



Massachusetts State Police
INVESTIGATIVE REPORT 2016-110-233/17

Report Date: 04/28/2016

Warning

Contains entities exempt from disclosure

Primary Information

Description: Fatal Police Shooting of Mario Mejia Martinez
Dissemination Code: report respect the security of its associated case
Reporting LEO: Sennott, Peter (msp1873 / Middlesex Homicide Squad / Massachusetts State Police)
Approval Status: Approved
Approved Date: 05/04/2016
Approved By: Sullivan, Thomas (MSP1966 / Middlesex SPDU / Massachusetts State Police)

Subject #1 - SUBJECT - PERSON RELEVANT/MENTIONED #1 - Pepicelli, Joseph

Primary Information

Exempt From Disclosure: YES
Subject Name: Pepicelli, Joseph
Record Type: LAW ENFORCEMENT OFFICIAL
Bio: 57 yr. old, WHITE, MALE
Birth Date: [REDACTED] 1958
Juvenile: NO

Relationship Information

Related Offense: SUBJECT - PERSON RELEVANT/MENTIONED of

Subject #2 - VICTIM - HOMICIDE #1 - MARTINEZ, MARIO MEJIA

Primary Information

Subject Name: MARTINEZ, MARIO MEJIA
Record Type: PERSON
Bio: 48 yr. old, HISPANIC, MALE
Birth Date: 01/29/1968
Juvenile: NO
Place Of Birth: El Salvador

Relationship Information

Related Offense: VICTIM - HOMICIDE of

Personal Information

US Citizen: UNKNOWN
Deceased: YES
Date Deceased: 04/21/2016 00:00

Record Status Information

Record Origination Operator: Sennott, Peter (msp1873 / Middlesex Homicide Squad / Massachusetts State Police)



Massachusetts State Police
INVESTIGATIVE REPORT 2016-110-233/17

Report Date: 04/28/2016

Record Status Information - Continued	
Record Origination Date:	04/28/2016 10:10
Last Update Operator:	Sullivan, Thomas (MSP1966 / Middlesex SPDU / Massachusetts State Police)
Last Update Date:	05/04/2016 12:57

Reporting LEO	Date	Supervisor	Date
Sennott, Peter (msp1873 / Middlesex Homicide Squad / Massachusetts State Police)	5/4/2016	Sullivan, Thomas (MSP1966 / Middlesex SPDU / Massachusetts State Police)	5/4/2016

Narrative begins on the following page.



The Commonwealth of Massachusetts
Department of State Police

Middlesex County District Attorney

15 Commonwealth Avenue

Woburn, MA 01801

CHARLES D BAKER
GOVERNOR

KARYN E POLITO
LIEUTENANT GOVERNOR

DANIEL BENNETT
SECRETARY

COLONEL RICHARD D
MCKEON
SUPERINTENDENT

April 28, 2016

Woburn Massachusetts

2016-110-0233

TO THOMAS J. SULLIVAN, DETECTIVE LIEUTENANT
MIDDLESEX DISTRICT ATTORNEY'S OFFICE
MASSACHUSETTS STATE POLICE

FROM PETER J. SENNOTT, SERGEANT
MIDDLESEX DISTRICT ATTORNEY'S OFFICE
MASSACHUSETTS STATE POLICE

SUBJECT FATAL POLICE SHOOTING OF MARIO MEJIA MENDEZ BY EVERETT POLICE
OFFICER

1 On 04-21-16 at approximately 1700hrs this officer was contacted by Tpr Michael Cashman and advised that at approximately 1630 an Everett Police Officer was involved in a shooting in Everett Square and the suspect was critically injured and transported to Massachusetts General Hospital Tpr Cashman had notified Crime Scene Services, the Crime Lab, and Firearms Identification Section to respond to the scene, located at the intersection of Broadway/Chelsea/Norwood Streets This officer then notified DLT Sullivan and ADA Adrienne Lynch of the incident.

2. This officer responded directly to the Emergency Room at MGH, and located Officer Cuthbert of the Everett Police. Officer Cuthbert had possession of the suspects clothing and wallet. There was no identification with the suspect. The suspect, later identified as

MARIO MEJIA MARTINEZ
DOB 01-29-68

was treated at the Emergency room and pronounced dead prior to my arrival. This officer observed the suspect to be a Hispanic male approximately 35 years old, and had suffered several gunshot wounds to the torso and head.

3. This officer then proceeded to the scene of the shooting in Everett, and met with Det Sgt Scott Stalbaum of the Everett Police, and other officers. This officer observed a large blood pool in the intersection of Broadway and Norwood Street, first aid equipment and refuse, crime scene markers, shell casings, and a folding knife, and marked Everett Police Cruisers. The area was secured and in the process of being examined by State Police forensic teams

4. Sgt Stalbaum, informed me that Officer Joseph Pepicelli and others responded to call at the Cancun Restaurant, located at the intersection (432 Broadway) for a report of a man with a knife acting strangely (911 call and radio transmissions attached). Sgt. Stalbaum stated that civilian and police witnesses stated the suspect charged Officer Pepicelli with a knife, and was subsequently shot by Officer Pepicelli. The area in question is populated with businesses, pedestrian, motor vehicle traffic, and also has video surveillance cameras. The video was secured and obtained for the investigation (attached)

5. Troopers Cashman, Connolly, Detectives Crowell, Furtado, Lavey located and interviewed civilian witnesses to the shooting (see reports). This officer and Sgt Stalbaum interviewed Everett Police Officers Dusablon, Poirier, and MacGregor who witnessed the shooting, and Officer Pepicelli who shot Mejia Martinez (refer to audio recording and reports)

6 This officer listened to the 911 Call of [REDACTED], who provided details of Mejia Martinez's behavior, clothing description, and knife in the right rear pocket. [REDACTED] remained on the phone for some period of time, and sirens could be heard approaching the area, prior to the call terminating.

7. This officer listened to the radio transmissions of responding officers. The call was dispatched, Officer Dusablon acknowledged the call, and Officer Pepicelli was dispatched as back up and acknowledged the call (The following times are in minutes:seconds from the run time displayed on the CD.) At 4:52 of the recording Officer Pepicelli signed off on arrival, and then requested a description of the suspect. At 5:05 of the recording Officer Pepicelli stated he is with the suspect. At 5:19 Officer Pepicelli transmits "Drop the Knife." At 5:27 Officer Pepicelli transmits "Drop the Knife" again. At 5:33 Dusablon signs off.

8. This officer viewed video recordings of the incident from Cameras in Everett Square. The following observations were made (The time referred to is in minutes:seconds displayed on the run time of the DVD)

Video PTZ

At 1:05 Officer Pepicelli has arrived on scene and exited his cruiser just north of the Cancun Restaurant on Broadway. Officer Pepicelli is observed walking toward the suspect's location on the sidewalk at the Corner of Broadway and Norwood Street He leaves camera view.

At 1:11 Officer Pepicelli returns to camera view and is observed moving backwards onto the intersection quickly walking backwards and into traffic, a Green car is observed in intersection travelling south.

At 1:15 Officer Pepicelli reaches for his radio microphone on his left shoulder with his left hand, and his right hand has his gun pointed down. Officer Pepicelli is then observed moving to his left

At 1:18 Mejia Martinez is observed entering camera view waving his arms and hands.

At 1:20 Officer Pepicelli is observed pointing his left hand at Mejia Martinez, and his right hand with gun, still pointed low.

At 1:21 Officer Pepicelli is observed reaching with his left hand on radio again

At 1:23 Officer Pepicelli and Mejia Martinez are off camera view

During 12 seconds from 1:11 to 1:23 Officer Pepicelli has walked backwards and to his left the entire time. His firearm is un-holstered, in his right hand, and pointed at the ground

At 1:30 Two Everett cruisers arrive from the North on Broadway (Dusablon and Poirier)

At 1:45 two additional cruisers arrive from the East on Chelsea Street (MacGregor and Sabella). The shooting has already taken place, and not observed on video.

Video Everett Square 2 20160421-163200(1)

The shooting has already taken place and it shows officers providing first aid to Mejia Martinez. The entire video clip is of emergency first aid being provided.

Video Everett Square 2 20160421-16200

The video is choppy and skips.

Mejia Martinez can be seen standing on the sidewalk near a Do Not Enter Sign at the corner of Norwood Street and Broadway.

At 0035 Officer Pepicelli arrives on scene and exits his cruiser. Mejia Martinez can be seen walking towards the cruiser, making hand gestures. Officer Pepicelli is out of the cruiser, pedestrians are on sidewalk. It continues to 0046.

The video skips and at 0048, the shooting has taken place and not recorded.

At 0048 Mejia Martinez is laying on street after the shooting

Video Everett Square 3 20160421-163200 (1)

This Video shows Mejia Martinez after the shooting, Everett Officer providing first aid

Video Everett Square 3 20160421-163200

This video starts and Mejia Martinez can be seen standing on the sidewalk at Norwood Street and Broadway at the Do Not Enter Sign.

At 1:00 Officer Pepicelli arrives on scene, exits his cruiser, and begins to approach Mejia Martinez. Mejia Martinez walks towards the cruiser and Pepicelli.

At 1:12 Mejia Martinez is at the traffic light, and Pepicelli is about to step onto the sidewalk. Pepicelli can be observed reaching towards his Taser on the gun belt with his right hand. This video freezes at times.

At 1:20 Officer Pepicelli is moving backwards and reaching for his gun with his right hand. Mejia Martinez is walking forwards towards Pepicelli. Mejia Martinez is waiving his hands (bright

flashes can be seen in his left hand forearm area) Officer Pepicelli backs up into traffic, and can be seen reaching for his radio at 1:22

The video skips and at 1:25 Officer Pepicelli is standing on the sewer cover, and the suspect is on the corner of the sidewalk. Officer Pepicelli has moved to his left and down. His weapon is in his right hand pointed down, Mejia Martinez in on the side walk with his arms out to the side.

At 1:37 Mejia Martinez has closed in on Officer Pepicelli and is now on the street, it appears at this point Officer Pepicelli has fired and Mejia Martinez is bent over but moving forward.

At 1:46 Martinez Mejia is almost on Officer Pepicelli, Officer Pepicelli is moving to his right and shooting, Mejia Martinez falls forward, the knife appears to be in his right hand as he falls.

9 On 04-29-16 Det. Crowell of the Everett Police obtained video footage from Bouvier Jewelers, 4 Norwood St., Everett. This video provided a clear view of the altercation with no distortion, looking east on Norwood Street towards Broadway. The time referred to is in Military real time recorded on the video.

Mejia Martinez can be seen on the sidewalk at Norwood and Broadway, pacing about commencing at approximately 1609hrs.

Officer Pepicelli arrives on scene and is observed on foot approaching from Broadway at 1633:28. He reaches conversation distance with Mejia Martinez and at 1633:29 Officer Pepicelli is backing away from Mejia Martinez into the intersection of Broadway and Norwood Street.

At 1633:33 Officer Pepicelli reaches a green car traveling south in the intersection and begins to step to his left (south) as his path to retreat is obstructed by the car.

Officer Pepicelli is observed with his weapon un-holstered and pointed at the ground at 1633:40, and as the video moves forward is observed making hand gestures to Mejia Martinez and also reaching to his radio with his left hand.

At 1633:49 Mejia Martinez steps off the curb, hands raised and waving in Officer Pepicelli's direction, closing on Officer Pepicelli, and charging crouched down. Officer Pepicelli raised his weapon as Mejia Martinez stepped from the curb and began the advance.

At 1633:53 Mejia Martinez falls to the ground, as officer Pepicelli is avoiding body contact by stepping to his rear and right (North).

At 1633:57 Officer Pepicelli holstered his weapon, after seeing Mejia Martinez was down, and not getting up. Officer Dusablon's cruiser in on scene, Officer Poirier is advancing on foot, and other Everett Cruisers are arriving.

10. After viewing video surveillance, audio radio transmissions, interview reports with civilian and police witnesses, and Officer Pepicelli's statement, all accounts are corroborated and consistent.

Officer Pepicelli responded to a radio call of a male possibly armed with a knife, and almost immediately upon approaching Mejia Martinez, was threatened with a knife, and placed in a defensive posture.

Officer Pepicelli continually tried to place distance between himself and Mejia Martinez, had to avoid motor vehicle traffic in an intersection during his retreat. Officer Pepicelli never advanced on Mejia Martinez, he made calls for assistance and to warn responding officers (keying his radio at the same time he was commanding Mejia Martinez to drop the knife).

It appears from all available accounts of the incident that Officer Pepicelli fired his weapon as a last defensive resort to avoid being stabbed by an armed assailant.

11 All reports, interviews, recordings have been forwarded to the Middlesex District Attorney's Office for review and determination in the fatal shooting of Mejia Martinez

Respectfully submitted,

Peter J. Sennott
Sergeant
Massachusetts State Police