

Ofc. Frissore Recorded Interview

1 DELUCIA: Alright it is Monday, February 14, 2022, uh 14:48 hours um.
2 I'm just going to read these rights per Miranda, okay?

3 FRISSORE: Sure.

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

11 FRISSORE: Yes.

12 DELUCIA: Okay so there's yes, no, and then your initials. And then
13 having these rights in mind, do you wish to speak with me now? Yes, initials,
14 right. Thank you. Sarge, do you mind being a witness to that? So like I said,
15 Monday February 14, 2022, its 14:49 hours, my name's Anthony Delucia I'm a
16 Sergeant with the Mass State Police I work out of the Middlesex District
17 Attorney's Office. Uh, Sarge could you introduce yourself please?

18 HAGENAH: Uh first name's Alex, last name's Hagenah, I'm a Sergeant
19 with the Lexington Police Department.

20 DELUCIA: Okay. Sir could you introduce yourself please?

21 FRISSORE: I'm John Frissore, I'm a patrolman with the Lexington Police
22 Department.

1 MCDONALD: Alan McDonald, counsel to the um Lexington Police
2 Association.

3 DELUCIA: So Officer Frissore, is that the—

4 FRISSORE: You got it.

5 DELUCIA: Am I saying it the right way? Okay. Um, could you tell me
6 how long you've been a police officer with the Lexington Police Department?

7 FRISSORE: Uh I went into the academy um, 20 years ago 3 weeks from
8 now so I'll be 20 years in 3 weeks.

9 DELUCIA: Uh, were you a police officer prior to joining the Lexington
10 Police Department?

11 FRISSORE: I was not.

12 DELUCIA: Okay, did you have a career or job prior to that?

13 FRISSORE: I did.

14 DELUCIA: What would you do prior?

15 FRISSORE: I worked for myself.

16 DELUCIA: Okay.

17 FRISSORE: Wildlife control.

18 DELUCIA: Wildlife control? Okay. Um, on Saturday what was your
19 assignment?

20 FRISSORE: I was assigned to the 415 car.

21 DELUCIA: Okay.

22 FRISSORE: Which is the support car for the four sectors.

23 DELUCIA: Are you in one particular sector? Or do you kind of go where
24 you're needed?

1 FRISSORE: When you're support?

2 DELUCIA: Yeah, yeah that day.

3 FRISSORE: You go where you're needed.

4 DELUCIA: Okay. Um what time did you start your shift that day?

5 FRISSORE: Uh 7:45 is the start of the B-shift. Yeah.

6 DELUCIA: And that's the day shift?

7 FRISSORE: It is.

8 DELUCIA: And 7:45 when does that go 'till?

9 FRISSORE: It goes to, well technically 4 o'clock.

10 DELUCIA: Okay. So you anticipated working until 4 o'clock that day?

11 FRISSORE: Yeah.

12 DELUCIA: Okay. Uh, were you on a double or anything like that? Had

13 you worked the night prior, or—

14 FRISSORE: Uh that, I did, I worked, it wasn't a double but I worked that

15 was my uh third shift, that's my uh split shift. So the night before I worked 4 to

16 midnight.

17 DELUCIA: Okay.

18 FRISSORE: And I came in that morning for the 7:45. We can get out at

19 3:45 if it's um, as long as we're not on a call, but if we are on a call we stay 'till 4

20 and you're not paid any extra.

21 DELUCIA: Okay. So you'd worked, what do you call that, an eve? Or a

22 mid the day before? What do you—

23 FRISSORE: Uh we call it a uh first half.

24 DELUCIA: So you're first half prior day, and then the

1 FRISSORE: Day shift–

2 DELUCIA: Day shift–

3 FRISSORE: On the day of concern.

4 DELUCIA: Got it, okay thank you.

5 MCDONALD: And that was a regularly scheduled shift.

6 FRISSORE: Regularly scheduled. Both regularly scheduled.

7 DELUCIA: Okay. Um... in terms of um you know training, experience
8 over your twenty years, could you give me some examples of some police officer
9 training you've had over the years?

10 FRISSORE: I was in the academy, and then pretty much whatever they
11 sent me to over the years, I really couldn't tell you more than that.

12 DELUCIA: Okay. Did you guys have online stuff you do annually?

13 FRISSORE: Yeah, we do whatever they send us to for the annual in-
14 service.

15 DELUCIA: Okay.

16 FRISSORE: Um, and then they've sent me to um various specialty
17 schools occasionally but not a lot.

18 DELUCIA: Okay. Like CPR is that like an annual thing?

19 FRISSORE: Yeah, that's annual, but that's part of in-service generally.

20 DELUCIA: Okay.

21 FRISSORE: Occasionally we do things like tourniquet class and things
22 like that.

23 DELUCIA: And you hit the range, what what–

24 FRISSORE: The range is once a year annual qualifications yeah.

1 DELUCIA: Okay. Okay great. Uh, so getting to Saturday, um, was there
2 a roll call Saturday morning? Do you guys—

3 FRISSORE: There was.

4 DELUCIA: Okay. Anything come out at roll call that was like
5 remarkable, any— or was it just a typical...

6 FRISSORE: Nothing that I recall, no we uh roll call at the back table, um
7 and we were just talking.

8 DELUCIA: Who runs that, is it a bos—

9 FRISSORE: It was the commanding officer runs it, and that morning was
10 Christina DeMamambro, Sergeant DeMamambro.

11 DELUCIA: A sergeant runs that?

12 FRISSORE: Yeah.

13 DELUCIA: Okay. Um, so on that day, uh how were you alerted to
14 something going on at 98 Hancock?

15 FRISSORE: Uh, it came over the radio, I believe it was 413, 415,
16 generally the sector car who's responsible for that sector is called first.
17 Generally, and then the backup unit. There was no 5 car, might be the 4, or
18 maybe the 1 depending on what part of the sector it was in.

19 DELUCIA: Okay.

20 FRISSORE: But there was a 5 car so it was me. So it came in that there
21 was a man hanging— to the best of my recollection.

22 DELUCIA: That's all we're looking for, is what you remember.

23 FRISSORE: What I remember clear is that there's a man hanging out a
24 front window, I believe they said he was Asian, I think I knew that before going

1 in. And uh, that a jogger had called in that the man hanging over was screaming
2 that um, help he's trying to kill me.

3 DELUCIA: Have you been to that residence before?

4 FRISSORE: Yes I have.

5 DELUCIA: Okay uh, are you familiar with the people that live there?

6 FRISSORE: I'm familiar with the people who were there last time yeah.

7 It's, they're different people from time to time.

8 DELUCIA: Had you had any interaction with Brandon Riley prior?

9 FRISSORE: Yes I have.

10 DELUCIA: Okay. Um, the gentleman that was, that had been called as
11 hanging out the window, did you know who that was before you got there?

12 FRISSORE: I did not.

13 DELUCIA: Okay. Do you know who that is today?

14 FRISSORE: I do not.

15 DELUCIA: Okay. Um, so when that call goes out, um, I'm assuming
16 that's a request for service.

17 FRISSORE: Yeah.

18 DELUCIA: What, what exactly do you do then?

19 FRISSORE: You start that way, um generally you might ask what's the
20 history of that house but I think we all know the history of that house that it's a
21 um, that it's a, the Elliot Community Services house.

22 DELUCIA: Okay.

23 FRISSORE: And that there's uh special needs adults uh, that live there
24 and I believe that it's unsupervised.

1 DELUCIA: Unsupervised.

2 FRISSORE: 'Cause we've had time before where we have to get people
3 out there, there's not usually not someone on scene—

4 DELUCIA: Okay.

5 FRISSORE: —unless you know, the person who comes to check however
6 often they check, happens to be having a problem at that time and then they'd
7 call us.

8 DELUCIA: Okay. Uh so, do you actually key up the mic and say you're on
9 your way there or do you just—

10 FRISSORE: Yes. Yes. We'll— We'll when you rec- you uh, if they call 414,
11 415 then they'll say what the situation is and the first car will respond received,
12 and then I would do the same, or in route, or whatnot.

13 DELUCIA: Is that what you think you did—

14 FRISSORE: Yeah.

15 DELUCIA: —on Saturday? Okay. Um do you remember who got there
16 first?

17 FRISSORE: Steve got there first.

18 DELUCIA: And that's the uh,

19 FRISSORE: The 413 car.

20 DELUCIA: Okay.

21 FRISSORE: Yeah.

22 DELUCIA: The car you're talking about, that's his area.

23 FRISSORE: Yeah.

24 DELUCIA: So did you hear him go off there, did he say he—

1 FRISSORE: I did, I did. And when I did I um, because it came in the way
2 it did, I wanted him to know how far out I was and I recall I was on Adams
3 Street at the time... I'm sorry, Hancock Street, passing Adams.

4 DELUCIA: Okay.

5 FRISSORE: So he would know how close I was.

6 DELUCIA: And how far away is that?

7 FRISSORE: Half a mile at the most.

8 DELUCIA: Okay so, so,

9 FRISSORE: Close.

10 DELUCIA: Half a minute or so?

11 FRISSORE: Right, so you know, it came in the way it came in he needs to
12 know where I am.

13 DELUCIA: For sure.

14 FRISSORE: You know.

15 DELUCIA: And it lights and siren when you go there? Or... lights?

16 FRISSORE: I did, lights and sirens.

17 DELUCIA: Okay. Uh when you arrived, uh, do you meet up with Steve?

18 FRISSORE: I think I turn them off just prior to showing up.

19 DELUCIA: Okay.

20 FRISSORE: Because I understand that house and it's, you don't want to
21 jack it up more than you need to.

22 DELUCIA: Understood. So when you arrive, you meet up with Steve?

23 FRISSORE: I arrived, I saw Steve, Steve had told me before I got there
24 where he had parked his car.

1 DELUCIA: Where was that?

2 FRISSORE: Parked it in the driveway, to the Diamond uh, Middle School.

3 DELUCIA: Okay.

4 FRISSORE: It's a long driveway at that intersection.

5 DELUCIA: Okay.

6 FRISSORE: Um, I saw his car there and I decided to park it, it's, there's a
7 lot of streets that intersect, you have uh...

8 DELUCIA: So I have, it's just an overview here.

9 FRISSORE: Perfect.

10 DELUCIA: If that's helpful.

11 FRISSORE: (*unintelligible*) answer a lot of questions.

12 DELUCIA: So if-

13 FRISSORE: There's Hancock.

14 DELUCIA: So this is, this is, 98 right at the line (*unintelligible*) telling
15 you everything.

16 FRISSORE: Yup.

17 DELUCIA: So that's 98 right there.

18 FRISSORE: Right, that's North Hancock, that's Hamilton, that's the
19 driveway to the middle sc- is that the driveway? No.

20 DELUCIA: This is Burlington Street.

21 FRISSORE: Yeah this is Burlington, this is the driveway to the middle
22 school here.

23 DELUCIA: Okay.

24 FRISSORE: That's gotta be it here, this is...

1 DELUCIA: So.

2 FRISSORE: Hancock.

3 DELUCIA: Yes.

4 FRISSORE: Hamilton... This has got to be the driveway to the middle
5 school.

6 DELUCIA: Okay.

7 FRISSORE: Right here.

8 DELUCIA: What street would this be?

9 FRISSORE: It doesn't have a street, it's a driveway to the middle school
10 that I'm aware of.

11 DELUCIA: Oh okay.

12 FRISSORE: Yeah this is Hancock, this turns into Burlington, this is
13 North Hancock, and this is Hamilton.

14 DELUCIA: Okay and this, this—

15 FRISSORE: This is a driveway,

16 DELUCIA: Oh okay.

17 FRISSORE: To the, that I'm aware of. I don't see it anywhere else, this
18 has to be it by process of elimination.

19 DELUCIA: Yeah. Let me see what we, we might have a better photo too.
20 So...

21 FRISSORE: You got some input on this Sarge? That's gotta be it, that's
22 the driveway to the high, to the junior high school.

23 HAGENAH: So that is, so that's the entrance where the, uh, the Diamond
24 Middle School. Yeah.

1 DELUCIA: Okay.

2 FRISSORE: Yeah so this is Hancock, so Steve was here. I went around
3 the rotary and parked on this little side street over here.

4 DELUCIA: Okay.

5 FRISSORE: And I was up right about there.

6 DELUCIA: On Hamilton?

7 FRISSORE: Yeah.

8 DELUCIA: Okay. If you wouldn't mind, could you just circle roughly
9 where you parked your car when you first arrived?

10 FRISSORE: I—

11 DELUCIA: As best you can? It's probably.

12 FRISSORE: Right there.

13 DELUCIA: Yeah it's a little darker it didn't come out great.

14 FRISSORE: No it didn't.

15 DELUCIA: Okay.

16 FRISSORE: I parked it there, I saw Steve, as I approached this way, I
17 saw Steve talking to some— the kid hanging out the window here.

18 DELUCIA: Oh he was still hanging out the window?

19 FRISSORE: Oh yeah.

20 DELUCIA: Okay.

21 FRISSORE: Um, I went around here, parked over here, I walked this
22 way, a gentleman was on the front porch.

23 DELUCIA: Yup.

1 FRISSORE: At this house, and he said officer he, just so you know there's
2 a guy in the backyard with a knife.

3 DELUCIA: Okay.

4 FRISSORE: And so,

5 DELUCIA: In his backyard? Is that the impression—

6 FRISSORE: In the backyard of the houses

7 DELUCIA: Back of the house—

8 FRISSORE: That my partner was at.

9 DELUCIA: Got it, backyard of 98.

10 FRISSORE: 98.

11 DELUCIA: Okay.

12 FRISSORE: In the backyard.

13 DELUCIA: Okay.

14 FRISSORE: Um, I walked around, I looked, I could see someone hiding. I
15 could see his face, I could see just like the, the line of him you know. His shirt, I
16 couldn't see who it was at that time. Um, I told Steve, I said "hey, he's in the
17 backyard, this guy next door told me he's in the backyard." I pulled, I walked
18 down the driveway, and I tried contact with him but I could see him hiding
19 behind, Brandon was right, like right here.

20 DELUCIA: So when you say contact, verbal?

21 FRISSORE: Verbal.

22 DELUCIA: Okay. So you, your, do you say his name, or— Do you
23 remember what you said?

1 FRISSORE: I don't remember whether I knew his name at that time, I
2 mean I knew who, I knew Brandon, I knew that he was the only one that I could
3 phys- that I could remember what he looked like because we had an incident
4 with him where we had to chase him because he took off with, we have a section
5 12 and he ran on us.

6 DELUCIA: Okay.

7 FRISSORE: So I had remembered him pretty well.

8 DELUCIA: Okay. Uh, would you just mind uh putting your initials up
9 there, I just put the date and time just for when you uh, for when this was
10 created. And then if you just want to put like #1. So on #1, and again, you're just
11 simply showing us where you parked when you arrived.

12 FRISSORE: Yeah and where I saw Brandon.

13 DELUCIA: And where you saw Brandon that's right okay. Um, so now
14 you're communicating, or you-

15 FRISSORE: Right.

16 DELUCIA: Or you, initiate verbal communication with him.

17 FRISSORE: Right.

18 DELUCIA: Could you describe what he looked like, his appearance?

19 FRISSORE: Yeah, I recognized him as the same kid we had a section 12
20 before and we chased through the neighborhoods. Uh, before we were able to get
21 him onto the uh onto the ground.

22 DELUCIA: So what did he look like that day, do you remember what he
23 was wearing?

24 FRISSORE: Uh I remember he was shoving Cheetos into his mouth.

1 DELUCIA: Okay.

2 FRISSORE: And saying “get the fuck outta here, get the fuck outta here.”

3 DELUCIA: Okay.

4 FRISSORE: Uh, “I’ll fucking kill you, you are, I’m in the Irish mafia I’ll

5 kick your ass.”

6 DELUCIA: Okay. Was he screaming this? What has he—

7 FRISSORE: Yeah.

8 DELUCIA: The volume.

9 FRISSORE: Yeah screaming, you know, with food in his mouth

10 screaming.

11 DELUCIA: Okay.

12 FRISSORE: And then I saw the knife, at some point. I can’t remember

13 what hand I saw it in but I definitely saw the knife. Steve walked around to my

14 position, I said “he’s got a knife, go get the uh, go get the beanbags.”

15 DELUCIA: Okay.

16 FRISSORE: The less lethal, whatever I called them.

17 DELUCIA: Okay, yep, and did that happen?

18 FRISSORE: That happened.

19 DELUCIA: Okay.

20 FRISSORE: So I kept talking to him.

21 DELUCIA: How far away would you say you were? Any idea?

22 FRISSORE: Probably too close, 25, 20 feet. 25 feet.

23 DELUCIA: Okay.

1 FRISSORE: Maybe a little, right around there. 25 feet, maybe
2 somewhere.

3 DELUCIA: Okay.

4 FRISSORE: Um, so I kept him talking, Steve was pretty quick about
5 going back to get the beanbag, he came back with the beanbag gun, and he took
6 off running. He saw it and took off running.

7 DELUCIA: So, when he takes off running, does he run toward you, or...

8 FRISSORE: He runs towards, he runs toward the left and my immediate
9 thought was, shit he's gonna go back into the house.

10 DELUCIA: Okay. Uh, to the le- he runs toward, toward to the left. Would
11 that be toward this other house?

12 FRISSORE: He's at the, I see him at the right rear corner, he runs to the
13 left rear corner.

14 DELUCIA: Okay. So if it, just again forgive me for, so you see him in the
15 driveway.

16 FRISSORE: Yup.

17 DELUCIA: He runs that way?

18 FRISSORE: He runs that way and he comes to here. But there's a fence.

19 DELUCIA: Okay.

20 FRISSORE: Steve when he sees him run, immediately runs around the
21 front.

22 DELUCIA: Can you get through this way? Would you be able to-

23 FRISSORE: No, you can't, unless you climbed over.

24 DELUCIA: Right it's a fenced

1 FRISSORE: Which was my concern.

2 DELUCIA: Right understood.

3 FRISSORE: Well my first concern was he was going back into the house—

4 DELUCIA: Yup.

5 FRISSORE: —where that kid was. And then I'd have to go room to room

6 looking for him.

7 DELUCIA: Understood.

8 FRISSORE: And then he would hurt somebody.

9 DELUCIA: So how, how does he, up, so do you know if there is more

10 people coming to the scene at this point? Do you hear on the radio or like...

11 FRISSORE: I heard Steve call for, I heard Steve on the radio, I had

12 turned my radio down unfortunately.

13 DELUCIA: Okay.

14 FRISSORE: When I first got out of the cruiser.

15 DELUCIA: Yup.

16 FRISSORE: Because when I called off, if you have the portable,

17 DELUCIA: It's gonna squeal.

18 FRISSORE: Yeah so I turned it down.

19 DELUCIA: Okay.

20 FRISSORE: But I did hear Steve call for uh either, where, I heard it

21 either on the radio before I got there, or whether I heard him just on, you know,

22 while I was there on the driveway talking I don't know but I know he was

23 calling, I know he called for to try to get somebody in authority in that house.

1 DELUCIA: So, oh, like asking dispatch to reach out somebody, something
2 like that?

3 FRISSORE: Asking dispatch yeah.

4 DELUCIA: Okay. Do you know if any more officers were coming?

5 FRISSORE: I didn't know at that time.

6 DELUCIA: Okay.

7 FRISSORE: That officers were coming.

8 DELUCIA: Okay. So when he goes further back behind number 98, he
9 ultimately runs into a fence?

10 FRISSORE: Yes.

11 DELUCIA: How does he end up not being behind 98 anymore?

12 FRISSORE: He, Steve walked around with the um, Steve came back
13 around, and we're screaming, he screaming at us and we're telling him "drop the
14 knife," and Steve's saying "Brandon we wanna help you" or something to that
15 effect. I said "Brandon just drop the knife, just drop the knife" cause maybe now
16 I was queuing in that his name was Brandon.

17 DELUCIA: Okay.

18 FRISSORE: Um, and he just said "fuck you I'm not going."

19 DELUCIA: Okay.

20 FRISSORE: He started running. And then I remembered that, I looked
21 up and I saw this big kid in the driveway that I guess was, Steve called him
22 James, that was in the driveway and my immediate thought was 'shit, he's
23 gonna hold him hostage.'

24 DELUCIA: He was going towards James?

1 FRISSORE: He was headed up the drive. That was my concern.

2 DELUCIA: Okay.

3 FRISSORE: He was headed towards that area. Which was out the

4 driveway which is where James was.

5 DELUCIA: Okay.

6 FRISSORE: And—

7 DELUCIA: Go ahead excuse me.

8 FRISSORE: Go ahead.

9 DELUCIA: No no go ahead, you, please I didn't mean to interrupt.

10 FRISSORE: Yeah so he ran, he ran towards that and I didn't know if I

11 thought it or if I said it but I said "we can't let him run with that knife." It was a

12 beautiful day out in February, people were everywhere.

13 DELUCIA: Mhmm.

14 FRISSORE: And that was, that was my fear right there was he has a

15 knife and he's gonna hold someone hostage.

16 DELUCIA: Okay, and all the while he's, he's communicating with you or

17 at least yelling at you, or—

18 FRISSORE: He's running away now.

19 DELUCIA: Okay.

20 FRISSORE: He's running, he's running out the driveway now and at that

21 time, as he was running up, I saw Carruthers was there. So Carruthers must've

22 been—

23 DELUCIA: This is another police officer.

24 FRISSORE: Another police officer yeah.

1 MCDONALD: Joseph, Joseph Carruthers.
2 FRISSORE: Joseph Carruthers.
3 DELUCIA: Okay. Um,
4 FRISSORE: That was probably just about the time he was running out
5 the driveway.
6 DELUCIA: So he's going, he's going out the driveway toward Hancock
7 Street.
8 FRISSORE: Towards, towards the rotary.
9 DELUCIA: Yeah, uh so if we're going out the driveway, right?
10 FRISSORE: Yeah.
11 DELUCIA: This, the driveway's right.
12 FRISSORE: Right, there's Hancock Street, its Hancock Street house
13 yeah.
14 DELUCIA: Okay, I'm not too familiar with these roads that's why I'm
15 asking so.
16 FRISSORE: Yeah no problem. He went out this way.
17 DELUCIA: Okay so he goes out this way,
18 FRISSORE: And the kid was standing, well you can't see cause of the
19 trees.
20 DELUCIA: The trees, okay. So when he, so how ultimately, what, what
21 happens after there in terms of, what, what are the movements—
22 FRISSORE: He's running, we're coming up, we're going after him.
23 DELUCIA: Okay. So he's, so is he, I wanna just ask this the right way.
24 He's in from of you guys?

1 FRISSORE: He's in front of us running.

2 DELUCIA: So, is his back to you when he's running?

3 FRISSORE: Yes.

4 DELUCIA: Okay. So he's, he's trying to elude you guys.

5 FRISSORE: He's trying to do what he did last time. Just get outta there.

6 DELUCIA: Okay. So,

7 FRISSORE: Except with a knife this time.

8 DELUCIA: So ultimately, does he stop somewhere? Does he stop

9 running?

10 FRISSORE: Right around, somewhere in here.

11 DELUCIA: In the rotary?

12 FRISSORE: Yeah. He trips.

13 DELUCIA: He tripped.

14 FRISSORE: Right, and we...

15 DELUCIA: Okay.

16 FRISSORE: And then, that's uh, just then or just before is when I notice

17 Carruthers right there, because it all happened within seconds.

18 DELUCIA: And Carruthers is in this rotary?

19 FRISSORE: The time it took to get up this driveway and get there was

20 seconds.

21 DELUCIA: Seconds, yes, totally it's a really, it's a really compact area

22 there.

23 FRISSORE: Right.

1 DELUCIA: When you see Carruthers, um, where is he? Is he standing in
2 the street? Is he in a vehicle?

3 FRISSORE: He's off to my right.

4 DELUCIA: He's outside on foot?

5 FRISSORE: He's outside on foot.

6 DELUCIA: Right. He's a uniformed officer as well?

7 FRISSORE: Uniformed officer.

8 DELUCIA: Okay. Um, is there, would he, in when, um, when Reilly trips
9 and falls, when Brandon trips and falls, that looks like it was in the rotary
10 where you were?

11 FRISSORE: Yes.

12 DELUCIA: Um, does he stay down, or what does, what happens?

13 FRISSORE: He keeps trying to get up and we were, at least this was my
14 thought, is that if he gets up and running again, we're all loaded down with gear
15 and equipment— God only knows where he'll end up.

16 DELUCIA: Okay. So...

17 MCDONALD: Maybe it would be helpful here to give a description of the,
18 of the gentleman?

19 FRISSORE: The gentl- uh, well he, had shorts on.

20 DELUCIA: He had shorts on?

21 FRISSORE: Yeah he had shorts on cause we, we were trying uh, when we
22 were trying to keep him down,

23 DELUCIA: Yup.

1 FRISSORE: We looked, the beanbag, I know he had been hit with a
2 beanbag, I don't know if that's what caused him to trip.

3 DELUCIA: Okay.

4 FRISSORE: But I know Steve fired the beanbag first, and he, and I
5 believe he hit him because I remember seeing a welt on his leg.

6 DELUCIA: Okay.

7 FRISSORE: And he's down and I just keep fixating on the knife. The
8 knife is, the knife, we get the knife we end this.

9 DELUCIA: Yup.

10 FRISSORE: Um...

11 MCDONALD: His age, his height...

12 FRISSORE: His age yeah he was probably about, in his early 30s.

13 DELUCIA: Okay.

14 FRISSORE: Maybe, I dunno, 6 feet tall.

15 DELUCIA: Okay.

16 FRISSORE: And again he was shoveling the food in his mouth, I
17 remember seeing his lips were white.

18 DELUCIA: Any idea on a weight, a rough weight?

19 FRISSORE: Couple hundred pounds maybe.

20 DELUCIA: Like 200 pounds?

21 FRISSORE: Yeah something like that.

22 DELUCIA: Okay. Uh, how was he moving when he was running? Was
23 he—

24 FRISSORE: Quick.

1 DELUCIA: Okay.

2 FRISSORE: Quick.

3 DELUCIA: He was running uh, he didn't seem to have any issues with
4 his legs or—

5 FRISSORE: No.

6 DELUCIA: —like his gate or anything like that?

7 FRISSORE: No.

8 DELUCIA: Okay. Um so when he goes down um, do you see him get back
9 up?

10 FRISSORE: I can't recall, whether he got back up or got back down again,
11 I remember him on his back and I can't recall whether he got back up again
12 other than the time when he ran at Steve.

13 DELUCIA: Okay.

14 FRISSORE: Then I know he was up.

15 DELUCIA: Okay. Um...

16 FRISSORE: We were trying to keep him down, we didn't want him
17 mobile.

18 DELUCIA: So, when he, when he's down on the ground on the street
19 where, do you know where everybody else is?

20 FRISSORE: I know where I recall where they were, where I believe they
21 were.

22 DELUCIA: Yeah, where you think they were like where, like you know
23 where you are obviously, do you know where the other police officers are because
24 obviously,

1 FRISSORE: Yup.

2 DELUCIA: You know, I'm assuming based on your training there's

3 crossfire stuff going on through your head?

4 FRISSORE: Exactly.

5 DELUCIA: So were you making a conscious decision to make sure that

6 didn't happen? Or...

7 FRISSORE: No but uh I was more concerned, I knew, my concern was

8 keeping him down to be honest. My main concern was that knife and not letting

9 him go anywhere that was all that was going through my mind for the most

10 part. Uh, looking at it afterwards, I remember Carruthers was on my right.

11 DELUCIA: Okay.

12 FRISSORE: And I looked, I had just my, oh back at the yard I drew my

13 baton.

14 DELUCIA: Oh okay so you had something in your hands.

15 FRISSORE: I had something in my hands.

16 DELUCIA: Okay so you had an expandable baton?

17 FRISSORE: Right.

18 DELUCIA: Okay.

19 FRISSORE: And I had seen...

20 DELUCIA: What hand would that be in for you? What's more

21 comfortable?

22 FRISSORE: My right.

23 DELUCIA: Right hand? Okay.

1 FRISSORE: So back at the yard that happened. I had seen that, from
2 that past experience with him where we had to chase him throughout the
3 backyards when we were trying to get the section 12 that, uh another officer had
4 gotten him in the backyard they were face to face, he drew his baton, snapped it
5 out and the kid went to his knees.

6 DELUCIA: He was compliant when he saw that?

7 FRISSORE: Compliant.

8 DELUCIA: Okay.

9 FRISSORE: And he didn't do that when I drew it this time.

10 DELUCIA: Okay. Alright. Um, when he started running, do you
11 remember if you put your baton away or—

12 FRISSORE: I did not put my baton away.

13 DELUCIA: You didn't, you had it in your hand when he started running.

14 FRISSORE: I had it hoping I could knock it out which was probably not
15 smart because I was trained knife equals gun.

16 DELUCIA: I got you, so when you say knock it out you mean hit his hand
17 to—

18 FRISSORE: Potentially with all the, you know, with three, I didn't see,
19 uh, McAleer but uh I knew we had four because I eventually saw Sean Sullivan,
20 that maybe we could uh distract him enough that someone could knock it out of
21 his hand.

22 DELUCIA: Okay. Um, do you have a memory, do you ever get close
23 enough to do that when he was running?

1 FRISSORE: I tried, cause somebody said John you're too close or
2 something like that.

3 DELUCIA: Okay.

4 FRISSORE: I remember trying, and uh thinking how futile it was
5 because you gotta draw it back and then go in the knife...

6 DELUCIA: Is he, is he still saying anything when he's on the ground?

7 FRISSORE: Yeah, he's uh in the Irish mafia, get the fuck outta here.

8 DELUCIA: Same, same, similar stuff he was saying.

9 FRISSORE: All the same stuff things.

10 DELUCIA: Okay.

11 FRISSORE: I'm gonna kill you, I'm in the Irish mafia, get the fuck out.

12 DELUCIA: Okay, did you see his face at all? Could you describe...?

13 FRISSORE: He was in a rage.

14 DELUCIA: Okay.

15 FRISSORE: He was in a rage. Before you could, you could at least talk to
16 him, you know? The last time he was talking about how he was worried about
17 his nose, and getting plastic surgery, you could distract him with some other talk
18 but there wasn't any of that.

19 DELUCIA: This was a prior incident you're talking about.

20 FRISSORE: Prior incident.

21 DELUCIA: Okay.

22 FRISSORE: That I experienced with him in the past.

23 DELUCIA: So, based upon having dealings with him in the past, would
24 you say in this instance he was more agitated, equally as agitated?

1 FRISSORE: Oh by far more.

2 DELUCIA: Far more?

3 FRISSORE: Far more.

4 DELUCIA: Okay. Um, so ultimately, in, here we're gonna, on this

5 photograph here with the rotary.

6 FRISSORE: Where I recall?

7 DELUCIA: So. Yup so just so I, I understand what we're talking about.

8 FRISSORE: Sure.

9 DELUCIA: We're at 98, come out the driveway, where do you think he

10 fell?

11 FRISSORE: I think it's right about here.

12 DELUCIA: Do you want to do a circle with like an X in it?

13 FRISSORE: I think he, I think he was like right about here.

14 DELUCIA: Okay.

15 FRISSORE: I recall being uh again it might be here but—

16 DELUCIA: That's, that's okay. You can even put a range if you'd like.

17 That, that's fine where.

18 FRISSORE: It's like this, something like that maybe.

19 DELUCIA: Okay.

20 FRISSORE: At this point I noticed Officer Sullivan here, in this area.

21 DELUCIA: If you wanna put an X and then just put like uh, what's

22 Sullivan's initials?

23 FRISSORE: Uh... SS.

24 DELUCIA: Okay. So you notice him, so this is um, this is Brandon.

1 FRISSORE: In this range, in this general range that's Brandon.

2 DELUCIA: You can just put a B in there.

3 FRISSORE: Brandon Riley.

4 DELUCIA: Yup, so that's him down there.

5 FRISSORE: Yeah.

6 DELUCIA: This is Officer Sullivan?

7 FRISSORE: Yeah.

8 DELUCIA: Where are you?

9 FRISSORE: Um, I'm, I'm here.

10 DELUCIA: Do you wanna put 'me'?

11 FRISSORE: Yeah. Me. Um, Joe was here, and Steve is here-ish? And

12 again this might all be pushed up.

13 DELUCIA: Yeah that's, it's certainly not to scale. But just to get an idea.

14 FRISSORE: Yeah. Here, and Sean is there.

15 DELUCIA: Okay.

16 FRISSORE: Or thereabouts.

17 DELUCIA: I'm just gonna, have you put your initials right here if you

18 don't mind.

19 FRISSORE: Yep.

20 DELUCIA: So it's 15:12, uh I'm gonna make this picture #2 and in

21 between there if you could just put your initials right after the time at the top.

22 So...

23 FRISSORE: So at this point is when I start to realize where everybody is.

24 DELUCIA: Okay.

1 FRISSORE: And I look over and Joe has his, Joe has a um, Steve has the
2 less lethal on him. Joe has out his um, his service sidearm and he's got his um
3 less lethal slung.

4 DELUCIA: Okay.

5 FRISSORE: Cause he—

6 DELUCIA: Which is uh same thing, a bean bag?

7 FRISSORE: Another bean bag yup.

8 DELUCIA: Shotgun. So,

9 FRISSORE: Which was the right thing, I shoulda had it back here but I
10 didn't um...

11 DELUCIA: Okay.

12 FRISSORE: Because I know you're not supposed to have the less lethal
13 without the lethal.

14 DELUCIA: Right.

15 FRISSORE: So Joe's doing the right thing but I see he has it slung and he
16 hands me off the less lethal.

17 DELUCIA: Okay.

18 FRISSORE: And now I have, Steve's got a less lethal, I've got a less
19 lethal, and Joe's here to protect me and Steve if something happens but—

20 DELUCIA: In the originally, who, now who gets there before you? What's
21 the name of the officer that gets there before you?

22 FRISSORE: Papia, Steve.

23 DELUCIA: Okay, okay so he's one less lethal,

24 FRISSORE: Mhmm.

1 DELUCIA: You end up becoming an additional?
2 FRISSORE: I, I ditch the baton and grab the less lethal. Joe was
3 *(unintelligible)*.
4 DELUCIA: Ditched in on your duty belt? Or tossed it aside?
5 FRISSORE: Duty belt.
6 DELUCIA: Do you have it still?
7 FRISSORE: I do, but I don't have my duty belt. I took it off at the uh—
8 DELUCIA: Oh okay.
9 FRISSORE: —hospital, and I haven't seen it since.
10 DELUCIA: Understood, okay. But,
11 FRISSORE: I believe it's still there.
12 DELUCIA: Okay. So you end up with a shotgun, less lethal shotgun.
13 FRISSORE: Less lethal shotgun.
14 DELUCIA: Okay. So there's two that you're aware of at play right now,
15 Steve's and yours.
16 FRISSORE: Yes.
17 DELUCIA: And then Joe, uh, is lethal cover.
18 FRISSORE: Yes.
19 DELUCIA: Okay. And that's a training thing? That, that, that's how you
20 know that he—
21 FRISSORE: It worked out that way...
22 DELUCIA: Okay.
23 FRISSORE: You know, but yes that's how it's supposed to be.
24 DELUCIA: Okay got it. What does Sullivan have?

1 FRISSORE: Sullivan, I believe he had a baton too.

2 DELUCIA: Okay. So, no, no rifles. As far as you know there's only two—

3 FRISSORE: Yes.

4 DELUCIA: —two bean bag rifles that are in play here?

5 FRISSORE: Two bean bag rifles.

6 DELUCIA: Okay. Did you ever discharge the bean bag—

7 FRISSORE: Yes.

8 DELUCIA: —rifle? Do you remember how many times?

9 FRISSORE: I want to say four.

10 DELUCIA: Four. Okay.

11 FRISSORE: I think. I went for his, again my whole concern was that

12 knife, if we could just get the knife. I shot him uhh with the bean bag at one

13 point and I didn't have any effect on him, Steve didn't have any effect on him but

14 I remember thinking this thing isn't working.

15 DELUCIA: Was he, do you have a memory, was he on the ground, or was

16 he—

17 FRISSORE: On the ground, when I shot at him.

18 DELUCIA: Okay. And... do you remember where you struck him?

19 FRISSORE: No.

20 DELUCIA: Okay.

21 FRISSORE: I remember one of the shots I was like, this isn't working on

22 his bigger body areas, so maybe I'll just try to target his hand. Because I've hit

23 the hand and the silhouettes at the range,

24 DELUCIA: Okay.

1 FRISSORE: And I think I saw it sail right over the top of him, maybe it
2 hit and bounced, I don't know.

3 DELUCIA: Okay. Um... Is he—

4 FRISSORE: He didn't drop the knife in any case.

5 DELUCIA: So he's on the ground, but he's still...

6 FRISSORE: He's still got the knife.

7 DELUCIA: Still behaving the same way, something's— Still armed.

8 FRISSORE: He's still armed yeah.

9 DELUCIA: Okay.

10 FRISSORE: We just keep telling him to drop the knife, drop the knife.

11 DELUCIA: Was there anybody who was doing more talking than anybody
12 else in terms of trying to like, um, you know, communicate directly?

13 FRISSORE: Joe, I think Joe, I walked into Joe's line of fire more than
14 once or maybe even twice.

15 DELUCIA: Okay.

16 FRISSORE: So he's like "John you bet—" I tried to get, I saw the knife
17 while he was talking to maybe Papia or yelling at Papia.

18 DELUCIA: Okay.

19 FRISSORE: And I went in and he saw me and he, he started to move
20 toward me so I backed up again.

21 DELUCIA: Okay. Was there anybody that seemed to be successfully
22 communicating with Brandon?

23 FRISSORE: Successfully communicating?

1 DELUCIA: Or who Brandon was giving more attention to than other or
2 was it all just kind of discombobulated?

3 FRISSORE: Not that I recall...

4 DELUCIA: Okay.

5 FRISSORE: Maybe Steve.

6 DELUCIA: Okay.

7 FRISSORE: Maybe Steve.

8 DELUCIA: Did you hear it, what anybody was saying, in terms of voice?

9 FRISSORE: Joe. I remember Joe stood out very clearly in my mind telling
10 me “John, you’re in my line of fire. John, don’t get too close.”

11 DELUCIA: Okay.

12 FRISSORE: Um, things like that. It was very (*unintelligible*).

13 DELUCIA: Okay. Um... so ultimately um... Brandon ends up doing
14 something, right? Whether he gets up or has some type of movement. Could you
15 take me though that? What exactly you saw?

16 FRISSORE: I remember trying to– He wasn’t listening, he was starting to
17 get up again, and I pumped another one, and I don’t know whether it hit or not,
18 and I think Steve did, and I think we both ran out about the same time.

19 DELUCIA: Did you run out?

20 FRISSORE: I ran out and I didn’t reload. I stepped back.

21 DELUCIA: Okay.

22 FRISSORE: He got up, I believe that’s when Steve stepped back, and I
23 looked, I looked at my gun because it wasn’t working because it wasn’t loaded

1 anymore. I, I looked up, I saw Steve over on the ground and Brandon standing
2 upright near him within 3 or 4 feet.

3 DELUCIA: So, did you see how Steve fell?

4 FRISSORE: How Steve fell? No I didn't because I looked down at my gun
5 at that time.

6 DELUCIA: So when you looked at your gun and you looked back up?

7 FRISSORE: Yes.

8 DELUCIA: Steve was on the ground?

9 FRISSORE: Yes.

10 DELUCIA: Or, or was falling?

11 FRISSORE: Yeah he was on the, he was on the ground.

12 DELUCIA: And do you remember how he was on the ground? Was he on
13 his butt, was he on his side?

14 FRISSORE: No because my attention was immediately distracted after
15 that with uh Brandon.

16 DELUCIA: Okay. And, and what, when you see Steve on the ground,
17 what else do you see?

18 FRISSORE: Uh., uh, I hear the shots and I see Brandon fall.

19 DELUCIA: So when Steve's on the ground, do you see Brandon go
20 towards Steve?

21 FRISSORE: Well I saw him ov- I saw, I know where Brandon was when I
22 looked down, and I know where he was, he was starting to get up, and then
23 where he got shot was closer to Steve.

24 DELUCIA: Okay. Do you, how many shots did you hear?

1 FRISSORE: Three.

2 DELUCIA: Three. Okay. And do you know who shot?

3 FRISSORE: Yeah.

4 DELUCIA: Did you know then? In the moment did you know who shot

5 him.

6 FRISSORE: The only one who had a firearm out was Joe.

7 DELUCIA: Which was Joe. Okay. Which is, Joe was the lethal cover like

8 we talked about already. Okay. Um... after Brandon got shot, did you see

9 Brandon go down?

10 FRISSORE: I did.

11 DELUCIA: Okay. When Brandon was down, did he, did he have anything

12 still?

13 FRISSORE: He had the knife.

14 DELUCIA: He still had it in his hand?

15 FRISSORE: He still had the knife in his hand, we said “Brandon drop the

16 knife” because we were trying to get in to render care.

17 DELUCIA: Right.

18 FRISSORE: And I remember Joe saying to Sean get your gloves on, get

19 the bag.

20 DELUCIA: Okay.

21 FRISSORE: But Brandon still wouldn’t drop the knife.

22 DELUCIA: Was he communicating at all?

23 FRISSORE: No.

24 DELUCIA: Okay.

1 FRISSORE: No. He wasn't communicating and um, so we were waiting,
2 yelling "drop the knife, drop the knife" and when I thought I saw a good
3 opportunity, I stepped on his wrist, grabbed the knife and threw it.

4 DELUCIA: Okay.

5 FRISSORE: And Sean stepped in to do press- uh, chest compressions.

6 DELUCIA: Okay. Okay. Uhm, you know when this whole thing's going
7 on, um, you- you had said earlier that you were concerned that he was going to
8 get out to the neighborhood or something to that effect.

9 FRISSORE: That was my concern.

10 DELUCIA: Okay. Um, did you have any other concerns? Or was that like
11 your main concern?

12 FRISSORE: That was my main concern, other concerns? Yeah everything
13 that goes along with him being out there with a knife but that's...

14 DELUCIA: Like were you, were you concerned about your own safety or
15 the safety of fellow officers?

16 FRISSORE: Yeah I was concerned about, I didn't want to get stabbed
17 obviously, but I probably took more risks than I was trained to take.

18 DELUCIA: Okay. Okay. Um...

19 FRISSORE: We kept, the reason we, my reason, I can't speak for anybody
20 else is that I was so close and I just didn't want him to get up and start running
21 again.

22 DELUCIA: Yeah.

23 FRISSORE: You know?

24 DELUCIA: Okay.

1 FRISSORE: I knew there was people everywhere.

2 DELUCIA: Right. Yeah I mean, obviously it was an unusually warm day.

3 FRISSORE: Yes.

4 DELUCIA: And um, when you typically go to this house or when you have
5 gone to this house in the past, does, does emergency services come with you at
6 all? Like fire, ambulance, or is that a determination you make when you get
7 there?

8 FRISSORE: We determine that. Unless it comes in that somebody's got
9 wounded then they'll just send them out immediately.

10 DELUCIA: Do you know if that happened that day? Do you know if... and
11 again I know you said you turned your radio down, do you know there was an
12 ambulance coming, do you...?

13 FRISSORE: No, no no no I didn't know there was an ambulance coming
14 but I know that as soon as I got the knife outta him, out of his hand, Sully
15 stepped in to do compressions. I went back over to the bag to grab the uh ambu-
16 bag and I heard the sirens. And they were just there.

17 DELUCIA: Which would be fire?

18 FRISSORE: Which would be fire.

19 DELUCIA: Okay. Did you—

20 MCDONALD: Also um, was there a clinician called? Were you aware?

21 FRISSORE: I, I attempted to, I didn't know whether they made contact, I
22 think I asked. I ended up calling a per— trying to call, get in touch with their
23 person, I think they sent me a, the phone. Somehow I got the phone number and
24 got in contact with um, a girl with an Italian name I can't recall. Gia— Gina

1 something, G- something Gina plus a little more and she said uh that they
2 couldn't get anybody out there that day.

3 DELUCIA: Okay so how, when does that happen in the chronology of
4 these events?

5 FRISSORE: Oh uh... maybe 10 minutes later, you know where they're
6 trying uh you know. Right now I'm looking for, I'm treating it like it was a, my
7 own report. I'm looking for witnesses and...

8 DELUCIA: After everything happened.

9 FRISSORE: Yeah, after everything had happened, where's Joe, how he's
10 doing.

11 DELUCIA: Okay.

12 FRISSORE: And so forth. Um... yeah but then I was thinking about, my
13 immediate thought went to those two kids inside.

14 DELUCIA: Yup.

15 FRISSORE: That he was just threatening.

16 DELUCIA: Mmhmm.

17 FRISSORE: And, and I know they're not... that they're, that they have
18 cognitive disabilities.

19 DELUCIA: Mhmm.

20 FRISSORE: And now it appears to be alright, they were just threatened
21 to be killed by this kid so what's their state? And I need someone to go in there.

22 DELUCIA: Mhmm.

23 FRISSORE: And see how those kids are, but I don't wanna have someone
24 say, well you shoulda had somebody from the, from the facility with you.

1 DELUCIA: Yeah no I understand.

2 FRISSORE: And then things discount, statements don't count anymore,
3 or whatever they could do so I tried to get surplus— again they need some kind of
4 counseling after something like this I would imagine, you know what I mean?

5 DELUCIA: Sure. Yeah no I understand. Definitely.

6 FRISSORE: And it's very difficult but eventually um, she called me back
7 and said she was sending uh the team leader for that house, first name I forget
8 but his last name was Acker.

9 DELUCIA: Yeah, yeah I spoke with him, it might've been Eric.

10 FRISSORE: Yeah, and then they said to me that you're going to, that
11 they were sending me either to the hospital, and I said well can I just make sure
12 that this kid, so that you guys don't just waive him cause the road's blocked, so
13 he can identify himself to you so you don't tell him to screw.

14 DELUCIA: Understood. I get it. Um... I don't think I really have any
15 more questions, attorney McDonald do you?

16 MCDONALD: Based on what you saw, do you have an impression on
17 what would have happened to um, Steve Papia if uh, if Joe hadn't...

18 FRISSORE: He would have stabbed him. He would have stabbed him.
19 Definitely.

20 DELUCIA: Yeah. Okay.

21 FRISSORE: That he, I don't know what was wrong with him that day, I
22 don't know if it was drugs or just his brain torturing him but he would have
23 killed Steve.

24 DELUCIA: Okay.

1 FRISSORE: He would have killed Steve.

2 DELUCIA: Okay.

3 MCDONALD: That's all I have.

4 FRISSORE: Or at least tried.

5 DELUCIA: Okay. Is there anything I haven't, that I didn't ask you that

6 you would...

7 FRISSORE: No that's the whole thing.

8 DELUCIA: Okay.

9 FRISSORE: That I can recall. If you have something else you want to ask

10 me, go ahead.

11 DELUCIA: No, again the main part of this is just to uh, to find out what

12 your experience was that day because uh, you were there and in the thick of this

13 stuff and we just want to know exactly what happened.

14 FRISSORE: Yeah.

15 DELUCIA: That's the whole purpose of what we're doing here today. So...

16 it is...

17 MCDONALD: Just if I could, one more comment uh, you know if there's a

18 video available, or one surfaces regarding this event, and uh, Officer Frissore

19 has a chance to review it, he reserves the right to uh say whether in the press of

20 the moment he missed something and he would like to be able to add to his

21 statement.

22 DELUCIA: Sure, yes no, we, we are fully aware that we are going on your

23 memory right now and it's a traumatic event and there's all kinds of science as

1 to how the brain works that we are all very familiar with so I appreciate you
2 saying that, and it's completely understood.

3 FRISSORE: Yeah no and I was trying to get video, I know there is video
4 because some of the people that I wrote their addresses down and I gave them to
5 the detective so they can go back and get it.

6 DELUCIA: Yeah and we've been doing all of that stuff so, I haven't seen
7 what even exists out there because other people have been doing that. We have
8 got some video, I haven't viewed it, but there is video that does exist because
9 some people have those doorbells, ring doorbells, couple people popped their
10 phones open, there's some stills, there's some video. So we're still amassing that,
11 I haven't seen any of that. But obviously we're going to review that.

12 FRISSORE: Right.

13 DELUCIA: Um... but again the whole point of this, which we very much
14 appreciate you voluntarily coming in to speak with us, we just want to find out
15 exactly what your experience was that day. It's very important. So I appreciate
16 you taking the time.

17 FRISSORE: Sure.

18 DELUCIA: Um, it is... if you're good sir, it is uh, 15:25 hours on Monday,
19 the fourteenth and I'm going shut this recorder off okay?

20 FRISSORE: Alright.

21 MCDONALD: Very good.