

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in violation of: 13 VSA 2501, 2561, 3006, 1754, 2606.**

**Serving this warrant grants Vermont State Police and any law enforcement officer to conduct a complete search between the hours of (0600 hours -2359 hours), within 10 days from the date hereof, and if the person be found there, to seize him, prepare a written inventory, and bring such before the Vermont Superior Court- Chittenden Criminal Division.**

**This warrant is issued upon the basis of an affidavit and finding of probable cause by me, filed with the clerk of that unit.**

**Dated at Keene, New York at 850 pm on December 21, 2022.**

**Signed electronically pursuant to V.R.E.F. 9(d).**

A handwritten signature in black ink, appearing to read "T. Carlson", written over a horizontal line.

Thomas Carlson  
Superior Court Judge



AFFIDAVIT OF PROBABLE CAUSE

Now comes Detective Sergeant Jesse Robson, affiant, being duly sworn, makes the following statement to establish that he has probable cause for the issuance of a search warrant:

The information contained within this affidavit is based upon my investigation, as well as information conveyed to me by other law enforcement officers. The following is either known to me personally or has been related to me by persons having direct knowledge of the events described, including but not limited to other law enforcement officers. This affidavit is written in support of my request for a search warrant. There is information known to me that is not written in this affidavit.

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- Det. Jason Letourneau and Det. Jason Danielson went to DiGenova's residence on 12-19-22 at 2100. DiGenova answered the door but opted not to invite them in and spoke with them outside of his residence and this conversation was recorded. Based on the statement provided by DiGenova and his explanation of the watch he showed Katz, DiGenova was suspended, and a criminal investigation ensued.

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Detectives MacCallum and Mattuchio went to Periwinkle Jewelers on 12-21-22 and interviewed vice-president Winklette Taylor. Det. Mattuchio wrote a report summarizing this which said:  
*On December 21, 2022, at approximately 1000 hours, Det. LT John MacCallum and I went to Perrywinkle's located in Burlington, VT. We spoke with the Vice President, Winklette Taylor regarding a possible stolen Rolex watch. Winklette stated that Perrywinkle's was the only Rolex dealer in the State of Vermont. She then stated that she remembered a Vermont State Trooper coming into Perrywinkle's on November 29th, 2022. She remembered the Trooper being in uniform and stated his name was "John Digenova." He then pulled out a Rolex from a black bag and stated that he obtained this watch from a case he was working and needed to know if it was real and its estimated value. Winklette advised the Rolex was real "DateJust 41" and estimated that watch to worth \$14,000.00. She said it would be worth more if he had the box and proper documentation which he stated he did not have. The watch was Oyster steel and yellow gold. Winklette provided a "likeness only" picture of the Rolex. John then stated he was interested in purchasing a Rolex for his son who was turning twenty-one (21). Winklette was able to order a similar watch to what John showed her from the bag however it was all silver valued at \$8,000.00. Winklette also stated that she had a text message conversation with John. She texted John on November 29th, 2022, at 1011 hours stating it was "nice to meet you." John replied, "Same here and thank you." Winklette stated that she was able to order the silver DateJust 41 and called John several times and left voice messages. She then texted him on Tuesday December 6th at 1657 hours. That message states, "Good evening. John, this is Winkle from Perrywinkles. I've reached out by phone several times leaving you a message but I have not been able to connect. Please give me a call at..." Digenova then replied, "Hello! I'm so sorry I did get you message. I am currently in Italy for a couple of*

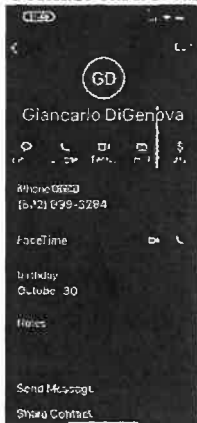


*weeks for family emergency and only check my phone time to time. I'm assuming you may have that watch in? If so I appreciate the call. I definitely am interested even if its not available by the time I get back but you kinda got me really interested in the Tudor as well lol. I will stop by again when I get back and figure out what I really want."*

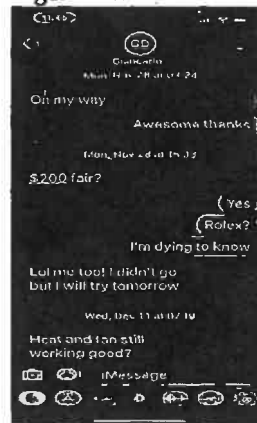
I contacted DiGenova's cousin Riccardo Servizio at the number provided by DiGenova. At first, he asked me: how would he know about his cousin having a watch? I asked him if he helped get his cousin (Giancarlo DiGenova) a watch. He then acknowledged that he helped get something for his cousin. His cousin didn't like it, so he gave it back to Riccardo who gave it back to the person he got it from. Riccardo said he found / got him a watch which was ugly. I asked to describe the watch. He said it goes around his wrist and has little tickers that tell time. He then added that it was a "fugazi" Rolex with gold in it. When I asked how much he paid him for it, Riccardo explained that he smacked his cousin for becoming a cop, he has 3 felonies and has done prison time, and gets leery with the questions. Eventually Riccardo told me that DiGenova gave him about \$800, some of this money was for the watch and some was for Riccardo to keep for himself, but Riccardo gave all of it back. This happened a month and a half ago. He came down one weekend then went back the following weekend. Riccardo told me that he his cousin exchanged no photos or messages prior to the watch purchase. He said that he always stays in touch but there were no photos exchanged. He specified that they live 4 hours away from each other. He was unable to provide any more details. He said that the watch was for DiGenova's son who turned 21. He said that he hasn't been in contact with DiGenova for 2-3 weeks.

From looking at record management systems (Spillman and Valcour) I determined that DiGenova had 2 phone numbers: 802 498 7730 and 802 999 3294. The 7730 was determined to be a number for his VSP issued cell phone (which was seized during his suspension). The 3294 was determined this was a Verizon Wireless number (his personal cell phone). Ben Katz specified that he exchanged messages related to the Rolex watch with DiGenova using the 3294-telephone number.

Contact card from Ben Katz:



Messages between Katz and DiGenova:



It has been my experience that cellular telephones can be used to discuss criminal activity. Now that Vermont State Police have taken DiGenova's work issued cell phone, I believe he is limited to one cell phone which could be used to further discuss the incident under investigation. I believe that 802 999 3294, DiGenova's personal cell phone is an iPhone based on blue and white message content between Katz and DiGenova's cell phones.

I looked at records of usage for DiGenova's work cell phone based on him telling me that he did not exchange any photos or texts with his cousin related to purchasing the watch. I found numerous instances of DiGenova using his work assigned cell phone to send and receive texts and media such as photos and videos. It did not make sense to me that if DiGenova was adept at basic use of messaging



(photos, texts, videos) that he would not have exchanged them with his cousin prior to driving several hours to pick this watch up, and prior to him returning it. This was specifically brought up by the detectives who interviewed him on 12-19-2022 and DiGenova specified that he had no texts to his cousin.

I was told that the employee at the jewelry store who met with DiGenova and appraised the watch, remembered that it was a Rolex DateJust however was not sure the model number (as there are different models of Rolex DateJust). She provided a likeness of the watch DiGenova brought in for appraisal: I compared it with a still image from body camera footage from the arrest of the owner of the missing watch, and saw that they were similar in appearance.

Likeness from the Jeweler:



Still image of the stolen watch:



On 12-21-22 the owner of the missing property provided additional photos of some of this property to Det. Sgt. Angela Baker:

Stud earrings:



Rolex Watch:



Lt. Jason Letourneau advised that when he and Det. Danielson met with DiGenova at his home, they went to 80 Laurel Drive in Essex VT, which is on the right side of a duplex and has a garage. This is a photo from Google Earth of this address:



According to DMV records, there are 2 vehicles registered to DiGenova: A 2019 Toyota RAV-4 (White) bearing VT plate KFH987, and 2019 Dodge Ram truck (black) bearing VT plate 373A565.



Based on all information provided, I have probable cause to believe that evidence of the crimes of grand larceny, sale of stolen property, official misconduct, neglect of duty, false information to police in violation of 13 VSA 2501, 2561, 3006, 1754, 2606 could be found at the following locations:

- The residence of Giancarlo DiGenova, 80 Laurel Drive located in the Town of Essex, Chittenden County VT. This is a duplex residence, 80 is the residence on the right side of the building.
- The person of Giancarlo DiGenova
- Any vehicles parked at this residence, owned, or operated by Giancarlo DiGenova or anyone else residing at this address.

I believe that the following evidence could be located at the above listed locations:

- Men's Rolex Watch
- Apple Air Pods, Apple Airpod case
- Identification, credit, or debit cards in the name of Cecil Whidbee
- Small stud style earrings
- Brown paper evidence bag featuring a "File on Q" property label.
- Soft cloth bag (black)
- Receipts, bills of sale, pawn shop tickets, paperwork associated with the sale, appraisal, or pawn of property described above.
- The personally owned cell phone of Giancarlo DiGenova

This application, search warrant, and affidavit was reviewed and approved by Chittenden County State Attorney Sarah George.

This Affidavit was sworn to before me by the author over the phone at the date and time shown below.

Signed electronically pursuant to V.R.F. 9(d) on December 22, 2022 at 850 pm.

  
Thomas Carlson  
Superior Court Judge

Vermont State Police | Crime Scene Search Team

**Evidence Collection Form**

Case #: 22B1007708 Case Officer: Robson Incident Address: 80 LAUREL DR, ESSEX, VT

|                    |                                      |                                                |                                                                                                                       |                                                      |
|--------------------|--------------------------------------|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Item #<br><b>1</b> | Date collected<br><b>12/21/22</b>    | Time collected<br><b>2205</b>                  | Description (Item type, Quantity, Make, Model, Serial #, Color, # Of Swabs, etc.)<br><b>1 phone w/ black case</b>     |                                                      |
|                    | Collected by (Initials)<br><b>SL</b> | Package type<br><b>Paper / Plastic / Other</b> | Found by (Initials)                                                                                                   | Location collected<br><b>from person (Dineenova)</b> |
| Item #<br><b>2</b> | Date collected<br><b>12/22/22</b>    | Time collected<br><b>6051</b>                  | Description (Item type, Quantity, Make, Model, Serial #, Color, # Of Swabs, etc.)<br><b>POSSIBLE DIAMOND EARRINGS</b> |                                                      |
|                    | Collected by (Initials)<br><b>AB</b> | Package type<br><b>Paper / Plastic / Other</b> | Found by (Initials)<br><b>AA</b>                                                                                      | Location collected<br><b>WIN PLOWSON'S MTS</b>       |
| Item #             | Date collected                       | Time collected                                 | Description (Item type, Quantity, Make, Model, Serial #, Color, # Of Swabs etc.)                                      |                                                      |
|                    | Collected by (Initials)              | Package type<br><b>Paper / Plastic / Other</b> | Found by (Initials)                                                                                                   | Location collected                                   |
| Item #             | Date collected                       | Time collected                                 | Description (Item type, Quantity, Make, Model, Serial #, Color, # Of Swabs etc.)                                      |                                                      |
|                    | Collected by (Initials)              | Package type<br><b>Paper / Plastic / Other</b> | Found by (Initials)                                                                                                   | Location collected                                   |
| Item #             | Date collected                       | Time collected                                 | Description (Item type, Quantity, Make, Model, Serial #, Color, # Of Swabs etc.)                                      |                                                      |
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| Item #             | Date collected                       | Time collected                                 | Description (Item type, Quantity, Make, Model, Serial #, Color, # Of Swabs etc.)                                      |                                                      |
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|                    | Collected by (Initials)              | Package type<br><b>Paper / Plastic / Other</b> | Found by (Initials)                                                                                                   | Location collected                                   |



APPLICATION FOR SEARCH WARRANT WITH AFFIDAVIT (vehicles)

I, Det. Sgt. Jesse Robson requests the Honorable Judge to issue a warrant to search:

- Any vehicles parked in the driveway or garage for 80 Laurel Drive, owned, or operated by Giancarlo DiGenova or anyone else residing at this address.

for the following:

- Men's Rolex Watch (pictured in the attached affidavit) serial number reported to be 63H40765
- Apple Air Pods, Apple Airpod case
- Identification, credit, or debit cards in the name of Cecil Whidbee
- Small stud style earrings (pictured in the attached affidavit)
- Brown paper evidence bag featuring a "File on Q" property label.
- Soft cloth bag (black)
- Receipts, bills of sale, pawn shop tickets, paperwork associated with the sale, appraisal, or pawn of property described above.
- Giancarlo DiGenova's personally owned cell phone (believed to be an iPhone) with associated telephone number of 802 999 3294

and if such property be found there, to seize it, prepare a written inventory, and promptly return the inventory to the Vermont Superior Court- Chittenden Criminal Division

The applicant has probable cause to believe that such person will be found and will constitute:

Grand larceny, sale of stolen property, possession of stolen property, official misconduct, neglect of duty, false information to police in violation of: 13 VSA 2501, 2561, 3006, 1754.

For the purposes of establishing probable cause for issuance of this warrant, there are attached hereto the following affidavits: Det. Sgt. Jesse Robson - Vermont State Police.

This application is made on this DATE

\_\_\_\_\_  
Judicial Officer

*Jesse Robson*  
\_\_\_\_\_  
Applicant

Vermont State Police  
Bureau of Criminal Investigation  
Case: 22B1007730



State of Vermont  
Chittenden County, SS

**SEARCH WARRANT (residence and attached garage)**

**TO: Det. Sgt. Jesse Robson, Vermont State Police and/or any law enforcement officer:**

You are hereby commanded to search:

- Any vehicles parked in the driveway or garage for 80 Laurel Drive, owned, or operated by Giancarlo DiGenova or anyone else residing at this address.

for the following:

- Men's Rolex Watch (pictured in the attached affidavit) serial number reported to be 63H40765
- Apple Air Pods, Apple Airpod case
- Identification, credit, or debit cards in the name of Cecil Whidbee
- Small stud style earrings
- Brown paper evidence bag featuring a "File on Q" property label.
- Soft cloth bag (black)
- Receipts, bills of sale, pawn shop tickets, paperwork associated with the sale, appraisal, or pawn of property described above.
- The personally owned cell phone, believed to be an iPhone of Giancarlo DiGenova (associated number 802 999 3294)

and if such property be found there, to seize it, prepare a written inventory, and promptly return the inventory to the Vermont Superior Court- Chittenden Criminal Division

The applicant has probable cause to believe that such person will be found and will constitute:  
**Grand larceny, sale of stolen property, official misconduct, neglect of duty, false information to police**  
in violation of: 13 VSA 2501, 2561, 3006, 1754, 2606.

Serving this warrant grants Vermont State Police and any law enforcement officer to conduct a complete search between the hours of (0600 hours -2359 hours), within 10 days from the date hereof, and if the person be found there, to seize him, prepare a written inventory, and bring such before the Vermont Superior Court- Chittenden Criminal Division.

This warrant is issued upon the basis of an affidavit and finding of probable cause by me, filed with the clerk of that unit.

Dated at Keene, New York at 850 pm on December 21, 2022

Signed electronically pursuant to V.R.E.F. 9(d).

  
Thomas Carlson  
Superior Court Judge



AFFIDAVIT OF PROBABLE CAUSE

Now comes Detective Sergeant Jesse Robson, affiant, being duly sworn, makes the following statement to establish that he has probable cause for the issuance of a search warrant:

The information contained within this affidavit is based upon my investigation, as well as information conveyed to me by other law enforcement officers. The following is either known to me personally or has been related to me by persons having direct knowledge of the events described, including but not limited to other law enforcement officers. This affidavit is written in support of my request for a search warrant. There is information known to me that is not written in this affidavit.

On 12-20-2022 I was assigned a special investigation related to missing personal property from the VSP Williston barracks temporary evidence room. I was given preliminary information such as:

- Vermont's Narcotics Investigation Unit (NIU) and Burlington Police Department arrested Cecil Whidbee on 11-22-2022. His personal property was taken from him, entered into VSP's property tracking system (File on Q), put into a brown paper evidence bag, and stored in the temporary evidence room. This property consisted of small stud earrings, Apple AirPods and Airpod case, a gold Rolex watch, keys, and a wallet.
- The following day, Det. Sgt. Dustin Robinson was trying to unite another person arrested with their keys. He looked into the above-described bag, showed the other person the keys that Cecil had on him when arrested, but they were not the keys she was looking for. Dustin put the keys back into the bag and at that time, the other property was in the bag.
- Cecil's designee was identified by Sgt. Joe Paquette to release the above-described property, however on 12-05-2022 the bag and property could not be located by Sgt. Paquette. Numerous actions were taken including a search of the evidence rooms, and e-mail sent to every VSP member whose keycard was used to access the evidence room during this timeframe.
- Det. Sgt. Ben Katz notified his supervisors that Vermont State Trooper Giancarlo DiGenova showed him a Rolex watch that he (DiGenova) said he bought on E-bay and ultimately told Katz was determined to be a fake.
- Det. Jason Letourneau and Det. Jason Danielson went to DiGenova's residence on 12-19-22 at 2100. DiGenova answered the door but opted not to invite them in and spoke with them outside of his residence and this conversation was recorded. Based on the statement provided by DiGenova and his explanation of the watch he showed Katz, DiGenova was suspended, and a criminal investigation ensued.

I was provided a list of dates and times that DiGenova's VSP ID card was used to access the temporary evidence room, and it showed that he accessed it numerous times between 11-23-2022 and 12-5-2022, including on 11-26-22 (4 times).

I listened to the audio recording of the interview with DiGenova conducted on 12-19-2022. During this interview he denies taking the property from the evidence room. DiGenova told detectives that he bought the watch from a Massachusetts guy he knows, to give to his son for his 21<sup>st</sup> birthday. DiGenova decided that he did not like the watch and brought it back to his cousin who got the watch from someone he knows. DiGenova said he paid about \$800 for the watch and then got his money back when he returned it. DiGenova told detectives that he has no receipt and had said that no text messages were exchanged between he and his cousin. DiGenova told detectives that he did not have this watch appraised, he just returned it to his cousin. Detectives asked DiGenova about Katz saying that he (DiGenova) bought the watch on-line, and DiGenova denied this, stating that he looked on-line. DiGenova began complaining about the system in place to store property. DiGenova said that he wishes he never showed the watch to Ben. He then said, "it's personal fucking property man". Said he gets it but can't believe it's getting to this point and questioned how far this was going to be taken. DiGenova



stated: " I, I, you know, if, if I did something I woulda fixed it. I wouldn't have kept this going. I didn't do anything wrong other than trying to find my son a Christmas present. I'm sorry, birthday present, now Christmas present." DiGenova spoke of knowing about things that have happened the past such as evidence getting flushed and that he keeps a lot of things in his back pocket just in case and told detectives that if he hears no one else got a knock on their door he was going to be pissed.

When DiGenova was suspended from duty, his assigned VSP cruiser, issued cell phone, and computer were taken. Captain Matt Daly searched through the cruiser and found a business card for Periwinkle Jewelers in Burlington.

On 12-20-2022 I briefly spoke with Ben Katz who told me that DiGenova has a work cell phone and a personal cell phone and provided me the numbers he has for DiGenova. I conducted a detailed recorded interview with Ben Katz on 12-21-22. In summary he told me that on 11-28-22 DiGenova was doing a small electrical job at Katz' house, and at lunch time Katz brought DiGenova out to lunch in DiGenova's truck. Once inside the truck DiGenova produced a watch from the center console of his truck (black Dodge). DiGenova told Katz that he paid \$700-\$800 for the watch on E-bay, in hopes that it was real. Katz specified that DiGenova did not give Katz another reason for purchasing it. Katz handled the watch, felt that it was heavy, turned it around to look at the back of it and saw there was no serial number or other writing and wondered if it was a real Rolex. Katz described the watch as a gold Rolex with a gold band, notches on the bezzel, and no numbers on the watch face to denote the hours and minutes, just hashes. Katz looked at current Rolex models on the internet, and saw likenesses to the watch shown to him on 2 current models: The Day Date and The Date Just. Katz was talking on the phone with DiGenova later and asked him if the watch turned out to be genuine Rolex. DiGenova told him that he brought it to a local jeweler for appraisal and was told that it was a good fake, but not a legit Rolex. Katz told me that he and other VSP received an e-mail from Captain Dunlap regarding a missing watch from temp evidence, and Katz noted that DiGenova was also on this list, thought it was strange, but did not think DiGenova would steal a watch. While at the scene of another case, Katz was speaking with Trooper Clay Knight. He asked if the missing items were located and Knight told him no, they were not. Katz contact his union director (Mike O'Neil) to ask for a description of the watch. O'Neil checked with NIU detectives and reported back to Katz that it was described as a gold Rolex. Katz felt that this was too many red flags, so he reported his concerns to his supervisors.

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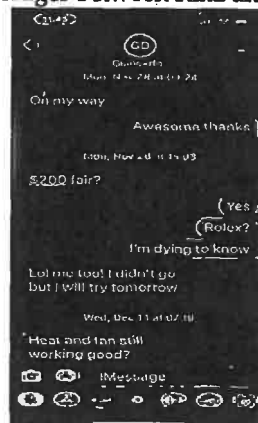
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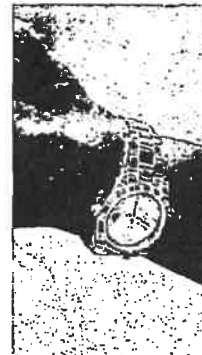


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According to DMV records, there are 2 vehicles registered to DiGenova: A 2019 Toyota RAV-4 (White) bearing VT plate KFH987, and 2019 Dodge Ram truck (black) bearing VT plate 373A565.



Based on all information provided, I have probable cause to believe that evidence of the crimes of grand larceny, sale of stolen property, official misconduct, neglect of duty, false information to police in violation of 13 VSA 2501, 2561, 3006, 1754, 2606 could be found at the following locations:

- The residence of Giancarlo DiGenova, 80 Laurel Drive located in the Town of Essex, Chittenden County VT. This is a duplex residence, 80 is the residence on the right side of the building.
- The person of Giancarlo DiGenova
- Any vehicles parked at this residence, owned, or operated by Giancarlo DiGenova or anyone else residing at this address.

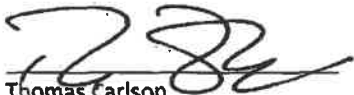
I believe that the following evidence could be located at the above listed locations:

- Men's Rolex Watch
- Apple Air Pods, Apple Airpod case
- Identification, credit, or debit cards in the name of Cecil Whidbee
- Small stud style earrings
- Brown paper evidence bag featuring a "File on Q" property label.
- Soft cloth bag (black)
- Receipts, bills of sale, pawn shop tickets, paperwork associated with the sale, appraisal, or pawn of property described above.
- The personally owned cell phone of Giancarlo DiGenova

This application, search warrant, and affidavit was reviewed and approved by Chittenden County State Attorney Sarah George.

This Affidavit was sworn to before me by the author over the phone at the date and time shown below.

Signed electronically pursuant to V.R.F. 9(d) on December 22, 2022 at 850 pm.

  
Thomas Carlson  
Superior Court Judge