

Interview #WS400016
OFFICER BRIAN CURTIS

Hi, its Lieutenant Ed Forster with the State Police assigned to the Middlesex District Attorney's Office. We are at the Framingham Police Department and its Thursday, January 6, 2011 approximately 2:30 in the afternoon. We are with Officer Brian Curtis. In the room also is:

Deputy Chief Kenneth Ferguson, Framingham Police Department,
Officer Dave Carlos, Union President, Framingham Police Department,
Attorney Allen MacDonald, Counsel for the Union.

We are here investigating homicide shooting of victim Eurie Stamps of 26 Fountain Street that occurred at 26 Fountain Street on January 5th approximately 12:30 in the morning. Officer Curtis I believe you're a member of the SWAT team?

CURTIS

Correct.

FORSTER

Basically can you go through that night; what you remember; what your function was there?

CURTIS

Once we got there?

FORSTER

What's that?

CURTIS

Once we got there?

FORSTER

If you need this...but maybe you could start at your briefing. What time you were called and then what your assignment was and then where you were at your assignment. That's what I left you the photo there for.

CURTIS

OK. I got the page sometime after 9:30 I think.

FORSTER

OK.

CURTIS

I wasn't really sure if I was supposed to come in. I'm not an actual full SWAT operator yet. I just joined the team. The station actually called me, Sergeant Mike Esposito, he said did you get the page. Yeah, but I thought I was supposed to ignore it. He said, "No. You're supposed to come in". I said, "OK, I will be there by eleven o'clock". I think I got in around 10:15. Went in, threw on my ACUs. Got my gear from downstairs and brought it into the roll call room. Just got everything ready until they gave us the briefing. Then during the briefing they gave us our assignments. I was assigned with Greg Reardon to the BC side of the building.

FORSTER

OK. Do you want to put in there? Yeah that's fine. I know it's the "A" side the "B" side we've been getting a little educated here as it goes on. And put who you are with over there.

MARKING DIAGRAM

CURTIS

Officer Reardon and I were instructed.....

FORSTER

Was anyone else there with you that weren't SWAT even other police officers if you remember that side of the building?

CURTIS

There was a bunch of plain clothes detectives. The only one I remember specifically is Avila.

FORSTER

OK. Just put the C side like it would be up on the. Whatever. Wherever you think it is. "A" "B" "C" OK. All right. Beautiful. All right. So go ahead OK so you arrived at the... From the SWAT truck?

CURTIS

Our instructions were from Sergeant Silva to approach the house with a shield. We dropped the shield here.

FORSTER

Yeah.

CURTIS

Then our main concern was the stand in the "BC" corner and cover these two doors.

FORSTER

OK.

CURTIS

When we got there, we all emptied out of the truck. Officer Reardon carried the shield. He dropped the shield once he did I took point. We both ran down to the "BC" corner and I covered this door as he watched the "C" side of the building.

FORSTER

OK. Did you observe any other SWAT members at that time or?

CURTIS

There was two SWAT members on I believe they were supposed to do a "break and rake" on this one window here.

FORSTER

Did you see them there?

CURTIS

Yes. I don't know who it was.

FORSTER

OK. Just put you saw two other SWAT. Just put two SWAT. OK. All right. What happens? So you make your position out back there a side?

CURTIS

I was covering those two doors. They gave the order to go. The window was smashed out. They put a flash bang through the window. I heard the flash bang I saw the flash. Then I heard Police! Police! Police! Then shortly thereafter I heard a pop sounds like a gun fire.

FORSTER

OK. Did you ever go in at all into the place?

CURTIS

No. I stayed on this corner until I was relieved by or told to come back to the truck by Sergeant Stewart.

FORSTER

So when you heard that pop you were outside?

CURTIS

Yes.

FORSTER

So there was nothing you could see from outside inside?

CURTIS

No.

FORSTER

What happened next?

CURTIS

They called for the medics. The medics went in. I asked Detective Avila if he knew who had gotten shot. He said he didn't know yet. And he told me to cover the side which is what we were doing then he went towards the front of the house and he came back to told me it was someone inside the house and not one of our guys. After that, they said we were all set. I think it was Sergeant Stewart. We came back to the front. Sergeant Stewart handed me a... or an "X" or something. He said, "bring this back to the truck". I did. Once we got back to the truck, they told us just to sit and wait in the truck. So.

FORSTER

OK. Did you have any conversation about what happened with anybody? Any of the officers. Officer Duncan or anybody at that point?

CURTIS

I didn't even see Officer Duncan. I was in the truck with Officer Reardon, Officer O'Toole and in the front of the truck was Officer Sebastian and Officer Casey. We all just sat there in silence.

FORSTER

OK. At this point, you didn't know what happened? I mean, did at least know that the shot wasn't one of you guys?

CURTIS

Yeah. I was told by Detective Avila.

FORSTER

I'm sorry. OK. All right. That is was guy in the....

CURTIS

Guy in the house? Yeah.

FORSTER

All right.

CURTIS

And I actually saw the stretcher come out. If you don't see the fatigues you have assume.....

FORSTER

OK. All right. So you went back to truck and then at some point you once secured?

CURTIS

Yeah. That was it.

MALE CALLER

So when you were briefed it was a knock and announce warrant.

CURTIS

Correct.

MALE CALLER

Did you hear someone knock and announce?

CURTIS

I wouldn't have heard him. I was in the back of the building. They went into the front.

FORSTER

You did say you heard, Police! Police! Police!?

CURTIS

Once the entry was made. Yeah.

FORSTER

Yeah.

CURTIS

Everybody screams police once they go in?

MALE CALLER

So you heard the flash bang?

CURTIS

Flashbang and then a voice "police".

MALE CALLER

Voice "Police!"

CURTIS

Everybody was yelling, "Police! Police! Police!"

SOMEONE ELSE

And a shot sounded like a bang?

CURTIS

Like a crackle. A rifle.

SOMEONE ELSE

You recognize it as a gunshot?

CURTIS

Right.

FORSTER

So you were briefed while you were there with the potential of the people in the place and all that? Needless to say.

SOMEONE ELSE

What weapon did you have with you?

CURTIS

I had my 226 is a side arm and my M4.

FORSTER

OK. It's approximately twenty of three. That will conclude the interview with Officer Brian Curtis. Thank you.