



The Commonwealth of Massachusetts Department of State Police

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

THOMAS A. TURCO, III
SECRETARY

COLONEL CHRISTOPHER S. MASON
SUPERINTENDENT

State Police Boston
46 Leo M. Birmingham Parkway
Brighton, MA 02135

January 8, 2021

To: Major Mark W. Kiley #1293, Commanding, Troop H
Captain James P. Devlin #2155, Executive Officer, Troop H
Captain Leonard G. Coppentrath #0809, Operations Commander, Troop H

From: Trooper Christian Howell #4529, SP Boston, H-4

Subject: Critical Incident Case # 2021-0H4-000215

1. I hereby reserve, insist upon, and do not waive my rights under the Constitution of the United States. I hereby object to and reserve the right to object to use of all or part of this statement in this or any subsequent proceedings, whether criminal or civil in nature, or in any investigation or inquiry, whether it's nature or purpose. (*Garrity vs. New Jersey*, 385 U.S 495.) I respectfully request your information as to the current and expected stage which may evolve out of this report, and the basis and the nature of any complaint or inquiry causative of your order and interrogation; and its request is hereby made for the names and addresses of complaints or informants, members of the public, otherwise in connection with the situation herein involved. Subject as aforesaid, and in compliance with your order, I respectfully submit the following;

2. On January 5, 2020, I, Trooper Howell #4529 was in fully marked MSP cruiser 1201 working the Rise Construction day detail at 50 Leo M Birmingham Parkway Brighton, Ma. At approximately 1345, I heard a transmission from Sgt. Nims #3037 who asked H dispatch to confirm what he believed to be an armed robbery in progress in the

City of Newton. Moments later H dispatch confirmed the armed robbery in progress and gave the address of 16 Lincoln St. Newton, Ma. Due to the nature of the call and the location being minutes away, I felt it was necessary for me to respond to the call. I activated my emergency lights and siren and responded to 16 Lincoln St.

3. At approximately 1400 I arrived at 16 Lincoln St. and was met by Trooper Dylan Finerty #4304 and he advised me of the situation. Trooper Finerty advised me that the suspect is still upstairs with a Newton negotiator and that he still has a knife that he used earlier. Newton PD Sgt. Glen Chisholm asked for our assistance to help neutralize the situation. Moments later Trooper Finerty and I with several Newton PD officers approached the back of 16 Lincoln St. and entered the building using the back stairwell. When we reached the top of the stairwell (the 3rd floor), I heard the Newton PD negotiator talking to the suspect (Michael Conlon DOB 7/9/1992). The suspect seemed irate and yelled several obscenities, "Fuck you guys! I want my dad! I'm not putting this shit down!" At this point in time, I heard the negotiator asking several times for the suspect to put the knife down.

4. During the next few minutes while still in the back stairwell area, we stood by to see if the suspect would eventually calm down and put the knife down but he never did. Newton PD Captain Marzilli moments later suggested we all head into the living room to assist the negotiator. When we entered the living room area, the Newton Sgt. had the non-lethal shotgun. Trooper Finerty and I had our Tasers drawn at a low ready position. My initial position was on the left side of the room and I could see the Newton negotiator in the doorway talking to the suspect. I did not see the suspect at this time, but I could hear his voice and could tell he was in the hallway fairly close to the Newton negotiator.

5. The Newton negotiator continued to ask the suspect to drop the knife and began getting some compliance from the suspect. The Newton negotiator said, "If you put the knife down, I will call your dad for you." The suspect said "Sure, I will put it down." I could not see the suspect at this time but, I heard an object hit the ground and the negotiator said, "Captain he put it down." The Newton Sgt. then stepped into the hallway and tried to fire the non-lethal shotgun at the suspect. It appeared the non-lethal shotgun was malfunctioning since it did not go off after I saw the Sgt. pull the trigger multiple times.

6. Seconds later I heard the suspect moving in the hallway and saw the Sgt. back up. The Newton Sgt. started yelling, "Drop the knife! drop the knife!" At this time I was positioned in the middle of the living room with a clear view of the doorway. Seconds later the suspect made contact with the Sgt., charging into him, directly in front of the doorway. While the suspect was charging I observed a metallic object in his right hand which was what I believed to be a knife. Moments later Trooper Finerty yelled "Taser!" and deployed his Taser striking the suspect in the chest, but it appeared to not be effective due to the sweat shirt and jacket the suspect was wearing. There was a Newton

PD officer to my left and he discharged his firearm several times striking the suspect. The suspect then fell to the ground in the hallway. I then immediately notified station H that there were shots fired.

7. EMS who were on standby outside, immediately responded to the 3rd floor and began rendering aid to the wounded suspect. Minutes later, Trooper Finerty and I exited the building. At this point in time, several MSP/Newton PD personnel and additional EMT's arrived on scene.

8. Trooper Finerty and I were escorted to Newton/Wellesley Hospital by H Troop union rep Trooper Daniel Mahoney for medical evaluation. After I was cleared by Medical, I exited Newton/Wellesley hospital.

Respectfully Submitted,

Trooper Christian Howell #4529
Massachusetts State Police
H-4, SP Boston