

Ashland Police Department
NARRATIVE FOR LIEUTENANT RICHARD M BRIGGS
Ref: 13-285-OF

Page: 1
10/18/2013

Entered: 08/27/2013 @ 1123 Entry ID: 31
Modified: 08/27/2013 @ 1123 Modified ID: 31

On Tuesday July 2, 2013, I was the Commanding Officer of 0700 to 1500 hours shift. Sgt. Fawkes was assigned as the Patrol Supervisor. At approximately 10:51 hours, I was present in the police station, when I heard Officer Piers requesting assistance on Metropolitan Ave. Further radio communications indicated that Officer Piers had requested warrant checks on Andrew Stigliano of 13 Metropolitan Ave. Dispatch advised that there were two warrants for Mr. Stigliano. Officer Piers advised dispatch that Mr. Stigliano had "ducked" on him.

I immediately responded in marked cruiser A-16 from the police station, along with Officer Foster in a separate marked cruiser. 13 Metropolitan Avenue abuts the rear parking lot of the CVS shopping plaza. Its backyard is surrounded by a tall wooden fence. I took up a position in the rear of the residence in the event Mr. Stigliano attempted to escape through the backyard.

Upon arrival, I observed Officer Piers at the side of the garage of the property. He indicated that he believed Mr. Stigliano had fled into the house. I located a gate on the fence. Having knowledge that Mr. Stigliano had kept pit bulls in the residence in the past, I asked Officer Piers if the dogs were in the backyard, as he had a clear view of the property from his location. He stated that the dogs were inside the residence as he could hear them barking.

I entered the rear gate and positioned myself in the backyard for purposes of containment. Officer Foster was located in the front of the residence. Officer Piers knocked on the door several times and instructed Mr. Stigliano to surrender, with no response.

While positioned in the backyard, I took the following actions:

- I requested Sgt. Fawkes to the scene in cruiser A-2, with the 40 mm less lethal weapon.
- I requested the availability of Ashland K-9 Officer Alberini and K-9 Dax who were off duty. Officer Alberini contacted me and advised me that he was attempting to arrange child care and would advise of his availability shortly.
- I requested Animal Control to the scene.
- I assisted Officers Piers and Foster with maintaining a perimeter and containment of the scene.

While securing the perimeter, I overheard a commotion at the front of the residence. I walked to the front of the residence (via the breezeway of the residence), where I observed [REDACTED] standing next to a motor vehicle in the driveway very close to the street, screaming at Officers Foster and Piers. She shouted, "Get off my fucking property. You have no fucking right to be here." Officer Piers attempted to explain that we were there to arrest her boyfriend, Andrew, on warrants and that if she knew where he was hiding in the house, she needed to tell us. She continued to shout "get off my fucking property" and curse, causing a disturbance.

Ms. [REDACTED] was subsequently placed under arrest for Disorderly Conduct. See report [REDACTED] for further information.

Officer Alberini contacted me and advised that he was in route to our location. Sgt. Fawkes arrived on scene and deployed the less lethal 40 mm weapon. Officer Piers confirmed that the warrants were for assault and battery and failure to appear. In light of the assault and battery warrant, I opted to wait for the arrival of the K-9 before making entry into the residence.

Upon the arrival of Officer Alberini, I briefed him on the matter and advised him that there were dogs located inside the residence. It was necessary to force entry into the residence, as the doors were locked and kitchen door appeared dead bolted. Fearing that the dogs may attack once we forced entry, I instructed Sgt. Fawkes to stand by

Entered: 08/27/2013 @ 1123 Entry ID: 31
Modified: 08/27/2013 @ 1123 Modified ID: 31

in the breezeway with the less lethal weapon while Officer Alberini forced the door open. Officer Alberini kicked the door several times before finally forcing it open. Upon doing so, I observed two dogs inside that appeared to be pit bulls. They appeared frightened and upset. One of the dogs was growling at us. Officer Alberini and I made entry into the kitchen area of the residence and were able to corral the dogs into the detached garage (previously searched by Officer Piers) without incident or harm to the animals. There was still one dog located inside a bathroom on the first floor, however the door was closed. We decided to leave the dog inside the bathroom. I instructed Sgt. Fawkes and Officer Piers to maintain a perimeter at the rear of the residence in the event Mr. Stigliano fled out of the house. Sgt. Fawkes was still armed with the less lethal weapon.

Officer Alberini retrieved K-9 Dax from his cruiser. I maintained a position in the breezeway while Officer Alberini and K-9 Dax entered the first floor and began searching. I heard Officer Alberini shout several K-9 warnings before releasing the dog inside the residence. Officer Alberini and K-9 Dax began working on the main level of the house, while I remained in the breezeway.

At that time, dispatch advised over the radio that Mr. Stigliano's attorney had contacted the station and advised officers to use caution, as Mr. Stigliano was threatening to harm an officer. I asked Officer Alberini if he heard the transmission and he stated that he had.

A few minutes later, Officer Alberini exited the residence and stated that he needed to search the attic with the K-9. I entered the residence and observed a step ladder leaning against the wall below a scuttle to the attic at the southern end of the house. The scuttle appeared to be open. Officer Alberini shouted several K-9 warnings into the attic with no response. I also shouted instructions for Mr. Stigliano to surrender before he was bitten by the dog. Still, we received no response.

Officer Alberini lifted K-9 Dax into the scuttle, while I held Officer Alberini from behind to prevent him from falling off of the ladder. The dog began working and Officer Alberini entered the scuttle. I pulled myself through the scuttle also. The attic was very dark and I was unable to see Officer Alberini or K-9 Dax. I heard someone shouting and it appeared to me that the K-9 had made contact with someone in the attic. I could hear Officer Alberini providing commands to the K-9.

As I began to stand up in the attic, I heard Officer Alberini shout "Gun, gun, gun." I immediately drew my weapon and flashlight and moved towards Officer Alberini's voice. I heard Officer Alberini again shout "Gun, gun, gun" again. At that time, I shouted back towards the scuttle, "Gun, gun, gun." and continued moving towards Officer Alberini's voice. At that time, I heard two gun shots. I stopped and yelled to Officer Alberini several times, but he did not immediately answer. I continued moving towards him, finally reaching him. I illuminated him with my flashlight. I observed Mr. Stigliano laying down, with Officer Alberini restraining Stigliano's hands. Fearing Officer Alberini had been shot, I asked him again if he was ok. He didn't answer me, but directed me to a shotgun located on the floor under Mr. Stigliano. I holstered my weapon at that point. I observed that K-9 Dax was attached to Mr. Stigliano's leg. With ungloved hands, I removed the shotgun and passed it off to Officer Piers, who arrived in the attic, and instructed him to remove it from the attic area. Sgt. Fawkes also arrived.

At that time, I asked Officer Alberini if he was ok. He stated that he was. He instructed me to pat frisk Mr. Stigliano. I observed what appeared to be a gunshot wound to Mr. Stigliano's upper torso area. I instructed Officer Alberini to request an ambulance. He did so. Mr. Stigliano's color had turned to an ashen gray and his eyes were open. I advised dispatch to have the Paramedics "Step it up". At some point, I also overheard Officer

Ashland Police Department
NARRATIVE FOR LIEUTENANT RICHARD M BRIGGS
Ref: 13-285-OF

Page: 3
10/18/2013

Entered: 08/27/2013 @ 1123 Entry ID: 31
Modified: 08/27/2013 @ 1123 Modified ID: 31

Alberini requesting that the Paramedics "Step it up" over the radio. I instructed Officer Alberini to remove the K-9 from Mr. Stigliano's leg and bring the dog out of the residence. He did so. Sgt. Fawkes assisted Officer Alberini with bringing K-9 Dax downstairs. I requested Dispatch notify Chief Doherty of the incident.

Due to Mr. Stigliano's location behind eaves in the attic, I was unable to provide medical treatment. I instructed Officer Piers to assist me in moving Mr. Stigliano out of the eaves and towards the scuttle so that the paramedics could work him. Ashland Fire Department contacted me via radio and asked if the scene was secure for them to enter. I advised them that it was. Sgt. Fawkes came back into the attic and assisted us in moving Mr. Stigliano out of the eaves. At that time, Ashland Fire Paramedic Mark Byron came up into the attic and instructed us to leave him in place. Officer Piers and I stood by for a few more minutes and then exited the attic due to the extreme heat. I instructed Sgt. Fawkes to stand by with the Paramedics.

I exited the residence and met with Chief Doherty who had arrived on scene and briefed him on the incident. With the assistance of Sgt. Fawkes, I arranged for Officer Alberini to be transported to the hospital and for the scene to be secured. I requested additional manpower to the scene and for patrol coverage, as well as arranged for mutual aid assistance. Sherborn Police assisted with securing the perimeter. Chief Doherty had requested the response of the District Attorney's office and the Massachusetts State Police. I had also arranged for the Critical Incident Stress Management Team to respond. I was informed that Officer Piers had removed Officer Alberini's service weapon and secured it in the trunk of cruiser A-9. I was also informed that Mr. Stigliano's weapon was also secured in the trunk of cruiser A-9. Officer Foster was standing by the cruiser for security of the evidence.

Massachusetts State Police Sgt. Peter Sennott and other Troopers assigned to the District Attorney's Office, as well as Crime Scene Services arrived and subsequently released all officers from the scene. I returned to the station and stood by until later being released by Chief Doherty.