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COMMONWEALTH OF MASSACHUSETTS

ON-THE-RECORD INTERVIEW OF WILLIAM FOSTER

Held at: Ashland Town Hall  
101 Main Street  
Ashland, Massachusetts 01721

Taken on: July 10, 2013

Taken by: Amy Marascio, CVR

A P P E A R A N C E S

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1 long have you been a police officer in the town  
2 of Ashland?

3 A. Full time since '95, and I was seven years before  
4 that, so '88, something like that, I came on part  
5 time, so seven years part time and since '95 full  
6 time.

7 Q. Were you a police officer in any other towns  
8 before you got on Ashland?

9 A. No.

10 Q. Were you in the military?

11 A. No.

12 Q. What did you do for work before you got on the  
13 police department?

14 A. I worked for BFI.

15 Q. And as your duties in Ashland now, what is your  
16 assignment on a daily basis?

17 A. Patrol. I also take care of the firearms license  
18 applications and things like that. I have a  
19 number of little jobs I have to do.

20 Q. Okay, and what is your schedule in terms of --

21 A. Seven to three and it's a four and two schedule.

22 Q. Okay, and how long have you had that schedule?

23 A. Four years, somewhere -- somewhere around there.

24 Q. Okay. When you patrol, when you go out, do you

1           have a one-man unit or two-man unit?

2           A.     It's just a one-man patrol car.

3           Q.     All right. I'm going to bring you back to July  
4           the 2<sup>nd</sup> of this year. Were you working that day?

5           A.     Yes, I was.

6           Q.     And what was your assignment on that day?

7           A.     I was assigned to patrol. I want to say south,  
8           but I'm not sure.

9           Q.     Okay, and if you have the south patrol, where in  
10          town is that?

11          A.     Pretty much it's south side of 135. Middle also  
12          takes 135, but it's more the Shaw's, 126 area.

13          Q.     Okay.

14          A.     Anything that happens on that south side of 135.

15          Q.     Okay, and at some point that day -- well, bring  
16          me through that day. Did you receive any type of  
17          radio transmissions regarding -- strike that. At  
18          some point were you made aware of this victim  
19          that had been shot? How did you come --

20          A.     I was there.

21          Q.     Yeah.

22          A.     I was at the scene.

23          Q.     How did you come to go to the scene?

24          A.     I was in the station. I had just finished up on

1 a second or third pistol permit application, and  
2 I heard Officer Piers call in for a warrant  
3 check. I keep my -- usually keep my portable on  
4 even though I'm in the station, and I heard him  
5 call in for a warrant check. It came back with a  
6 warrant, and he asked for another car. At that  
7 point I just put the paperwork down and I headed  
8 that way.

9 Q. Okay. Where was he when he called in?

10 A. 135. I don't know exactly. He was in the area  
11 of the Rite Aid on 135, Metropolitan Ave. He was  
12 in that area. I don't know exactly. I knew who  
13 it was, you know, when he called it, and I knew  
14 the address. He had called the address.

15 Q. Approximately what time?

16 A. Probably should remember that. It was a little  
17 before eleven, somewhere around eleven, I'm  
18 really not sure.

19 Q. And as a result of hearing that, where did you  
20 go?

21 A. I headed out to get in my cruiser to head over to  
22 Metropolitan, and Lieutenant Briggs came down the  
23 hall at the same time. He had heard the radio,  
24 so we both headed that way. I went one way. He

1           went another, and he came on the radio, said he'd  
2           go through Papa Gino's parking lot, come to the  
3           rear of the house, so I took a left on  
4           Metropolitan and pulled up, went beyond the  
5           house, and just pulled to the side and got out.

6       Q.     And when he called in for a warrant check, what  
7           was the name?

8       A.     Andrew, yeah, sorry.

9       Q.     That's all right.

10      A.     Just went blank.

11      Q.     Stigli?

12      A.     Yeah, Stigliano, sorry.

13      Q.     That's all right. And do you remember what the  
14           warrants were for?

15      A.     I do now. I didn't know when they first came  
16           out. After I had got there we called. I think  
17           it was Officer Piers called to find out what the  
18           warrants were for, and it was a A and B and  
19           failure to appear I believe.

20      Q.     Okay. How long did it take you to arrive at  
21           Metropolitan Avenue?

22      A.     Minute and a half.

23      Q.     Okay. Were your lights and siren going or just

24           --

1 A. Yes.

2 Q. Okay, and once you arrived at the scene of  
3 Metropolitan Ave., what did you see?

4 A. Officer Piers.

5 Q. Okay. Anyone else?

6 A. Eventually, yes. When I first arrived --

7 Q. Yeah, no, just when you first got there.

8 A. -- just Officer Piers.

9 Q. Okay, and did you have any conversation with him?

10 A. Yes. Like I said, I went beyond. I stopped. I  
11 got out of the cruiser and went back to speak  
12 with him. He had told me a quick scenario of  
13 what had happened. He had seen Andrew come out  
14 of Rite Aid and turn onto Metropolitan. He had  
15 to turn his cruiser around and come down and he  
16 saw [REDACTED] running away from the -- up the side  
17 of the garage, and Andrew was gone. He believed  
18 he went in the house.

19 Q. Can you tell me who [REDACTED] is?

20 A. [REDACTED] is Andrew's girlfriend.

21 Q. And as a result of having a conversation with the  
22 officer, where did you go?

23 A. I asked him has he gone and searched anything, to  
24 search the garage, and he said no. I looked in



1 through the garage windows, which were painted,  
2 but there's cracks, and I didn't see anybody. He  
3 came and we went into the breeze way. The door  
4 was open, and the garage door was also open, it's  
5 also attached to the house. We knocked on the  
6 door, didn't get anything, then, you know, we  
7 decided to clear the garage, so Officer Piers  
8 went into the garage. I stayed in the doorway  
9 and just covered him by eye and just watching,  
10 and he walked around the whole garage, no luck.  
11 We came back out, and he went back to his cruiser  
12 in the front someplace. I don't know exactly  
13 what he did. I went to the AB side of the house,  
14 which is the front and the left when you're  
15 looking at the house.

16 Q. Okay, and did you still see his girlfriend  
17 [REDACTED]? Was she still in --

18 A. No, I had not seen her yet up to that point.

19 Q. Okay, so as you go to the AB side of the house,  
20 what happened next?

21 A. I saw Lieutenant Briggs come in the back gate.  
22 Officer Piers called on the radio to Briggs,  
23 Lieutenant Briggs, to ask him if he made noise,  
24 was making noise back there, and he said no.

1           Then I heard screaming, female yelling. I didn't  
2           know who it was at that point, and I was just  
3           wondering who it was, and then she finally came  
4           into sight, and it was ██████ and she was -- I  
5           could hear her. She was yelling, "You don't  
6           belong here. You can't be here. Get the fuck  
7           out of my yard," you know, and she finally came  
8           into sight. She was heading towards Officer  
9           Piers, so I left to go up to, you know, kind of  
10          stand by him, and she came up to him and said,  
11          you know, "I have my attorney on the phone. You  
12          can't be here. Get out. He's not here," and I'm  
13          assuming she was talking about -- she was talking  
14          about Andrew.

15         Q.     And where is this conversation occurring?

16         A.     In the driveway area. She moved. She started  
17                out it was in the parking lot beside the  
18                driveway, and she moved around to come to talk to  
19                Piers and I. She went around the car and got on  
20                our side of the car and it was the car that she  
21                drove in or came in. I don't know who drove it  
22                or anything, but she came in.

23         Q.     And was she on the phone?

24         A.     She had the phone in her hand and I believe I --

1 she wasn't really talking to somebody, but she  
2 did have it up.

3 Q. Okay, and what happened next?

4 A. She continued to yell at us and tell us we can't  
5 be here and things like that. A short time after  
6 that Lieutenant Briggs came around from the back.  
7 He spoke to her, tried to get her to calm down,  
8 but she just wasn't having any of it, and at that  
9 point he says, you know, "You're under arrest.  
10 Put your hands behind your back," and she really  
11 didn't want to do that, so Lieutenant Briggs got  
12 her arm and I think Officer Piers got her other  
13 arm and they put her up against the car and  
14 handcuffed her. Lieutenant Briggs then called  
15 for another car. I don't know if he asked for  
16 Kasey, Kasey Oestreicher, which is another  
17 officer, a female officer, to come and take  
18 custody of her.

19 Q. Okay.

20 A. And a couple of minutes later she showed up and  
21 she was -- she was in the area. She heard  
22 everything happening, so it was a very short time  
23 she was there. She took [REDACTED] and put her in  
24 the back of the cruiser, her cruiser.

1 Q. Okay, so at that time when she is physically  
2 being arrested it's just yourself, Lieutenant  
3 Briggs, and Officer Piers, just the three of you?

4 A. Yes, right.

5 Q. Okay, and then the other officer, a female  
6 officer, comes to put her in her cruiser?

7 A. Yes.

8 Q. So what happens next? This is after [REDACTED] gets  
9 arrested.

10 A. I went back to my side and waited there, and then  
11 Lieutenant Briggs -- we know there's dogs in the  
12 house. They have a couple of good size pit  
13 bulls.

14 Q. Could you hear them?

15 A. Yes. Yeah, they were kind of scratching at the  
16 door and barking and things when we were at the  
17 door, and he asked for Sergeant Fawkes, another  
18 car, Sergeant Fawkes for the less lethal in case  
19 they needed it for the dogs, and he asked I think  
20 that the canine officer be called.

21 Q. Okay, and when you say "the less lethal," what  
22 type of weapon is that?

23 A. It's a soft baton 40 millimeter launcher. It's a  
24 six round launcher.

1 Q. Okay, and who called for the canine officer, if  
2 you know?

3 A. Lieutenant Briggs I believe.

4 Q. Okay, and what happened next?

5 A. I heard Officer Alberini come over the air and  
6 speaking with Lieutenant Briggs said, "I'll let  
7 you know in a couple of minutes," and they said,  
8 "Okay." And I think Sergeant Fawkes showed up at  
9 that time and got his less lethal, went and spoke  
10 with Lieutenant Briggs and Officer Piers. Like I  
11 said, I think it was a couple of minutes and then  
12 Officer Alberini called back and said, "I'm on my  
13 way."

14 Q. And did everyone just maintain a parameter?

15 A. Yes.

16 Q. And then once Officer Alberini arrived on the  
17 scene, what happened next?

18 A. Officer Alberini, Lieutenant Briggs, Sergeant  
19 Fawkes spoke. Like I said, I stayed in my area  
20 so I could watch kind of the backyard, the side,  
21 and the front. They spoke. They figured out  
22 what they were going to do and then they went  
23 into the breeze way.

24 Q. Okay, and did you just stay at that --

1 A. Yes.

2 Q. Have you ever arrested Mr. -- the suspect before?

3 A. Yes, I believe, yes.

4 Q. How many times?

5 A. I think I personally arrested him once and I've  
6 been there -- also been there for [REDACTED]

7 Q. Okay.

8 A. The first time when I did it was for [REDACTED]

9 Q. About how long ago was that, if you remember?

10 A. 2010 I think. I think it was right after they  
11 moved in because I got kind of the story of who  
12 bought the house and things like that.

13 Q. Okay, so what happened next?

14 A. I heard some -- them calling, banging at the  
15 door, calling out, you know, "Police" and  
16 "Andrew" or whatever, you know, "Just come to the  
17 door," whatever, and then I heard some heavy  
18 kicking, so it sounded like some -- I have no  
19 idea who, but somebody was kicking the door. A  
20 short time later I think it was Lieutenant Briggs  
21 again came on and said, "Dogs are in the garage."  
22 And then a very short time later he said, "Dog's  
23 working," and that would be Officer Alberini is  
24 in with Dax, that they were searching. I heard

1           -- while that was going on, then I could hear  
2           like yelling in the house. I don't -- it was  
3           loud, but I don't know what he was saying. If he  
4           was working the house, usually he calls out, you  
5           know, warnings, give yourself up, and all this,  
6           you know, police dog.

7           Q.    Have you seen him work with the dog before?

8           A.    Oh, yeah, yes.

9           Q.    Okay, and he's usually very verbal?

10          A.    Yes, he's extremely verbal, and then a minute,  
11          minute, two minutes later, I heard some more  
12          yelling. Again muffled, couldn't hardly hear  
13          anything, tell where it was really coming from.  
14          I heard two, three, it was quick, a double tap,  
15          and I'm not sure if the other one was an echo,  
16          but I heard what sounded like shots, very  
17          muffled, but it sounded like shots. At that  
18          point I left my post and went in the back door,  
19          went into the breeze way and into the back door.

20          Q.    And describe what you saw once you walked into  
21          the back door.

22          A.    I saw Sergeant Piers -- no, sorry, Sergeant  
23          Fawkes standing in the hallway by a ladder.

24          Q.    And can you describe the lighting in that area

1           inside the house?

2           A.    It was just by daylight.  You know, they had  
3           shades and things drawn, but it was still -- you  
4           could see in there.  It wasn't really super  
5           bright.  I don't remember any lights on.

6           Q.    And if you remember, what was the condition of  
7           the house?

8           A.    It was a mess.  There was clothes and trash  
9           everywhere, food.  Like I said, I'd been there  
10          before, so...

11          Q.    Okay, and what is the next thing you heard or saw  
12          once you saw Sergeant Fawkes?

13          A.    He had yelled over to me, "Take this," which was  
14          the less lethal he had in his hand, so I took the  
15          less lethal and I slung that.

16          Q.    Is he the only one that you could see right at  
17          that point?

18          A.    Yes.

19          Q.    Okay, and what happened next?  What did you hear  
20          or see?

21          A.    I could hear moving around up in the attic.  Like  
22          I said there was a step -- raggedy old stepladder  
23          in the hallway, and it was right under a scuttle  
24          hole that was open.  I could hear talking,



1           yelling upstairs, and I had taken the 40 and then  
2           Sergeant Fawkes went upstairs, climbed up the  
3           ladder and climbed up in.

4       Q.    Okay.  Could you hear any conversation of what  
5           was being said?

6       A.    No, I couldn't really hear anything up there.

7       Q.    Okay.  Was the canine barking at all?

8       A.    No.  I didn't hear the dog.

9       Q.    What was the next thing that you observed?

10      A.    Well, Sergeant Fawkes, I think he made it like  
11           halfway up, and then Officer Piers I guess gave  
12           him his rifle, and he said, "Take this," so  
13           Sergeant Fawkes, "Take Piers's rifle," so I took  
14           his patrol rifle and I slung that also, and then  
15           Sergeant Fawkes disappeared upstairs.  A very  
16           short time later he yelled down to me, "Here,  
17           take this," and a shotgun came down, and they had  
18           a -- I said, "Lower," because I couldn't reach  
19           it, and he said, "No, grab it by the" -- they had  
20           it wrapped in like a bag.  It was a nylon like  
21           gym bag or something just, you know, for prints,  
22           so I stepped up on the ladder, he came, and I was  
23           able to get it.  I noticed it was a real --  
24           looked like a real shotgun.  It had an elastic

1           like bandoleer on the stock, and there was a  
2           number of shotgun shells in it.

3           Q.    Okay, and what else was being said at the time,  
4           if you could hear any conversation?

5           A.    You couldn't hear a thing. I looked up. It was  
6           just absolute pitch black. I couldn't see  
7           flashlights. I couldn't see anything.

8           Q.    Okay, and after you took the shotgun, did you  
9           stay right there or what happened next?

10          A.    I stayed right there. I yelled up to him, I  
11          said, "Do you need anything?" And then I yelled  
12          it again, and I said, "Do you need a medical bag,  
13          anything like that?" And they said, "Yes."  
14          Somewhere along the line I did hear I don't know  
15          who say, "We're gonna move him." They wanted to  
16          get him towards the hole, and then so I left  
17          there, went out to actually it was Piers's  
18          cruiser, that was the closest one, opened the  
19          trunk, took out a medical bag and went back in.  
20          At that time the fire department was showing up.  
21          I don't know how they got there so fast, but they  
22          were there really fast.

23          Q.    Yeah.

24          A.    I went in, and I had a paramedic right behind me.

1 He kind of looked at the ladder and I think he  
2 turned around to get -- go get another ladder  
3 because it didn't go all the way up and you had  
4 to hop up.

5 Q. Right.

6 A. I asked, you know, if they wanted the bag. I was  
7 gonna throw it up, but nobody came to the hole,  
8 so I don't know what they were doing. Then  
9 another paramedic came in. He went up the  
10 rickety ladder and climbed up and he yelled down  
11 for the machine, whatever they call it, to put  
12 him on, and then that came in and that went up.  
13 Then I had the guns, wanted to stow them.

14 Q. Right.

15 A. So then I went back out to A9, that was Piers's  
16 cruiser, opened it up, and I took all the  
17 weapons, took the patrol rifle, rifles, and the  
18 40 millimeter and the shotgun and put that in the  
19 trunk and shut the trunk and locked it, and I  
20 pretty much stayed there at that point just to  
21 make sure nobody messed with anything. I did  
22 lock the cruiser, but, you know, didn't want to  
23 leave it.

24 Q. Okay. At some point did -- was [REDACTED] just taken

1 from the scene, do you remember?

2 A. Yes. I'm not sure exactly when. I think  
3 Sergeant Fawkes told Officer Oestreicher to block  
4 the road. They'd want to -- you know, because  
5 once the shots were fired -- it was after the  
6 shots.

7 Q. Okay.

8 A. He said block the road, and she said he had the  
9 prisoner or she had the prisoner, and I don't  
10 know exactly what was said.

11 Q. Okay. When she was placed in custody and placed  
12 in a cruiser, do you remember where that cruiser  
13 was situated?

14 A. Yes, it was in the parking driveway of the  
15 parking of the businesses.

16 Q. The businesses, okay.

17 A. Yes. The nose was probably right about at the  
18 alley. It wasn't way up beside the building. It  
19 was more towards the street.

20 Q. All right.

21 A. There's an alleyway that goes behind the  
22 buildings too.

23 Q. Right.

24 A. Beside actually, well, depending on how you look

1 at it.

2 Q. All right, yeah, I know exactly where it's at.

3 Is there anything else that you remember from the  
4 -- or any conversations that you would have heard  
5 while you were inside the house?

6 A. I'm not sure where I heard it. I heard that  
7 Officer Alberini was involved in the shooting,  
8 but I don't recall whether it was outside or  
9 inside. Because he came out shortly after I  
10 stowed the weapons.

11 Q. Okay.

12 A. There's a little more to that, if you want.

13 Q. What was that?

14 A. Well, like I said, I stayed at the car. He came  
15 out. I saw him. He went over to the ambulance,  
16 and they were cleaning him up.

17 Q. What did he look like? Describe his appearance.

18 A. He had like speckled blood all over his face.  
19 You could see it on his tact vest, and, you know,  
20 that's what they were cleaning, that's what they  
21 wanted, to clean it off. Somebody said that, you  
22 know, you should go to the hospital or whatever.  
23 A short time after that, again this is all like  
24 seconds, Officer Piers came over and had a

1           handgun in his hand and said, you know, "Open the  
2           door and get me an evidence bag," out of his bag  
3           because it was his cruiser A9. He had evidence  
4           bags in his duty bag, so I opened the door, got  
5           an evidence bag and placed the Glock into the  
6           bag. I could see it had blood and stuff on it  
7           and I assumed it was Chris's, but I sealed it,  
8           went and opened the trunk and put it in the trunk  
9           and shut the trunk.

10        Q.    Okay.

11        A.    And then I'm not sure how long after that  
12           Lieutenant Briggs told me to go get the spare.  
13           He knew we have spare firearms for, you know, if  
14           an officer breaks a gun or is involved in a  
15           shooting or anything like that or he loses  
16           possession of his gun. We have a spare in the  
17           station that we can give him because I'm also the  
18           armorer, so there is one gun out. The rest of  
19           them are all locked up, so we keep it for that  
20           reason, so I advised Lieutenant Briggs that I was  
21           watching the car because it had all that evidence  
22           in it, and he said, "I'll watch it." So I ran  
23           back to the station and got the spare, loaded it  
24           up, came back, found Chris, and gave it to him,

1           and then I advised Lieutenant Briggs I have the  
2           car again.

3       Q.     Okay.

4       A.     So I watched the car again.

5       Q.     So when you were in the house, you never went  
6           into the attic?

7       A.     No.

8       Q.     And did you ever see Mr. Stigliano?

9       A.     No.

10      Q.     And you never heard any statements that he might  
11           have made?

12      A.     Who? Stigliano?

13      Q.     Yes.

14      A.     No.

15      Q.     And you never -- did you ever see him after the  
16           shooting?

17      A.     No.

18      Q.     Is there anything else that you remember or that  
19           you want to add?

20                   **MR. SANDULLI:** Well, let me just --

21                   **MR. HUNTE:** Sure.

22                   **MR. SANDULLI:** -- ask him a question  
23           that might be helpful to you. As armorer, do you  
24           conduct the firearms training for the officers?

1                   **WITNESS:** Yes.

2                   **MR. SANDULLI:** What's the schedule for  
3 doing that? How often are you doing it? What  
4 does it involve?

5                   **WITNESS:** Well, they would like -- Mass.  
6 Criminal Justice Training Council would like  
7 three times a year. They want low light. They  
8 want decision making.

9                   **MR. SANDULLI:** What training do you  
10 administer to the duty officers?

11                   **WITNESS:** I've done -- we did some  
12 qualification. I've been involved in decision  
13 making training. We try to do the low light. We  
14 might get a use of force class. I've also done a  
15 less lethal class which also covers use of force  
16 and things like that.

17                   **MR. SANDULLI:** When is the most recent  
18 firearm training?

19                   **WITNESS:** The last one was the use of  
20 force with the less lethal, and I think it was --

21                   **MR. SANDULLI:** When would that have  
22 been?

23                   **WITNESS:** January, January or February,  
24 and I think prior to that it was later in last



1 year we did a qualification which were the  
2 pistols and rifles, and prior to that, I did a  
3 use of force class.

4 **MR. SANDULLI:** And that's a shoot, don't  
5 shoot class or is that --

6 **WITNESS:** That's more of what you can  
7 do, how to do it. I go over the rules and  
8 regulations, policies, and procedures on what the  
9 department is and what the MTC wants us to teach  
10 them.

11 **MR. SANDULLI:** Would Chris Alberini have  
12 been in all those classes?

13 **WITNESS:** Yes, and he also has -- he's  
14 like the most trained officer that we have  
15 because he also works with MetroLEC and he also  
16 does his dog training. He goes to an incredible  
17 amount of training. Just last week I guess he  
18 spent with the SEALs or something doing a lot of  
19 training, so he's actually one of our -- he gets  
20 way beyond what I teach him.

21 **MR. SANDULLI:** Okay.

22 **MR. HUNTE:** Anything else?

23 **MR. SANDULLI:** No.

24 **MR. HUNTE:** All right, right now we're

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going to conclude this interview. The time now  
is approximately 11:47.

(WHEREUPON, On-the-record interview  
concluded at 11:47 a.m.)

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF NORFOLK, SS

I, AMY MARASCIO, a Certified Verbatim Court Reporter and Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing on-the-record interview of William Foster was taken before me on July 10, 2013. The witness was duly sworn before the commencement of his testimony. The said testimony was taken audiographically by myself and then transcribed under my direction. To the best of my knowledge, the within transcript is a complete, true and accurate record of said on-the-record interview.

I am not connected by blood or marriage with any of the said parties, nor interested directly or indirectly in the matter in controversy.

In witness whereof, I have hereunto set my hand and Notary Seal this 20th day of July, 2013.

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Amy Marascio, Notary Public

My Commission Expires:

June 24, 2016

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