

Interview #WS400010 DEVIN TALBERT

Ok the recorder is on Devon, as agreed we are going to record the interview of you conducted by Lieutenant FORSTER and myself Deputy Chief Ferguson of Framingham Police.

Right now, it's January 5th, 2011 at about 4:45AM in the morning. We are with Devon Talbert.

FORSTER

Devon, do you have an address?

TALBERT

FORSTER

I'm sorry

TALBERT

FORSTER

In what town?

TALBERT

Boston

FORSTER

In Boston, [REDACTED] Will you just spell it please?

TALBERT

FORSTER

Ok and what number was that?

TALBERT

FORSTER

■ Ok. That's in Boston?

TALBERT

Yes

FORSTER

Do you have a telephone number over there?

TALBERT

[REDACTED]

FORSTER

[REDACTED] Ok, Devon we previously read your Miranda rights. You signed the form, is that correct?

TALBERT

Yes

FORSTER

Ok, and we also read your rights to be tape recorded and you signed the form and agreed to be tape recorded. Is that correct?

TALBERT

Yes

FORSTER

Ok, Alright, Devon I guess basically do you want to tell us what happened tonight and where you were, I mean like where you were?

TALBERT

I was in Boston earlier and I was coming back from Boston. Then I was staying at my friend's house in Framingham that I'm cool with. Then I was going to see my Aunt.

FORSTER

And who is your Aunt?

TALBERT

Noma which is Eurie's wife, which is my Uncle in the house at the time.

FORSTER

Oh ok, you were going to see your Aunt, your Aunt lives at 26 Fountain Street.

TALBERT

Yes

FORSTER

Where were you before you went there?

TALBERT

I was at my friend's house around the corner that stays in Framingham. But I was in Boston earlier.

FORSTER

Right. Who is the friend around the corner?

TALBERT

My friend Julian.

FORSTER

Julian?

TALBERT

Yes

FORSTER

Where does he live?

TALBERT

He lives, I don't know the name of the street, it's down near Walgreens.

FORSTER

Ok, do you know his last name?

TALBERT

No

FORSTER

Ok, all right so what time did you end up over at your Aunt's house?

TALBERT

I don't know, probably around 11 something.

FORSTER

11 something. When you got to your Aunt's house, who was there?

TALBERT

Me, my Aunt, my Uncle Eurie, I don't know who was in the front room cuz when I came through, I didn't go through all the rooms. I went straight to her room, so I was talking to her in her room. Then we were sitting there.

FORSTER

Yeah, so all you knew was your Aunt and your Uncle and you were by yourself.

TALBERT

Yeah

FORSTER

And there were people in the front room but you don't know, you didn't see them?

TALBERT

I didn't go in the front room.

FORSTER

You didn't go in the front room?

TALBERT

I didn't go in the room yeah.

FORSTER

Ok, ok go ahead.

TALBERT

So I walk to the back and I'm in my Aunt's room talking to her and she walks out and my Uncle was in there and we were just sitting there talking and watching the basketball game. Then I just heard the police the thing go through the window and I'm like what the fuck?

FORSTER

Yeah

TALBERT

I didn't know what was happening, because I was just in the other room.

FORSTER

Ok

TALBERT

So when that happened, they just told us to get down, I just laid down on the floor. He was asking who I was. I told them I just got here and I don't know what's going on.

FORSTER

Ok, so you never left the room in back.

TALBERT

No the police, the swat member kept me in a room cuz as soon as they came in the room they said put your hands up and I just laid on the floor with my hands on the floor.

FORSTER

And you just laid on the floor. What does your Aunt and Uncle do?

TALBERT

My Uncle left the room. I don't know what my Aunt did, she already left the room. I was in the room by myself. At the time.

FORSTER

Yeah. When they left the room. Did they throw something into the window, and you heard some noise?

TALBERT

Yeah

FORSTER

And they left the room.

TALBERT

Yeah, No, my Aunt had already outside the room. As soon as the thing went through the door and my Uncle left the room.

FORSTER

And your Aunt was already outside the room?

TALBERT

I don't know what happened? I don't know what happened occurred. I was in the room the whole time. So when the thing went through the window, I laid there on the floor. I do not know what happened.

FORSTER

You never saw anything?

TALBERT

Nothing

FORSTER

Did you hear anything?

TALBERT

I just heard the glass breaking and the cops screaming. That's it.

FORSTER

That's it, you didn't hear nothing else?

TALBERT

No, I heard the boom from the thing that goes through window, that's all I heard.

FORSTER

What time was that about?

TALBERT

I couldn't even tell you.

FORSTER

Yeah

TALBERT

I couldn't even tell you.

FORSTER

When you first went in, you knew that there were people in the other room but you didn't?

TALBERT

I didn't know there were people at all. Because when you go through there, there are two like doors you can go through and -

FORSTER

Yeah

TALBERT

I went through the first door that leads you to the kitchen, once you go through the kitchen, the room is in the back.

FORSTER

And that's it?

TALBERT

Yes so I don't know who was on the other side.

FERGUSON

When they took you out, how did they bring you out of the house?

TALBERT

I had my hoodie, my shorts, on plus I was in handcuffs, I had my hand behind my back and do what I was told.

FERGUSON

Which door did they bring your out?

TALBERT

Right out the front door.

FORSTER

Do you know anybody else that lives in that house other than your Aunt and Uncle?

TALBERT

My cousin

FORSTER

And who's your cousin?

TALBERT

Joseph

FORSTER

Joseph who?

TALBERT

Joseph Bushfan

FORSTER

Bushfan, ok and you didn't see him there that night?

TALBERT

No

FORSTER

Ok Just one more time, what's your Aunt's name full name?

TALBERT

I think she has my Uncle's last name. I'm trying to think of his last name. Her first name is Norma, I'm thinking Uri.

FORSTER

What's your Uncle's first name?

TALBERT

Uri, but I can't think of his last name. I don't know why it's not coming to my head.

FORSTER

Alright and the other guy you know Joseph Bushfan, he is your what?

TALBERT

My cousin.

FORSTER

Your cousin. Ok

FERGUSON

So while you were at the house from eleven thirty on, you never talked with Joe?

TALBERT

No

FORSTER

Are you sure about that? Because they're going to interview Joe whether they get his side of the story. You knew he was there so tell us, did you know he was there?

TALBERT

No when I went through the door, I didn't know who was there.

FERGUSON

So you never spoke with him between the time you got there and when you were encountered by the police?

TALBERT

Yes

FERGUSON

How often do you come out to Framingham?

TALBERT

Well I was staying out there like for a couple of days and then I'd leave. I was back and forth from Boston.

FERGUSON

Staying at 26?

TALBERT

Well yay, for like two nights in a row. Then I'd leave for Boston stay there and then I'd come back, stay there for 3 nights then leave cuz my Uncle was trying to find me a job out there.

FORSTER

When you stay there, who else stays there that you see?

TALBERT

Just my cousin, my Aunt and my Uncle that's it.

FORSTER

That's it. Do you know any other people that come in the house by names?

TALBERT

No

FERGUSON

While you were there, visiting with your Aunt, did anybody else come to the door? Did anybody come ring the doorbell or knock on the door, the front door while you were there?

TALBERT

Not that I know of cuz I was in the back not that I know of.

FORSTER

Alright, alright so you when you heard, you heard the noise getting thrown into the window that's right? Is that what your saying? One more time would you say?

TALBERT

I don't know what's that called though. The police threw the window. I was in the back room when the glass broke.

FORSTER

And the police actually came in your room?

TALBERT

Yes

FORSTER

And they said stay down or you just stayed down already?

TALBERT

They told me to stay down and keep my hands up and that's what I did.

FORSTER

What about before that? Before they said to stay down, what were you doing?

TALBERT

I was in the room and when I seen the police, when I knew it was police I was in the room with my hands up.

FORSTER

Was the door open or closed?

TALBERT

The door was open.

FORSTER

The door was open.

TALBERT

I could see right through the kitchen. That was the thing through the window. I could see the smoke and I knew the police came through the window and I could see the police and I put my hands up.

FORSTER

Alright just one more time so the thing goes through the window you can see it right?

TALBERT

I can't see, but I can glance and can see the smoke.

FORSTER

Ok, alright and what did you do then?

TALBERT

I put my hands up.

FORSTER

Did the police already say that or you just did it on your own?

TALBERT

As soon as the window broke.

FORSTER

Simultaneously

TALBERT

As soon as they said police, I put my hands up.

FORSTER

Ok and then they told you to get down? And you didn't hear or see anything?

TALBERT

Nope

FORSTER

Did you know if there was any bottom line any drug dealing going on there?

TALBERT

Not that I know of.

FORSTER

Not that you know of.

TALBERT

No

FORSTER

I'm not saying that your Aunt and Uncle. What about Joseph? Do you know if he's dealing drugs at all?

TALBERT

No, not that I know of. All I know is Joseph works out and plays basketball and trying to go back to school.

FORSTER

Have you ever seen any drugs in the house there?

TALBERT

Never

FORSTER

Any weapons?

TALBERT

Never

FERGUSON

Have you ever been arrested before?

TALBERT

No this is my first time.

FERGUSON

You never had any involvement selling drugs?

TALBERT

Never ever ever this is my first-

FORSTER

Did you grow up in Boston?

TALBERT

Yes

FORSTER

How far did you go in school?

TALBERT

I graduated high school and I'm trying to go to Mass Bay college. I was trying to go to Mass Bay in Framingham and get a job out here.

FORSTER

Ok, alright.

FERGUSON

So you showed up tonight at 11, what time would you say you showed up at the house?

TALBERT

I don't know, 11 something, probably late, early 11, latest 10, like I wasn't there for only a little bit before the police got there. I was probably only there for 20 minute 25 minutes, but I was in that back room the whole time.

FORSTER

And you didn't bring any drugs or anything?

TALBERT

Never

FORSTER

I'm just asking these questions, alright?

FERGUSON

When you came at 11, you just came to visit. Did you call before?

TALBERT

Yeah, they knew I was coming.

FERGUSON

Ok, where you going to stay over or?

TALBERT

Probably most likely because it was very late.

FERGUSON

So often you stay over there?

TALBERT

Yeah I was probably going to stay over and probably take the commuter rail back to Boston in the morning.

FERGUSON

So in the last two weeks, how many days have you stayed over there?

TALBERT

Probably about 4 to 5 days because yeah probably 4 to 5 days cuz I was there for the new year and left to go to Boston.

FORSTER

Ok, who do you live with on Mary Knoll Street?

TALBERT

My grandmother, my cousin and my Uncle.

FORSTER

Ok and why do you come out here? Just to visit your Aunt and Uncle?

TALBERT

I came out to visit my Aunt and Uncle and just to say hi and they were supposed to get me a job out here. That's why I come out here every day and check up on my application status and stuff.

FORSTER

And how many other friends do you have out in Framingham other than what Julian is your friend.

TALBERT

Yeah I only know him. I don't know anybody from Framingham at all.

FORSTER

And how do you, you always take the commuter rail all the time?

TALBERT

Or I'll get a ride or something.

FERGUSON

Do you know a kid named Dwayne?

TALBERT

No

FERGUSON

You don't know a kid named Dwayne Barrett?

TALBERT

No

FERGUSON

You've never met a kid that lives in Framingham named Dwayne Barrett ?

TALBERT

No

FERGUSON

Ok

FORSTER

Ok you live with your grandmother and who else in Boston?

TALBERT

My cousin and my Uncle.

FORSTER

Your cousin and Uncle. Can you give me your cousins name?

TALBERT

Jasmine

FORSTER

Jasmine yes, last name?

TALBERT

Talbert yes

FORSTER

Talbert ok and your Uncle?

TALBERT

Larry

FORSTER

Sorry

TALBERT

Larry

FORSTER

Larry Talbert

TALBERT

Yes

FORSTER

And your grandmother is a Talbert too?

TALBERT

Yes Annie

FORSTER

Ok thanks.

FERGUSON

Is there anything else you would like to add? Is there anything you'd like to ask or add?

TALBERT

No sir

FORSTER

Do you know what happened the other night? Do you know what happened?

TALBERT

I'm lost. I've been asking everybody all night what happened.

FORSTER

Your Uncle passed away tonight.

TALBERT

Your lying.

FORSTER

Yeah and we're investigating the circumstances right now.

TALBERT

No, no no no that's what I was, oh, are you serious?

FORSTER

Yeah so we are investigating it right now and we believe he was shot but were investigating it so

TALBERT

He was shot. That's crazy. When I left, like when they took me out of the front room there was nothing but blood in the kitchen.

FORSTER

Yeah

TALBERT

So I was asking them who's blood and they couldn't tell me nothing cuz the people that got me didn't go inside. They just ya know.

FORSTER

Yeah

TALBERT

They carried the people like wo, they just carried the people to the police station. It wasn't like inside what happened.

FORSTER

Well I'm sorry but I figured you would want to know. So that's why we're investigating everything in here and why we want to ask you some questions. There's nothing else you want to add. Right now your going to be here a little bit longer. We'll be here so if you think of anything else, you just reach out to us and we'll talk to you again. Anything else Ken?

FERGUSON

The reason why the police were here is because they had information that there were drugs being dealt out of, out of that apartment. And police were over there with a search warrant to search for drugs. Do you have any knowledge of drugs being sold out of that apartment?

TALBERT

No clue, this is the first for me or anything.

FERGUSON

No further knowledge never.

TALBERT

No

FERGUSON

Of Joseph to sell drugs?

TALBERT

No

FERGUSON

No. When your over there you say you stayed 4 or 5 days. In the last two weeks did you see people coming or going? Knocking on the door staying for a short time and leaving or anything like that?

TALBERT

No the most we've been doing, he plays basketball and the video that's it. I've haven't seen nothing else.

FORSTER

Alright so there's nothing else to add right now? I guess we're going to go off tape. It is approximately

5:02 am on January 5th and this interview did take place at the Framingham Police Station.

End recording

Interview #WS400011 Devon Talbert Part 2

This is Lieutenant Ed Forster again and Deputy Kenny Ferguson and we are with Devon Talbert . It's just five past five. Devon, we already read you your rights about tape recording and your back on tape and you have no problem. I just want to ask you one or two more quick questions. Any problem?

TALBERT

No

FORSTER

Ok we just want to emphasize that, we you stayed in the room and got down when the police told you and before that all you heard was the commotion in the kitchen and saw smoke?

TALBERT

Yes

FORSTER

And you didn't hear any gunshots, I don't know if you know what gunshots sounds like?

TALBERT

Cuz it's like everything happened so fast, so so fast. When that thing went through the window i heard it break and there was smoke. I don't know if that, does that thing through the window makes a sound or was that a gunshot I heard? See what I'm saying?

FORSTER

All right, ok, I see what you're saying. I'm not sure myself.

TALBERT

All right. I don't know.

FORSTER

Okay and that's it. There's nothing else you can add. We just want to make sure that's clear.

FERGUSON

You didn't witness anybody get shot? The first you knew someone got shot was when we told you hear during this interview?

TALBERT

Yes

FERGUSON

Ok

FORSTER

Okay we're going back off tape, I have 5:05 5:06 and that's it. Thank you sir.
End call