

Interview with Sergeant Gregory Fawkes of Ashland Police Department

Female: Do you solemnly swear that the testimony you are about to give will be truth, the whole truth, and nothing but the truth?

Sgt. Fawkes: I do.

Lt Hunte: Okay today's date is Monday July 15th. The time now is approximately 11:23 a.m. We're at the Ashland Police Department in the Sergeant's Office. We're here relative uh to an incident that occurred on July the 2nd of this year. What I'd like to do now is go around the room and have everyone introduce themselves. My name is Lieutenant Alan Hunte, Mass State Police, Middlesex Detectives Unit.

Sgt. Fawkes: Sergeant Gregory Fawkes, Ashland Police Department.

Lt. Hunte: Can you just spell your last name?

Sgt. Fawkes: It's F-A-W-K-E-S.

Lt. Hunte: Okay.

Michael Dion: Michael Dion President of the National Police Association.

Attny Sandulli: And Joseph Sandulli, Attorney

Lt Hunte: Okay thank you. Sergeant how long have you been a member of the Ashland Police Department?

Sgt. Fawkes: Uh, about eleven years.

Lt. Hunte: And were you a police officer in any other departments before?

Sgt Fawkes: I was not. I was a Correction Officer prior to working here.

Lt. Hunte: Okay. Where were you a Correction Officer?

Sgt. Fawkes: Uh, the Mass Department of Corrections.

Lt. Hunte: And do you have any military experience?

Sgt. Fawkes: I do. I have six years, uh, National Guard.

Lt. Hunte: Okay. And how long have you been a Sergeant?

Sgt. Fawkes: Um, I think about six years now.

Lt. Hunte: Okay.

Sgt. Fawkes: Roughly.

Lt. Hunte: And what are your duties as a Sergeant?

Sgt. Fawkes: To uh...

Lt. Hunte: Daily duties.

Sgt. Fawkes: Supervise the patrol officers on the shift.

Lt. Hunte: Okay And you work in uniform?

Sgt. Fawkes: I do.

Lt. Hunte: And what's your shift? What hours do you work?

Sgt. Fawkes: I work two 7 – 3 shifts and two 3 – 11 shifts.

Lt. Hunte: Okay. And how long have you been doing that shift?

Sgt. Fawkes: Uh just, I just started in July. Prior to that I was on the, the 3 – 11 shift.

Lt. Hunte: Okay. Alright I'm gonna bring you back to July 2nd. Were you uh working that day?

Sgt. Fawkes: I was.

Lt. Hunte: And what was your assigned shift that day?

Sgt. Fawkes: Uh the 7 – 3 shift.

Lt. Hunte: Okay. And that's in a marked cruiser?

Sgt. Fawkes: It is.

Lt. Hunte: Okay. And do you remember uh at some point in time were you asked to respond to Metropolitan Ave?

Sgt. Fawkes: I was, yes.

Lt. Hunte: Okay. And where were you when you...was this through a radio transmission?

Sgt. Fawkes: Uh, I was in this office um, speaking with uh the records clerk and the dispatcher came in and asked me. Said that Lieutenant Briggs was requesting that I respond.

Lt. Hunte: Okay. Do you remember about what time that was?

Sgt. Fawkes: I think it was roughly 11 o'clock. Somewhere in the area.

Lt. Hunte: Okay.

Sgt. Fawkes: Maybe a little before.

Lt. Hunte: And did the dispatcher tell you why he was requesting your assistance?

Sgt. Fawkes: Uh, I asked her and she said that um, an Andrew Stigliano was uh, had run into a house or away on a, and he had warrants for his arrest and he was requesting that I respond with the 40 mm less lethal.

Lt. Hunte: Okay. Now have you ever had any type of contact with Mr. Stigliano before?

Sgt. Fawkes: I didn't think I had um, but somebody reminded me that I guess uh, I was, you know, [REDACTED] So I don't remember actually speaking with him but I think maybe once before I had, you know, some sort of inadvertent cont- you know, back up.

Lt. Hunte: Right.

Sgt. Fawkes: I don't, I don't remember ever speaking with him before.

Lt. Hunte: Okay. So as a result of the conversation that you had with the dispatcher, did you, uh, like, get the less lethal weapon?

Sgt. Fawkes: I, well I keep it, it stays in the supervisor's vehicle. 13, uh, 2, and our car 2. I responded with that vehicle and then took it out when I got there.

Lt. Hunte: Okay. And how long did it take you to respond to Metropolitan Avenue?

Sgt. Fawkes: Probably two or three minutes.

Lt. Hunte: Okay.

Sgt. Fawkes: Roughly.

Lt. Hunte: And when you responded to uh Metropolitan Avenue, when you arrived who did you see?

Sgt. Fawkes: I observed uh, Officer Oestreicher standing next to her cruiser with a female prisoner in the back of the vehicle. Uh, Officer Foster was in the front yard of the house. And Officer Piers and Lieutenant Briggs were in the breezeway going to the side door I think that...

Lt. Hunte: Okay. Uh did you walk past the cruiser with the female that was under arrest?

Sgt. Fawkes: Uh well it was sorta off to my right so yeah I had to walk, I had to walk by it.

Lt. Hunte: Were you able to...was she uh yelling anything or were you able to hear anything that she might've said?

Sgt. Fawkes: No, no I didn't hear anything.

Lt. Hunte: Okay. Uh what did you do next?

Sgt. Fawkes: I walked up to Lieutenant Briggs and asked him what was going on. He said that uh, P-uh Officer, or one of the two of them told me I don't actually remember who told me. One of the two of them told me that Officer Piers had observed Andrew Stigliano and his girlfriend in a vehicle and that he followed them to the residence and uh, Stigliano I guess had fled out of the vehicle and, and [REDACTED] did as well I guess he saw, he saw [REDACTED] going around the rear of the house or something like that.

Lt. Hunte: Okay. Now just to back up a second. Uh explain what the uh less lethal weapon is...and how it's used.

Sgt. Fawkes: It's a, it's a 40 mm less lethal so it's uh, uh, it's a, it's a gun that shoots a large rubber projectile and it's used in situations where it's a, you know, it's a significant threat but we don't want to actually shoot somebody. You know, so it has been used, not by us but the reason we got it is because it was used to de-escalate a, you know, some sort of a altercation, you know, that was getting physical.

Lt. Hunte: Okay. You have to go to special training for that?

Sgt. Fawkes: Uh we, we were trained in house by a Sergeant here um who was a trainer um but we, to my knowledge we've never even used it.

Lt. Hunte: Okay.

Sgt. Fawkes: Had it for a couple years.

Lt. Hunte: Alright uh so as you approach the house uh were you there when uh Lieutenant...was a decision made to enter the house?

Sgt. Fawkes: Uh yes, Lieutenant Briggs told me that uh we were going to, uh, get the K9 and he was requesting a K9 to, to search and the K9 wasn't going to come I don't think initially. And then I think Lieutenant Briggs' plan was to breach the door and we would search the home.

Lt. Hunte: Okay.

Sgt. Fawkes: Um and he was concerned because it was several pit bulls in the house, so.

Lt. Hunte: Um at some point did you learn that the K9 was going to respond?

Sgt. Fawkes: Yes.

Lt. Hunte: And once you learned, how long after did the K9 actually respond?

Sgt. Fawkes: Uh it had to be like fifteen, twenty minutes or so. We were, I was in the rear of the house just holding the perimeter.

Lt. Hunte: Okay.

Sgt. Fawkes: While we were waiting for him.

Lt. Hunte: And at some point the K9 and K9 officer did respond?

Sgt. Fawkes: Uh yes.

Lt. Hunte: And can you tell me his name? The K9 officer.

Sgt. Fawkes: Uh Chris Alberini.

Lt. Hunte: Okay. And once Officer Alberini arrived with his K9 what happened next?

Sgt. Fawkes: Uh, I was at the rear, kind of holding the rear perimeter and um, I observed Officer Alberini speaking with Lieutenant Briggs and Officer Piers and then Officer Alberini was kicking the door to breach it.

Lt. Hunte: Okay and as he was kicking the door and attempting to breach it did he say anything before he kicked it or as he was kicking it?

Sgt. Fawkes: Yeah I should back up I forgot something, uh

Lt. Hunte: Okay that's fine.

Sgt. Fawkes: Officer Piers when I first got there, now that I think of it, was pounding on the door loud and saying "Andrew come out, Andrew come out" a bunch of times.

Lt. Hunte: Mhm

Sgt. Fawkes: Um what, that's, so I spoke to Lieutenant Briggs first as he was pounding on the door and then Officer Alberini pounded on the door and before uh, I think, I think he gave him a K9 warning at that point.

Lt. Hunte: Do you know what the K9 warning is?

Sgt. Fawkes: Yeah he usually says uh, you know, he called him by name I know when he was doing 'em, once he breached the door. But I, I couldn't hear exactly so I shouldn't even say. I don't know what, he was giving some sort of warning when he was, before he breached the door.

Lt. Hunte: But he did use, uh, Mr. Stigliano's name?

Sgt. Fawkes: When he breached the door before he even crossed the threshold he said, cause that's when I walked up when he, when the door opened and he said "Andrew" uh, "I'm gonna send the K9, come out" you know "give yourself up or I'm gonna send the dog, he's gonna bite you and its gonna hurt". It was like a really incentive, you know, command

Lt. Hunte: Okay. Did you ever hear any type of response from Mr. Stigliano?

Sgt. Fawkes: Not a peep. And I think he gave that warning several times from what I remember. Before he even crossed the threshold.

Lt. Hunte: Okay and what happened next as he crossed the threshold?

Sgt. Fawkes: Uh he, I believe he just, you know, I don't know if he released the dog. I think he released the dog I don't think he had him on a leash, or maybe he did I don't know. But the dog was searching the, the residence at that point.

Lt. Hunte: Okay. Uh at some point...

Sgt. Fawkes: Oh I'm sorry.

Lt. Hunte: Before he released the dog...yeah?

Sgt. Fawkes: I'm sorry. We got the pit bulls. So as soon as he opened the door the pit bulls kinda came out and we were trying to assess if they were vicious or not. And they were okay so we kind of, you know, guided them into the garage.

Lt. Hunte: Okay do you remember how many pit bulls there were?

Sgt. Fawkes: Yeah there was one big one that came right out and it kinda walked by us and we got it back in and put it in the garage. And then there was a little one behind a gate, I think. And Officer Alberini grabbed it, like scruffed it, and carried it to the garage.

Lt. Hunte: Okay.

Sgt. Fawkes: And there was another dog in the bathroom going nuts. I don't know what kinda dog it was. Barking.

Lt. Hunte: Alright so once the pit bulls are removed is that when Officer Alberini let his dog loose?

Sgt. Fawkes: that's...yeah, yeah. So I mean, he breached the door, we dealt with the pit bulls which took a few minutes and then, you know, he started searching after he yelled to him and all that.

Lt. Hunte: Okay and during this time, um, as he's letting his dog go, was there any response at all from anyone inside the house?

Sgt. Fawkes: Nothing.

Lt. Hunte: Okay.

Sgt. Fawkes: Nothing. Not a peep.

Lt. Hunte: Now where were you standing as he's releasing the dog?

Sgt. Fawkes: When he was releasing the dog I was standing outside in the breezeway

Lt. Hunte: Okay.

Sgt. Fawkes: I, we, normally I think, at least I do, cause I don't want to, you know, get in the way, doing that.

Lt. Hunte: Right. So what happened next after he released the dog?

Sgt. Fawkes: I believe he searched the bottom floor. I don't know if he alerted anywhere or anything like that. But he, Officer Alberini just had, had him back on the lead and said, I believe, "I think he's in the attic."

Lt. Hunte: Okay did he tell you why he thought that?

Sgt. Fawkes: No.

Lt. Hunte: Okay and what happened next?

Sgt. Fawkes: We sort of walked up to the, to the, the scuttle hole or whatever you want to call it and I, you could see there was a step ladder up against the wall and the, and the, the access panel was not there, it was removed. Uh but it was just pitch black up there. So Officer Alberini from the bottom of the scuttle hole yelled up again, I don't know how many times, you know. "If you're up there give yourself up. I'm gonna" you know "send the dog" whatever, you know, whatever his. He gave more K9 warnings. And uh...

Lt. Hunte: Any response?

Sgt. Fawkes: Nothing. I mean you couldn't even hear, like I didn't even hear any, you know, movement. Nothing that, you know, we would even know.

Lt. Hunte: Okay and what's the lighting like inside the house where you're at?

Sgt. Fawkes: The lighting was, I don't know, probably like in this room. Semi-lit. It wasn't great. I think all the bl-blinds and stuff were closed but the attic was like a black hole. It was pitch black up there.

Lt. Hunte: Okay.

Sgt. Fawkes: Um so Officer Al- oh you know what, I already forgot something else.

Lt. Hunte: That's alright. It'll come back, go head.

Sgt. Fawkes: Important ^{print} As he was searching the house the dispatch called and said uh be advised I'm receiving text messages from Stigliano's attorney, uh, and he's saying to use extreme caution, I think is what he said. She said he said. I said can you, can you get the specifics of what he's saying? And she come, she said no he won't say and then she came on a minute later and said uh, he's saying he's threatening to harm officers. So, I actually got on the radio and I called to Officer Alberini cause he was in the middle of a search, did you, did you get that? Cause I wanted to make sure he knew in case whatever was happening and he didn't respond on the radio, I don't believe. But I think somebody communicated to him. I didn't, he didn't respond to me.

Lt. Hunte: Okay and I'm sorry now where were you and where was Officer Alberini when this...

Sgt. Fawkes: He was in there searching...

Lt. Hunte: So he's still on the first floor...

Sgt. Fawkes: Yeah and I'm in the breezeway.

Lt. Hunte: Okay.

Sgt. Fawkes: When that stuff started coming in. So I, you know, try to get him on the radio cause I didn't want to go in there and he didn't respond but I think somebody had relayed it to him. I, he said later but. So anyway we're at the bottom of the, uh, the scuttle hole and then he put, Alberini put the dog on his shoulder I think, and went up the ladder and put him up in there. And uh he got up, I think he got up right behind him from what I remember. He started getting himself up right behind him

Lt. Hunte: Mhm

Sgt. Fawkes: And then I heard him say "Fas" which is the, the command for the dog to, to subdue somebody. So I could hear the dog kind of running across the attic and then I heard the, uh, somebody yelled, scream, you know. I don't

even remember what and then Officer Alberini was making his way over there and uh I think he said like “I told you the dog was gonna bite you” or something like that. And then uh, the next thing I heard was “gun, gun, gun” a whole bunch of times, you know, “drop the gun” and “gun, gun” I don’t know something to that effect.

Lt. Hunte: Who was saying that?

Sgt. Fawkes: Alberini was saying “gun, gun, gun” I heard, it sounded like it was a hundred times but it was, probably three, four times he said “gun, gun, gun” you know.

Lt. Hunte: And as you were hearing him say “gun, gun, gun” and some of the other things he’s saying exactly where were you standing?

Sgt. Fawkes: I was at the base of the scuttle hole.

Lt. Hunte: Was anyone in front of you?

Sgt. Fawkes: Piers was right in front of me cause I said, and I don’t remember if Rich Briggs had made it up yet or he was on the ladder, I don’t, you know, I kinda went into tunnel ^{vision} mode at that point cause I remember thinking I said to Piers “did he just say gun?” and he didn’t, I don’t think he even responded to me and then it was very fast. Cause it was like “gun, gun, gun,” bang, bang I heard the shots, you know, so like I said “did he just say gun?” and then I went “was that just gunshots?” And I don’t think he even responded I think he was going and I said, I got on the radio and said “possible shots fired.” I didn’t even, they sounded so muffled. I couldn’t even process it quick enough so then he went up, I went up right behind him and we could just see, uh, Officer Alberini and Lieutenant Briggs’ backs trying to, I thought, like arrest him. I didn’t know what, what had happened.

Lt. Hunte. How many gunshots did you hear?

Sgt. Fawkes: I heard two. Two muffled gunshots. They were very muffled too. I don’t know if it was just cause, you know, I was in the tunnel vision mode or it was really that muffled but everybody, you know, I said it sounded really quiet to me. It was like bang, bang you know? But I knew it was gunshots.

Lt. Hunte: Right.

Sgt. Fawkes: Um, so I thought, uh, Stigliano was moving when I got up in the scuttle hole and then he stopped moving. So, I, they, you know, I don’t know if anybody was trying to, you know, remove the weapon I couldn’t see any of that. I just saw it looked like he was moving then he wasn’t moving. Uh and then next thing I know Piers was in front of me and Piers handed me, went to hand me, a shotgun. With a bunch of shells on the butt of it. And I,

I just thought. I saw that he had a gloved hand and I'm a former detective so I, I said I don't know if I want to touch. So I said hang on and I grabbed a nylon bag from the floor and wrapped it around it and then, uh, Officer Foster was below so I went to hand it to him and I said "don't touch it just grab it by the bag so you're not.. " you know, and then he, he did, he grabbed it by the bag and uh and prior to that I think Piers handed me his rifle to hand down to him or something too. Um so I uh I think I called out to them "who, who shot him? What happened?" you know, I, I didn't even know he was shot at first I think one of them said that he, he was shot but I don't remember who. I said "who shot him?" and nobody answered me, I asked again and then I think Alberini said "I did". So uh, I think somebody might've said he was deceased, you know, he's not, he's not alive. So I said alright, I went, I got down and I went to, uh, tell Officer Oestreicher to block the street so nobody could come down and tape it off and all that stuff. And uh, as I was down there I said "why don't you block the street?" to Officer Oestreicher and she said "I can't I have a prisoner in the car" and I said "well get her back to the station, get her out of here." And then I, I thought I told Officer Foster to tape it off but whatever before I could do any of that Lieutenant Briggs called me on that radio and said "come back up to the attic" so I went back and he and Officer Piers were trying to get Stigliano out. There was a huge beam in the way and they were trying to lift him over the beam, just really hard 'cause it's a low, low ceiling. So uh, Lieutenant Briggs said "come over here and help" so they had gotten him over the beam. Oh no they hadn't I think I helped them get over the beam and then we, Piers and I moved him a few more feet cause, to try to get him to a position where the fire department could work on him and we could, you know, we had sent Officer Foster to get a medical bag and trying to resuscitate him. And uh, before we could move him all the way out fire and paramedics got there and said "don't move him we'll work on him there" and they... I think Piers left and Briggs left the attic at that point and Briggs told me to stay and help em so I got their heart monitor for them and they hooked him up and said he was deceased.

Lt. Hunte: Okay um can you tell me the lighting conditions in the attic?

Sgt Fawkes: They were terrible. They were like pitch black it was like, uh, like I, there was these beams everywhere too it was like a million wooden beams kinda coming down towards the center and it was just really dark. I remember, I remember seeing items on the, like on the inside the beams cause there was no floor it was just like insulation and uh.

Lt. Hunte: Did you have to use your flashlight at all to illuminate the attic?

Sgt. Fawkes: Yeah, yeah. I, I, I used the flashlight and I remember when I first walked up I saw a can of pepper spray I thought it was. Um and there was other items I don't even know what um but you had to use a light, like, to see

anything it was so dark up there And I remember looking, it was like, it felt like it was a thousand degrees there were no vents I don't think either.

Lt. Hunte: Right.

Sgt. Fawkes: So there was no light coming in anywhere I don't think.

Lt. Hunte: Can you describe the shotgun?

Sgt. Fawkes: It was, I think it was silver with like, you know, wooden. .the pump action was wood I think, or wood colored brown.

Lt. Hunte: Mhm

Sgt. Fawkes: So it was like, and the butt was brown. So brown and silver I think.

Lt. Hunte. Okay.

Sgt. Fawkes: It was red shell casings...shells on the back, butt.

Lt. Hunte: Okay and can you describe the conditions of the home when you first, uh, walked in through the breezeway?

Sgt. Fawkes: It was disgusting. It was, like garbage, trash everywhere. The whole yard and breezeway smelled like dog feces. It was, it was really, really gross.

Lt. Hunte: Okay. Did you ever hear, when you were in the attic did you ever hear Mr. Stigliano make any type of uh statement or communicate in any way?

Sgt. Fawkes: No I, somebody I, I thought like the dog, I heard "fas" the dog ran and then I heard a scream so obviously I figured he got bit he's screaming, you know.

Lt. Hunte: Okay but you weren't able to make out anything that he was saying or was it just screams?

Sgt. Fawkes: I don't, I don't know he might've said something, I don't know. I just remember screams.

Lt. Hunte: Okay once you went back downstairs after the incident, after the shooting, uh what did you do next?

Sgt. Fawkes: Uh once the fire department was done I went downstairs, um, oh I actually I missed something again. I was in the attic, um, right after they told me he was deceased I got down and Lieutenant Briggs told me to help Officer Alberini get the K9 down so I was kind of holding him on the ladder while he was bringing the dog down, he got the dog down. Um so once the paramedics were done I went outside and uh told Office Alberini to wash his face off cause he had blood all over it and then I told the fire

department that they should take him and, you know, decontaminate him cause

Lt. Hunte: Mhm

Sgt. Fawkes: [REDACTED] Um, after that, oh I taped off the whole area, I taped off the front, the rear so nobody could drive in or anything like that. Um I don't really remember, there wasn't, you know, we were kind of standing around for a long time and then they sent us back to the station.

Lt. Hunte: Okay.

Sgt. Fawkes: I don't really remember doing anything else.

Lt. Hunte: Okay and can you tell me what was going through your mind after you learned from dispatch that uh Mr. Stigliano's attorney had said that he could potentially want to harm police officers? What was your thought process?

Sgt. Fawkes: I, I didn't, I wasn't that concerned about it, I, I, you know, from what I had of heard and him and I didn't, I didn't think it was like a major threat. I just thought he was talking trash, uh, a fight or something, you know, I don't know. I didn't think much of it I remember. You know, made me, you know, a little more cautious, okay? But I didn't think, take it as a serious threat.

Lt. Hunte: Okay is there anything else that you can recall, any conversations or anything else that you did or you observed that we haven't brought up?

Sgt. Fawkes: Uh, I don't know, I don't really remember. I don't really remember, I mean.

Lt. Hunte: Okay. Do you have any questions?

Attny Sandulli: No questions. No.

Lt. Hunte: Alright at this time we're gonna conclude this interview time now is approximately 11:45 a.m.