

INTERVIEW OF OFFICER ZACHARY FONTES

LIEUTENANT PAUL BULMAN, MASSACHUSETTS STATE POLICE
DETECTIVE MICHELLE HALLORAN, READING POLICE DEPARTMENT

FEBRUARY 4, 2018

1 **LT. BULMAN:** Good evening, it is February 4th, 2018
2 and the time is approximately 1:30 a.m. in the morning. Present
3 is Lieutenant Paul Bulman of the Massachusetts State Police,
4 Middlesex District Attorney's Office.

5 **DET. HALLORAN:** Detective Michelle Halloran,
6 Reading Police Department.

7 **OFC. FONTES:** Officer Zachary Fontes, Reading Police.

8 **LT. BULMAN:** Zachary, can you just tell me how long
9 you've been a Police Officer here in the city - the Town of
10 Reading?

11 **OFC. FONTES:** Sworn, or started the academy?

12 **LT. BULMAN:** Both.

13 **OFC. FONTES:** Started the academy in March of 2017.

14 **LT. BULMAN:** Okay.

15 **OFC. FONTES:** Graduated in August, and I've been on
16 since August, so, about five months.

17 **LT. BULMAN:** And did you have any prior experience
18 anywhere else? Prior to that?

19 **OFC. FONTES:** Security experience.

20 **LT. BULMAN:** Security?

21 **OFC. FONTES:** Yeah.

22 **LT. BULMAN:** And where was that?

23 **OFC. FONTES:** Market Street in Lynnfield.

24 **LT. BULMAN:** And what were you doing there?

1 **OFC. FONTES:** I was the Security Supervisor, of the
2 property.

3 **LT. BULMAN:** And what is that, like, a commercial
4 dwelling?

5 **OFC. FONTES:** Yeah. Yeah, it's a commercial shopping
6 plaza, and I was also a graduate of the Reserve Academy.

7 **LT. BULMAN:** The what - Reserve Academy?

8 **OFC. FONTES:** The Reserve Police Academy.

9 **LT. BULMAN:** And which town was that in?

10 **OFC. FONTES:** There's multiple. So, it's - the one I
11 did was NERPI.

12 **LT. BULMAN:** Say that again?

13 **OFC. FONTES:** NERPI.

14 **LT. BULMAN:** NERPI?

15 **OFC. FONTES:** Northeast Regional Police Institute.

16 **LT. BULMAN:** Okay.

17 **OFC. FONTES:** It's out of Middlesex Community
18 College.

19 **LT. BULMAN:** Okay.

20 **OFC. FONTES:** In Medford.

21 **LT. BULMAN:** Yup. Okay. NERPI Police Institute.

22 Alright. Alright, can you just tell me what your assignment was
23 tonight, when you came into work and what time you came into
24 work?

1 **OFC. FONTES:** Right, so, my assigned shift time was,
2 1600, so 4 o'clock. I arrived to the station around, 15, so,
3 3:15, just to get changed and stuff. I came upstairs early,
4 around, 3:45, and Sergeant Silva was in the hallway and he told
5 me that he needed me to hit the road. If that answers the
6 question?

7 **LT. BULMAN:** Okay.

8 **OFC. FONTES:** If you want me to go on from there.

9 **LT. BULMAN:** Yeah. Keep going. That's fine.

10 **OFC. FONTES:** Yeah. So he said I needed to head up to
11 1462 Main Street, which was the gas station that I had been up
12 to prior, the night before, for a domestic.

13 **LT. BULMAN:** Okay. Can you - can you just go into a
14 little bit of - we're going to segue from what you were doing
15 today to -

16 **OFC. FONTES:** Last night.

17 **LT. BULMAN:** Okay. Can you tell us a little bit
18 about what happened last night, to the best of your
19 recollection?

20 **OFC. FONTES:** Yeah. So, same shift, 4 o'clock, side
21 of 4 o'clock, as far as time, I don't remember what time it was,
22 off the top of my head, but we got a call for an assault that
23 had taken place at 1462 Main Street, the gas station. There is
24 an apartment located next to the side of that gas station. It's

1 a little bit between commercial and residential. And just that
2 - there was - the reporting party stated that he was assaulted
3 by his roommate. So we got there, the reporting party was there,
4 but the suspect was not there. That's the same party involved in
5 today's shooting.

6 **LT. BULMAN:** Okay.

7 **OFC. FONTES:** So, he -

8 **LT. BULMAN:** That was your call though, that
9 assignment? Ended up being your call?

10 **OFC. FONTES:** I was backup.

11 **LT. BULMAN:** Okay.

12 **OFC. FONTES:** I was backup for that call. Yup.

13 **LT. BULMAN:** So you didn't write the report?

14 **OFC. FONTES:** I did not write the report.

15 **LT. BULMAN:** Okay. Do you know who did?

16 **OFC. FONTES:** But I was present on scene.

17 **LT. BULMAN:** Who did?

18 **OFC. FONTES:** Yup. It was Officer Vatcher.

19 **LT. BULMAN:** Vatcher did. Okay.

20 **OFC. FONTES:** Yup.

21 **LT. BULMAN:** Think I had you two confused on that.
22 Alright, so, you're the backup, did you talk to any of the
23 victims? Did you get any statements?

1 **OFC. FONTES:** Yeah, so Officer Vatcher was primary,
2 so he spoke to the victim there, but I filled out an injury
3 worksheet - domestic injury worksheet - for that victim. He had
4 - he had like, marks around his lips that were bleeding. He had
5 a - he had a scratch around his neck that was bleeding. And he
6 had redness on the side of his - the left side of his head. And
7 he said that his roommate had put him in a headlock and
8 attempted to strangle him. That night, after he came home drunk
9 from a wake, he attempted to kick the door in, because he had
10 trouble opening the door. Came inside, got into an argument.
11 Then they got into a scuffle. The roommate broke the table, the
12 kitchen table. It's a large, wooden kitchen table, shattered in
13 pieces all over the ground. So - but like I had said, he had
14 left, the reporting party said that he left with a female in a
15 vehicle that was an unknown description.

16 **LT. BULMAN:** Okay.

17 **OFC. FONTES:** So, we took the report from them, we
18 documented the injuries, and I believe we put a BOLO out for PC
19 to arrest him, for domestic A & B.

20 **LT. BULMAN:** Okay. So that was last night, so
21 transitioning back to today, so -

22 **OFC. FONTES:** Yeah.

23 **LT. BULMAN:** So you got told you had to head down
24 there.

1 **OFC. FONTES:** That I got to head down there. Yup. I
2 got in Car 14, I started heading down there when Sergeant Silva
3 called me on the radio and told me to head to Lobster Claw,
4 which was across the line in North Reading, on Main Street. And
5 that the victims were no longer - that the reporting parties -
6 who were the victims, were no longer at 1462 Main Street, and
7 that they were at the Lobster Claw, and they were going to meet
8 me there because they did not feel safe because the individual
9 that had assaulted them - which was the same party from the
10 night before that assaulted them - was still inside the house.

11 **LT. BULMAN:** Okay.

12 **OFC. FONTES:** So, I got to Lobster Claw. I was told
13 that they were going to be in a green Dodge Caravan. There was
14 no vehicle matching that description, I called it in. They said
15 that they had called back the reporting party and they said that
16 they were going to meet us back at 1462 Main Street. So I
17 arrived, Officers Gooley, Lee, and Wilson were already on scene.
18 They were at the door - there's two doors to the residence
19 there. There's an outer door, and there's an inner door. They
20 were at the outer door, they were having trouble getting into
21 that door. They said that they needed to check to make sure that
22 he was inside the apartment, so I stood to the side of the
23 building - there's a window on the side of the building that I
24 was just standing by to make sure he didn't jump out. They were

1 telling me that one of the doors was dead-bolted, so initially
2 they had to call the fire department down to open the door. And
3 then the person that was inside the house - or allegedly inside
4 the house - his brother was on scene, and said that yeah, his
5 brother was inside the house and he had him on cell phone,
6 trying to get him to come outside, but that wasn't going to
7 work. He said that the - he said the reporting party might have
8 a key to get inside. So the reporting party showed up, but the
9 key didn't work. But eventually, we were able to get the front
10 door open, and then the second door was dead-bolted as well, and
11 so the key wouldn't work on that door, so they couldn't get - so
12 we couldn't get in. So, there was question whether there was PC
13 or not - if there was PC from the night before to go in and
14 arrest him. So, Officers Wilson, Vatcher - Vatcher - Officer
15 Vatcher had arrived, because he had showed up to the station
16 earlier as well, so, he had - Sergeant Silva sent him up to the
17 scene, because he wrote the report from the incident from the
18 night before. So they were discussing the PC and they were in
19 contact with Sergeant Silva, who was in contact with Lieutenant
20 Brown, about the PC. I was inside the hallway, inside the
21 residence, with Officer Lee. We were outside that secondary door
22 that was dead-bolted, and, at this point, we could hear the
23 subject inside, he was screaming, because he was on the phone
24 with his brother, who was trying to get him outside, just to

1 open the door. The subject inside was concerned about us coming
2 in and "bundling him" as he stated. He said that he was going to
3 fight us. We told the brother that we weren't looking to hurt
4 him at all, we just wanted to hear his side of the story, and
5 get to the bottom of things. And the brother conveyed that to
6 him, over the phone, but we could hear the subject inside the
7 house screaming that "He wasn't going to let anyone in" and that
8 he "Knew his rights" and so forth. So at that point Officer Lee
9 tried talking to him through the door, but he wasn't responding.
10 He tried, he tried talking to him even more, and he just was
11 told like - he just saying like "Go F yourself. Go F yourself.
12 I'm not gonna let you in". At that point, the brother, was still
13 on the phone, trying to talk to him, to get him out. And we
14 could hear the subject getting more and more aggressive inside,
15 more banging, more screaming, louder, he was screaming louder
16 into the phone to talk to his brother. At that point, we started
17 hearing - the door started shaking, because he was hitting it
18 with something. And he stated that he had a pole, and that if we
19 open the door, or breech the door, he was going to assault us
20 with the pole. So at that point I let the guys know that - I
21 wasn't sure if they had cleaned up the kitchen table, that was
22 broken from the night before, and I said that the pegs, the
23 wooden pegs from the table, still had nails in them, pointing
24 out, the sharp side - just to be aware - if that might be what

1 he considered a pole. So, he still wasn't interested in talking
2 to us, and eventually, the brother said that he would open a
3 window and talk to one of the officers, so he opened the window
4 next to the door and Officer Wilson went up and he talked to
5 him. And it was just - the subject inside just insulting Officer
6 Wilson, just screaming obscenities at him - and then he slammed
7 the window shut. At that point, we didn't hear anything else
8 from the subject inside the house, and, it turns out that, at
9 one point, the brother told us, that - he's like "I'm gonna try
10 and get inside the house. See if he'll let me in, and then I'll
11 open the door for you guys". We said "Okay". So the brother - I
12 guess there was a side door that connects to the gas station. So
13 we're on the right side, here, on the left side, there's another
14 side door. And the brother went over there and I guess he - and
15 I guess the subject inside the house - he came out through that
16 door, to talk to the brother, and then went back in, slammed the
17 door. But I guess he had never locked it. So, the brother came
18 around the side - back around the side and said "Hey guys, that
19 door's unlocked". And around this time, Officers Savio and
20 Drauschke, and Sergeant Silva were on scene. Officer Savio went
21 around to the back of the house and stated that there was a
22 window open. And at that point, I'm not sure which officers -
23 because I was still in the - the hallway there, with the dead-
24 bolted door. I believe some officers went around side and opened

1 that - went through that side door that he left unlocked - and
2 they stated that he wasn't in the residence, so that he must've
3 left.

4 **LT. BULMAN:** So you stayed at the locked door in the
5 common hallway?

6 **OFC. FONTES:** Correct.

7 **LT. BULMAN:** With Officer Lee?

8 **OFC. FONTES:** Correct.

9 **LT. BULMAN:** Okay.

10 **OFC. FONTES:** Just in case - he tried to - with the
11 officers come in through that side door, just in case he tried
12 to leave, through that door, thinking that no one was on that
13 side.

14 **LT. BULMAN:** Okay. Then what happened?

15 **OFC. FONTES:** At that point, they stated that he
16 wasn't inside the residence, and that he had possibly gone
17 through the back window, and ran somewhere. So I had walked out
18 of that hallway with Officer Lee, we walked down the stairs, and
19 the officers that were - had gone through the side door, had
20 started canvassing the left side of the property there, where
21 the cars were parked. And I was with Sergeant Silva, Officer
22 Wilson was there, and then moments later we heard - I heard two
23 gunshots. Initially, we thought that the subject had fired,
24 because we didn't hear anything over the radio from an officer

1 at first, we thought that it was possibly an officer had been
2 shot. And then - I believe Officer Drauschke -

3 **LT. BULMAN:** Can I stop you for one second?

4 **OFC. FONTES:** Yup.

5 **LT. BULMAN:** You kind of lost me a little bit.

6 **OFC. FONTES:** Yup.

7 **LT. BULMAN:** Right before you heard the two gunshots
8 - what did you just say?

9 **OFC. FONTES:** Sergeant -

10 **LT. BULMAN:** You stayed with Lee at the front door -

11 **OFC. FONTES:** Well, we were - we were walking out.

12 **LT. BULMAN:** Yeah.

13 **OFC. FONTES:** We had walked down the steps and we
14 were kind of conveyed on the - like right in front of the house.

15 **LT. BULMAN:** Yeah.

16 **OFC. FONTES:** Officer Wilson was there and Sergeant
17 Silva was there, kind of like "Okay, we're going to have to set
18 a perimeter, to start looking for this guy". And there were some
19 officers on the left side of the property, starting a canvass,
20 for him. And at that point, we heard two gunshots.

21 **LT. BULMAN:** Okay. And then what happened?

22 **OFC. FONTES:** Like I said, we were unsure if it was
23 an officer shooting or if it was the subject shooting. We didn't
24 hear anything over the radio right away, and then we heard

1 Officer Drauschke come over the radio and we heard "Shots
2 fired". So we started running towards that direction. And then
3 when I got over to where everyone was running to, it was - there
4 was - I don't know who was where, but there was two or three
5 officers around the subject, that had been shot. They'd begun
6 CPR and Sergeant Silva immediately ordered me to get an Ambu bag
7 with Officer Vatcher, so I ran to Car 14 and Officer Vatcher ran
8 to Car 1. Officer Vatcher got the bag out first, so I assisted
9 him over back over to the subject who had been shot. And Officer
10 Vatcher jumped right in and started working him with the guys,
11 and handing them supplies. At that point - around that time, we
12 called for the Fire Department and Rescue to come down. The fire
13 department had left the scene, because we - once we figured out
14 the side door was open, they weren't needed, so we cleared them
15 from the scene, but it wasn't that long, they were just down the
16 street. So they returned, I ran out to the street to direct the
17 fire department in, because based on where the cars were, it was
18 a confined area, and all the officers around the subject who had
19 been shot, trying to help him - I wasn't going to be of any use,
20 so, I ran out to the street to direct the fire department in.
21 And the first engine, they got out, and they started heading
22 towards the residence of the apartment, so I had to direct them
23 back over to the subject who had been shot. And after that, I
24 taped off the - I started taping off the area.

1 **LT. BULMAN:** And did you stay assisting - securing
2 the crime scene until you were relieved?

3 **OFC. FONTES:** Correct.

4 **LT. BULMAN:** Did you talk to anyone? Did you talk to
5 Officer Erik -

6 **OFC. FONTES:** I did not talk to Officer Drauschke.

7 **LT. BULMAN:** Yeah. Drauschke.

8 **OFC. FONTES:** No.

9 **LT. BULMAN:** And what time were you relieved at the
10 scene?

11 **OFC. FONTES:** Around 7:30. By Officer Lewis. SRO
12 Lewis.

13 **LT. BULMAN:** And then you came back here?

14 **OFC. FONTES:** Mhm.

15 **LT. BULMAN:** And did someone tell you not to discuss
16 the incident amongst yourselves?

17 **OFC. FONTES:** Correct.

18 **LT. BULMAN:** And who was that?

19 **OFC. FONTES:** Sergeant Silva.

20 (PAUSE)

21 **LT. BULMAN:** Are you aware of any civilian witnesses
22 that may have observed it? Did you - did you see anybody that we
23 should talk to, that we may not know about?

1 **OFC. FONTES:** Sergeant Silva told me to get everyone
2 in the areas ID. There were a few workers, and possibly patrons-
3 I don't know - I couldn't distinguish between the two. In the
4 gas station lobby area -

5 **LT. BULMAN:** And did you get all their names?

6 **OFC. FONTES:** By the pumps. Correct. Yeah. Me and
7 Officer Wilson collected everyone's ID and then at that point I
8 had to finish taping up the scene, so I transferred all the IDs
9 over to him.

10 **LT. BULMAN:** Officer Wilson?

11 **OFC. FONTES:** Officer Wilson. And I informed Sergeant
12 Silva that Officer Wilson would be taking over the duty of
13 collecting everyone's ID and information, while I taped off the
14 rest of the crime scene.

15 (PAUSE)

16 **LT. BULMAN:** Then you came back here and you've
17 basically been waiting ever since.

18 **OFC. FONTES:** Correct.

19 **LT. BULMAN:** Okay. Had you ever had any previous
20 encounters with this subject? Other than the previous night? Had
21 you ever encountered -

22 **OFC. FONTES:** No, I haven't.

23 **LT. BULMAN:** No.

24 (PAUSE)

1 **LT. BULMAN:** Were you - did you get involved in the
2 actual CPR?

3 **OFC. FONTES:** No.

4 **LT. BULMAN:** No, you didn't?

5 **OFC. FONTES:** No, like I said. The way that the cars
6 were parked -

7 **LT. BULMAN:** Yeah.

8 **OFC. FONTES:** It was a very confined space and there
9 were three to four officers working him, with the CPR and the
10 medical.

11 **LT. BULMAN:** So you didn't get his blood - you
12 didn't get the victim's blood on you anyway?

13 **OFC. FONTES:** No, I did not.

14 **LT. BULMAN:** You didn't have to get -

15 **OFC. FONTES:** No.

16 **LT. BULMAN:** Baseline tested or anything?

17 **OFC. FONTES:** No.

18 **LT. BULMAN:** Alright. Can you think of anything
19 else?

20 **DET. HALLORAN:** Do you know how you got into that
21 hallway?

22 **OFC. FONTES:** Into the hallway?

23 **DET. HALLORAN:** You said that the outdoor -

1 **OFC. FONTES:** Yeah, it appeared locked, but, the
2 roommate said that it was just - the door was just - it's a
3 faulty door, they had trouble. So we managed to open it, in the
4 correct manner.

5 **LT. BULMAN:** You didn't see anyone come down and
6 open the door for you?

7 **OFC. FONTES:** Under the - okay, so - the - so, the -
8 Okay. Sorry. So the night before, the roommate had showed us the
9 difficulty with the door, because he had stated that the subject
10 who was shot today - last night he had trouble opening the door-
11 so that's why he kicked it in the night before. So he showed us
12 what was wrong with the door. What happened was, at one point,
13 Officer Gooley noticed someone in the upstairs realm and she
14 called to him, and he took a while to respond, but eventually
15 she asked him to come down and open the door, and which he did.

16 **LT. BULMAN:** Alright.

17 **DET. HALLORAN:** And did you hear - how many shots
18 did you hear?

19 **OFC. FONTES:** Two.

20 **LT. BULMAN:** And you're not equipped with a body
21 camera -

22 **OFC. FONTES:** I am not.

23 **LT. BULMAN:** Or anything like that?

24 **OFC. FONTES:** No.

1 **LT. BULMAN:** Okay. Heard two shots. Did you hear
2 any commands prior to the shots?

3 **OFC. FONTES:** No.

4 **LT. BULMAN:** Was there a lot of road noise in that
5 area, that time of night?

6 **OFC. FONTES:** There was. And like I said, that was on
7 the far side of the property, versus where I was, on the other
8 side of the property. I think it's like - 4 o'clock usually,
9 there's a lot of traffic in that area, it's a main street, so 40
10 miles per hour, so cars are whipping by.

11 **LT. BULMAN:** Yeah. Okay. Can you think of anything
12 else?

13 **DET. HALLORAN:** Nope.

14 **LT. BULMAN:** Okay. So the time is approximately 1:53
15 a.m. on the 4th of February, 2018. This concludes the interview.

16 END OF INTERVIEW

17

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19