AFFIDAVIT OF SPECIAL AGENT CHENEE CASTRUITA IN SUPPORT OF GOVERNMENT'S MOTION FOR DETENTION

I, Chenee Castruita, having been sworn, state:

Introduction and Agent Background

1. I have been a Special Agent with the Federal Bureau of Investigation since June of 2022. I am currently assigned to the Public Corruption and Civil Rights Squad of FBI's Boston Division, where I investigate public corruption and civil rights offenses. I am a graduate of the FBI Academy in Quantico, Virginia, and I have received on-the-job training and attended courses sponsored by the FBI and Department of Justice on how to conduct investigations regarding violations of various federal laws. I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C).

2. The facts in this affidavit come from my personal observations and review of records, my training and experience, and information obtained from other agents and witnesses. This affidavit is filed in connection with the government's motion for detention. Therefore, it does not set forth all of my own and the other investigators' knowledge about this matter.

3. I submit this affidavit in connection with the government's motion to detain defendant MATTHEW FARWELL pending trial. As alleged in the indictment charging FARWELL with violating 18 U.S.C. § 1512(a)(1)(C), and as further described below, on February 1, 2021, FARWELL killed Sandra Birchmore with the intent to prevent her from communicating to law enforcement certain information regarding FARWELL's commission or possible commission of the following federal crimes:

a. Using a facility or means of interstate commerce to persuade, induce, entice, or coerce then-15-year-old Birchmore to engage in unlawful sexual intercourse, in violation of 18 U.S.C. § 2422(b) (coercion and enticement);

b. Depriving Birchmore of certain rights secured by the United States Constitution by committing statutory rape while acting under color of law, in violation of 18 U.S.C. § 242; and

c. Participating in a scheme to defraud the Stoughton Police Department and Town of Stoughton through false representations, or material omissions, about the hours FARWELL worked in order to receive compensation for official time when he was, in fact, engaging in sexual intercourse with Birchmore, in violation of 18 U.S.C. § 1343.

Overview of the Investigation

4. On February 1, 2021, then-Stoughton Police Detective MATTHEW FARWELL killed Sandra Birchmore. FARWELL committed this murder, at least in part, to prevent Birchmore from disclosing to authorities information regarding his commission or possible commission of one or more crimes, including coercion and enticement in violation of 18 U.S.C. § 2422(b), deprivation of rights under color of law in violation of 18 U.S.C. § 242, and a then-ongoing wire fraud scheme in violation of 18 U.S.C. § 1343. FARWELL's murder of Birchmore was the culmination of FARWELL's years-long pattern of abuse targeting Birchmore.

5. When she was a young girl, Sandra Birchmore was interested in pursuing a career in law enforcement, and eventually joined the Stoughton Police Explorers Academy (hereinafter, "Police Explorers") to learn more about law enforcement careers. While Birchmore was in the program, FARWELL was involved as both a volunteer and an instructor. FARWELL used his authority and access to groom, sexually exploit, and ultimately sexually abuse then-15-year-old Birchmore. FARWELL continued this sexual abuse after Birchmore became an adult, and he continued to engage in an extramarital sexual relationship with Birchmore until he killed her on February 1, 2021.

6. There are signs that, in late 2020 and early 2021, FARWELL was losing control of Birchmore and the information she possessed about his past and then-ongoing conduct. In or around December 2020, Birchmore became pregnant. Soon thereafter, Birchmore told FARWELL that he was the father of her child and she wanted him to be more involved in the planning for the impending birth. In January 2021, Birchmore's friend contacted FARWELL's employer, the Stoughton Police Department, and during that call referenced FARWELL and Birchmore's illicit sexual relationship. Shortly thereafter, a Stoughton Police Department employee told FARWELL about that call.

7. By the end of January 2021, FARWELL faced the specter of additional disclosures to law enforcement regarding his prior sexual abuse of Birchmore and his then-ongoing efforts to defraud the Stoughton Police Department and Town of Stoughton by meeting her for sex when he was supposed to be on duty as a police officer. On February 1, 2021, FARWELL went to Birchmore's apartment in Canton, Massachusetts wearing a COVID-19/medical facemask. Once inside, he killed her and staged her body and apartment to make it appear that Birchmore had died by suicide.

8. On February 4, 2021, three days after the murder, members of the Canton Police Department went to Birchmore's apartment to conduct a well-being check. When police officers entered Birchmore's apartment, they found her body. A paramedic determined that Birchmore was dead, and her body was transported to the Office of the Chief Medical Examiner (hereinafter, the "OCME").

9. In early May 2021, an OCME pathologist ruled Birchmore's manner of death to be suicide.

I. Evidence that Farwell committed federal offenses or possibly committed federal offenses by sexually abusing Birchmore when she was a minor.

10. MATTHEW FARWELL started sexually exploiting Sandra Birchmore no later than 2013, when she was 15 years old.[1] At that time, Birchmore was enrolled in the Police Explorers. FARWELL used his position of trust and authority as a sworn police officer and instructor in the Police Explorers to groom Birchmore. Ultimately, FARWELL sexually abused Birchmore, including by engaging in sexual intercourse with her.

11. The Explorer Program is a vocational education program that enables youth to explore career paths, such as careers in law enforcement. Police departments throughout the country partner with the Explorer Program to create what are commonly known as local Police Explorers Programs. The Stoughton Police Department chartered and facilitated the Stoughton Police Explorers. It was a quasi-paramilitary program designed to expose youth participants to various aspects of policing.

12. FARWELL became a sworn member of the Wellesley Police Department in 2008. On March 27, 2012, he was hired by the Stoughton Police Department, where he worked until he resigned on April 1, 2022. Prior to joining Stoughton Police Department in 2012, he was a Police Explorers volunteer. After joining the Stoughton Police Department, he served as a Police Explorers instructor. He had several roles as an instructor, including teaching firearms and explosives safety and conducting canine demonstrations. At the time, FARWELL was already familiar with the Police Explorers because he had also been a participant as a teenager.

[1] FARWELL was born in 1985.

13. In March 2010, Sandra Birchmore applied to be a Police Explorers participant. At the time, Birchmore was 12 years old. She began participating in the program in the spring of 2010, and she remained in the program through 2016.

14. FARWELL began to groom Birchmore when she was a child.[2] This grooming culminated in FARWELL raping Birchmore in April 2013, when she was only 15 years old.[3] At the time of this assault, FARWELL was 27 years old. FARWELL continued to sexually abuse Birchmore prior to her eighteenth birthday. After Birchmore turned 18 years old, FARWELL continued cultivating a sexual relationship with her that lasted until her death on February 1, 2021.

A. Electronic messages between Farwell and Birchmore indicate that Farwell sexually abused Birchmore when she was a child.

15. After Birchmore's death, law enforcement agents obtained Birchmore's cell phones, both Apple iPhones, and laptop and reviewed the data on those devices. During that review, agents discovered messages between FARWELL and Birchmore. The messages confirmed that FARWELL frequently communicated with Birchmore for years. The messages also indicate that FARWELL had sex with Birchmore when she was a minor, starting in or around April 2013, when Birchmore was 15 and FARWELL was 27.

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[2] Based on my training and experience, "grooming" is the process of a predator building a relationship with a child or vulnerable adult in order to gain their trust, enabling the groomer to ultimately exploit the child or otherwise vulnerable person.

[3] Under Massachusetts law, any intercourse with a person under the age of 16 is unlawful and constitutes sexual abuse, specifically, statutory rape. M.G.L. ch. 265 § 23. Furthermore, any person who has sex with a child under the age of 16, being at least 10 years older than that child at the time of the intercourse is guilty of Aggravated Statutory Rape. M.G.L. ch. 265 § 23A (b). Finally, any mandated reporter who has sex with a child under 16 years old is guilty of Aggravated Statutory Rape. M.G.L. ch. 265 § 23A (c). During the relevant time period, as a Stoughton police officer, FARWELL was a mandatory reporter under Massachusetts law.

16. Data from Birchmore's Facebook account reveals aspects of the beginning of FARWELL and Birchmore's online communications. Specifically, Facebook data indicates that FARWELL sent Birchmore a Facebook "friend request" on October 28, 2012. At that time, Birchmore was 15 years old and a participant in the Police Explorers. FARWELL was her 26-year-old instructor.

17. On February 21, 2019, Birchmore and FARWELL had a text message conversation about FARWELL taking Birchmore's virginity. Birchmore told FARWELL that she was happy that he "took it." Later in the same conversation, FARWELL acknowledged that it was "a big thing to get to be the first."

18. In the same text conversation, FARWELL also reminisced about the first time he digitally penetrated Birchmore's vagina. Discussing the day that occurred, FARWELL asked Birchmore what she would have done if he (FARWELL) told her he wanted her that day. Birchmore responded that she would have told him that he could have sex with her "after school." She also recalled the specific class and seat that she was in when she realized that she was going to lose her virginity to FARWELL. Based on my investigation, I believe that this occurred during the 2012-2013 school year when Birchmore was 15 years old.

19. Additionally, on March 19, 2019, FARWELL asked Birchmore, "what would you have done if we never used a condom and I never pulled out . . ." Birchmore reassured FARWELL that she "wouldve [sic] still finished school :)" Birchmore then told FARWELL, "I loved prom night! It was worth not going to prom."

20. On February 11, 2020, Birchmore and FARWELL discussed the exact day that FARWELL took then 15-year-old Birchmore's virginity:

BIRCHMORE: I had butterflies so bad the day you took my virginity

FARWELL: Me too it was such a big day

BIRCHMORE: Still know the date to this day

FARWELL: Really?

BIRCHMORE: Yes.

FARWELL: :)

BIRCHMORE: Thats not a date I'll ever forget

BIRCHMORE: It was april 10, 2013

FARWELL: :)

BIRCHMORE: Best day of my life [face with heart emoji]

FARWELL: Me too

21. On June 19, 2020, Birchmore and FARWELL had the following conversation in which FARWELL reminisced about his past criminal sexual abuse of Birchmore:

BIRCHMORE: I'm glad you agreed to take my virginity though

FARWELL: Me too

* * *

FARWELL: Lol if I pushed I absolutely could've fucked you without condoms from day one

BIRCHMORE: Probably if you really pushed it.

BIRCHMORE: I was kinda scared to say no in the beginning not knowing how you'd take it so yeah you wouldve got no comdoms [sic] lol.

B. Other electronic messages confirm that Farwell sexually abused Birchmore when she was a child.

22. Text messages between Birchmore and others confirm that FARWELL sexually abused Birchmore as a child and continued a sexual relationship with her until her death. For example, on October 5, 2020, Birchmore texted one of her friends (hereinafter, "Person 1") that FARWELL had been having sex with her for "the last almost 10 years" and that FARWELL had taken her virginity "before [she] was 16." On May 20, 2020, Birchmore told another friend that she had lost her virginity five days before the Boston Marathon bombing.[4]

23. Also on October 5, 2020, Birchmore prepared a draft text message to FARWELL's wife. Birchmore sent this draft text to Person 1. The text states, in part: "I am just messaging to inform you that your husband Matthew has been out cheating on you since before you guys were even married." I am aware that FARWELL and his wife got married in May 2013, shortly before Birchmore turned 16 years old. There is no known record indicating the draft message was sent to FARWELL's wife.

24. Other text messages between FARWELL and Birchmore demonstrate his sexual interest in minors. On June 15, 2019, FARWELL and Birchmore exchanged text messages in which they discussed role-playing during their next sexual encounter. FARWELL asked Birchmore how old she was going to pretend to be during that encounter. When Birchmore responded "14," FARWELL replied with a smiley face emoji. In another conversation between FARWELL and Birchmore on February 21, 2020, FARWELL describes pinning Birchmore down during sex and asks her: "Will you say Matt stop I'm 13 I'm not ready for this omfg please stop."

[4] I am aware that this event took place on April 15, 2013.

25. I have also reviewed several text messages from 2020 in which FARWELL instructs Birchmore to act as if he were her older brother coming into her room at night to have sex with her.

C. Witnesses confirm that Farwell cultivated a close relationship with Birchmore when she was a child.

26. Agents have interviewed one of Birchmore's friends (hereinafter, "Person 2") regarding Birchmore's relationship with FARWELL. Person 2 indicated that shortly before her death, Birchmore revealed to him/her that FARWELL started having sex with Birchmore when she was 15 years old.

27. Agents have also interviewed one of Birchmore's relatives, who described being aware that Birchmore would meet with FARWELL when Birchmore was a minor. Specifically, this family member indicated that around the time Birchmore was a freshman in high school,[5] she would tell him/her that she was meeting with FARWELL so he could help her with homework.

28. I have reviewed a text message exchange between FARWELL and Birchmore from June 17, 2019, where the two discuss how FARWELL had helped her "test prep" at the library. FARWELL told Birchmore that she should have told him that she was interested in having sex with him that day. Birchmore told him that she was scared to speak up. FARWELL then asked her, "did you think I wouldn't want to fuck you?" Birchmore responded, "Yes and like cause of my age I didnt want you to be like uhhh no wtf." FARWELL then told her, "I understand that."

29. In a conversation from April 5, 2020, FARWELL told Birchmore that he knew he wanted to take her virginity when he "started helping [her] with school work." Additionally, on

[5] Birchmore was a freshman in high school from September 2011 – June 2012.

February 21, 2020, Birchmore and FARWELL reminisced about when they first became sexually active:

BIRCHMORE:	I listened better back then tho
FARWELL:	I wish it had been a year sooner after helping you study at the library
FARWELL:	You still listen and give me whatever I want baby
BIRCHMORE:	I didnt even make you wait a year after that
BIRCHMORE:	And good. But I dont think your gonna get what you want next time so
FARWELL:	Of course I will I'll just take it
BIRCHMORE:	That's what you think. Good luck with that
FARWELL:	What was the first day you said omg I want this guy to be my first I want to feel him inside me
BIRCHMORE:	Yeah so 2012 I finally decided that I was gonna try and find a way to fuck you and just wasnt sure how.
BIRCHMORE:	How did you feel when I asked to make your dream come true
FARWELL:	Amazing!
BIRCHMORE:	Good
FARWELL:	I absolutely would've fucked you in 12
BIRCHMORE:	In 12?
FARWELL:	2012

30. Agents have also interviewed one of Birchmore's childhood friends (hereinafter, Person 3"). Person 3 confirmed that Birchmore would meet FARWELL to "help with her homework." Moreover, Person 3 indicated that Birchmore confided in him/her that she was meeting with FARWELL in early high school to have sex with him in his police car or his truck.

II. Evidence that Farwell committed federal offenses or possibly committed federal offenses by submitting false information to obtain wages for time spent engaging in sex acts with Birchmore.

A. Farwell defrauded the Stoughton Police Department and Town of Stoughton.

31. On multiple occasions, FARWELL engaged in sex acts with Birchmore while on duty as a Stoughton police officer. To cover this up, FARWELL falsely represented that he had worked certain hours, when in truth and in fact, he was not working. Rather, he was engaging in sex acts or spending time with Birchmore. Accordingly, FARWELL's misconduct was also part of a scheme to obtain wages from the Stoughton Police Department, an agency of the Town of Stoughton, through false statements or material omissions regarding the hours he was on duty and working as a police officer.

B. Farwell's text messages with Birchmore indicate that he had sex with Birchmore while he was on duty as a Stoughton police officer.

32. Text messages between FARWELL and Birchmore indicate that, on multiple occasions, FARWELL left work during his shifts to meet and, at times, engage in sexual activity with Birchmore. These encounters occurred at various locations, including Birchmore's previous home in Stoughton, her more recent apartment in Canton, a Costco parking lot in Stoughton, and a Five Guys parking lot in Canton. Examples of dates and approximate start times of these encounters are listed here:

Date	Approximate Start Time
April 10, 2020	11:46pm
May 1, 2020	11:10pm
May 20, 2020	7:14pm
July 1, 2020	9:36pm

September 22, 2020	7:32pm
September 24, 2020	8:56pm
September 28, 2020	8:28pm
October 5, 2020	7:03pm
October 6, 2020	7:09pm
October 12, 2020	7:31pm
October 19, 2020	9:44pm
October 23, 2020	8:01pm
October 25, 2020	10:43pm
November 6, 2020	10:27pm
November 18, 2020	9:46pm
November 24, 2020	9:22pm
November 28, 2020	10:26pm
November 28, 2020	10:40pm
December 11, 2020	10:52pm
December 29, 2020	7:49pm
December 30, 2020	11:01pm
January 8, 2021	10:09pm
January 16, 2021	10:02pm
January 23, 2021	10:08pm
January 29, 2021	10:07pm

33. I have reviewed messages that reveal that both FARWELL and Birchmore knew that some of their encounters occurred while FARWELL was on duty. For example, on April 10, 2020, FARWELL wrote, "I'm going to sneak away from work quick." On November 24, 2020, Birchmore asked if FARWELL would be on duty when the two were scheduled to meet. FARWELL responded, "Yes I will be on the clock".

34. The text messages between FARWELL and Birchmore, which precede several of the above-listed encounters, contain statements indicating that the purpose for at least some of the encounters was to engage in sex acts. For example, on several occasions, FARWELL sent Birchmore text messages directing her to act as if she was being raped during the ensuing encounter.

C. <u>Farwell's scheme to defraud caused interstate wire communications.</u>

35. The Town of Stoughton pays Stoughton police officers on a bi-weekly basis. In or around 2020 and January 2021, FARWELL received his paychecks via direct deposit to his account at USAA Federal Savings Bank. The paycheck funds originated with Rockland Trust Bank, and were deposited in FARWELL's account via an Automated Clearing House ("ACH") transfer. Each ACH transfer originated outside of Massachusetts, and/or traveled through another state before terminating in FARWELL's account.

36. Accordingly, it appears that by engaging in sexual conduct when he should have been performing official duties as a police officer, and obtaining pay for that time, FARWELL may have committed wire fraud in violation of 18 U.S.C. § 1343.

III. Farwell killed Birchmore to prevent her from disclosing information about his commission of federal crimes and possible commission of federal crimes.

37. As described in detail below, there is evidence that FARWELL killed Birchmore on February 1, 2021 to prevent her from disclosing information about his possible commission of the federal crimes listed above.

A. Birchmore's Pregnancy

38. On October 5, 2020, Person 1 told Birchmore that FARWELL's wife was pregnant with the couple's third child. Person 1 indicated that the baby was due in February 2021. Birchmore responded that she was going to tell FARWELL's wife that he had been having sex with her (Birchmore) for nearly ten years.

39. In summary, electronic messages between FARWELL and Birchmore for the period beginning on or about October 5, 2020, through January 2021, indicate that Birchmore presented FARWELL with an ultimatum: FARWELL would have to agree to engage in unprotected sex with Birchmore with the goal of conceiving a child; and in return, Birchmore would not disclose their relationship. Birchmore had already told others that FARWELL had been having sex with her since before she was 16 years old, which she knew was a crime, and Birchmore knew that FARWELL was leaving work to have sex with her while he was on duty as a Stoughton police officer.

40. According to text messages between FARWELL and Birchmore, Birchmore sent FARWELL a photo of her ovulation schedule and the two started discussing timing their sexual encounters around specific times in Birchmore's cycle.

41. Approximately one week after FARWELL agreed to have unprotected sex in order to conceive a child, FARWELL and Birchmore had a disagreement about the terms of their agreement. The following is an excerpt from a text conversation on October 12, 2020:

FARWELL: I said the agreement was once that was our compromise

BIRCHMORE: I asked if we could try this month, didn't realize that meant you fuck me once lol. And Then I asked if we could try through this year and you said I'd think about it.

42. The conversation continued on October 13, 2020:

FARWELL: Our compromise was try once.

BIRCHMORE: Yeah it was to try this month

BIRCHMORE: So your thinking about the second thing I said as far as the rest of the year?

FARWELL: You said try once this month if it happens it's meant to be those are the exact words.

43. Text messages indicate that a few weeks later, Birchmore continued to discuss trying to get pregnant. On November 3, 2020, she asked FARWELL if they could try again that month or whether they would need to talk "in person about that." FARWELL responded, "that's an in person discussion." On November 5, 2020, Birchmore asked FARWELL if he had given any more thought to their prior conversation and told him that she thought of a way they could both be happy:

BIRCHMORE: How would you feel about us having a baby, you being there AND signing the birth certificate (theres never gonna be a need for your information anyway so youll be safe there) and I wont talk shit about her or your kids. That way we both get what we want.

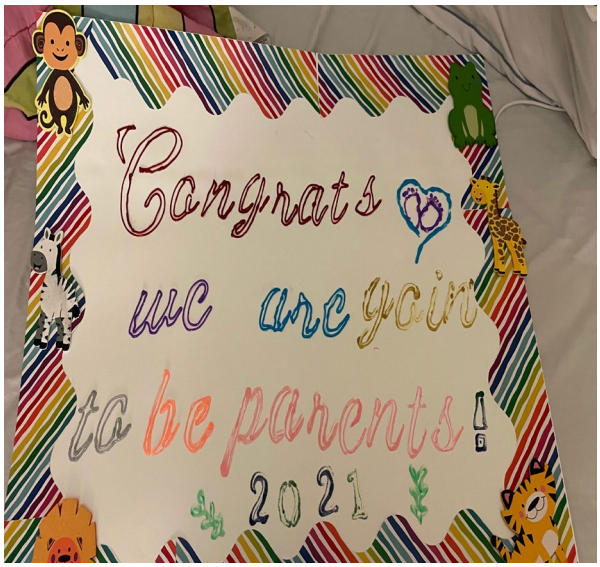
BIRCHMORE: You asked me the other day what I wanted and I didn't want to give it to you in the form of an ultimatum so I am trying to do it with you as a compromise type of thing Can you tell me what you thought of?

BIRCHMORE: I'm down for discussing it in person but the more I thought about it you signing it really isn't going to have an impact on you cause of the way things are going to fall in the future.

FARWELL: ok that's an in person discussion

44. In November 2020, after Birchmore learned that she was not yet pregnant, she asked FARWELL about continuing to try to conceive for another month. On multiple occasions, FARWELL told Birchmore that they would need to discuss that topic in person. FARWELL continued to meet with Birchmore in person and text messages suggest that they remained sexually active.

45. On December 28, 2020, Birchmore sent FARWELL a text message informing him that she was pregnant. She sent him a photo of a poster she had made to celebrate the pregnancy:



46. FARWELL's immediate response to Birchmore's disclosure about the pregnancy was, "I literally have nothing to say right now how could you express that in text when I said I don't appreciate it." FARWELL and Birchmore then argued about the pregnancy in the following text conversation:

FARWELL: How far are you?

BIRCHMORE: Regardless of how far we're keeping it…

BIRCHMORE: but 3.5 weeks

* * *

BIRCHMORE: Which means I concieved [sic] this month

* * *

FARWELL: Ok well we need to talk then.

BIRCHMORE: No shit. That's obvious

BIRCHMORE: And the birth certificate is being signed

BIRCHMORE: Or hers isn't.[6]

* * *

BIRCHMORE: No I'm mad your acting how you are over a CHOICE WE BOTH MADE

FARWELL: I'm mad you act like you gave anyone a choice

BIRCHMORE: Lmao oh so you didn't have a choice

BIRCHMORE: ?

FARWELL: Per usual you make and do whatever you want

BIRCHMORE: All I did was say can I have it you said have what and I said you know what im asking for and you stood up and said yeah

BIRCHMORE: You've been doing that. You mad shes due in February and I am in September and you dont know how your gonna be there for both of us.

BIRCHMORE: And you need to be there during labor for me too

[6] At the time of these text messages, I know that FARWELL's wife was 8 months pregnant with his third child. Based on the context of these texts and prior messages, I believe Birchmore was referring to the birth certificate for the child that Farwell's wife was then carrying.

BIRCHMORE: Becuase [sic] your kid should matter

BIRCHMORE: Late august-early September**

FARWELL: You are truly the worst person on the face of the earth…

47. After the foregoing conversation, Birchmore again threatened to expose the truth about FARWELL's prior sexual abuse and their ongoing relationship. FARWELL responded by indicating that Birchmore had threatened him, causing him to agree to impregnate her.

FARWELL: For the past week and half the doctor wasn't right but now she was and you just throw it at me cause now you've got me. You honestly have absolutely no idea how to treat people. I have fucking bent over backwards for you. Now you want to act like this was some free will decision. You have threatened me from the word go if I didn't do and give you what you wanted you would ruin me. I made a deal with you and you changed the terms at every turn. We will deal with this tomorrow.

B. Farwell's Escalating Physical Violence.

48. On December 29, 2020, FARWELL and Birchmore met to talk in person. After this meeting, Birchmore sent FARWELL a text alluding to a physical encounter.

BIRCHMORE: it made me really uncomfortable and stressed out and scared when you were next to me because I thought you were gonna hit me after you said what you said and took things out of my hand. That's why I was crying. I know you wouldn't but it still scared me.

49. At least three witnesses have disclosed that, in the weeks before her death, Birchmore told them that FARWELL was physically violent when Birchmore and Farwell discussed the pregnancy. According to death records, Birchmore was 4 feet, 10 inches tall. Military records indicate that FARWELL is 6 feet, 4 inches tall.

50. Person 2 reported that, in the weeks prior to Birchmore's death, she was "over the moon" about her pregnancy. According to Person 2, Birchmore had decreased her coffee consumption, discussed winter clothes for her future baby, and engaged in FaceTime calls with Person 2 while selecting baby clothes. Person 2 indicated that Birchmore was nervous about telling FARWELL about the pregnancy but that she eventually did. In January 2021, Birchmore called Person 2 and stated that, after telling FARWELL about the baby, FARWELL told her that "he wished [she] just would die and he wants nothing to do with the baby." According to the information Birchmore shared with Person 2, FARWELL put Birchmore in a headlock and grabbed her cell phone from her hand. Person 2 told Birchmore to distance herself from FARWELL, given that he was dangerous, a police officer, and obviously did not care about the law. However, Person 2 was also aware that Birchmore appeared to be attached to FARWELL because he had taken her virginity when she was 15 years old.

51. Person 3 also indicated that, in the days before her death, Birchmore disclosed that FARWELL had been violent. Approximately 10 days before Birchmore's death, Birchmore and Person 3 went to Walmart to buy a baby stroller for Birchmore's future child. Birchmore was excited about the baby and asked Person 3 to be the child's godmother. Birchmore told Person 3 that the day prior, FARWELL had gotten angry with her for showing him a fetal sonogram. According to Birchmore, FARWELL told her, "that's not my child. I don't want anything really to do with you," and then FARWELL pushed her to the ground. Person 3 told Birchmore to end the relationship with FARWELL. Person 3 indicated that Birchmore seemed scared but not ready to leave FARWELL because FARWELL had been such a big part of Birchmore's life for several years.

52. Additionally, Person 7, Birchmore's long-time therapist, reported that, in the weeks before Birchmore's death, Birchmore reported to her that FARWELL got upset about the impending pregnancy and "shoved" her.

53. In addition to these descriptions of FARWELL's violence targeting Birchmore from Person 2, Person 3, and Person 7, Birchmore's text messages to Person 1 further confirm FARWELL's escalating violence. On January 10, 2021, Birchmore sent Person 1 a text message indicating that she had recently argued with FARWELL. Birchmore told Person 1 that, during the argument, FARWELL took her cell phone out of her hand three times and refused to give it back to her. Birchmore also indicated that FARWELL took her computer out of her hand and used his body to shove her.

C. In January 2021, there was increasing pressure on Farwell.

54. In January 2021, the pressure on FARWELL increased as a result of Birchmore's pregnancy. Birchmore tried to communicate with FARWELL regarding her due date, ultrasounds, genetic testing, gender reveals, and doctor appointments. In his text responses, FARWELL was unresponsive to or dismissive of those topics, or he appeared to ignore them. On January 4, 2021, Birchmore told FARWELL that she was going to the doctor the next day and asked if he wanted to know how the appointment went. FARWELL did not directly respond to that question.

55. On January 5, 2021, Birchmore asked FARWELL to come over so they could discuss her estimated due date, the week of her first ultrasound, her conversation with her doctor, and her first appointment. FARWELL did not respond directly to that request.

56. Text messages from January 3, 2021 show that Birchmore asked FARWELL if their child could have his last name. However, he told her he would not discuss that issue via text message.[7]

BIRCHMORE: So I have a compromise for you

BIRCHMORE: You don't need to sign the bc if the baby can have your last name…

* * *

FARWELL: Not discussing in text. We can talk in person.

57. In another text message on January 6, 2021, Birchmore began to ask FARWELL what their family would look like.

BIRCHMORE: 1. You don't have to sign the bc if I'm allowed to at least list you and they can have your name and I won't move to Stoughton or [the town where FARWELL's family resides.]

BIRCHMORE: 2. I won't bitch about holidays- but I would like you to come a few days before Christmas and Easter so you can see what they get from me and I don't want you to leave them out. And 3. If you want to try and support them, we can talk about that. But I do want you to see them.

BIRCHMORE: I feel like I'm trying to be as fair as I can. And I want you there for labor… That I'm standing my ground on.

BIRCHMORE: Last name**

FARWELL: ok we can discuss this more in person.

BIRCHMORE: Okay. I figured. Does it kinda sound ok to you?

[7] FARWELL's reluctance to discuss the pregnancy via text message is significant because it is inconsistent with FARWELL and Birchmore's long history of text message discussions regarding seemingly private topics. For example, there are thousands of text messages between FARWELL and Birchmore in which FARWELL discusses details regarding his work as a police officer, his sexual fantasies that were predominantly violent and included many references to choking and rape, and graphic details about their previous sexual encounters.

FARWELL: It a lot to think about it's so much more than you have ever asked for.

* * *

BIRCHMORE: And still less than what any other girl would ask for

58. On January 20, 2021, Person 2 called the Stoughton Police Department, and in that call referenced the sexual relationship between Birchmore and FARWELL. After learning about this call—the fact of which suggested at least some aspects of FARWELL's illicit conduct may have been exposed to the Stoughton Police Department—FARWELL sent Birchmore text messages revealing his extreme anger. He sent her a series of text messages with expletives, telling Birchmore that he thought no one knew about their relationship, that she had no clue how bad this was, and indicating that he does not know if he needs to worry about other disclosures.

FARWELL: Dude your fucking friend called my job Sandra wtf

BIRCHMORE: ?

FARWELL: You're [sic] friend [Person 2's name] just called my fucking work to complain about me wtf

BIRCHMORE: Idk

FARWELL: What do you mean you don't know

BIRCHMORE: I literally just woke up

FARWELL: Did you steal from her?

BIRCHMORE: Nope

FARWELL: What is going on?

FARWELL: You also told me that no one knew about us yet she claimed we are fucking

* * *

BIRCHMORE: It's literally nothing

FARWELL: It's not nothing she called my job that's insane.

* * *

FARWELL: Why would she call and drop my fucking name Sandra? Like what do I have to do with you not giving her something?

* * *

FARWELL: Like you have no idea how bad what she did is

* * *

FARWELL: I literally can't believe this is even real life like what else do I have to worry about now? Which other friend will do something tomorrow?

59. During this investigation, I have interviewed Person 5, an employee of the Stoughton Police Department, who received the call from Person 2 on January 20, 2021.[8] Person 5 indicated that he/she took down Person 2's name and information and gave it to FARWELL. Person 5 indicated that FARWELL immediately got angry and "pissed off" and ordered Person 5 "not to speak about this to anyone and to never talk about it again." Person 5 described FARWELL's reaction as atypical and not consistent with his normal behavior.

D. Birchmore's Final Days

60. On January 24, 2021, approximately one week prior to Birchmore's death, she communicated with Person 8 about FARWELL.

BIRCHMORE: Soo the father came by last night it was like a complete 360 change

PERSON 8: 180?

BIRCHMORE: Yeah lol

[8] Person 5 did not have an independent memory of the date of the call, but I have confirmed such date through business records.

PERSON 8: Good or bad?

BIRCHMORE: Good, but unexpected. So it kinda threw me off and made me a little uncomfortable but that's cause of how things were going. He asked me if I'd give him a key and said that if I keep it a secret he'll be around and see them and all that. So its somewhere. Then he looked in my closet and then the bathroom but idk why haven't figured that out.

BIRCHMORE: We started to heart to heart then work called him so he had to leave.

BIRCHMORE: Oh and he brought me a ginger ale because I ran out

PERSON 8: What about the birth certificate?

BIRCHMORE: I think he's signing it not sure

BIRCHMORE: Hes coming back again this week

BIRCHMORE: But it was like a complete like 180 from where we were at

61. Based on my training and experience, I believe that FARWELL's shift in demeanor on or about this date was his attempt to appease Birchmore until he could kill her. Additionally, the foregoing text messages, considered in light of the other evidence, suggests that FARWELL was making a plan to kill Birchmore. Part of that plan included asking Birchmore to give him a key and keep it secret. Another part of that plan was inspecting various rooms of Birchmore's apartment, including the closet, to determine whether they contained items or presented options for how and when to kill Birchmore.[9]

62. FARWELL's request for a key for Birchmore's apartment in the week leading up to her death is corroborated by other evidence. I have reviewed text messages between FARWELL and Birchmore from January 24, 2021, in which Birchmore gave FARWELL the passcode to her

[9] On February 4, 2021, Canton Police found Birchmore's body next to the closet door with a duffle bag strap around her neck. The strap was wrapped around the closet door handle.

building's front door and told him, "I have your key too when you want it". Additionally, I have reviewed records from Walmart that suggest that Birchmore did, in fact, pay approximately $2.00 to have a key copied at approximately 11:10 a.m. on January 24, 2021.

63. According to text messages Birchmore and FARWELL exchanged on January 29, 2021, Birchmore again gave FARWELL the passcode to her building's front door and FARWELL verified that the code was the general one given to the entire building, not just one assigned to her.

64. FARWELL requesting or accepting a key to Birchmore's apartment was a sudden change from recent conversations. I have reviewed text messages between FARWELL and Birchmore—one as recent as October 14, 2020—in which FARWELL told her that he did not think it was a good idea for him to keep a key to her new (Canton) apartment. In a conversation with her friend, Person 9, on January 24, 2021, Birchmore indicated that she was surprised that FARWELL was now requesting a key to her apartment:

PERSON 9:	Did it go good with him
BIRCHMORE:	I got hit with a shocker question. Can I call you
BIRCHMORE:	So what really well surprisingly him he asked if he could have a key I am basically said he'll be around as long as I keep it a secret and don't tell anybody
BIRCHMORE:	But he did admit that I do have the upper hand in the situation Which isn't a good thing but I'm trying to and not be that person if you know what I mean
PERSON 9:	I get it are you gonna give him a key
BIRCHMORE:	I just made a copy of it yeah
PERSON 9:	That's good
BIRCHMORE:	I'm not gonna give it to him yet but he also brought me a Ginger ale last night like I asked him to
PERSON 9:	He's coming around

BIRCHMORE:	A lot more than I thought he was going to yes
BIRCHMORE:	I still have to verify the pin for him to get into the apartment if he rings me and I don't answer
BIRCHMORE:	But like last night he open my closet door for some thing and then he went in my bathroom looking at my bathroom and then I have a dolly in my living room that he asked why I had it was just really odd he started looking around I don't know
PERSON 9:	That's weird
BIRCHMORE:	Yeah it was really weird

65. According to text messages between FARWELL and Birchmore two days before Birchmore's death, she continued to engage FARWELL about planning for the birth of their child. On January 30, 2021, Birchmore asked FARWELL if she could tell him the baby names she was considering. FARWELL told her he would rather discuss that topic in person.

66. Leading up to February 1, 2021, Birchmore planned for other important baby-related events, such as who would care for her cats when she went into labor.[10] She ordered baby items and conducted Google searches related to her pregnancy and future child-rearing decisions. She also planned for newborn baby photos, an official pregnancy announcement, which she planned to do on Valentine's Day, as well as a gender reveal.[11] She also made plans for her more immediate future, scheduling an OBGYN appointment for February 10, 2021, and asking FARWELL to help shovel out her car during the impending snowstorm.

[10] This planning is of note because it indicates that shortly before her death, Birchmore was doing things that indicated her plans for the future. It is also important because it reveals a level of care for her pets that is inconsistent with the circumstances of her death. Specifically, when police found Birchmore's body in her apartment on February 4, 2021, her cats were present. She had made no arrangements for the animals.

[11] During the investigation, agents also learned that Birchmore had been taking classes in preparation for applying to nursing school.

E. The day Birchmore died.

67. On February 1, 2021, at 12:19 p.m., Birchmore sent FARWELL text messages indicating that she was going to be released early (at 12:35 p.m.) from her job at the Sharon Public Schools. FARWELL told her that he would not be in the area that day.

68. Later in the afternoon of February 1, 2021, Birchmore told FARWELL that she had received an early gift in the mail and that she was not planning to have a baby shower until late March because of the then-ongoing COVID-19 pandemic. She told FARWELL that once she learned whether they were having a boy or a girl, she wanted him to purchase clothes for the child to wear when he or she came home from the hospital.

69. Investigators have reviewed surveillance videos from Birchmore's Canton apartment building.[12] On February 1, 2021, she is seen on the video at approximately 5:01 p.m., accepting a DoorDash order, and then again going outside briefly and returning with a snow brush at 5:31 p.m, and 5:33 p.m., respectively. The last time Birchmore is seen alive on the video is on February 1, 2021, at 5:33 p.m..

70. Later that evening, at approximately 9:08 p.m., FARWELL sent Birchmore a text message asking whether he could "come by for a second." At approximately 9:10 p.m., Birchmore sent FARWELL a text message indicating that when he arrived at her apartment, the door would be open for him. This is the last known outgoing message sent from Birchmore's cell phone.

71. Surveillance video shows FARWELL entering Birchmore's Canton apartment building at 9:14 p.m.[13] In the surveillance video, FARWELL is wearing street clothes, a hoodie

[12] I am aware that the electronic timestamp on the apartment complex's video surveillance system was off by approximately 13 minutes. The surveillance video times set forth in this affidavit account for this 13-minute difference and are therefore the approximate real times of the events.

[13] I have reviewed Massachusetts State Police investigative reports which tentatively identify FARWELL as the person on surveillance footage entering Birchmore's apartment on

with the hood up, and a facemask that is similar to the medical facemasks that many people used during the COVID-19 pandemic. I have interviewed multiple witnesses who have each indicated that FARWELL resisted wearing a mask during the pandemic. One of these witnesses stated that FARWELL would only wear a mask when on duty and required by department policy to do so. The video surveillance recording shows that FARWELL left Birchmore's apartment at 9:43 p.m.

F. Canton police officers found Birchmore's body on February 4, 2021.

72. On February 4, 2021, Canton police officers conducted a well-being check at Birchmore's apartment. One of Birchmore's co-workers called the police because Birchmore had failed to show up for work that day. When officers arrived, they found Birchmore's body seated on the floor in a reclined position with a duffle bag strap tied around her neck. That strap was connected to her closet doorknob—the closet that FARWELL had inspected approximately one week earlier. At least one first responder quickly concluded that Birchmore had been deceased for "days."

73. I have reviewed crime scene photographs that depict Birchmore wearing the same clothing that she was wearing when she is seen on video entering her apartment on February 1, 2021, at approximately 5:33p.m. This is consistent with Birchmore having died later that same evening.

74. According to police reports, when Birchmore's body was found, her cell phone was on the floor located approximately 12 inches from her right hand and 6 inches from her bent right knee.

February 1, 2021. I have also reviewed a report regarding State Police detectives' interview of FARWELL, in which FARWELL admitted that he went to Birchmore's apartment on February 1, 2021. In that interview, FARWELL stated that he had been there between approximately 9:10 p.m. and 9:30 p.m.

75. I have reviewed the data on Birchmore's phone. A log report indicates that the phone was locked from 9:13 p.m. on February 1, 2021, until the device powered off because of battery loss on February 3, 2021. On February 1, 2021, while still locked, Birchmore's phone recorded a screenshot of a black screen at 9:18 p.m. In other words, after sending a final text message to FARWELL to tell him the door was unlocked, Birchmore's phone locked and was not unlocked until after the device was recovered by police.

76. Health data on Birchmore's phone indicates that the last movement recorded by the phone on February 1, 2021, occurred at 9:40 p.m. [14] That was 3 minutes before FARWELL was captured on surveillance video leaving Birchmore's apartment. Specifically, this data indicates that the mechanism that Apple uses to record movement registered eight steps at approximately 9:40 p.m. These recorded steps occurred while FARWELL was still in Birchmore's apartment. The phone recorded no additional steps between 9:40 p.m. and the time it was recovered by first responders on February 4, 2021. As noted above, first responders ultimately found the phone next to Birchmore's body. Based on my review of the frequency of Birchmore's phone use over weeks, months, and years leading up to her death, her failure to access her phone is inconsistent with her usual habits when alive and awake. [15]

77. I reviewed Birchmore's phone use from the hours leading up to her death on February 1, 2021. The following are some of the items in Birchmore's phone data from the hours

[14] Based on my training and experience, I am aware that Apple iPhones can be used to track and retain health-related data of the user, including but not limited to "steps" taken.

[15] I have also interviewed multiple witnesses who have reported on Birchmore's frequent, almost incessant, phone use. In fact, one witness referred to Birchmore's phone as her "third hand."

before her death. This is evidence that appears to be inconsistent with Birchmore, a pregnant woman, choosing to die by suicide that day:

Time	Event
1:25p.m. - 1:31p.m.	Birchmore communicated with a photographer regarding the timeline for booking a newborn photography shoot
7:57 p.m.	Birchmore texted a friend to obtain baby clothes from her
8:25 p.m.	Birchmore performed a Google search for "Cubby Kids" furniture

G. The condition of, and items found in, Birchmore's apartment were inconsistent with Birchmore dying by suicide.

78. I have interviewed family members who helped clean Birchmore's apartment in the days following her death. Some of the things they observed were also inconsistent with Birchmore deciding to die by suicide. For example, during their first visit, they noted that Birchmore had been in the middle of doing laundry when she died, with a load of wet clothes in the washing machine and another load dry in the dryer. Additionally, they observed a homemade sign saying, "Congratulations you're going to be a father." That sign had an ultrasound photo on it and was sprinkled with glitter.

79. Additionally, in Birchmore's apartment, family members observed a new baby stroller that was still in its package. They also observed homemade and store-bought onesies for a baby. One onesie read, "We're going to be PARENTS!" with a set of footprints underneath. Birchmore had packages that had been delivered recently, including clothing and other supplies for her baby. Birchmore had ordered items shortly before her death and packages continued to arrive in the days following her death.

80. Finally, family members found a necklace that belonged to Birchmore lying on the floor of her bedroom. This necklace consisted of a thin gold chain with a pink flamingo charm.[16] The family members observed that the necklace's chain was broken, but not at the clasp. There was also a large clump of hair on the chain. From my review of the crime scene photos, I observed that, while the strap was still around Birchmore's neck, the necklace was broken and hanging from the left side of her neck. The necklace's charm was on the right side of her abdomen.

H. Autopsy and Medical Evidence

81. An OCME pathologist (hereinafter, the "Medical Examiner") performed an autopsy on Birchmore's body. The Medical Examiner determined that Birchmore's cause of death was asphyxia by hanging. The Medical Examiner ruled Birchmore's manner of death a suicide. The Medical Examiner's written autopsy report noted that Birchmore's hyoid bone (a U-shaped bone at the front of the neck) was fractured on the right side and that she suffered from petechial hemorrhages of the bulbar and palpebral conjunctivae. Additionally, the Medical Examiner concluded that Birchmore had a hemorrhage of her left sternothyroid muscle.

82. The Medical Examiner's autopsy report further confirmed that Birchmore was approximately 8 to 10 weeks pregnant at the time of her death. The autopsy included toxicology testing. The results of the toxicology tests were negative for all substances except for sertraline, which was likely explained by the antidepressants Birchmore had been prescribed.

83. As part of this investigation, the government retained Dr. William Smock as an expert to independently review the crime scene photos, autopsy photos, and the Medical Examiner's autopsy report. Dr. Smock is an emergency medicine residency and forensic

[16] In my review of Birchmore's phone data, I noticed several photos of Birchmore in which she is wearing this necklace.

fellowship trained physician with more than 40-years of experience in the forensic evaluation of injuries, crime scenes, the forensic evaluation and reconstruction of wounds, including asphyxia-related deaths. His training, experience and position as a Police Surgeon, Instructor at the Louisville Metro Police Academy, Instructor for the U.S. Department of Justice, a Professor of Emergency Medicine, Medical Director of an EMS service, Physician and Medical Advisor to the FBI and U.S. Marshals Service, and an Assistant Medical Examiner with the Kentucky Medical Examiner's includes the emergency treatment, investigation, and reconstruction of asphyxia-related deaths and the analysis of crime scene for evidence of alteration. He has treated and evaluated thousands of patients, both fatally and non-fatally injured, who have experienced the physiological consequences of asphyxia, including strangulation. Dr. Smock has written, lectured extensively and trained thousands of law enforcement officers, physicians, nurses, judges and attorneys on evidence collection, crime scene investigation, the analysis and reconstruction of wounds, injury mechanisms, and the medical risks and consequences of asphyxia.

84. Based on his review of the evidence, Dr. Smock has made several observations and conclusions that call into question the prior finding that Birchmore's cause of death was suicide and instead further confirm that Birchmore's cause of death was homicide.

85. First, Dr. Smock concluded that the fracture of the right superior horn of Birchmore's hyoid bone is not consistent with the position in which first responders found her: sitting. A sitting hanging is called "an incomplete hanging," meaning only partial body weight is applied to the neck ligature. Dr. Smock's review of hundreds of cases of hangings in the forensic medical literature found no reported cases of hyoid bone fractures in seated women. Fractures of the hyoid bone are more commonly seen in strangulation assaults and in hangings with full body weight applied to the ligature, but not seated hangings.

86. Second, Dr. Smock noted that, during the autopsy, a pattern imprint was documented on Birchmore's right upper chest. The pattern imprint was the consequence of a buckle or buckles from the ligature strap being forced downward into Ms. Birchmore's chest. The presence of this pattern imprint is not consistent with a ligature hanging. Rather, the presence of the pattern is consistent with blunt force trauma from an assault. When first responders found Birchmore's body, the buckle responsible for this imprint was observed just below her right ear. However, the location of the imprint on her chest is not consistent with an incomplete ligature hanging.

87. Third, Dr. Smock reviewed the autopsy photos that depict Birchmore with areas of skin missing from the inferior and lateral aspects of her nose consistent with abrasions. These types of injuries are commonly seen in cases of suffocation when the victim moves their nose back and forth in an effort to breathe.

88. Fourth, Dr. Smock noted that Birchmore was in the habit of always wearing a chain necklace with a flamingo pendant. The chain was found broken around Birchmore's neck. The breaking of Birchmore's chain necklace is consistent with a struggle.

89. Dr. Smock, based on his education, experience, training and his review of the materials in this case opined, with a reasonable degree of medical and scientific certainty, that the cause of Ms. Birchmore's death is asphyxia and that the manner of her death is homicide.

I. Massachusetts State Police Interview of Matthew Farwell

90. On February 6, 2021, two days after police found Birchmore's body in her apartment, Massachusetts State Police detectives interviewed FARWELL. The interview occurred in the parking lot of a Stoughton elementary school. During this interview, FARWELL made several false statements about his relationship with Birchmore.

91. FARWELL told officers that he was involved in a sexual relationship with Birchmore, but he claimed the relationship only began in 2020. Based on this investigation, FARWELL's statement to detectives was false. As described above, FARWELL began having sex with Birchmore in 2013 and continued to have sex with her until near her death.

92. FARWELL told detectives that he had only had sex with Birchmore two or three times in the previous year. This statement was also false. Based on text messages between FARWELL and Birchmore, FARWELL had sexual intercourse with Birchmore on at least 10 occasions between January 1, 2020, and February 1, 2021.

93. FARWELL also told detectives that he could not have been the father of Birchmore's unborn child because the last time he had intercourse with her was October 2020. This statement was also false. Set forth below is a text message conversation between FARWELL and Birchmore on November 18, 2020, in which they discussed an upcoming sexual encounter:

FARWELL:	I'm going to try for tonight I've been in interviews all day from the murder Sorry
BIRCHMORE:	Exciting. Okay. I'm running to the store and doing something for you then. I hope you can come
FARWELL:	What are you doing for me?
BIRCHMORE:	Lol shaving.
BIRCHMORE:	Are you planning on rolling me over? I need to know what you want if you come?
FARWELL:	If you want me to roll you

* * *

FARWELL:	Would you want me to use a condom if I roll you?
BIRCHMORE:	I dont have any lol. I never picked any up.

* * *

BIRCHMORE: Do you want me to just take what you do or try and say no? I know being told no is your favorite

FARWELL: Say no

BIRCHMORE:

persons with severe mental health issues. However, the Stoughton Police Department, the law enforcement agency in the town where Birchmore lived her whole life before moving to Canton on or about December 1, 2020, has a record of Birchmore being subject to this temporary mental health hospitalization only one time, in May of 2020. According to police records and information disclosed by Person 7, on that day, Birchmore had gotten into a fight with a family member, who called the police and reported Birchmore was going to harm herself. The police took Birchmore to the hospital, where she was evaluated and deemed not at risk for self-harm. She was released a few hours later. According to Person 7, Birchmore stated that she was not suicidal, just angry at her family member. Additionally, I am aware that, minutes after Birchmore's release from this unfounded "section," FARWELL and Birchmore engaged in a graphic sexual conversation. Later, Birchmore apologized for worrying FARWELL and FARWELL replied, "I wasn't worried. I know you are fine."

98. The Canton Police Department has no record of Birchmore being subject to temporary mental health hospitalization. While there is evidence that indicates that Birchmore may have had suicidal ideations on a few occasions between 2016-2018, which FARWELL likely knew about because he was exploiting her during that time, I am not aware of credible evidence of any suicidal ideations in the approximately three years leading up to her death. In fact, all of the witnesses who agents interviewed about their interactions with Birchmore in the weeks leading up to her death suggested that, during that period, she was excited, optimistic, and involved in future planning.

99. Person 7 had a therapy session with Birchmore on January 31, 2021. During that meeting, Person 7 screened Birchmore for any signs of depression or suicidal ideation. He/she found none. Person 7 had regular sessions with Birchmore and noted no signs of depression or

suicidal ideation in the months leading up to Birchmore's death, and had her next appointment scheduled with Birchmore for February 4, 2021.

100. Additionally, FARWELL told detectives that he "had been trying to distance himself" from Birchmore. This is inconsistent with evidence that in Birchmore's final days, FARWELL asked for a key to her apartment. I have also reviewed a text message from January 28, 2021, just days before Birchmore's death, in which FARWELL told her that when he came over that night, he would give her "hugs." In that same conversation, he told her that he may not be able to visit her because he was "at a death" but that it was all good because "we do them all the time."[17] In addition, I have reviewed a text message exchange between Birchmore and FARWELL from January 29, 2021, in which Birchmore expressed joy at FARWELL agreeing to engage in sexual activity with her again.

J. Farwell's post interview conduct

101. Following Birchmore's death, the Stoughton Police Department placed FARWELL on administrative leave. Around that time, FARWELL met a co-worker, Person 4, at a local bar. During that meeting, FARWELL told Person 4 that he had a sexual relationship with Birchmore. However, according to Person 4, at no point during that conversation did FARWELL express any sadness, grief, or remorse about Birchmore's death. FARWELL told Person 4 that he was "angry with MSP for looking into him."

102. At some point during the summer of 2021, Person 4 attended a social gathering with FARWELL during which FARWELL participated in a joke about Birchmore being "hung on the door."

[17] I am aware that in FARWELL's time as a Stoughton Police officer and then detective, he responded to unattended deaths.

III. Additional Evidence Relevant to Detention

A. Farwell had a history of choking Birchmore.

103. Through this investigation, agents have identified evidence that FARWELL expressed an interest in violent sex and has a history of choking Birchmore. On more than one occasion, FARWELL asked Birchmore to perform his rape fantasies during sex, whereby Birchmore would pretend to be the victim of FARWELL's simulated sexual assaults.

104. Moreover, I have reviewed text messages that indicate that over the course of their relationship, FARWELL initiated the concept of choking Birchmore on numerous occasions. In 2020, the year preceding her death, text messages reveal that FARWELL told Birchmore on at least 20 separate occasions that he would grab her throat, pin her down by her throat, squeeze her throat, or choke her during sexual activity. These messages were sent on the following dates: January 29, 2020; February 10, 2020; February 21, 2020; March 9, 2020; March 23, 2020; March 30, 2020; April 2, 2020; May 11, 2020; May 14, 2020; May 15, 2020; June 4, 2020; June 7, 2020; June 13, 2020; June 27, 2020; August 5, 2020; August 14, 2020; September 25, 2020; October 14, 2020; October 15, 2020; and November 13, 2020.

105. Based on my review of Birchmore's journal entries, as early as 2013 (when Birchmore was just 16 years old), FARWELL introduced the idea of choking during their sexual encounters and discussions.

106. One such example of FARWELL promising to choke Birchmore occurred on October 14, 2020, when FARWELL told Birchmore that he was going to "cover her mouth" during sex and "maybe I'll choke you a little." In that same conversation, FARWELL told Birchmore, "I'll grab your throat and say you wont' [sic] say a word to anyone."

107. On October 15, 2020, FARWELL told Birchmore that, during their next sexual encounter, he was going to "grab [her] throat and say stfu now or I won't pull out."[18]

108. On November 13, 2020, FARWELL and Birchmore again discussed choking. In that conversation, FARWELL told Birchmore, "Maybe I'll hold you down by your throat while I pound you…" He asked her "how tight" he should squeeze and then stated that he wanted her to feel like "omg this is really happening and I can't stop it."

B. <u>Farwell used violent sex as a form of punishment.</u>

109. Birchmore's journal entries from 2013 through 2020 detail a continuous and sometimes violent sexual relationship with FARWELL. Birchmore often journaled about FARWELL using sex acts to punish her. According to her journal entries, FARWELL would engage in forceful oral, vaginal, and anal sex acts to punish her for her mistakes such as getting bad grades, having intercourse with other people, and failing to share her cell phone location with him. I have reviewed numerous text messages that FARWELL sent Birchmore, including some from March of 2019, which are consistent with FARWELL's practice of using certain sex acts to punish her for lying or being intimate with someone else. For example, in a text conversation on March 7, 2019, FARWELL said:

FARWELL:	You would have to take a serious pounding to make me happy
	* * *
BIRCHMORE:	Is it for everything?
FARWELL:	No.
	* * *
FARWELL:	You owe me 3

[18] Based on my training and experience, I know that the acronym "stfu" means "shut the fuck up."

* * *

FARWELL:	I'll give you a break and spread them out
BIRCHMORE:	Please not all the same day
FARWELL:	No I'll give you like a week so you can feel it and then as soon as it goes away you'll get it again so you feel it for like a whole month

* * *

BIRCHMORE:	Not gonna be a fun month
FARWELL:	Not for you

C. <u>Farwell's fixation with rape fantasies.</u>

110. Text messages between FARWELL and Birchmore reveal FARWELL's interest in sexual assault. For example, in one text conversation on November 8, 2020, FARWELL told Birchmore that he enjoyed having sex with her. When Birchmore asked what would be perfect for him, FARWELL replied, "you say no and make me take it. Full r word." [19] When Birchmore indicated that she was amenable to that, FARWELL responded, "doesn't matter I'll do whatever I want anyways."

111. During another text message conversation between FARWELL and Birchmore, FARWELL instructed Birchmore to call him "daddy" during sexual encounters. In that conversation on October 18, 2020, FARWELL told Birchmore that "daddy" was going to engage in anal sex with her. He also indicated that when he was done, he was going to grab her hair, pull her head back, and tell her to "keep [her] fucking mouth shut do you understand me."

[19] Based on my review of the text messages between FARWELL and Birchmore, I believe FARWELL is referring to rape as the "r word" in this message.

D. Farwell has obsessive and controlling tendencies.

112. Text messages between FARWELL and Birchmore include FARWELL's repeated demands that Birchmore set her phone's location sharing settings to allow him to always view her location. In these text conversations, FARWELL indicated Birchmore needed to share this information in order to gain back his trust for her alleged lies and infidelity.

a. On March 11, 2019, FARWELL asked Birchmore why her location was off and why he can no longer see it.

b. On March 22, 2019, FARWELL asked Birchmore to reveal her location. When she responded that she was at "7-11," FARWELL told her that he knew she was in Abington, and he asked multiple times why she would go there when "Stoughton has 100 convenience stores."

c. On April 22, 2019, FARWELL sent Birchmore a text message stating, "I know your [sic] hiding shit your location is off again."

d. On June 22, 2019, FARWELL sent Birchmore a text message asking why she turned off her location data "the other day."

e. On July 5, 2019, FARWELL again reached out to Birchmore saying, "I see your location is off again."

113. In July of 2020, FARWELL apparently transitioned from wanting to track Birchmore's location to prioritizing secrecy.

FARWELL:	You can turn your location back off if you want
BIRCHMORE:	It wasn't off. Thats why I wasnt sure why it wasnt showing up. Then I just unshared and reshared it with you. You can have it. Its been a thing for years lol.
FARWELL:	Lol ok

BIRCHMORE: Idc if you know where I am. Im not doing anything I shouldn't be. My legs shaking a shit ton rn. Im feeling that tmrw

FARWELL: lol I know that I just don't really like any of that stuff big brother is always watching

BIRCHMORE: I don't understand what you mean.

FARWELL: I'm just saying iPhones keep track of way too much stuff I don't mean anything by it.

E. Farwell's iCloud account contains disturbing images regarding violence and necrophilia.

114. During this investigation, pursuant to a federal search warrant, agents obtained and reviewed data from FARWELL's iCloud account. Located in FARWELL's iCloud were several memes that indicate his interest in sexual intercourse with dead bodies:

a. A meme that states, "what does a pulse and an orgasm have in common? I don't care if she has either." Another meme states, "if you fuck a corpse on a waterbed, it feels like they are participating."

b. A meme glorifying a person who kills and sexually abuses someone who "no one will miss."

115. FARWELL's iCloud data also contains images that reveal his interest in domestic and sexual violence:

a. A meme containing a photo of a woman with tape over her mouth that states, "Duct tape turning 'no, no, no' into 'mmm, mmm, mmm' since 1942."

116. FARWELL's iCloud data also includes images that could reveal his interest in strangulation. For example, one such image states, "When she says 'choke me daddy' and you get carried away and now she's dead." There is also a screenshot of an image of a woman saying that she could not sleep, followed by a man choking her saying, "goodnight bitch."

IV. FARWELL's Efforts to Conceal His Crimes.

117. On February 9, 2021, after giving his personal cell phone to State Police detectives, FARWELL used his Stoughton Police-issued cell phone to make and delete two Google searches. First, FARWELL searched for and deleted: "can delete [sic] imessage be recovered hy [sic] cellebrite." He then searched for and deleted: "can you revoke consent in massachusetts."

118. I have identified text messages between FARWELL and Birchmore in which FARWELL directed Birchmore to destroy evidence of their sexual relationship:

a. On March 11, 2019, FARWELL sent Birchmore a text reminding her to "Make sure you clear all this out."

b. On March 19, 2019, FARWELL sent Birchmore texts about his desire to use sexual violence and to pretend to rape her. At the end of this conversation, FARWELL sent her a text indicating that he was going to bed and instructed her to "Clear out this text."

c. On June 5, 2019, FARWELL directed Birchmore to make sure all of their text messages and Facebook messages had been deleted.

119. There are also text messages between FARWELL and Birchmore in which FARWELL directed Birchmore to destroy evidence regarding the beginning of their relationship. This would be evidence of FARWELL's efforts to coerce and entice Birchmore to engage in sexual intercourse when she was 15 years old:

FARWELL: Wish we had just done it for real the first time

BIRCHMORE: I know you do baby : (

FARWELL: it would've been perfect

BIRCHMORE: Yes!

* * *

BIRCHMORE: Was it still perfect the first time?

FARWELL: Of course it was baby

BIRCHMORE: :)

* * *

FARWELL: I never thought you'd let me

BIRCHMORE: I never thought you would.

FARWELL: I wanted it so bad

BIRCHMORE: So did I! I knew the day we made eye contact I wasnted [sic] you to fuck me

BIRCHMORE: Wanted*

FARWELL: You should've told me we could've fucked so much sooner

BIRCHMORE: :)

FARWELL: Clear that out part out baby

BIRCHMORE: I did

FARWELL: Good girl

[The remainder of this page is blank.]

Conclusion

The information set forth above supports the government's motion to detain Matthew Farwell pending trial in this case.

Sworn to under the pains and penalties of perjury,

/s/ Chenee Castruita
Chenee Castruita
Special Agent
Federal Bureau of Investigation

August 28, 2024