

Ofc. Carruthers Interview Recording #1

1 DELUCIA: It's Wednesday, February 16th, 2022, um, uh, what's your
2 name sir?

3 CARRUTHERS: Uh, Joseph Carruthers.

4 DELUCIA: Okay Officer Carruthers I'm gonna read you your Miranda
5 rights. Um before asking you any questions it is my duty to advise you of
6 your rights. You have the right to remain silent, if you choose to speak
7 anything you say may be used against you in a court of law. You have the
8 right to consult with a lawyer before answering any questions and you may
9 have a lawyer with you during questioning. If you cannot afford a lawyer and
10 want one, a lawyer will be provided at no cost before any questioning. If you
11 decide to answer questions you can stop at any time. Do you understand each
12 of these rights that I've just read to you?

13 CARRUTHERS: Yes.

14 DELUCIA: Okay. So there's a yes, no and initials, so if you could
15 just verbalize um, which one you check and then—

16 CARRUTHERS: Uhh... Checking off 'yes', initialing it.

17 DELUCIA: And then just below that: having these rights in mind do
18 you wish to speak with me now?

19 CARRUTHERS: Checking off 'yes'

20 DELUCIA: Okay.

21 CARRUTHERS: And initialing it.

22 DELUCIA: And if you could sign— yup that would be great.

23 *(unintelligible)* if you wouldn't mind being the witness for that. Thanks. Uh,

1 so as I said, it is Wednesday February 16th, 2022, my name is Anthony
2 DeLucia and um I'm a sergeant with the State Police, I work out of Middlesex
3 District Attorney's Office. We are just going to go around the room and
4 introduce ourselves. So if you wouldn't mind (*unintelligible*).

5 HAGENAH: Sergeant Alex Hagenah, Lexington Police.

6 CARRUTHERS: Joseph Carruthers, Lexington Police Department.

7 MCDONALD: Alan McDonald, counsel to the Lexington Police
8 Association.

9 DELUCIA: Thank you for coming in today and uh siting down to
10 speak with us. Um, Office Carruthers, could you tell me how long you've been
11 a Lexington Police officer?

12 CARRUTHERS: Uh, just under six years.

13 DELUCIA: And prior to being a Lex-Lexington police officer, were you
14 a police officer anywhere else?

15 CARRUTHERS: No.

16 DELUCIA: Did you have a career, prior to joining uh-

17 CARRUTHERS: Yes.

18 DELUCIA: The police department? And what was that?

19 CARRUTHERS: Uh, I worked for the Massachusetts Department of
20 Correction.

21 DELUCIA: Uh, where was that? Where you worked for them?

22 CARRUTHERS: Uh... it was out of two, two different prisons. I started
23 out at Old Colony and then I transferred to MCI Norfolk before getting hired
24 here.

1 DELUCIA: And what was your function when you had that job, were
2 you a corrections officer?

3 CARRUTHERS: I was a corrections officer.

4 DELUCIA: Okay, was that shift work, or when did you work? Were
5 you midnights, evenings?

6 CARRUTHERS: Um, yeah so generally it is shift work, uh, basically I
7 was a 7 to 3, 3 to 11, 11 to 7. Uh, my hours when I left the DOC was a uh like
8 a split schedule 3-11 and 7 to 3.

9 DELUCIA: Okay, and how long did you- were you employed by the
10 DOC?

11 CARRUTHERS: Uh, just under eight years.

12 DELUCIA: Okay. Um... as a Lexington Police Officer do you go
13 through any annual training that's required by um you know, by your
14 department?

15 CARRUTHERS: Yes.

16 DELUCIA: And could you take me through just some of, some of what
17 that training is?

18 CARRUTHERS: Um... we have our annual service which covers uh
19 like uh, like CPR, medical aid, um there's usually some mental health
20 training, there's some other training that the MPTC selects for us. In
21 addition we have an annual firearms qualification and uh um, I think it's
22 every other year we do um like a defensive tactics re-certification.

23 DELUCIA: Okay, is this online and practical or is it all-

24 CARRUTHERS: Yes-

1 DELUCIA: It's both?

2 CARRUTHERS: Um, let me phrase this, so last year in service was
3 online but there was hands on stuff as far as the firearms go. Um this year
4 we are back to doing it in- in person for the in service and we are still doing it
5 in person for the firearms and defensive tactics.

6 DELUCIA: Okay. Uh, how about less lethal. Do you get any training
7 on that type of equipment?

8 CARRUTHERS: Yes.

9 DELUCIA: And could you tell me specifically what type of equipment
10 you have been trained on? Less lethal?

11 CARRUTHERS: Uh I've been trained on the less than lethal shotgun,
12 as well as the 40mm launcher, we do not have those currently though.

13 DELUCIA: Okay, the foam rounds thing, I know what you're talking
14 about. Okay. Have you, so, when you're on patrol would you have a less
15 lethal, would you have the availability to have a less lethal piece of
16 equipment with you?

17 CARRUTHERS: Yes.

18 DELUCIA: Okay. Which would be the beanbag rounds or the shotgun
19 rounds?

20 CARRUTHERS: Yes.

21 DELUCIA: Okay. Um... on Saturday what was your assignment?

22 CARRUTHERS: I was assigned to the uh- I was assigned to the 41 to
23 the four sectors, the 414.

1 DELUCIA: Okay. And what, how would you describe that sector, are
2 you- what area of responsibility, are you floating, what is, what are-

3 CARRUTHERS: Uh yeah so my, its uh, my area of responsibility, if
4 you can picture the town of Lexington, uh... it goes from Waltham Street
5 uh... up Mass Ave by the battle green and then up Bedford Street and uh the
6 adjoining sector is the 413 sector, 413 sector.

7 DELUCIA: Do you remember what, like, how that day was weather
8 wise?

9 CARRUTHERS: Uhm... partly, partly cloudy, um.

10 DELUCIA: Was it warm, was it cold? Do you have a memory of what
11 the weather was like that day?

12 CARRUTHERS: I think it was a warm day.

13 DELUCIA: Okay.

14 CARRUTHERS: I think it was a somewhat warm day because I
15 believe I actually wore short sleeves that day.

16 DELUCIA: Okay. What were your work hours that day?

17 CARRUTHERS: Uh, 8 AM to 4 PM.

18 DELUCIA: Okay. Uh, do you attend a roll call? Uh-

19 CARRUTHERS: Yes. In the morning.

20 DELUCIA: Did you that day?

21 CARRUTHERS: Yes.

22 DELUCIA: Okay, anything at roll call that was unusual or was it a
23 pretty typical or standard-

24 CARRUTHERS: Pretty typical roll call.

1 DELUCIA: And who would have hosted or conducted that roll call?

2 CARRUTHERS: Uh Sergeant Demambro.

3 DELUCIA: That's who did that day?

4 CARRUTHERS: Yes.

5 DELUCIA: Okay. Um... How did it— how did you end up getting
6 called, or how did you end up finding out there was something going on over
7 at 98 Hancock Street?

8 CARRUTHERS: Uh I believe I was here at the station at the time and
9 uh I have a portable radio so I heard the call come in over the portable radio.
10 That day we had five cars on the road, so we had a backup car. So the 413
11 was Papia that day and the backup car, which is the 415 car, was Officer
12 Frissore, they were dispatched. If Frissore, if we didn't have a backup car
13 that day then it would have been me uh, going as backup with Papia.

14 DELUCIA: So do you remember hearing that call come in at exactly—
15 what was said, what was your impression of what was going on?

16 CARRUTHERS: Uh so I heard the call, I heard the call come in um...
17 Do you want me to like recount like—

18 DELUCIA: Whatever your memory was of that day when you heard
19 the call.

20 CARRUTHERS: Yeah, so I heard the call uh from what I remember
21 the call came in as, it was at 98 Hancock Street and it was uh, someone
22 hanging out of a window screaming for help because somebody was trying to
23 kill them.

24 DELUCIA: Okay.

1 CARRUTHERS: And I– So I know that house um... you know it's like
2 a group home, so we do get calls there frequently. So my initial impression
3 was I- I guess um I wasn't– I wasn't sure if really, if that was what the call
4 was. If it was somebody just having a mental health issue or were they
5 halluc– I– I don't know, my initial impression I guess I didn't know what to
6 make of the call.

7 DELUCIA: Okay. Had you responded to that home before?

8 CARRUTHERS: Yes.

9 DELUCIA: And what type of instances or calls had you been sent to
10 there before?

11 CARRUTHERS: Um, people - residents – essentially having I guess
12 some mental health issues, ranging from um not taking their meds to I guess
13 um there's been other calls from like, from staff members of people like acting
14 up there.

15 DELUCIA: Okay. So, in the past there's been calls from somebody in
16 the home requesting help at that home?

17 CARRUTHERS: Yes.

18 DELUCIA: For instance, like a staff member looking for police
19 assistance?

20 CARRUTHERS: Police assistance yes.

21 DELUCIA: Okay, do you know if that, that home is always staffed
22 with a staff member or–

1 CARRUTHERS: My understanding is that it is not always staffed.
2 There's just a nurse that comes by to give meds, and I think staff check in
3 periodically throughout the day, um—

4 DELUCIA: Okay.

5 CARRUTHERS: But as far as like weekends go I think it's just a
6 visiting nurse that comes in to give medication to the residents.

7 DELUCIA: Okay. Do you remember when the last time was that you
8 would have responded to that home in an official capacity? I mean, just
9 weeks, months, I certainly don't need a date.

10 CARRUTHERS: Uh... nah not off the top of my head.

11 DELUCIA: Okay yeah no big deal. Uh so when you- would you know
12 who would be living at the— like on Saturday, did you know who was residing
13 in that house? Did you know who the residents were? Prior to getting there?

14 CARRUTHERS: No.

15 DELUCIA: Okay. So when you hear that call that goes out um, would
16 you say the 413 would be responding and the 415, if I have that right?

17 CARRUTHERS: Correct.

18 DELUCIA: Um, do you hear them talking on the radio um, either
19 while they're responding there, or, or what do you, I— I guess what do you
20 hear first?

21 CARRUTHERS: I heard, so I heard Papia make a radio transmission,
22 uh requesting, uh you know like requesting mental health or somebody from
23 Elliot, I heard, I heard requesting mental health.

1 DELUCIA: Okay. And uh, what did you, how would you interpret
2 that?

3 CARRUTHERS: Um, still like to me, that made sense and it just
4 kinda seemed like it was more like a standard thing.

5 DELUCIA: Would that be like looking for a civilian or looking for a
6 representative from the home— what is your impression of a call like that?
7 Did you know what that meant?

8 CARRUTHERS: Uh, uh no, it honestly could have gone I guess either
9 way um I think whoever they could have gotten ahold of, I think they would
10 have started with somebody, like a staff member from Elliot.

11 DELUCIA: Okay.

12 CARRUTHERS: So that probably would have been who they would
13 have reached out to.

14 DELUCIA: Did that strike you as unusual? A call like that?

15 CARRUTHERS: Still, still no—

16 DELUCIA: Okay.

17 CARRUTHERS: — just because of the type of home that it was.

18 DELUCIA: Okay.

19 CARRUTHERS: No, it didn't, it didn't strike me as unusual.

20 DELUCIA: So, what makes you, uh so at some point you start heading
21 that way.

22 CARRUTHERS: Yes.

23 DELUCIA: What, could you take me though that, how exactly—

1 CARRUTHERS: So I, again I was here at the station and uh Papia
2 called me on the radio. He called me as a 414 car so he called me, he called a
3 414 uh, I wasn't sure if he was calling me thinking I was the backup car as
4 opposed to uh as opposed to Frissore as a 415. I responded back something to
5 the effect of "are you calling me or are you calling the 415?" He acknowledged
6 that he was calling me uh and then I heard him, something inaudible but I
7 heard "can you bring the less lethal, he has a knife".

8 DELUCIA: Okay. So does— so in your mind, does the call change at
9 that point?

10 CARRUTHERS: Yes.

11 DELUCIA: Okay. Does it— how does it change?

12 CARRUTHERS: Uh... it changes to a serious call and uh obviously
13 when a knife is involved, when a knife is involved um it turns into I don't
14 know, any number of things could happen, obviously it could be a potentially
15 lethal situation.

16 DELUCIA: But it's certainly a much more serious situation now,

17 CARRUTHERS: Yes

18 DELUCIA: —than what had initially come in?

19 CARRUTHERS: Yes.

20 DELUCIA: And, and what's your reaction to that request?

21 CARRUTHERS: Uh I more or less ran downstairs to my car and I
22 drove pretty fast—

23 DELUCIA: Okay

24 CARRUTHERS: —to go back him up.

1 DELUCIA: And how long, how long you do think it would take for you
2 to get there? Or did it take you to get there? If you have any–

3 CARRUTHERS: Two to three minutes.

4 DELUCIA: Okay. Um, when, when you arrive on the scene, you're in a
5 uniform?

6 CARRUTHERS: I'm in a uniform and a marked cruiser.

7 DELUCIA: Okay. When you arrive um, well, before we do that
8 actually, how, what is your route of travel when you, if you recall, to get
9 there?

10 CARRUTHERS: Do you want me to just describe it to you?

11 DELUCIA: No, like which street you end up coming, yeah I just have
12 some photos here I wanted to show you cause I'm not, I'm not overly familiar
13 with the town so.

14 CARRUTHERS: Okay.

15 DELUCIA: So we have, um, this is number 98,

16 CARRUTHERS: Yep.

17 DELUCIA: Okay so uh, maybe a better question is: upon your arrival–

18 CARRUTHERS: How did I approach?

19 DELUCIA: Really where you do park when you get there I guess.

20 CARRUTHERS: I uh, roughly on the corner of, if this is the rotary
21 coming up Hancock Street um, I don't remember if I went around the rotary I
22 don't think I did I think I just beelined it right for uh Hancock and Hamilton
23 and I just kind of parked right on the corner here?

1 DELUCIA: So like, not that it matters, it would just be going just like
2 the wrong way?

3 CARRUTHERS: Yeah.

4 DELUCIA: Kinda clos— Yup okay. Could you just make a circle as to
5 where your car, and I know it's tough with these trees here you can kind of
6 ignore those but you park over at Hamilton Road is that—

7 CARRUTHERS: I parked roughly here

8 DELUCIA: If that's not great, yup yup, I get it but I want to make
9 sure it's accurate. So, so like here?

10 CARRUTHERS: Roughly there.

11 DELUCIA: Okay. And upon your arrival um, what are you seeing
12 when you get there?

13 CARRUTHERS: Uh so when I get there I—

14 DELUCIA: Or maybe a better question is, why do you decide to park
15 here?

16 CARRUTHERS: Parking there, it's still close by but it's off the
17 roadway. I guess, if need be traffic can still go unimpeded, so I'm kinda out of
18 the way.

19 DELUCIA: And, and while you're parking, you're anticipating uh
20 making your way to 98 at this point?

21 CARRUTHERS: Yes.

22 DELUCIA: Okay. Um, does that change at all at any point? Where you
23 don't go to the house, or did you go to the house?

24 CARRUTHERS: I did not go to the house.

1 DELUCIA: Okay. And why didn't you go to the house?

2 CARRUTHERS: So when I got out of the cruiser, I went to the trunk
3 of my car to get the less lethal shotgun, uh I uh basically swiped in, I
4 chambered a round, a less lethal round, and by the time I turned around uh
5 somebody was running by me holding a knife.

6 DELUCIA: And did you know who that person was?

7 CARRUTHERS: Uh—

8 DELUCIA: In that moment.

9 CARRUTHERS: No, no not in the moment.

10 DELUCIA: Okay. Uh, would you just mind putting your initials here
11 just, just that that's where you parked your car? And this is just going to be
12 diagram #1. At, at 11:35 hours. So, alright so um we have we have your
13 vehicle parked here, you grabbed the less lethal. Where you do see someone
14 running?

15 CARRUTHERS: Uh, by the time I turn around, they are roughly
16 running this direction, kinda like this direction across the rotary.

17 DELUCIA: Okay, so, so I'm just gonna make a kind of, is to what
18 your—

19 CARRUTHERS: That's the general direction yes.

20 DELUCIA: Okay, and does that person end up stopping at some point?

21 CARRUTHERS: Um, do they come to a stop? No. Uh, while they're
22 running uh Papias fired a less lethal beanbag round,

23 DELUCIA: Okay.

1 CARRUTHERS: I don't know if it hit them but it caused them to
2 stumble.

3 DELUCIA: Okay.

4 CARRUTHERS: On the, on the, the island.

5 DELUCIA: So on here?

6 CARRUTHERS: Yes.

7 DELUCIA: Som— Okay and if you wouldn't mind could you just make
8 a note as to where— Did, did the person get up again and run immediately or
9 did they stay there for a little while?

10 CARRUTHERS: No they got up uh it didn't, it just kinda caused them
11 to stumble on the, and they kept running. So they didn't stop.

12 DELUCIA: When you say stumble, did they hit the ground, or stumble
13 like just miss a step?

14 CARRUTHERS: Um no, I don't think they, I don't, I don't remember if
15 he actually hit the ground or not. He might have caught himself. Like he, it
16 looked like he started to kind of fall, I don't remember if he caught himself or
17 if he actually hit the ground. He didn't stay there. He didn't stay on the
18 traffic island he got up.

19 DELUCIA: In all one motion, if he hit he got right back up again?

20 CARRUTHERS: Yes.

21 DELUCIA: So where did this person ultimately come to a, a stop?

22 CARRUTHERS: Uh, uh roughly right to where Burlington Street
23 meets the rotary.

1 DELUCIA: Okay so um so we have a run, so you tell me, I'd like you to
2 make the note because its- So if you could just make a, a circle or something
3 to that affect where that person would have stopped. Did that person stop on
4 more than one instance? To your memory? Throughout this entire-

5 CARRUTHERS: No. No, he might have just kept stumbling but kept
6 getting back up and didn't stop until he hit right on Burlington Street where
7 it met the rotary.

8 DELUCIA: So, so if you could make a cir-

9 CARRUTHERS: Circle roughly where-

10 DELUCIA: That would be great, yes. And again this isn't to scale so
11 we don't have to be hyper-technical, it's just a matter of looking at it later on
12 so we can gauge where we are at. And this is the person you saw running
13 with the knife?

14 CARRUTHERS: Yes.

15 DELUCIA: And do you remember what that person was wearing, how
16 would you describe that person?

17 CARRUTHERS: Uh, I believe he was wearing a t-shirt and gym
18 shorts.

19 DELUCIA: Okay. Did you know who this person was? Or during that
20 incident did you end up figuring out or finding out who the person was?

21 CARRUTHERS: Erh, I was given, I- I picked up his first name, I
22 believe it was, I- I don't know who was saying his first name but I heard his
23 first name from someone.

24 DELUCIA: Okay so you didn't know him?

1 CARRUTHERS: Uh, after the fact I recognized I had had past
2 encounters with him but in that moment it didn't dawn on me who he was.

3 DELUCIA: Okay. And if you were saying his name, it's because you
4 heard somebody else saying it.

5 CARRUTHERS: Yes.

6 DELUCIA: And you were repeating what they were saying.

7 CARRUTHERS: Yes.

8 DELUCIA: Okay, alright. So when this person, Brandan, is that the
9 name you were saying?

10 CARRUTHERS: Uh, I believe, I think it was Brendan.

11 DELUCIA: Brendan, okay. So when Brendan ends up um on the
12 ground here where we made this notation on diagram #2, when he's here, and
13 he comes to rest here, is that fair to say?

14 CARRUTHERS: Yes.

15 DELUCIA: Where's everybody else? So if you wouldn't mind drawing
16 you know, where you are in this instance. When he comes to a rest there,
17 what's going on?

18 CARRUTHERS: So where everyone— basically where everyone's—

19 DELUCIA: Yeah where you were and where, what your vantage point
20 is for your other officers.

21 CARRUTHERS: Uh I'll put an X where I was.

22 DELUCIA: Yeah if you want to just do circles and then we'll do initials
23 right under where that, that would be fine. So that's what this denotes here
24 okay, this is Brayden- Brendan. Yep. As, as best you can.

1 CARRUTHERS: Uh, do you want me to put my initials right under
2 that?

3 DELUCIA: Yup, if that's you put your initials there then if you can, if
4 you knew where Papia was, make a notation where he was. And then if you
5 knew where Frissore was.

6 Okay so on this note we have Frissore, yourself, and Papia.

7 CARRUTHERS: Correct.

8 DELUCIA: Right? Okay um, do you give Frissore anything?

9 CARRUTHERS: Uh not initially but I do end up handing him the less
10 lethal shotgun.

11 DELUCIA: Okay. Um, when you say not initially, its, what was going
12 on?

13 CARRUTHERS: So while we were all there there's obviously McAleer
14 and Sean Sullivan are there as well.

15 DELUCIA: Okay.

16 CARRUTHERS: Would you like me to annotate that as well?

17 DELUCIA: That would be great, yes. Please do. So this is Blake Road
18 if that's helpful at all.

19 CARRUTHERS: That's Sean Sullivan, and I'm not entirely sure where
20 McAleer was but roughly, the way I remember it he was roughly there.

21 DELUCIA: Okay, behind you.

22 CARRUTHERS: Yeah.

23 DELUCIA: Okay, and Sullivan would have been up the street a little
24 bit.

1 CARRUTHERS: He was up the street a little bit.

2 DELUCIA: Okay. And again would you just mind throwing your
3 initials on that? That's just diagram #2. Thank you. Okay so focusing on this
4 photo, this diagram, um, what, what's going on here?

5 CARRUTHERS: So at that point, he had fallen on the ground. He had
6 fallen on the ground in the middle of the road, he's still holding the knife.

7 DELUCIA: Did you see the knife?

8 CARRUTHERS: I did see the knife.

9 DELUCIA: Do you remember which hand it was in?

10 CARRUTHERS: Uh... not off the top of my head.

11 DELUCIA: Okay, umm, okay. Sorry, continue.

12 CARRUTHERS: So he still had the knife, uh, Papia had a less than
13 lethal shotgun, I had a less than lethal shotgun and I don't know, I don't
14 know, I think Frissore had his baton out.

15 DELUCIA: Okay.

16 CARRUTHERS: It was at that point we were basically yelling at him
17 to drop the knife, to drop the knife.

18 DELUCIA: Were you verbalizing anything?

19 CARRUTHERS: Yes.

20 DELUCIA: Okay.

21 CARRUTHERS: Just dropping the knife. And I, basically I looked
22 around and I realized that everyone had either batons or like less lethal and
23 in training that if you're— if the less lethal shotgun comes out, you need
24 someone with lethal cover.

1 DELUCIA: Okay.

2 CARRUTHERS: So at that time I slung my shotgun and I drew my,
3 uh I drew my handgun.

4 DELUCIA: Was it– Do you know if you would have given it to Frissore
5 at that point or not yet.

6 CARRUTHERS: Uh, it wasn't long after that that Frissore recognized
7 that I had done that and he said give me the shotgun so I handed him the
8 less lethal shotgun.

9 DELUCIA: Okay so you're covering the less lethal guys.

10 CARRUTHERS: So now I'm covering the less than lethal guys with
11 lethal cover yes.

12 DELUCIA: And based off this diagram we're looking at, you're in
13 between the two of them?

14 CARRUTHERS: Correct.

15 DELUCIA: Okay. Frissore and Papia. Okay. Um, is anybody
16 successfully communicating with this individual?

17 CARRUTHERS: That's where I basically took a primary role in
18 communicating with him. Um, I was just- as opposed to yelling at him I was
19 trying to talk to him a little bit calmer, calmer? I was asking him to drop the
20 knife. I was asking him to throw the knife behind him. To just put the knife
21 down. Asked him, please. Was trying to um, I don't even, I don't think I was
22 trying to be friendly it just kinda came out of me where I was like 'can you
23 just put the knife down bud, can you just put the knife down?' And he would
24 go from laying down to roughly sitting up like in a jerking motion and every

1 time he did it, I didn't know if like— he just like kept doing it and I kinda like
2 thought he was like about to come towards us at that point. I was kinda just
3 looking around, not like looking around but I could, I could see like up Blake
4 Street that there were people out, like there was people around. We're
5 essentially, we had like a semi-circle on one side of him but not the other side
6 of him.

7 DELUCIA: Was he, was he saying anything?

8 CARRUTHERS: He, he was saying stuff like he was part of like the
9 mafia, and like the Irish mob or like something like he was Whitey Bulger's
10 hitman or something. It was, he was obviously not in the right frame of mind
11 he was obviously delusional at that point.

12 DELUCIA: So when you're telling him to drop the knife, is he, is he
13 communicating back to you in any type of way that made sense? Was it like a
14 coherent, was he—

15 CARRUTHERS: No.

16 DELUCIA: Okay.

17 CARRUTHERS: Other than saying stuff like he's in the Irish mafia I
18 don't, I don't remember what else he was saying.

19 DELUCIA: Okay.

20 Did you see any of the less lethal rounds, did you see anyone
21 discharge less than lethal rounds?

22 CARRUTHERS: Yes.

23 DELUCIA: Okay.

1 CARRUTHERS: During, during that uh, Papia and Frissore both fired
2 less lethal rounds at him. I don't know if they impacted um, I think on
3 several occasions I observed Papia and Frissore start to almost get like closer
4 to him, like start walking closer. And some numerous times I told them to get
5 back, I told them to create distance from him because I thought that they
6 were too close.

7 DELUCIA: And what would, and what would the range be in the
8 proximity where they were too close if you could just like estimate, are we
9 talking you know, yards, or—

10 CARRUTHERS: I think at one point Frissore got within like 4 feet
11 of him, that's when I actually went over to Frissore and put my hand on his
12 shoulder and pulled him back to create distance from— because he was too
13 close.

14 DELUCIA: Okay.

15 CARRUTHERS: From where we were to where he was, was probably
16 only like 5 or 6 feet?

17 DELUCIA: Okay. And did you see him absorbing any of these lethal
18 uh less lethal rounds?

19 CARRUTHERS: Uh—

20 DELUCIA: Or maybe a better question is did they seem to have any
21 effect?

22 CARRUTHERS: No. If they were, I couldn't tell if they were hitting
23 and if they were hitting nothing, nothing changed.

24 DELUCIA: Okay.

1 CARRUTHERS: It didn't, it didn't change anything about his
2 demeanor or he didn't drop, he didn't put the knife down.

3 DELUCIA: So you guys are in this um, this situation here with this
4 format going on. What ultimately happens that changes things here?

5 CARRUTHERS: As far as I remember, Papia tried to hit him with a
6 less lethal round, and then he started— he tried to hit him with a less lethal
7 round and I, uh I don't remember if he started to back up af— back up and
8 then Brendan stood up, or if Brendan stood up and then Papia started to
9 back up. I don't, I don't.

10 DELUCIA: Okay.

11 CARRUTHERS: I don't remember which one happened but in any
12 case Papia started to back up, Brendan stood up. Papia's on my right, and out
13 of my peripheral vision I can see Papia take a step backwards and slip and
14 fall and so since Brendan was standing up, he had now transitioned the knife
15 so like the blade was like uh he was holding the knife up by his head so the
16 blade was sticking out away from his body like a—

17 DELUCIA: So the way you had initially said it, if you're holding it like
18 by your index finger, the blade would have been going up initially.

19 CARRUTHERS: Yes.

20 DELUCIA: In this instance, when this is going on, now the blade is
21 coming by his pinky, the meat of his—

22 CARRUTHERS: Yes.

23 DELUCIA: Hand, is that accurate?

24 CARRUTHERS: Yes.

1 DELUCIA: Okay, in the description your giving is almost like your
2 arm is at a 90 degree angle by your shoulder, like—

3 CARRUTHERS: Yes.

4 DELUCIA: —in that, like going downward. Is that accurate?

5 CARRUTHERS: Yes.

6 DELUCIA: Is that what you're saying?

7 CARRUTHERS: Yes, that's, yes.

8 DELUCIA: And if I'm not saying it right—

9 CARRUTHERS: No no that's uh, that's, yes that's absolutely. He
10 basically was holding the knife like you said, arm bent sort of like at a 90
11 degree angle, and the knife was up by his head, and the blade like you said
12 was kinda sticking out from the bottom of his hand by his pinky so he was
13 kinda holding it like this. And I could just see that he was staring right at
14 Papia. So I took a step towards Papia to try and cover him.

15 DELUCIA: Would that be a step to your right?

16 CARRUTHERS: A step to my right to try and cover Papia. And when I
17 did that, he uh Brendan made like a stabbing motion then he started to
18 charge. When he started to charge, right, right towards Papia. So, I that's
19 just when I fired.

20 DELUCIA: Okay. Do you remember how many rounds you fired?

21 CARRUTHERS: I believe I had three rounds.

22 DELUCIA: Okay. And did that stop him, did that stop his advance?

23 CARRUTHERS: It, I noticed it had like, it seemed to have an impact
24 on him so it, it did stop him. And then he fell to the ground. And then when

1 he was on the ground he continued to move around and we were giving verbal
2 commands to drop the knife, he was still holding onto the knife. Um and then
3 he stopped moving, and that's when I told Sean Sullivan to put gloves on, to
4 get ready for uh, to do medical aid.

5 DELUCIA: Okay.

6 CARRUTHERS: And that's when Frissore wanted to get the knife out
7 of his hand uh so he approached and he tried to kick the knife out of his
8 hand. I don't think he did, but I saw it, I saw the hand fall and he went limp,
9 and I knew at that point that he was no longer a threat.

10 DELUCIA: Okay. So what do you, what do you think would have
11 happened to Officer Papia?

12 CARRUTHERS: He was going to get fucking stabbed.

13 DELUCIA: Okay. Do you want to take a minute?

14 CARRUTHERS: No, just keep going.

15 DELUCIA: Okay. Would you like to take a minute?

16 MCDONALD: Um I think he would probably just rather finish, I'll
17 leave it to you Joe if you want to step out for a minute, get a drink.

18 DELUCIA: Or you can stay here we'll step out whatever you want to
19 do. If you want to finish we will power through.

20 CARRUTHERS: Yeah let me go to the bathroom.

21 DELUCIA: Okay alright. It is uh 11:52 hours. Uh we'll just stop the
22 recording.

Ofc. Carruthers Interview Recording #2

1 DELUCIA: Okay we're back, it's 11:54 hours uh Wednesday February 16,
2 2022. Um, if you could just uh, estimate for me how close do you think that uh
3 Brendan got to Officer Papia before you fired.

4 CARRUTHERS: He got close.

5 DELUCIA: Was he closer than when he was on the ground?

6 CARRUTHERS: Yes.

7 DELUCIA: Okay. And any idea, and again this is just approximate stuff,
8 so um, could you ballpark it at all? If you can't, you can't.

9 CARRUTHERS: Three, four feet?

10 DELUCIA: He was three or four feet from Papia, so how far would he
11 have been from you, because it sounded like you were relatively close to Papia.

12 CARRUTHERS: I am pretty sure I was like standing over Papia.

13 DELUCIA: Okay.

14 CARRUTHERS: So it would have been the same thing.

15 DELUCIA: Okay so equally distanced, maybe three or four feet away.

16 CARRUTHERS: Yes.

17 DELUCIA: When you fired? Okay.

18 MCDONALD: Was he moving at the time?

19 CARRUTHERS: Was he moving towards us?

20 MCDONALD: Yes.

21 CARRUTHERS: Yes.

22 DELUCIA: So that three or four feet was, he was closing, closing that
23 distance as well?

1 CARRUTHERS: Yes.

2 DELUCIA: Because he was advancing?

3 CARRUTHERS: Yes.

4 DELUCIA: Okay. Uh, do you have anything further?

5 MCDONALD: Nah, nah, nah.

6 DELUCIA: Do you have anything that you wanted to add that I didn't

7 ask you officer, that you think is relevant, or um...

8 CARRUTHERS: No.

9 DELUCIA: Okay. Alright so it is 11:56 hours and I'm gonna uh shut off

10 the recording.