

STATE OF MAINE
PENOBSCOT, ss

UNIFIED CRIMINAL DOCKET
DOCKET NO. PENCDCR-23-2158

STATE OF MAINE)	COMPLAINT
)	
V.)	COUNT 1: THEFT BY
)	UNAUTHORIZED TAKING
)	17-A M.R.S. § 353(1)(B)(1) (CLASS B)
GERALD MERRILL)	
(DOB: 10/13/1961))	COUNT 2: BRIBERY IN OFFICIAL
)	AND POLITICAL MATTERS
)	17-A M.R.S § 602(1)(B) (CLASS C)
)	

Incident No. 2022-034-02B

Physical/Mailing Address:
22 Gales Road
Abbott, ME 04406

SEX: Male HT: 6'2" WT: 225 HR: BL
EYES: BR

Dept: Office of the Attorney General
Officer: Det. Michael Durham; Det. Patrick Gagnon
Prosecutor: Charles Boyle, Office of the Attorney General, #6 SHS, Augusta, Maine 04333-0006

I, Detective Michael Durham, Office of the Maine Attorney General, being first duly sworn, deposes and states upon information and belief that:

COUNT 1 THEFT BY UNAUTHORIZED TAKING (CLASS B)
17-A M.R.S. § 353(1)(B)(1)
ATN: 487417B
CTN: 001
SEQUENCE #: 8424

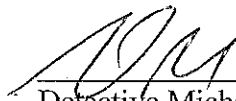
From on or about March 3, 2014 through on or about July 24, 2023, in the Town of Charleston, County of Penobscot, State of Maine, Defendant Gerald Merrill did commit theft

pursuant to one scheme or course of conduct by obtaining or exercising unauthorized control over the property of the State of Maine, such property consisting of money with an aggregate value in excess of \$10,000, with the intent to deprive the State of Maine thereof, in that Defendant used state-issued credit cards to make payments to A to Z Chemical Supply, ACS Solutions, Service Industries, Southern Source Industries, and Starlite Supplies, for the purpose of obtaining kickbacks or other payments to his personal account from those entities, their principals, or their agents, all in violation of 17-A M.R.S. §§ 352(5)(E), 353(1)(B)(1).

COUNT 2 BRIBERY IN OFFICIAL AND POLITICAL MATTERS (CLASS C)
17-A M.R.S. § 602(1)(B)
ATN: 487417B
CTN: 002
SEQUENCE #: 4856

From on or about March 3, 2014, through on or about July 24, 2023, in the Town of Charleston, County of Penobscot, State of Maine, Defendant Gerald Merrill did commit bribery in official and political matters, in that, being a public servant, namely Deputy Superintendent and Business Manager for the Maine Department of Corrections, Mountain View Correctional Facility and Downeast Correctional Facility, he did solicit, accept, or agree to accept pecuniary benefits, specifically, money, from A to Z Chemical Supply, ACS Solutions, Service Industries, Southern Source Industries, and Starlite Supplies, knowing or believing that the intent of those entities, their principals, or their agents, in paying the money was to influence the Defendant's action or other exercise of discretion as a public servant to make payments to those entities from funds belonging to the State of Maine, all in violation of 17-A M.R.S. § 602(1)(B).

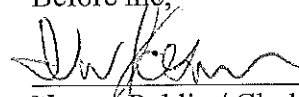
DATED: July 24, 2023



Detective Michael Durham
Office of the Maine Attorney General

The above-named Michael Dabrowski, Detective, Office of the Maine Attorney General, personally appeared before me and made oath that the above complaint signed by him is true to the best of his information and belief.

Dated: 7/24/2023

Before me,


Notary Public / Clerk

STATE OF MAINE
PENOBSCOT, ss.

UNIFIED CRIMINAL DOCKET
LOCATION: BANGOR
DOCKET NO. CR-23-2138

IN RE: ARREST WARRANT FOR
GERALD MERRILL
(DOB: 10/13/1961)

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)
)
)
)

MOTION TO IMPOUND

NOW COMES the State of Maine, by and through its undersigned attorney, respectfully requests this Honorable Court to order the impoundment of Affidavit and Request for Arrest Warrant for the person of Gerald Merrill (DOB: 10/13/1961), which warrant issued from this Court on July 24, 2023.

1. On July 24, 2023, detectives with the Office of the Maine Attorney General filed a two-count complaint against Gerald Merrill alleging that Merrill committed theft by unauthorized taking, 17-A M.R.S. § 354(1), and bribery in official and political matters, 17-A M.R.S. § 602.
2. In conjunction with the complaint, detectives applied for, and this court issued, an arrest warrant for Merrill pursuant to M.R.U. Crim. P. 4(b)(2). Detectives submitted a detailed affidavit supporting a determination of probable cause alongside their warrant request.
3. The State anticipates substantial public and media interest in the matter, and has reason to believe that disclosure of the relevant affidavit would impede the ability to convene an impartial grand jury in Penobscot County when the State seeks an indictment against Merrill.

WHEREFORE, the State of Maine respectfully requests that this Honorable Court impound the State's Affidavit and Request for Arrest Warrant for the person of Gerald Merrill (DOB:

10/13/1961) until such time as the Grand Jury has heard the State's presentation of the facts related to this matter, or until further order of the court.

Dated: July 25, 2023

Respectfully submitted,

/s/ Charles Boyle

Charles Boyle, AAG
Attorney for the State, Bar No. 6341
Office of the Attorney General
6 State House Station
Augusta, Maine, 04332-0006
(207) 626-8800
FILED VIA SHAREFILE

STATE OF MAINE
PENOBSCOT, ss.

UNIFIED CRIMINAL DOCKET
LOCATION: BANGOR
DOCKET NO. CR-23-2138

IN RE: ARREST WARRANT FOR
GERALD MERRILL
(DOB: 10/13/1961)

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ORDER ON MOTION TO
IMPOUND

The State of Maine's Motion to Impound is hereby granted. The Clerk shall impound the State's Affidavit and Request for Arrest Warrant for the person of Gerald Merrill (DOB:10/13/1961) until further order of the Court.

Dated: 7/26/2023



JUDGE/JUSTICE, UNIFIED CRIMINAL DOCKET

Motion to Impound is Granted with the exception it may be shared with Atty Refkner for the purpose of Defendant's initial Appearance on July 26, 2023 and with Defendant's Attorney (expected to be Walt McKee) and the Defendant hereafter

Durham, MAG

MAINE JUDICIAL BRANCH

COMMITMENT ORDER with CONDITIONS OF RELEASE CONDITIONS OF RELEASE

UNIFIED CRIMINAL DOCKET located at PENOBSCOT

Docket No. PENCDCR-2023-02138

STATE OF MAINE v. GERALD E MERRILL, JR

OFFENSE(S): THEFT BY UNAUTHORIZED TAKING OR TRANSFER

CHARGE: 1

SEQUENCE NUMBER: 8424 Title: 17-A / 353 / 1 / B / 1

CLASS: B

ATN/CTN: 487417B001

OFFENSE DTE (mm/dd/yyyy): 03/03/2014 LOCATION OF OFF: CHARLESTON

AGENCY: MAG

OFFENSE(S): BRIBERY IN OFFICIAL AND POLITICAL MATTERS

CHARGE: 2

SEQUENCE NUMBER: 4856 Title: 17-A / 602 / 1 / B

CLASS: C

ATN/CTN: 487417B002

OFFENSE DTE (mm/dd/yyyy): 03/03/2014 LOCATION OF OFF: CHARLESTON

AGENCY: MAG

Defendant shall be held at the Penobscot County Jail Department of Corrections

without bail as indicated on attached Bail Bond form until bail is posted as follows:

PERSONAL RECOGNIZANCE.

UNSECURED. Defendant is not required to post any security to be released, but if defendant fails to appear as the Bail Bond requires defendant shall owe the State of Maine \$ _____

SECURED. Defendant shall be released from custody only after the following security is posted.

Cash in the amount of \$ 5000 or No Third Party Bail Allowed

Real estate (or _____) with a net value (total value less encumbrances) of \$ _____

Bail Lien. Within 1 working day after today. Before defendant may be released, a lien on the real estate described must be recorded in the Registry of Deeds in the county where the real estate is located, and proof of such recording must be filed with the court listed above. (Note: The Registry of Deeds and the clerk's office are different offices and may be in different counties.)

SUPERVISED RELEASE: Check One Box Only AND OR in the alternative, defendant is released to the custody of a supervised bail contract pursuant to terms and conditions provided in the contract. The contract must be signed by the Defendant, the Court, and the supervising agency.

CONCURRENT. This bail is concurrent to the bail previously set/posted in (list court and docket number): _____

Additional conditions to which the defendant agrees to obey, if checked. The defendant will not:

use possess OR excessively use or possess alcohol; and

use possess OR excessively use or possess marijuana or marijuana products; and

use or possess any illegal drugs or their derivatives; and use or possess any dangerous weapons or firearms.

In order to determine if s/he has violated any prohibitions of this bond regarding alcohol, illegal drugs or their derivatives, marijuana or marijuana products, she/he will submit to searches of her/his person, vehicle, and residence and, if applicable, to chemical tests upon articulable suspicion.

As a condition of her/his participation in a specialty court docket, or as a condition of her/his deferred disposition, she/he will submit to random searches of her/his person, vehicle, and residence and, if applicable, to chemical tests for possession or use of alcohol, illegal drugs or their derivatives, or marijuana or marijuana products.

In order to determine if s/he has violated any prohibitions of this bond regarding firearms or dangerous weapons, s/he will submit to searches of her/his person, vehicle, and residence at any time without articulable suspicion or probable cause. upon articulable suspicion.

have no direct or indirect contact with (name and DOB (mm/dd/yyyy)) Melente High _____

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

_____ except as is necessary

- for counseling; to pay child support; for child contact; for court appearances; by telephone (from _____
- am pm to _____ am pm); by text; by email; _____
- and not enter any residence place of employment place of education of any such person(s);
- except for a single time, while accompanied by a police officer, for the purpose of retrieving defendant's personal effects.

- maintain or actively seek employment; maintain or commence an education program.
- participate in regular substance abuse counseling and provide proof of such counseling upon request.
- undergo medical mental health evaluation counseling/treatment & provide proof of such counseling/treatment upon request.
- complete certified Domestic Violence Intervention Program undergo other counseling/treatment _____ and provide proof of such counseling/treatment upon request.
- abide by the following restrictions on personal associations, place of abode, or travel: _____

- report daily weekly _____, in person by phone, to probation officer _____
- comply with the following curfew: _____

- participate in outpatient voluntary inpatient treatment; at or with _____
- take medications as prescribed. participate in an electronic monitoring program.
- not operate any motor vehicle under any circumstances unless lawfully licensed to do so.
- abide by Maine Pretrial Contract

If the defendant makes bail, the defendant is required to appear at the Unified Criminal Court on: (mm/dd/yyyy) 10/10/23 at 8:30 am pm and on any other date and time and at the court the justice, judge or clerk tells me to appear.

(This Conditions of Release form must be attached to defendant's Bail Bond).

July 26, 2023
Date (mm/dd/yyyy)

x [Signature]
 Justice Judge Clerk Bail Commissioner

Printed Name of Bail Commissioner

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Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

The Conditions of Release remain in effect. The defendant is required to appear on (mm/dd/yyyy):

_____ at _____ am pm at _____ Unified Criminal Court.

Date (mm/dd/yyyy): _____ X _____
 Judge Justice

The Conditions of Release remain in effect. The defendant is required to appear on (mm/dd/yyyy):

_____ at _____ am pm at _____ Unified Criminal Court.

Date (mm/dd/yyyy): _____ X _____
 Judge Justice

The Conditions of Release remain in effect. The defendant is required to appear on (mm/dd/yyyy):

_____ at _____ am pm at _____ Unified Criminal Court.

Date (mm/dd/yyyy): _____ X _____
 Judge Justice

The Conditions of Release remain in effect. The defendant is required to appear on (mm/dd/yyyy):

_____ at _____ am pm at _____ Unified Criminal Court.

Date (mm/dd/yyyy): _____ X _____
 Judge Justice

The Conditions of Release remain in effect. The defendant is required to appear on (mm/dd/yyyy):

_____ at _____ am pm at _____ Unified Criminal Court.

Date (mm/dd/yyyy): _____ X _____
 Judge Justice

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Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.

PRE-CONVICTION SUPERVISION CONTRACT

COURT: DISTRICT SUPERIOR UNIFIED CRIMINAL DOCKET
located at 78 Exchange St, County of Penobscot, State of Maine

STATE OF MAINE v. Gerald Merrill

Docket Number: CR-

Date of Birth: 10/13/1961

Address: 22 Gales Road, Abbot, Maine

207-672-6075

Phone Number:

I agree to obey the following conditions of my release as long as this supervision contract remains in effect:

PART A

1. I will appear at the Unified Criminal Court located at 78 Exchange Street, in Bangor, Penobscot County, Maine, on at AM and on any other date and time and that the court, justice, judge or clerk instructs me to appear.
2. I will commit no criminal act and will not violate any pending protection from abuse orders.
3. I will immediately inform the court named above of any change in my address or telephone number.
4. I waive extradition to the State of Maine from any other jurisdiction whatsoever, for prosecution of the charge(s) noted in the bail bond, conditions of release form and associated with this supervision contract.
5. I will comply with all the conditions of release noted in the bail bond and conditions of release form in the above-captioned matter(s).

The following special conditions apply, if checked

I will not use possess OR excessively use or possess alcohol,

I will not use possess OR excessively use or possess marijuana or marijuana products.

I will not use or possess any illegal drugs or their derivatives;

In order to determine if I have violated any prohibitions of this supervision contract regarding alcoholic beverages, illegal drugs or their derivatives, marijuana or marijuana products, I will submit to searches of my person, vehicle and residence and, if applicable, to chemical tests upon articulable suspicion.

I will not use or possess any dangerous weapons or firearms.

~~In order to determine if I have violated any prohibitions of this supervision contract regarding dangerous weapons or firearms, I will submit to random searches of my person, vehicle and residence.~~

have no direct or indirect contact with except as is necessary for counseling; to pay child support; for child contact; by telephone; and not to enter any residence; place of employment; place of education of any such named person(s) except for a single time, while accompanied by a law enforcement officer, for the purpose of retrieving my personal property.

not operate a motor vehicle under any circumstances unless lawfully licensed to do so.

comply with a curfew of PM to AM .

comply with the Maine Pretrial Services Supervision Contract.

Call/text 207-899-5426 (Cassandra) within SIX (6) HOURS of your release from PCJ.


- Report IN PERSON to 273 Hammond St on the first TUESDAY after your release between 8AM-11:30AM.
- Call 530-9645 DAILY to check in (leave a voice mail).

PART B

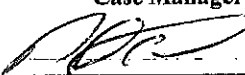
- report, as instructed, to Maine Pretrial Services.
- identify myself as supervised by Maine Pretrial Services to any law enforcement officer whenever I am stopped, detained, questioned, summonsed or arrested for any reason and will notify my supervising case manager within 24 hours of the law enforcement contact.
- accept the results of court-ordered alcohol/drug test conducted by Maine Pretrial Services or assume the cost of any laboratory analysis necessary to challenge such test results.
- undergo substance abuse mental health medical evaluation counseling/treatment, including any required in-patient program, and provide proof of such counseling/treatment upon request.
- comply with all medical advice regarding medications lawfully prescribed to me.
- execute all releases of information requested by Maine Pretrial Services.
- not enter any establishment whose primary business is the serving of alcohol beverages for on-premises consumption.
- not change residence without prior notice to Maine Pretrial Services.
- pay restitution in the amount of \$ _____ through _____ within _____ days of the effective date of this contract.
- Abide by all conditions assigned by the court (see conditions of release/bail conditions).
- .
- .
- .

NOTE: THIS SUPERVISION CONTRACT DOES NOT BECOME EFFECTIVE NOR MAY AN INCARCERATED DEFENDANT BE RELEASED FROM CUSTODY TO BAIL SUPERVISION UNTIL AUTHORIZED BY THE COURT.

BY SIGNING THIS SUPERVISION CONTRACT I HEREBY ACKNOWLEDGE THAT I UNDERSTAND THE TERMS AND CONDITIONS AND AGREE TO COMPLY WITH SUCH TERMS AND CONDITIONS.


 Defendant

Date: 7/26/2023

Case Manager

 Presiding Judge/Justice

Date: 7/26/2023

Date: 7/26/2023

Maine Pretrial Services

273 Hammond Street, Bangor, Maine 04401 (207) 530-9645

REPORTING INSTRUCTIONS

Client Name- Gerald Merrill Jr

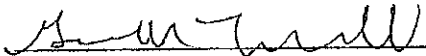
You must call Cassandra at (207-899-5426) within 6 hours of your release from jail.

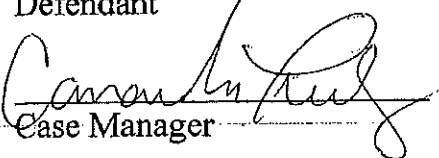
Report to CM via telephone daily by texting daily and writing your name and date of birth. When calling please state your first and last name clearly along with your date of birth and call back number.

Report to CM in person every Tuesday between the hours of 8am and 11:30am. (as directed) Please bring bail conditions and contract.

***In winter months the office may be closed due to inclement weather. If the court is closed, MPS is closed. Please check the following website for court closures:
https://www.courts.maine.gov/maine_courts/schedules/closings.shtml

Case Manager Information: Cassandra Trembley


Defendant


Case Manager

7/26/2023

Date