

## INTERVIEW OF SEAN RILEY

1/6/2011

Questions: Lieutenant Forster

Questions: Unknown

Answers: Sean Riley

LT. FORSTER: Good morning. This is Lieutenant Ed Forster from the State Police assigned to the Middlesex District Attorney's Office. I'm with the Framingham Police Department. It's Thursday, January 6, 2011, approximately 20 of 12:00. We're here to interview Officer Sean Riley. He is here right now, also Deputy Chief Kenneth Ferguson, Framingham Police Department, Officer Dave Carlowe from the -- union president, Attorney Alan McDonald, Counsel for the union.

We're investigating a homicide shooting of Eurie Stamps that occurred at 26 Fountain Street in the early morning hours of January 5th, I believe approximately 12:30 a.m. We're here with Officer Riley that he could explain what his function was that night from the 4th into the 5th.

Q He's a member I believe a member of the SWAT team?

A Yes.

Q Go ahead, sir.

A Do you want me to start when I first initially got the call and work right through that?

Q Yes.

A Approximately 9:30, we got a page for the SWAT team to be at the police department at 11:00 p.m. for a search warrant. Upon getting the page, I came into the police station. I arrived approximately 10:30, I got to the police station. I was informed that it was going to be a narcotics search warrant. As the assistant team leader, I went upstairs and met with Deputy Chief Davis, Lieutenant Downing was up there and Sergeant Stuart, as well as Officer Murtough who is kind of our logistics officer now on the SWAT team. They gave me a brief description of the house, the situation. And, you know, what the -- they were starting the operational plan of how we were going to do the search warrant on the house.

From that point, the plan was put in place. My particular assignment was going to be a break and rake team on the alpha side of the house, which was the front of the house. And the break and rake, what the break and rake team is -- what my primary job was is Sergeant Sibilio was my partner. He was actually going to be the break and rake which means he was going to break out the front window, the very first window to the right of the door.

Q That was your assignment?

A That was our assignment.

He was going to be the break and rake, so he was going to break that window out. I was going to be the lethal coverage for the entry team to get into the house. Based on surveillance, based on intel for the layout

of the house, we felt as though it was going to be safer to have two break and rake teams. I was assigned to one and we had another team on the B side of the house.

Q Was that to the left?

A To the left of the house, yes, sir. And that's basically to provide immediate coverage in the structure so if the team encounters any problems getting into the doors, we at least have them covered while they're making entry. So that was my assignment.

We were advised that this was a knock-and-announce warrant, so we mounted up probably a little after 12:00. The exact time we hit the house, I don't recall, but it was after midnight. We make our way down to the location. I am in the second truck. We have the black SWAT truck which most of the team members were in. Sergeant Sibilio was driving the blue truck, we call it the equipment truck. I was in the rear. And I think there was about a few TEMS guys, tactical medics from the fire department, were in the vehicle with me. Our job was to as soon as we got out, I was going to be taking the fire extinguisher out and the breaching equipment, the break and rake equipment, with Sergeant Sibilio. So as soon as I got out, I'd hand it off to him, we go right to our spot. That was the assignment. We weren't going to be lining up. We were going right to the house.

So I get out. We get to the structure. I jump out. The first thing I noticed when I jump out is I see some sort of scuffle going on at the corner

of the street because I just happened to open up the back doors and I saw a scuffle going. I assumed it was one of our detectives, but my job wasn't to assist them, my job was to go to the house. So I immediately came around the truck. As we're going up to the structure, I handed off the breaching equipment to Sergeant Sibilio. I carried up the fire extinguisher, which I left at the front of the house, which we do as a course of action. And my job is I went directly to the alpha side of the house.

Q Oh, you have --

A Which would be the front of the house. The picture that you're showing me right now was identical to the layout. I mean there was a ton of trash to the left of the house, but we came up the sidewalk and I went directly up to the alpha side of the house.

Q Why don't you put -- the reason why, Sean, I'm sorry, we're on tape, you know.

A That's fine. So the alpha, which would be considered, our term, is the front of the house. So alpha is front, the B side of the house, and it goes clockwise from there. So that's the side. The C side of the house is your rear. The front door is always considered your alpha side of the house. And then the D side, would be to the right.

So break and rake team. This was our window right here. So we had Riley, Sergeant Sibilio. So we come around. We go to our point. The entry team start to go into the front door. I am right there. Sergeant Stuart was the knock-and-announcer. His door was immediately to the right

when we walked in. We were covering his entry team. I could hear him get in. Now, as we're making our approach to the building, the command came over, I don't know if it was over the radio or if I heard it verbally, but we were compromised, basically meaning they're aware that we're here. There were people were coming and going from the house. So we knew we were in a compromised situation that they knew we were there, so he still went up. You could hear him banging on the door, "Framingham Police. Search warrant." He then gave the command of execute, which that was, for us, was break and rake that front window as well as the B team, their window was going to be that first window.

Q Simultaneously?

A Simultaneous break and rake. The B team was flash banging the kitchen. Basically their break and rake tool had a flash bang attached to the end of the pole so when they broke that window and raked it out, the flash bang is a diversionary device which is just its objective is to stun the people inside the structure so we can get the upper hand at that initial entry point.

I heard the bang go off. We're doing the same thing over here. We don't throw a flash bang. I was going to throw a flash bang, but they made entry so quick that there was no reason to. We broke and raked it. I had lethal coverage on the window with my MP5. I immediately saw that team make entry. They made entry quick.

Q The front door?

A The front door team, yep.

Q Do you remember other than Sergeant Stuart who else was there, you know, that made that, if you remember?

A I'd have to look at the op plan to see exactly who was assigned to him, but I don't know.

So my next thing to do is once they made entry, I was going to become part of the entry team. So as soon as I saw them come across my view, I told Sergeant Sibilio "They're in. They're in." I came around, went directly into the front of the structure and I went directly straight ahead, which brought me into the kitchen, which I knew, based on the op plan, that that's what I was going into.

So I went right into the kitchen and I was immediately confronted by Lieutenant Downing who was immediately -- matter of fact, there's another picture, if you don't mind --

Q (Inaudible).

A That very first one, yep.

Q Same thing, you're going to have to date.

A You want the date and time on this one. 1/06/11 and what's it, about 11:45?

Q That's fine. Just your name too.

A And the same thing here. 1/06 about 11:50.

So I come in the front door, and obviously this picture is facing where I came in. So I come into this kitchen door.

Q Let me just look at this. Okay, yes.

A I'm coming in through that door that you can see right there.

Q I know where you're talking about, yep.

A So I come down that hallway. I come in and Lieutenant Downing, pardon my stick figure, but Lieutenant Downing is right here, okay. He's standing right there. I come in. I'm right here. We, on our pre-op plan, figured this was a cellar door, and we knew that was a danger area. So he had himself basically pinned on that door. God forbid someone was down there to stop them coming up until we could take that door. He immediately says "You grab the cellar." Right behind me ended up coming Jimmy Sebastian. Within seconds, Jim Sebastian joins up with me. He's like -- you know, that's a tight spot. So this is very quick. Get in, you're going to take the door. All of a sudden I hear "pop." I immediately turned to my right, and the picture is out of range here, but somewhere, we'll call it somewhere down in this area, I --

Q Let me help you a little. You know, I don't know if you remember, as you go into the kitchen, if you keep going as you're coming in, to like the right area there's a little another little hallway laundry area that leads to a room. I don't know if that helps you. There's a door you know at the end of the kitchen.

A I (inaudible) door -- like I never really made entry -- I never got over to that side of the house, but I believe there was a door like over here that led into something. I recall it being over something black something, but I --

Q Just what you remember.

A But this -- I remember when I heard the bang, that distinctive sound, gunshot, boom, turned real quick. Because we hadn't made entry down here.

Q (Unknown) So you knew it was a gunshot right away?

A I did. It was pretty distinct.

So I look and I see Officer Duncan basically getting up and I hear him saying "I fell. I fell. I tripped." The next thing I see is I believe it was Sergeant Stuart go up to him, "Are you hit?" And he's looking at him kind of like just checking him out, and all I could ever hear Paul saying was "I fell. I fell. I tripped." And that was it. The next thing I hear is "Man down. Call the medics," our TEMS guys, which would have been right out in front of the house, that's where they should have been right out there. They usually don't come in on the entry with us.

Q I'll just stop you right there just because I'll forget to ask. When you saw Officer Duncan getting up, did you see anybody else on the ground?

A I didn't. I didn't. My focus for that -- and when I say seconds, I mean it was seconds. My focus was on him because gunshot, one of our guys struggling to get up, I'm thinking shit, it might be him.

Next thing I hear is "TEMS. Medic. Man down." But now my primary concern is still we're not clear. We still got to clear this structure. I already know he's being taken care of. I know that TEMS is coming to take care of the man down, whoever that was. So myself and Sebastian, I said, "Jimmy, we got to go down the basement." There were a couple of



locks. Matter of fact, I think that might be one of them. Then there was another lock I recall being up higher. Had to unlock the door because it was locked, opened up the door and Jimmy and I went down, probably spent the next three to four minutes down there. Once Jimmy and I got down there, it was a very decent-sized cellar and it had a ton of crap in it. I mean it was a very tight defined space. We called for trailers, basically meaning hey, we need extra bodies down here to assist us because it was just that much stuff; it was going to be very dangerous to search.

Officer Casey came down and then Sergeant Stuart came down and joined up with us. The four of us ended up clearing the basement. At that point I come back up.

(Tape cuts out.)

LT. FORSTER: Same people in the room. This is Lieutenant Forster. We're on side two and it's five of 12:00, same date.

A Jimmy and Sergeant Stuart, Jimmy Sebastian, excuse me, and Sergeant Stuart, they went up before me. I went up and then Officer Casey was right behind me coming back up the stairs. I was immediately basically stopped at the cellar door once I made entry up into the kitchen again because at this point the victim was on the ground on a board and I could see the TEMS guys, the medics, trying to get him. He was a big guy. I could see them trying to get him up onto the stretcher.

Q So say that one more time, I'm sorry. You saw him getting on the board. Do you remember whereabouts that was?

- A Well, when I came up, he was on the board literally like right at the -- right at the entrance of the kitchen going out.
- Q Okay.
- A His head was facing say out the doors. His feet were down. But I was stopped. I couldn't move because they were trying to get him out of the structure. They scoop him up; off they go. We made sure that the house, you know, was clear, everyone was all right, and then we all began to exit out of the house at that point and basically secure ourselves as we normally would on an operation to turn it back over to detectives.
- Q Did you have any conversation with Officer Duncan further that night about being there?
- A No. Other than seeing him initially for that few seconds, by the time I went down and came up, he was already off scene and I hadn't seen him since. I mean I've had -- I text messaged him since, I'll show you it to you, I think I have it saved, hey, just thinking about you, I hope everything is all right, if you need us, just give me a call, but I have not talked to him.
- Q (Unknown) Just real quick, before you guys went to the scene, you attended a briefing that was done by Deputy Davis?
- A Yes. As protocol with the team, the team leaders get the operation plan done prior. The assignments are all designated before we even brief the team. Everyone has their roles, what tools their bringing, etc. And then at the briefing, usually it will be Deputy Davis will give the overall mission. Sergeant Stuart who tends to be our tactical team leader. He will give the

actual assignments out, who's in charge of what, what equipment you're bringing, and then detectives, if they have any further information to give us, they'll do that as well. So yes, before we leave, that's all done.

Q (Unknown) Sean, just real quick. That scuffle at the street corner, do you remember where it was?

A It was right where the gas station is. It was closer -- yeah, I mean it was right at the gas station on the sidewalk.

Q (Unknown) Fair to say it was on Fountain Street behind Waverly Street?

A It was on Fountain Street.

Q (Unknown) By the gas station?

A Yeah, by the gas station. It was definitely on Fountain because I mean I could see them as I came out of the truck.

Q When you, you know, you heard the shot that you described and you saw Officer Duncan you said coming off the floor, give me the best description, like was he actually on the floor, was he on like -- like, you know, like -- you know what I mean, like halfway up or --

A Yeah, you could tell he was kind of like getting his balance off him back up again. To say he was prone out on the floor, I wouldn't -- no, I don't see that, but you could definitely tell he was getting his foot back under him getting back up.

Q Now, did you observe, you know, where his weapon was at the time, if you can remember?

A I was focused at that point on still continuing.

Q You were doing downstairs, okay.

A Downstairs. He was being tended to. We had to continue on.

Q (Unknown) What weapons did you have on you?

A I had my MP5, which is a .40 caliber submachine gun. I had my safe .40 caliber handgun which was holstered at the time. And I also carry a less lethal (inaudible) tazer was also on me as well. Those are the weapon systems I had.

LT. FORSTER: Thank you. It's approximately noontime.

Going off tape.

