

Ofc. Papia Interview Recording #1

1 DELUCIA: Okay it's Wednesday, February 16, 2022. I'm at the Lexington
2 Police Department, uh Officer Papia, I just want to read you your rights per
3 Miranda. Uh before I ask you any questions, it is my duty to advise you of your
4 rights. You have the right to remain silent, if you choose to speak anything you
5 say may be used against you in a court of law. You have the right to consult with
6 a lawyer before answering any questions and you may have a lawyer with you
7 during questioning. If you cannot afford a lawyer and want one, a lawyer will be
8 provided at no cost before any questioning. If you decide to answer questions you
9 may stop at any time. Do you understand each of these rights I have just read to
10 you?

11 PAPIA: Yes I do.

12 DELUCIA: So there's a yes, no, and initials. So if you could just check off
13 yes and initials right next to it.

14 PAPIA: Oh.

15 DELUCIA: And then the next question, having these rights in mind do
16 you wish to speak with me now.

17 PAPIA: Yes.

18 DELUCIA: And if you could sign on that signature line. And we are
19 gonna have the Sergeant be the witness here. Thank you. So my name is
20 Anthony Delucia, I'm a Sergeant with the Mass. State Police I work out of the
21 Middlesex DA's office. Uh, it's Wednesday February 16th, 2022, and we will just
22 go around and introduce everybody who is in the room.

23 HAGENAH: Sergeant Alex Hagenah, Lexington police.

1 PAPIA: Officer Stephen Papia, patrolman, Lexington police.

2 MCDONALD: Alan McDonald, counsel to the uh, Lexington Police
3 Association.

4 DELUCIA: Okay. Thank you for coming in here today, appreciate you
5 taking the time to speak with us.

6 PAPIA: *(unintelligible)*

7 DELUCIA: Um, so Officer Papia, how long have you worked for the
8 Lexington Police Department?

9 PAPIA: I started here in uh, 2002. So, 20 years.

10 DELUCIA: Okay. Uh were you a police officer prior to joining the
11 Lexington Police Department?

12 PAPIA: No I was not.

13 DELUCIA: Okay. Did you have a prior career?

14 PAPIA: I was uh in the Navy Seabees.

15 DELUCIA: You were where?

16 PAPIA: Navy Seabees.

17 DELUCIA: Okay.

18 PAPIA: Active duty.

19 DELUCIA: Okay.

20 PAPIA: Three years. Um, I worked as a landscaper in between becoming
21 a police officer.

22 DELUCIA: Okay.

23 PAPIA: During my first year, um, after the academy I was laid off, I
24 worked for the town of Acton PD.

1 DELUCIA: Okay.

2 PAPIA: For approximately six months.

3 DELUCIA: Okay.

4 PAPIA: And then picked up my career right where I left off here and been
5 here since.

6 DELUCIA: And you've been full time here since '02?

7 PAPIA: Full time since.

8 DELUCIA: Okay.

9 PAPIA: Well the break in service,

10 DELUCIA: Yep

11 PAPIA: Between Acton was I believe was '03 – '04.

12 DELUCIA: Okay. So 17, 18, 19...

13 PAPIA: Exactly.

14 DELUCIA: Consistent years.

15 PAPIA: Yes

16 DELUCIA: Okay. Uh, in terms of um, being a Lexington Police Officer, do
17 you have annual trainings, or anything that's required of you?

18 PAPIA: We have yearly in service training.

19 DELUCIA: Okay.

20 PAPIA: Um, which is now 5 days a week,

21 DELUCIA: Okay.

22 PAPIA: For the week that it is. Um, we also have firearms um,
23 qualifications in the springtime.

24 DELUCIA: Okay.

1 PAPIA: And a low light shoot which is a uh, October range,
2 DELUCIA: Okay.
3 PAPIA: Nighttime shoot as well. And in between that we usually do like a
4 Middlesex Sherriff's shoot trailer in between that.
5 DELUCIA: Okay.
6 PAPIA: Other than that, defensive tactics, uh re-certifications, I forget
7 the actual time limit on that but uh we get that certification.
8 DELUCIA: Yup.
9 PAPIA: And other than that, just every other type of training, like CJIS
10 training.
11 DELUCIA: Yup. First aid.
12 PAPIA: First aid.
13 DELUCIA: CPR...
14 PAPIA: CPR, (*unintelligible*) relations, law update, things like that.
15 DELUCIA: What about um, less lethal training, do you have any of that?
16 PAPIA: Yes.
17 DELUCIA: And is that the annual? How do you guys handle that?
18 PAPIA: So that's um, part of the annual springtime qualification.
19 DELUCIA: Okay.
20 PAPIA: Recertification.
21 DELUCIA: And, and what are you trained on?
22 PAPIA: The uh Remington 870 less lethal shotgun that propels the Super
23 Sock beanbag.

1 DELUCIA: Okay. We, you obviously know what you're talking about.

2 That would be the bean bag rounds—

3 PAPIA: That's correct.

4 DELUCIA: —that are identified less lethal?

5 PAPIA: Yes.

6 DELUCIA: Okay. Um, and you, would you, do you normally carry those?

7 Or would there be one in the cruiser during shift?

8 PAPIA: There would be one in the cruiser in the transport mode in the, in
9 the trunk of the car.

10 DELUCIA: Okay. Um, on Saturday. What was your assignment?

11 PAPIA: My assignment was the 413 sector.

12 DELUCIA: 413?

13 PAPIA: The 413 is a, a north precinct.

14 DELUCIA: Okay.

15 PAPIA: The town is in four sectors, the 3 and the 4 is considered the
16 north, 1 and the 2 is considered the east. So it was the three car that was
17 responsible for the boundaries of the 413 sector.

18 DELUCIA: And is that a uniformed patrol in a marked car?

19 PAPIA: Yes.

20 DELUCIA: Okay. Um, what were your work hours that day?

21 PAPIA: So roll call was 7:45, that's the start of the shift, and it ends at
22 3:45.

23 DELUCIA: Did you attend that roll call?

24 PAPIA: Yes I did.

1 DELUCIA: Do you remember who hosted that roll call, who hosted that
2 roll call?

3 PAPIA: I do. Sergeant Demambro.

4 DELUCIA: Okay. Uh, during that roll call was there anything put out
5 there that was unusual or was it a pretty typical roll call day?

6 PAPIA: A pretty typical roll call day.

7 DELUCIA: Okay. Um, so at some point during your shift um you hear
8 something going on over at 98 Hancock Street is that correct?

9 PAPIA: That's correct.

10 DELUCIA: Could you take me through how you heard that?

11 PAPIA: So I pulled over, I was at a parking lot over on Bedford Street,
12 um I'm near probably uh, close to the DPW which is I believe 201 Bedford Street.

13 DELUCIA: Okay.

14 PAPIA: I was going through emails, I was about to start a report, and the
15 call came in for 98 Hancock Street for apparently a jogger had been running by
16 and he called 911 to report that there was an individual hanging out of the
17 second floor bedroom window what he believed, yelling "he's gonna kill me, he's
18 gonna kill me."

19 DELUCIA: Okay.

20 PAPIA: So that was relayed to me as the 413 car but also the 415 car as
21 the backup.

22 DELUCIA: So that's your area for that day.

23 PAPIA: That's my coverage yes. And I'm familiar with that home.

1 DELUCIA: So I haven't heard these radio calls. So when they put it out
2 there did they call you specifically or did they put it out as a broadcast?

3 PAPIA: They call out specifically to the 413 which—

4 DELUCIA: So they say, 413 you respond, and then they give you that
5 information.

6 PAPIA: And the 415 as well yes.

7 DELUCIA: Got it okay. Um, do you start to head that way?

8 PAPIA: I made my way with lights on and sirens, yes.

9 DELUCIA: Do you remember what they told you, um other than that? Or
10 was that all the information you had going there? At that time.

11 PAPIA: At the time um, just based on what I remember it was, um, it was
12 a jogger reports, calls 911 to report that the individual's yelling outside of the
13 window of the home that "he's gonna kill me."

14 DELUCIA: Okay. Um, do you recall is that a lights and sirens call or is
15 that—

16 PAPIA: Um I chose, based on my knowledge, my training experience,
17 especially experience with the home, um yes that was lights and sirens to get
18 there.

19 DELUCIA: So you're familiar with that address.

20 PAPIA: I'm very familiar with that address.

21 DELUCIA: And what, what is your familiarity, in that you know that
22 address to mean?

23 PAPIA: I know that address to be a part of the Elliot, which is the uh, it's
24 a group home—

1 DELUCIA: Okay.

2 PAPIA: Where individuals go there um in between um you know, if they
3 come in from, not to be technical, but my understanding is uh it's transitioning—

4 DELUCIA: Okay.

5 PAPIA: Into real life back into um you know, living on their own,

6 DELUCIA: Okay.

7 PAPIA: With obviously the guidance of clinicians.

8 DELUCIA: Are you familiar with the people that live there, do they have
9 any particular type of challenges that you're aware of? Or is it a variety of
10 things?

11 PAPIA: It's a variety of things.

12 DELUCIA: Okay.

13 PAPIA: Some individuals are calm, some individuals have been known to
14 be violent, some individuals have been known to be cooperative, some
15 individuals have been uncooperative.

16 DELUCIA: Okay.

17 PAPIA: Um, it's that point now where it's most likely if you know of the
18 individual it's uh seeking the help of the clinicians prior to is the most important
19 thing to get assistance needed because, you know, based on my experience going
20 in there, its uh, its, it's been difficult.

21 DELUCIA: Okay.

22 PAPIA: To say the least.

23 DELUCIA: Is there always a clinician uh, upon your arrival?

24 PAPIA: No, only if there's maybe a section twelve if they call us.

1 DELUCIA: Okay.

2 PAPIA: If somebody already has paperwork to be committed, they're
3 already on scene and we'll meet them there. Or, if they're going to do a wellbeing
4 check they call us for the assistance to be there was well.

5 DELUCIA: Okay. Um...

6 PAPIA: Typically a call like that, you know, there was uh, I made that
7 judgement of calling for a clinician.

8 DELUCIA: That day you did?

9 PAPIA: That day I did.

10 DELUCIA: Oh okay. Could you— and when exactly did that—

11 PAPIA: If I'm getting ahead of myself...

12 DELUCIA: If its, that's okay, if it's not while you're responding there
13 we'll get back to that cause—

14 PAPIA: Very good. I understand.

15 DELUCIA: —I think chronologically it might flow a little better. Um... so
16 you're responding there, do you have any conversation with um, radio wise the
17 415 while you're there or do you guys talk on the phone or anything?

18 PAPIA: So with the 415 Officer Frissore, um as I arrived I explained to
19 him where I was parking my cruiser.

20 DELUCIA: And where, where was that?

21 PAPIA: Which was, it's under the entrance of Diamond Middle School.

22 DELUCIA: Oh okay.

23 PAPIA: Right to the right hand side. It's maybe 150 feet away um, but it
24 basically gives you a little bit of cover to kind of approach the house without

1 sticking the cruiser right out in the middle of the roadway and without the
2 driveway, to park in the street there, it's very narrow because there's an island
3 that splits down the middle.

4 DELUCIA: Okay.

5 PAPIA: So it makes it very difficult to pull cruisers along the side of the
6 roadway so I chose to park um, a little bit of a distance you know, to kind of walk
7 towards the scene and uh, ascertain the situation was going on.

8 DELUCIA: So I'm gonna show you a map that I think is going to explain
9 uh, exactly what you're talking about. So, and I want you to familiarize yourself
10 with this, make sure you understand what I'm asking. So, that's number 98.
11 Okay? That's Hancock Street.

12 PAPIA: Correct.

13 DELUCIA: Hamilton, North Hancock, Burlington. Is this that driveway
14 you're referring to with the school?

15 PAPIA: That's correct. So I came down North Hancock.

16 DELUCIA: Yep.

17 PAPIA: Approached the rotary, and positioned my car probably about 25,
18 30 feet on the right-hand side of the Diamond entry.

19 DELUCIA: Okay. If you wouldn't mind, could you just make a notation as
20 to where you parked your car as best you can, whether it's a circle or a square...
21 Uh, and I know it's not, it's tough with the trees there um...

22 PAPIA: Approximately that area right there.

23 DELUCIA: Right here, that's where you, when you first arrived that's
24 where you park your car?

1 PAPIA: Correct.

2 DELUCIA: Could you just initial that up top there please? And this is
3 just so when we go back and listen to this later it'll make sense.

4 PAPIA: I understand.

5 DELUCIA: We're gonna do this a few times but I wanna make sure you
6 understand, if you don't understand something on the map make sure you ask
7 me.

8 PAPIA: No I am very familiar with that (*unintelligible*).

9 DELUCIA: Because you know the town better than I do.

10 PAPIA: Correct.

11 DELUCIA: So I wanna make sure I'm asking it the right way.

12 PAPIA: That's my, my area of coverage.

13 DELUCIA: Okay.

14 PAPIA: On a usual basis so.

15 DELUCIA: So you park your car in that area, and you're the first one
16 there?

17 PAPIA: I am yes.

18 DELUCIA: Uh, do you see or hear anything upon your arrival?

19 PAPIA: So, as I arrived, I think I already stated that, so I notify the 415
20 car, Officer Frissore my location and where I was parking.

21 DELUCIA: Where you were parking, yup.

22 PAPIA: And so as I step out of the car, I could hear yelling, so I quickly
23 moved forward towards that.

24 DELUCIA: Okay.

1 PAPIA: And when I got a view very quickly, 'cause I wasn't too far away,
2 I could see the individual that the jogger was mentioning was still hanging
3 outside of the window—

4 DELUCIA: Okay.

5 PAPIA: —yelling, “he’s gonna kill me, he’s gonna kill me.”

6 DELUCIA: Okay. Had, did you recognize that individual that was
7 yelling?

8 PAPIA: So I believe it came in as an Asian male.

9 DELUCIA: Okay.

10 PAPIA: I’m not in, I’m not familiar with that individual.

11 DELUCIA: You didn’t, you didn’t know him before that day.

12 PAPIA: No.

13 DELUCIA: Okay. Um, we’re gonna do this a few times, by the way, with
14 the maps, okay so um...

15 PAPIA: So when I did approach that area, when I heard that I was still
16 across the street and I’ll show you that if you want, if that indicates help.

17 DELUCIA: Yeah, on this one, if it’s even shown, do you recognize that,
18 that house?

19 PAPIA: That’s correct. Yes.

20 DELUCIA: What’s that?

21 PAPIA: That’s 98 Hancock.

22 DELUCIA: Is the window displayed, that you’re talking about, here?

23 PAPIA: Circle it, or?

24 DELUCIA: Yeah that would be great if you could, yup.

1 PAPIA: So it was this window right here.

2 DELUCIA: So we're, we're looking at the front of the house-

3 PAPIA: Front of the house.

4 DELUCIA: And facing the house is the window to the right in the front.

5 PAPIA: I'm approaching it, looking at the house.

6 DELUCIA: Yep. So you're, so we'll just follow it on here, without, yup.

7 You're walking that way, yup.

8 PAPIA: And I was just looking straight ahead.

9 DELUCIA: Okay. So-

10 PAPIA: In my field of view- vision.

11 DELUCIA: So it looks like you're on the opposite side of Hancock Street

12 from the house.

13 PAPIA: I'm on the opposite side of Hancock Street.

14 DELUCIA: As you approach and you can see the individual. Did that

15 come out alright, with that pen?

16 PAPIA: I think so.

17 DELUCIA: Yeah, right here right?

18 PAPIA: Yep. So.

19 DELUCIA: Okay so again if you could initial that as well.

20 PAPIA: So...

21 DELUCIA: So that's at 10:20 hours we're just making that notation. So.

22 PAPIA: So prior to even making my foot onto the property, I might have

23 been at the island area, just approaching the street, that's when I called to

1 dispatch “let’s get somebody from the Elliot home over here.” And as far as how I
2 worded that exactly–

3 DELUCIA: Yep.

4 PAPIA: –I don’t believe I used the word clinician, but based on my
5 experience on, with the individual who I had a pretty good idea that this was the
6 individual because I had heard that he was back in the home, and this kid is
7 screaming out that “he’s gonna kill me,” I said to dispatch “let’s get somebody
8 from the Elliot home, someone from you know, who represents the home over
9 here.”

10 DELUCIA: That’s a radio call that you?

11 PAPIA: That’s a radio call that we made.

12 DELUCIA: Okay, alright.

13 PAPIA: And how I worded that, that’s unclear.

14 DELUCIA: No that’s okay, that’s–

15 PAPIA: I know I was in that mindset it’s, to let’s just get them moving
16 here on this because this is going to be the assistance, in my mind, was let’s get
17 him to the hospital, because the next step I made I said might as well start fire
18 as well and have them staged and–

19 DELUCIA: That’s a radio call as well?

20 PAPIA: That was a radio call as well.

21 DELUCIA: Okay.

22 PAPIA: And I remember dispatch saying “do you want them to come right
23 in or notify when the scene is safe.”

24 DELUCIA: Yep.

1 PAPIA: I said we'll notify.

2 DELUCIA: Okay.

3 PAPIA: So I started them as well.

4 DELUCIA: Okay.

5 PAPIA: So when I moved forward to the house, I crossed the street and
6 entered the driveway. Just as soon as I stepped— if I'm going too fast?

7 DELUCIA: No I just wanted to do another photo.

8 PAPIA: Yep.

9 DELUCIA: Um, so we don't have too much on one picture. No, so again,
10 same photo, if- if that's indicative of whatever you're going to explain on there.

11 PAPIA: So, as I approached the walkway to go right here, this door
12 opened up.

13 DELUCIA: Front door.

14 PAPIA: Front door. And, and an individual, a white male came out who I
15 believe I've seen there before,

16 DELUCIA: Okay.

17 PAPIA: Who I've never really had any issues with or been an issue where
18 I've been there to deal with,

19 DELUCIA: Okay.

20 PAPIA: Um, I asked him his name, he said James.

21 DELUCIA: Okay.

22 PAPIA: And he, and I mean there was a lot of commotion between the
23 individual up here—

24 DELUCIA: Yeah James is different than the guy in the window.

1 PAPIA: Correct.

2 DELUCIA: Yep.

3 PAPIA: So James walked out to speak to me and I knew he wasn't the
4 threat. I just—

5 DELUCIA: Yep.

6 PAPIA: —based on my assumptions and I, and, and dealing with that
7 house, I knew I wasn't there for him. And he was saying, and again because this
8 kid was screaming and he was speaking, um, something along the lines that
9 “he's nuts” or “he's not, he's crazy,” and so I'm saying “Who? Brendan?” and my
10 assumption was Brendan was in the house.

11 DELUCIA: Okay.

12 PAPIA: And I could hear some screaming, a third-party scream, my,
13 again, my assumption was the rear dormer window in the top floor was open and
14 he was in that back bedroom possibly.

15 DELUCIA: Okay.

16 PAPIA: Yelling out that window.

17 DELUCIA: Cause your familiar with the layout of the home, having been
18 in there before?

19 PAPIA: Yes, I've been in there a couple times, I know the bedrooms are
20 upstairs.

21 DELUCIA: Okay.

22 PAPIA: So, so I'm thinking this individual here is locked in his room—

23 DELUCIA: Mmhmm.

1 PAPIA: –and is barricaded himself because he’s got nowhere to go so he’s
2 in there and Brendan’s trying to get into his room.

3 DELUCIA: Okay.

4 PAPIA: And so at that moment I’m–

5 DELUCIA: So, pardon me. When this individual, what did you say his
6 name was? James?

7 PAPIA: James.

8 DELUCIA: When James says something to the effect of “he’s crazy” or
9 something like that.

10 PAPIA: Something along the lines of that.

11 DELUCIA: Was he talking about the guy in the window? Or, or what was
12 your take on–

13 PAPIA: No, no I had a good feeling um, it was brought to my attention
14 that, that the individual that this revolved around, was back in this home.

15 DELUCIA: Okay.

16 PAPIA: When I was um, you know, thankful for, to have a mindset of you
17 know, I know who he is.

18 DELUCIA: Okay.

19 PAPIA: And I know his, you know, the last time that he was sectioned,
20 you know it wasn’t an easy day. You know?

21 DELUCIA: Okay.

22 PAPIA: Nothing, but he wasn’t touched or anything like that but he was
23 verbally non-compliant.

24 DELUCIA: Okay.

1 PAPIA: And um, so I was, my base assumption was, was, this was him.

2 DELUCIA: Okay.

3 PAPIA: And so I just had a feeling that he was inside the house at that
4 moment.

5 DELUCIA: Okay. What, what, what do you come to learn as time goes on
6 then?

7 PAPIA: So at that same time Officer Frissore arrived on scene.

8 DELUCIA: Yep.

9 PAPIA: And he parked along Hamilton Street.

10 DELUCIA: Yep sorry we'll give you that.

11 PAPIA: I hear him call out, and say where he was parking so I knew
12 exactly where he was. So Hamilton Street is, Hamilton Road, I'm sorry.

13 DELUCIA: Yep so we have 98 right here.

14 PAPIA: So I believe he parked around here on the right hand side. So I'm
15 over here, he's over here.

16 DELUCIA: Okay. Wanna make a, is this you again?

17 PAPIA: Yep. Right here.

18 DELUCIA: Oh it's the same photo. Okay.

19 PAPIA: Yep and that's officer Frissore.

20 DELUCIA: Okay.

21 PAPIA: Where he parked.

22 DELUCIA: Alright. Can I see that pen please? 'Cause I just want to make
23 sure these make sense when we look later on. So this is Officer, oh this is a
24 picture from prior. Okay, sorry, okay. So, excuse me okay so this is you, when

1 you arrive right? I'm just getting twisted up here. This is the driveway, when
2 you arrived.

3 PAPIA: Diamond School?

4 DELUCIA: Yes.

5 PAPIA: Hamilton Road.

6 DELUCIA: Yep.

7 PAPIA: Officer Frissore, and my car so—

8 DELUCIA: Okay. So he's on Hamilton Road.

9 PAPIA: We kind of would have met in the middle to approach.

10 DELUCIA: Okay.

11 PAPIA: So as I was in that front yard talking to the James individual,
12 there seemed like there was obviously a lot going on because I'm hearing now
13 two other voices. Obviously the one from the window right in front of me, and
14 also I'm hearing, from what I thought was an individual from the backside of the
15 room, that window was open, almost yelling out the window in the rear of the
16 house.

17 DELUCIA: Okay.

18 PAPIA: Okay and that time I'm thinking, alright well we're not going to
19 rush into this, I'll let Officer Frissore get here, we'll figure out what's going on
20 here, how we can get in, figure out if we can get in to deal with the individual,
21 that's saying "he's gonna kill me, he's gonna kill me." So as soon as Officer
22 Frissore arrived and greeted me in the driveway as I was talking to James, his
23 field of vision was caught almost at a, in the driveway looking at the corner of
24 the side of the rear home. I can point that out.

1 DELUCIA: So this is uh, this is an overview of- so you have 98 and
2 number 100. Will that suffice for what you're talking about?

3 PAPIA: Yep so we kind of met right here in the, I'm at the front of the
4 house so I can't really see around here, I'm only looking straight on.

5 DELUCIA: Okay.

6 PAPIA: Again I'm talking, James is in front of me. The individual is
7 hanging out his window.

8 DELUCIA: Yep.

9 PAPIA: And I'm thinking I'm hearing somebody from the back.

10 DELUCIA: Oh you can't see.

11 PAPIA: I can't see.

12 DELUCIA: Got it.

13 PAPIA: I can just—

14 DELUCIA: So now in his field of vision, he's coming from Hamilton.

15 PAPIA: He's coming from Hamilton. He's coming over.

16 DELUCIA: So he's walking by. Got it.

17 PAPIA: Now he's stopped by the neighbor.

18 DELUCIA: Yep. Which is number 100.

19 PAPIA: 100.

20 DELUCIA: Okay.

21 PAPIA: And he says to him, from what John, Officer Frissore relayed to
22 me was the kid in the backyard has a knife.

23 DELUCIA: This is real time. You knew this that day.

24 PAPIA: So I knew that as soon as Officer Frissore—

1 DELUCIA: He told you that.

2 PAPIA: –met me right in the driveway. He said, “the neighbor said he has
3 a knife.”

4 DELUCIA: Okay.

5 PAPIA: At that point, so James, I said you know, step aside, and where
6 we both walked down the driveway, Officer Frissore was on the right, I was on
7 the left.

8 DELUCIA: So this, this is the driveway for 98 right?

9 PAPIA: Yep.

10 DELUCIA: Okay.

11 PAPIA: So, so that’s the driveway but it comes out to here.

12 DELUCIA: Yes right, this tree’s blocking it.

13 PAPIA: The tree’s blocking it so,

14 DELUCIA: Right.

15 PAPIA: So Officer Frissore would have been on the–

16 DELUCIA: So you’re coming from like the street.

17 PAPIA: So coming from the street so closer to the walkway which is over
18 here.

19 DELUCIA: Okay.

20 PAPIA: So Officer Frissore is on the right side of the fence.

21 DELUCIA: Closer to 100.

22 PAPIA: Closer to 100.

23 DELUCIA: Got it.

24 PAPIA: As we kind of approach together,

1 DELUCIA: Yep.

2 PAPIA: He sees Brendan Reilly, the individual, at the corner of the right
3 side of the rear home.

4 DELUCIA: Rear corner of 98.

5 PAPIA: Rear corner of 98.

6 DELUCIA: Got it. Okay.

7 PAPIA: And now things are making sense. He's not inside the house...

8 DELUCIA: Okay. Yup things are changing right in your mind.

9 PAPIA: Things are changing.

10 DELUCIA: Yep.

11 PAPIA: And he says, Officer Frissore tells me "the neighbor told me he
12 has a knife"—

13 DELUCIA: Okay.

14 PAPIA: —"the kid in the backyard has a knife." As soon as we moved
15 forward, at that point, John, Officer Frissore said to me he has the knife. He
16 confirmed.

17 DELUCIA: Okay.

18 PAPIA: So at that moment I call for what I believe at that moment was, I
19 called for the 414. I said 414 if you're available can you head this way.

20 DELUCIA: Okay.

21 PAPIA: So now I have an extra body there to help us, to obviously
22 minimize this incident because we know we have an individual with a knife in
23 the backyard. At that moment I said to Officer Frissore and he said to me, we
24 said almost simultaneously, "I'm going to get the less lethal."

1 DELUCIA: Okay.

2 PAPIA: So that's where I ran back very quickly to my cruiser, opened up
3 the trunk, got the less lethal—

4 DELUCIA: Okay.

5 PAPIA: —slung it on my back and advanced forward to the driveway again
6 to meet Officer Frissore as he was speaking with Brendan Reilly at that point.

7 DELUCIA: Okay. When do you realize that it's Brendan Reilly, when do
8 you conf- I know you think it is, but when can you confirm that it is, or do you
9 confirm that it is?

10 PAPIA: When I reached over and caught view of the individual.

11 DELUCIA: Is this prior to the less lethal? Or after you got the less lethal?

12 PAPIA: No, I knew it was, when, when I saw him, when he, when Officer
13 Frissore said that he had the knife,

14 DELUCIA: Yes.

15 PAPIA: I looked over and I could see the individual—

16 DELUCIA: Okay.

17 PAPIA: —and, and from what he relayed to me was he had the knife, I
18 could see that it was Brendan Reilly.

19 DELUCIA: You, okay you recognized him.

20 PAPIA: I recognized him yes.

21 DELUCIA: Okay. From past dealings?

22 PAPIA: He, he looked a little different, he looked almost his face looked a
23 little different but—

24 DELUCIA: Okay.

1 PAPIA: I could hear in his voice, same tone, uh “I’m a gangster, I’m in the
2 Irish Mafia,” same, same things that he had said to me the last time that he
3 went to the hospital.

4 DELUCIA: Okay.

5 PAPIA: I forget their time limit on,

6 DELUCIA: The time frame on-

7 PAPIA: Time frame on when that happened but.

8 DELUCIA: Okay.

9 PAPIA: But so it all indicated to me based on my experience with the
10 home, and with him, that it was definitely him.

11 DELUCIA: Okay. So, at some point like you said you guys, uh, Officer
12 Frissore—

13 PAPIA: Steve.

14 DELUCIA: —announces the threat.

15 PAPIA: Yes.

16 DELUCIA: You identify who it is, you go back to your car to get the less
17 lethal.

18 PAPIA: And on the way back I called for the 414 car.

19 DELUCIA: On the radio.

20 PAPIA: On the radio. Yes.

21 DELUCIA: Okay so you grab the less lethal out of the trunk.

22 PAPIA: Correct.

23 DELUCIA: And you come back.

1 PAPIA: And I come back and I meet Officer Frissore in the driveway and
2 we started to move towards him and you know, we both clearly know he has a
3 knife.

4 DELUCIA: Mmhmm.

5 PAPIA: And so as I came around with Officer Frissore, I notice Brendan
6 beeline it for the left side corner of the home. So if you're looking at the house-

7 DELUCIA: So if we are looking at it right here right, you guys are in this
8 area.

9 PAPIA: We're in this area so, from what appeared to me was Brendan
10 Reilly, he went beelineing right through here.

11 DELUCIA: Okay so he's running around the back of the house.

12 PAPIA: So I said to Officer Frissore, I said "I'm gonna meet him around
13 the front."

14 DELUCIA: Yep.

15 PAPIA: Cause now I'm thinking this kid's gonna go around the side of the
16 house.

17 DELUCIA: Yep.

18 PAPIA: Out to Hancock Street.

19 DELUCIA: Right.

20 PAPIA: So.

21 DELUCIA: So this is just for the recording, so the way you're point right
22 now, he's running the opposite direction of number 100.

23 PAPIA: Correct.

24 DELUCIA: He's running through the back of 98.

1 PAPIA: Yes.

2 DELUCIA: And you think he's gonna like, take a turn and go out back to
3 the main road.

4 PAPIA: Exactly.

5 DELUCIA: Understood.

6 PAPIA: So, so that moment, so I relayed that to Officer Frissore and
7 made my way back to the front of the yard.

8 DELUCIA: Yep.

9 PAPIA: And it was some snow in the front of the yard.

10 DELUCIA: Yep.

11 PAPIA: It was tough to kind of maneuver on. I got around to the front
12 side here.

13 DELUCIA: Mmhmm.

14 PAPIA: Made it to the corner, realized that it was blocked off, he didn't
15 have anywhere to go, he kinda was contained.

16 DELUCIA: Okay.

17 PAPIA: And so I relay that over the I believe to Officer Frissore "it's
18 contained, I can't get through, I'm coming back to you."

19 DELUCIA: Okay.

20 PAPIA: To let him know I'm coming to him.

21 DELUCIA: Okay.

22 PAPIA: So I double-backed around and we both met again, and we're on
23 this corner of the area of the driveway where it ends, almost.

24 DELUCIA: Yep.

1 PAPIA: And now Brendan is right here, against the home, along the
2 foundation with the knife yelling to us obscenities of, that he's a gangster, and
3 he's Irish Mafia—

4 DELUCIA: Mmhmm.

5 PAPIA: —and you know, we were just yelling “just drop the knife
6 Brendan, just go to the hospital.”

7 DELUCIA: Did you see the knife at that point?

8 PAPIA: I saw the knife.

9 DELUCIA: Okay.

10 PAPIA: I clearly saw the knife.

11 DELUCIA: Okay. Um, so there's some back and forth that goes on then.

12 PAPIA: A lot of back and forth.

13 DELUCIA: Okay.

14 PAPIA: I had the less lethal, I had it up and ready.

15 DELUCIA: Mmhmm.

16 PAPIA: Officer Frissore at that time I think still had his baton.

17 DELUCIA: Mmhmm.

18 PAPIA: Before he could even think to transition because it was so,
19 moving so fast at that point.

20 DELUCIA: Okay.

21 PAPIA: And now I'm just thinking, I'm looking to my rear, I have
22 nowhere to go. We have nowhere to go.

23 DELUCIA: And your back is to number 100.

1 PAPIA: My back is to the backyard of 98. So, almost like, if this is the
2 backside of the house,
3 DELUCIA: Yes. Oh you're now in the backyard.
4 PAPIA: So now I'm in the backyard,
5 DELUCIA: Got it.
6 PAPIA: With a straight view.
7 DELUCIA: Got it.
8 PAPIA: Perpendicular, say?
9 DELUCIA: Got it.
10 PAPIA: Is that the term?
11 DELUCIA: No, got it, parallel, I know exactly what you're talking about.
12 PAPIA: I'm looking directly at him and Officer Frissore is kind of off to
13 the angle still.
14 DELUCIA: Okay.
15 PAPIA: And we're using every words that we can to have him comply to
16 drop the knife.
17 DELUCIA: Mmhmm.
18 PAPIA: Put it down. Just get on the ground, go to the hospital, just stop,
19 you know? Over and over and over and there was just zero compliance. To the
20 moment where he just looked to the right, snapped his neck, and he just did a
21 hard, hard face to the right, and he just beelined it along the foundation.
22 DELUCIA: Yep.
23 PAPIA: And it was happening so fast that now his back is to us.

1 DELUCIA: And you're at this point, what is your range to him, can you,
2 do you have an approximate distance that you are from him?

3 PAPIA: Probably, you know I'm gonna go with maybe 10 yards or so,
4 maybe a little more, you know trying to create a little distance. Um, you know,
5 understanding that I still have the less lethal in my hand and that's um...

6 DELUCIA: Were you, it looks like you're a little limited here too with how
7 much distance you can create for yourself.

8 PAPIA: (*unintelligible*) I kept that in the back of my mind, as I, as I had
9 really nowhere to really go back to.

10 DELUCIA: Yep.

11 PAPIA: So that was it for me as well and that was the same for him.

12 DELUCIA: Okay.

13 PAPIA: I think he kinda realized that and for him it just seemed like he
14 beelined it out to the foundation and started running as fast as he could right to
15 the driveway.

16 DELUCIA: So when you say out to the foundation, again this is mainly
17 for the recording when they're looking at it, he runs back out toward number
18 100.

19 PAPIA: That's correct.

20 DELUCIA: Which is toward the driveway and then he takes a right and
21 runs out the driveway?

22 PAPIA: So as soon as he made it to the driveway, and it's happening so
23 fast as we're processing it, now we don't have him contained anymore and we're
24 not actually contained either, he's now slipped by us, okay, because while words

1 were not doing anything as we're just going back and forth, how many times we
2 just say "drop the knife, just drop, drop, drop the knife" and he just beelined it to
3 the driveway, and Frissore said to me and I'm thinking it, we can't let him run
4 up the street with that knife.

5 DELUCIA: Mmhmm.

6 PAPIA: And, you know, as, as I'm thinking it, it's now really coming into
7 the motion of the reality of the situation was now, we're not just in the backyard,
8 now he's moving out toward where James was when I last saw him, when I told
9 him to step aside. Thinking that he's now in this crossfire of this kid with the
10 knife, moreover anybody else walking along the sidewalk, the school, the
11 Shabbat center, all these areas of these people that live in this residential area
12 on this beautiful, 60-something degree day.

13 DELUCIA: I was gonna say, do you remember what kind of day it was?

14 PAPIA: It was sunny, he was wearing shorts and a t-shirt. I was wearing
15 the uniform short sleeve. It, it was a gorgeous day, it was mild, and now all these
16 people that are out riding bikes and walking along, now this kid's running
17 towards the street, towards who could have been there.

18 DELUCIA: Right.

19 PAPIA: In the back of my mind, and John, Officer Frissore, he pinpointed
20 it, I mean, it's something that you're thinking of, and you're just trying to
21 process. The words are still ringing in the back of my mind, it's "we can't have
22 him, we can't have him run out to the street with that knife!" And now it's just
23 like the reality now even though you were thinking it, it's just the thought of,
24 this whole thing. We just had him. And now we've lost him.

1 DELUCIA: Mmhmm.

2 PAPIA: And now this is going to involve more people, possibly, and, and,
3 that fright feeling of just go to work, so we all started running towards him. I'm
4 getting ahead of myself here.

5 DELUCIA: No, no, no, I've, nope I understand exactly what you're saying.
6 So let me just make a notation on this over here. So, this is diagram #3 here, um
7 its 10:37. So on this one just to take a half a step back, this is the foundation
8 you're talking about, with this, this line here.

9 PAPIA: Yes.

10 DELUCIA: And his route of travel is out and-

11 PAPIA: Correct.

12 DELUCIA: And things aren't.

13 PAPIA: Almost like a 90 degree.

14 DELUCIA: Yup.

15 PAPIA: Bank, and turn, and go.

16 DELUCIA: And he goes that way.

17 PAPIA: And it's like, now what. Now this changes everything.

18 DELUCIA: And this is, you said this is John. And then you were back
19 here. And again this is really dark, unfortunately, but this is where you are. And
20 this is where John is. And then, okay. So if, what I'm trying to display here is
21 this is, this is Brandan, this is you, this is John, this is Brandan's route of travel
22 back out to Hancock Street. Is that accurate?

23 PAPIA: Yes.

1 DELUCIA: Okay, would you mind just putting your initials on that
2 please?

3 PAPIA: So in the back of my mind I was thinking that these words aren't
4 doing anything, everything we can think of to kind of, dismantle the situation,
5 wouldn't, wouldn't, just wouldn't work.

6 DELUCIA: Right.

7 PAPIA: You know?

8 DELUCIA: Well it's changed now right?

9 PAPIA: It's changed now. Now it's like, now look, this happened. We had
10 the opportunity to contain this, in you know a reasonable and justified manner
11 but now it's like the overuse of these non-effective words. They just didn't phase
12 him, and didn't care he just beelined it as fast as he could and you know, the
13 whole game changed.

14 DELUCIA: Having dealt with him in the past, 'cause it seems like you've
15 had interactions with him in the past.

16 PAPIA: I have.

17 DELUCIA: Had words worked in the past?

18 PAPIA: So the last time that we had dealt with him on the section, if you
19 want me to get into that?

20 DELUCIA: Please.

21 PAPIA: Briefly.

22 DELUCIA: Yes.

23 PAPIA: My experience with that was we staged right where Officer
24 Frissore was parked on Hamilton Road.

1 DELUCIA: Okay.

2 PAPIA: It was Officer Ducharme, now detective, and Sergeant, at the
3 time, Retman, who is now a Lieutenant, and the three of us were staged at that
4 street, standing by for the clinician for the section 12 paperwork to come in
5 hand. We did not have it in the moment. As we stayed there a little bit set back,
6 we saw Brendan Reilly who walked out of the home and walk up North Hancock
7 Street which is the next street over adjacent from Hamilton Road.

8 DELUCIA: Okay.

9 PAPIA: So that would be the next road. So if this is Hamilton over here,
10 he walked out of the house.

11 DELUCIA: Right.

12 PAPIA: Right by us, didn't even look at us, walked right up North
13 Hancock in a fast-paced manner.

14 DELUCIA: Okay.

15 PAPIA: As soon as we received the paperwork in hand that meant for us
16 now we can see him, approach him, and do what we need to do to bring him to
17 the hospital to, to the ambulance in a safe way. So I went up, down Burlington
18 Street, and over to Simon's Road.

19 DELUCIA: Okay.

20 PAPIA: And when I came out to Simons I took a right onto Bedford Street
21 4 and 225 just prior to the highway.

22 DELUCIA: Okay.

23 PAPIA: By the 95 bridge.

24 DELUCIA: Yep.

1 PAPIA: Officer Ducharme was right behind me I believe and of- Sergeant
2 Retman at the time was also, we kind of almost followed each other. One went
3 up North Hancock and two of us went up Simons. Either way we located
4 Brendan Reilly, where he was just about passed Simons Road walking toward
5 Bedford westbound, approaching the ramp to 95.

6 DELUCIA: Okay.

7 PAPIA: The last couple houses on Bedford Street just before that ramp.

8 DELUCIA: Mmhmm.

9 PAPIA: I would say he was just about three houses, uh, the sec- or the
10 third to last house on the right side.

11 DELUCIA: Prior to 95.

12 PAPIA: Prior to 95, the ramp that-

13 DELUCIA: Alright I know exactly where you're talking about.

14 PAPIA: -northbound. So, so Officer Ducharme parked closest to Simons
15 Road, Sergeant Retman parked closest to where Brendan Reilly was walking, I
16 went advanced forward furthest, all the way closest to the ramp I was toward
17 the last house on the right hand side. And as soon as I got out of the vehicle I
18 could see Sergeant Retman trying to talk to him, and, I could hear a lot of
19 commotion and there was a lot of Brendan yelling back and, and Sergeant
20 Retman was saying, "Brendan we have paperwork you have to go to the
21 hospital," you know "the ambulance is here" and he was um, he just looked like
22 he was getting really fresh, really, really volatile, so it looked like he was, like
23 something was going to happen, you know?

24 DELUCIA: Mmhmm yep.

1 PAPIA: Based on his body, the, the language. And again because I've
2 dealt with him before, the way he talks, gangster, you know and, and, and Irish
3 Mafia, and you know, I deployed the less lethal around my neck and was on
4 standby. I could just visually, I just kept myself in a little bit of a distance, and
5 as soon as I saw him getting more amped up, I rounded around the car, and
6 approached it and I didn't bring it up to point, more of a low ready,

7 DELUCIA: More of a low ready. Yep.

8 PAPIA: A low ready and I advanced towards him and said "Brendan get
9 down on the ground! Stay down on the ground!" And he instantly went from all
10 of his words, what looked like more of an argumentative state to complete
11 compliance.

12 DELUCIA: Okay.

13 PAPIA: And it was like, it just unfolded right there, on a positive note,
14 everyone was seeing him go into, go into the ambulance.

15 DELUCIA: Mmhmm.

16 PAPIA: And off he went.

17 DELUCIA: Okay. How long ago was that?

18 PAPIA: About a year ago.

19 DELUCIA: Okay.

20 PAPIA: Approximately. I know Sergeant Retman's now a Lieutenant, for
21 how long he's been a Lieutenant, I'm not exactly sure but-

22 DELUCIA: Okay.

23 PAPIA: My assumption that day was that, the, that the tool felt like it
24 was, it was necessary because I didn't know which was he was gonna go.

1 DELUCIA: But, but in your opinion, again this is your experience, based
2 upon taking that out made the difference that day?

3 PAPIA: That made the difference that day.

4 DELUCIA: Okay.

5 PAPIA: This Saturday, when that was around, when I approached him
6 from the driveway to the back of the yard, that didn't faze him.

7 DELUCIA: Okay.

8 PAPIA: It, it just had no bearing. No bearing.

9 DELUCIA: Okay.

10 PAPIA: Not like police, prior to him getting into the ambulance that day,
11 I heard a loud screaming like, like almost like he was calling for help along with
12 the cars going by on 4 and 225. Like a yelp you know?

13 DELUCIA: Okay.

14 PAPIA: And it was compliant and like okay we'll go.

15 DELUCIA: Okay.

16 PAPIA: Versus the, you know, the (*unintelligible*), you know, toward
17 Sergeant Retman, it helps it you charm with the stance of like, I'm not going,
18 just get out of my way, you know.

19 DELUCIA: Mmhmm.

20 PAPIA: And uh, instant compliance. That Saturday, that was a different
21 story. It felt like, you know, no matter what word I chose, no matter how many
22 times I said drop the knife, just go to the hospital, the thing around what I had
23 slung, was no bearing—

24 DELUCIA: Okay.

1 PAPIA: –for this individual.

2 DELUCIA: So, so here's another photograph okay? This is more of an
3 overview, um... this is number 98, okay. So we're gonna go back to where he's
4 running out of the driveway okay? So now we have him he's coming out on foot
5 out of the driveway. When he comes out of the driveway, can you see him? Are
6 you running after him, can you see him? What are you guys doing when he runs?

7 PAPIA: We are running behind him.

8 DELUCIA: Okay.

9 PAPIA: He's in view.

10 DELUCIA: And, and where is he-

11 PAPIA: We are not on top of him. He banks a har-, like a mild left,

12 DELUCIA: Yep.

13 PAPIA: Towards the rotary.

14 DELUCIA: So he goes left onto Hancock.

15 PAPIA: Favoring the Diamond Middle School entrance where I was
16 parked.

17 DELUCIA: So, so, do you know, if you have a memory, does he cross the
18 street? Run, running across the island and coming this way?

19 PAPIA: I believe, to the best of my knowledge-

20 DELUCIA: Yep.

21 PAPIA: He went down the driveway,

22 DELUCIA: So this is the driveway here right.

23 PAPIA: Ok Sorry.

24 DELUCIA: So this is number- No that's ok, this is 98.

1 PAPIA: So down the driveway,
2 DELUCIA: Yep.
3 PAPIA: And he just hooked it left.
4 DELUCIA: Okay.
5 PAPIA: And, and...
6 DELUCIA: So he would be running into oncoming traffic, this way right?
7 Like traffic, the traffic pattern would be going there?
8 PAPIA: So the rotary, traffic would be going,
9 DELUCIA: Yes. Okay.
10 PAPIA: Towards the center.
11 DELUCIA: Yep.
12 PAPIA: Right here, because of the island, and then other vehicles would
13 be coming towards Burlington Street on the divided.
14 DELUCIA: So we have him running this way, again I know there's no,
15 let's say there isn't oncoming traffic, that traffic would be going at him that way.
16 PAPIA: Would be going at him.
17 DELUCIA: Because he's running down the street.
18 PAPIA: And from my best ability there was no vehicles at that moment in
19 that rotary.
20 DELUCIA: So what is he, and just take me through what happens from
21 there, when it sounds like the chase is on at that point.
22 PAPIA: Chase is on at that point, now he's running towards the rotary.
23 DELUCIA: Yep.

1 PAPIA: And at that moment he's running looking back at us with a knife
2 clenched in his hand. It's still in his hand it's like, like a death grip of, you know
3 I could tell, he, he hit the ground, he tripped on himself because as he was
4 running so fast he, he almost caught himself and he fell to the ground.

5 DELUCIA: Do you know, where roughly was that? So we have him
6 running here, okay?

7 PAPIA: Approximately in this area right here.

8 DELUCIA: Okay.

9 PAPIA: So this was his first fall to the ground.

10 DELUCIA: Okay.

11 PAPIA: In that moment, I squared off with him right here.

12 DELUCIA: Okay so this, this is where, this is where he falls. Does he fall
13 more than once?

14 PAPIA: In that moment he just hit the ground.

15 DELUCIA: Okay.

16 PAPIA: And I squared off with him and Officer Frissore was directly
17 behind him.

18 DELUCIA: Okay.

19 PAPIA: And I looked right at him at that time and we both were still
20 yelling "drop the knife, drop the knife, drop the knife," over and over and over.

21 DELUCIA: Where, could you point to where you were, make a circle
22 where you are.

23 PAPIA: Right here, facing him, he's facing me, we're both almost squared
24 off like this.

1 DELUCIA: Okay.

2 PAPIA: In the distance I might have been back a little bit further
3 obviously.

4 DELUCIA: Yep no that's okay. We're just- you're close to your cruiser
5 now is that right?

6 PAPIA: I'm in-between him and my cruiser.

7 DELUCIA: Okay. Alright.

8 PAPIA: A reasonable amount of distance, and that's when I took my first,
9 as I was, as I was yelling at him "stay on the ground, stay down on the ground,
10 stay down on the ground, drop the knife, drop the knife, drop the knife." At that
11 time I, I want to say I heard Officer Frissore with his less lethal round go off,
12 and then mine went off and then I want to say it was probably around two,
13 maybe three rounds in that moment because he was still trying to move.

14 DELUCIA: Is it only the two of you guys there in terms of police officers
15 at that point?

16 PAPIA: At that moment, from the best of my recollection, was just the
17 two of us in that moment but very soon, but then seconds or fractions of a
18 second- nope I actually stand corrected. So back up. That's when Officer
19 Carruthers had arrived because Officer Frissore had received the less lethal
20 from-

21 DELUCIA: Right he didn't have it prior to that.

22 PAPIA: Exactly so I got ahead of myself.

23 DELUCIA: That's alright, take your time.

1 PAPIA: Um so, so because it was happening so fast. So Officer Carruthers
2 would have been almost like it seemed like a wedge formation, so Frissore was
3 onto the left.

4 DELUCIA: Yep.

5 PAPIA: Officer Carruthers was sort of to his right side, and, and to my
6 left side was Officer Carruthers.

7 DELUCIA: So where would Carruthers be in this picture?

8 PAPIA: So, he would be... is that Officer Frissore?

9 DELUCIA: That's Officer Frissore.

10 PAPIA: So this is me, so right, right about here.

11 DELUCIA: Okay.

12 PAPIA: So, so at that point they did a handoff somewhere around here.

13 DELUCIA: Yep.

14 PAPIA: And, and then...

15 DELUCIA: He gives him a less lethal.

16 PAPIA: He gives him a less- so when he was running out of the yard,
17 down the driveway onto Hancock, I believe that is when Officer Carruthers did
18 arrive.

19 DELUCIA: Okay.

20 PAPIA: I just didn't see him park.

21 DELUCIA: Sure.

22 PAPIA: Because of the, you know-

23 DELUCIA: What are his initials? What is Carruthers' first-

24 PAPIA: JC.

1 DELUCIA: JC okay. Alright. Okay. So, and again I have to explain this
2 for the thing, he, we have Brendan coming out of the driveway, stumbles and he
3 falls which we have noted here.

4 PAPIA: Right.

5 DELUCIA: So we have Officer Frissore,

6 PAPIA: And Officer Carruthers.

7 DELUCIA: Carruthers gives him the less lethal, so you already have a
8 less lethal.

9 PAPIA: So, I want to say when Officer Carruthers arrived here, he was
10 still on foot approaching me at that, that rotary.

11 DELUCIA: Yup.

12 PAPIA: So he hadn't fallen yet.

13 DELUCIA: Okay.

14 PAPIA: So Officer Carruthers was coming to us.

15 DELUCIA: Right.

16 PAPIA: And that's when they do the handoff. And then that's when he
17 took the fall.

18 DELUCIA: Okay.

19 PAPIA: And that's when Officer Frissore and I, cause he now had the less
20 lethal, that's when we both exchanged Super Sock rounds to get compliance for
21 him to stay on the ground and drop that knife.

22 DELUCIA: Okay. So could you mind just putting your initials on this one
23 as well? This is #4. And it's um, 10:49 AM. Okay, so this is, so this is Brandan on
24 the ground, and then you guys less- you deploy for the first time your less lethal.

1 PAPIA: Yes.

2 DELUCIA: Do you know if you hit him?

3 PAPIA: I know I hit him.

4 DELUCIA: Do you know where?

5 PAPIA: I went right for his thigh.

6 DELUCIA: Okay, and you hit his thigh?

7 PAPIA: To the best of my knowledge it did.

8 DELUCIA: Is there any communication going on between you guys at
9 this point?

10 PAPIA: We are nonstop, overly, I'm getting horse already again, I must
11 have said "stay down on the ground," "down, down" over and over. "Drop the
12 knife! Drop the knife! Drop the knife! Drop the knife!" I mean...

13 DELUCIA: Is he saying anything back?

14 PAPIA: He's just, he's just, as I know that round hit, I mean I came up on
15 him, the distance I'm not exactly sure, reasonable amount of distance that we
16 trained with anyways, and when I know that I hit his thigh area.

17 DELUCIA: Mmhmm.

18 PAPIA: He didn't even say ow. He didn't even say, he didn't flinch.

19 DELUCIA: No reaction.

20 PAPIA: He didn't even give a reaction. It was like a mosquito bite, you
21 know?

22 DELUCIA: Yep.

23 PAPIA: And uh, and that's when he started to make his move and get up
24 again. And just over and over yelling to him to "stay down on the ground, stay on

1 the ground, don't move, don't move, don't move! Drop the knife, drop the knife!"
2 And then he got back up and started to run again.

3 DELUCIA: Okay.

4 PAPIA: It was almost like he caught another gasp of air, and, and went
5 on the move. And at this point it's like, this is, the feeling of ineffectiveness of
6 the tool that I had in my hand was a little overwhelming.

7 DELUCIA: Do you know how many rounds that that shotgun usually
8 carries?

9 PAPIA: So to the best of my knowledge the magazine would hold 5 plus 1.

10 DELUCIA: Okay.

11 PAPIA: And there's a side saddle for another 6.

12 DELUCIA: Do you know what you had in it that day?

13 PAPIA: So, as we're trained, almost like the, expel 3, load 3.

14 DELUCIA: Okay so you—

15 PAPIA: I know that, I know that—

16 DELUCIA: So you don't run dry is that the idea?

17 PAPIA: So I know I didn't run dry.

18 DELUCIA: Okay.

19 PAPIA: So I know that when I put approximately 2 to 3 non-effective
20 rounds at a reasonable distance to Brendan and he got back up I said "Oh my
21 god this thing is not doing anything."

22 DELUCIA: Okay.

23 PAPIA: Like, I just was like almost trying to process that all my training
24 that I have seen, that the idea that this tool is to get mostly compliance, and the

1 ineffectiveness of, was almost overwhelming. To think, I thought now I have to
2 create less distance to see if I can get effectiveness out of this.

3 DELUCIA: Had you ever deployed that in the scope of your duties before?
4 The less lethal?

5 PAPIA: Not on an individual. On paper or cardboard target—

6 DELUCIA: Oh, in training.

7 PAPIA: Into the training areas.

8 DELUCIA: Buy on duty, have you ever had to discharge that before?

9 PAPIA: No.

10 DELUCIA: Okay.

11 PAPIA: I've heard of it being ineffective,

12 DELUCIA: Okay.

13 PAPIA: But almost like, if I could go back in time and retain that, but not
14 because I lived it.

15 DELUCIA: Okay.

16 PAPIA: Almost like, yeah you hear it, but you know, confident that this is
17 the tool that we train on.

18 DELUCIA: Right.

19 PAPIA: That this is what, this is what's used to make somebody you
20 know, if they're, in a certain state of mind.

21 DELUCIA: Have you ever, in your training have you ever watched videos
22 of it being used whether effectively or ineffectively?

23 PAPIA: I don't think so.

24 DELUCIA: Okay.

1 PAPIA: I'll be honest.

2 DELUCIA: Neither?

3 PAPIA: I don't think I've ever really looked into it that much other than
4 based on, on what was kind of instilled on me that this is what it does, this is
5 what it will do.

6 DELUCIA: Okay.

7 PAPIA: And it, it didn't seem to affect him.

8 DELUCIA: Okay.

9 PAPIA: Almost like it was um, again as he got back up and ran again, I
10 want to say I expelled another round and I knew I was getting closer, hoping
11 that something's going to change here, as this non-stop going back and forth.

12 DELUCIA: When you say getting closer, you mean your proximity to him
13 is closer?

14 PAPIA: My proximity to that point was closing in.

15 DELUCIA: Yeah.

16 PAPIA: To hope that this is going to minimize this with this.

17 DELUCIA: Okay.

18 PAPIA: Rather than anything else. But it's not.

19 DELUCIA: Okay.

20 PAPIA: My words aren't doing anything and clearly I'm yelling over and
21 over to, to the top of my lungs to stay on the ground, drop the knife, please, go to
22 the hospital.

23 DELUCIA: Do you know if you were using his name at all? Or—

24 PAPIA: I believe so.

1 DELUCIA: You think you were?
2 PAPIA: I think I might've but I can't say for sure.
3 DELUCIA: Okay.
4 PAPIA: I don't.
5 DELUCIA: Okay.
6 PAPIA: Because I know of him,
7 DELUCIA: Yep.
8 PAPIA: Enough, like "Brendan just go to the hospital," I believe I might
9 have said that.
10 DELUCIA: Okay.
11 PAPIA: But I can't, I can't (*unintelligible*) say.
12 DELUCIA: Okay.
13 PAPIA: I don't want to put words in my mouth.
14 DELUCIA: So this is just a closer look right, so where we just were. So
15 this is obviously the entire rotary right?
16 PAPIA: Yes.
17 DELUCIA: So now, in this, in this photo, we're like around here. Okay? If
18 that, does that make sense to you? Because this is Burlington Street. This-
19 PAPIA: Burling- yes-
20 DELUCIA: Yep.
21 PAPIA: -so
22 DELUCIA: So this would be where your cruiser is, right? This is the
23 driveway.
24 PAPIA: Yep, right over here.

1 DELUCIA: And this is Burlington Street.

2 PAPIA: Yep.

3 DELUCIA: Okay so I just want to kind of focus on there.

4 PAPIA: I want to say that from the rotary we now moved, he got up
5 again.

6 DELUCIA: Yep.

7 PAPIA: And continued like, moving forward, and like not stopping.

8 DELUCIA: Is his back to you, or is he going backwards?

9 PAPIA: So, so at this point he moved and fell again.

10 DELUCIA: You want to make a notation as to where he fell again?

11 PAPIA: Approximately, I dunno.

12 DELUCIA: That's like an island right there, on Burlington Street.

13 PAPIA: So

14 DELUCIA: So it looks like—

15 PAPIA: I- I- I believe we were past that island a little bit. To, so, yes we
16 were because I want to say we're approximately in this area right here. That was
17 where Brendan Reilly would be, in the street.

18 DELUCIA: That's where he fell for, for the second time?

19 PAPIA: Where he fell for the second time. So now I move my positioning.

20 DELUCIA: Yep.

21 PAPIA: As I'm here, Officer Carruthers I believe would have been here,
22 and Officer Frissore would have been here. Almost like a wedge—

23 DELUCIA: Yep.

24 PAPIA: —formation. I know, I know

1 DELUCIA: Similar to the, similar to the pattern before but just further
2 down the street.

3 PAPIA: Further down the street, I knew that my backdrop which I was
4 paying close attention to was this shrubbery right here,

5 DELUCIA: Okay.

6 PAPIA: And the curb and the ground.

7 DELUCIA: Could you just make that a little bigger and just put your
8 initials next to where you put the dot?

9 PAPIA: That's me. Initial up here?

10 DELUCIA: Nope. Right down, right, right at it. Same thing for whomever
11 this was uhh. Let me see, one sec. Alright so this, this is going to be um... JC?

12 PAPIA: Now again relative to the actual distance, not being to scale I
13 mean that's pretty reasonable.

14 DELUCIA: How far away do you think you are at that point?

15 PAPIA: At this point? Now compared to the first time that he fell I knew
16 that I felt closer than what I wanted to be.

17 DELUCIA: Okay so the second time around your closer?

18 PAPIA: I'm closer.

19 DELUCIA: Okay.

20 PAPIA: Not because I want to be closer, I want to be because I'm hoping
21 that this thing that I've been training with is gonna get some compliance out of
22 this individual.

23 DELUCIA: Okay.

1 PAPIA: So I put myself in this situation where we're hoping to not have
2 anything else happen.

3 DELUCIA: Mmhmm.

4 PAPIA: That eventually, that you know, this is gonna work.

5 DELUCIA: I mean, are you, it sounds to me like you're saying you want,
6 you know, you want this less lethal to be more effective than it just was.

7 PAPIA: I want it to be more effective.

8 DELUCIA: Okay.

9 PAPIA: So when I came in, I know not to run dry. I know better than
10 having to do a combat load versus an administrative load.

11 DELUCIA: Yep.

12 PAPIA: (*unintelligible*) that weapon I understand the platform, and my
13 biggest thing was when I rolled over, and I knew that I could still do an
14 administrative load. I had one from the saddle, inserted, made my load and said
15 to myself "I know I'm close and I'm not getting the compliance I want, put more
16 rounds in here, create distance, step back." Meanwhile all of us are still over and
17 over saying "put the knife down, stay down on the ground. Put the knife down,
18 stay on the ground."

19 DELUCIA: Are any other officers arriving at this point—

20 PAPIA: So-

21 DELUCIA: —to your knowledge?

22 PAPIA: Officer McAleer arrived and he was on the backside over here.

23 DELUCIA: Wanna just wanna make maybe a notation of kinda where?

1 PAPIA: Probably around here kind of almost Officer Frissore's back. Um,
2 no weapon drawn or anything like that, but he, I believe he had his pepper spray
3 out.

4 DELUCIA: Okay.

5 PAPIA: Just, another sign of, let's hope we could clear this and de-
6 escalate...

7 DELUCIA: Could you put his initials there?

8 PAPIA: So, he, Andrew McAleer.

9 DELUCIA: Okay.

10 PAPIA: And I want to say somehow or another Officer Sean Sullivan
11 arrived here, and prior to us getting to this point, I believe he somehow or unless
12 he came from this distance, or location, his cruiser now was, was blocking
13 Burlington Street by Blake.

14 DELUCIA: Okay.

15 PAPIA: Kinda like, almost like a shield almost for (*unintelligible*)
16 prevent, he's not going to go that way cause the cruiser's now there.

17 DELUCIA: And this is Sean Sullivan?

18 PAPIA: Yes.

19 DELUCIA: Okay. Okay. So do you know why he fell a second time? Did
20 you—

21 PAPIA: Well, well it looked like he was, he was running out of breath
22 because of the running.

23 DELUCIA: Okay.

24 PAPIA: But certainly not because he was hurt.

1 DELUCIA: Okay.

2 PAPIA: Because, you know, the difference of kind of getting gassed versus
3 something hurting you—

4 DELUCIA: Mmhmm.

5 PAPIA: —are obviously are two different things that I would perceive.

6 DELUCIA: Mmhmm.

7 PAPIA: And it seemed like he was still on the ground as I approached
8 him, and then realized that I needed to make the reload is when I started to
9 create the distance.

10 DELUCIA: Mmhmm.

11 PAPIA: And to step back.

12 DELUCIA: Okay.

13 PAPIA: Knowing that I got as close as I could, with ineffectiveness, this is
14 not working, but now I need to have more of these available to me whatever,
15 however this goes, if he comes back up. ‘Cause he looked like he was trying to get
16 up. The knife was in his hand, he wouldn’t release it, it was like a grip from, just
17 like a death grip on it, and as he’s on the ground scooting, it’s like, this thing
18 was—

19 DELUCIA: He’s on his butt?

20 PAPIA: He’s on his butt and he’s kinda like moving, trying to get up
21 almost.

22 DELUCIA: Mmhmm.

1 PAPIA: And it's like, no matter what words we use wouldn't halt him
2 because he was just doing everything he could to keep moving forward. And this
3 knife was still in his hand with no compliance.

4 DELUCIA: What else is he saying? Is he verbalizing anything still?

5 PAPIA: That he's a gangster, that he's, he's, he's Irish fucking mafia, and
6 all these things and, and, and I do remember saying, I don't know if I said
7 Brendan but I said just "would, go to the hospital, stay on the ground, get to the
8 hospital."

9 DELUCIA: Mmhmm.

10 PAPIA: And um, and so at that point Officer Carruthers was doing an
11 excellent job of verbalizing, he was almost talking, "Brendan, okay listen," you
12 know? More like, I was to that point where I was just saying "drop it, drop the
13 knife" cause it just wasn't—

14 DELUCIA: Mmhmm.

15 PAPIA: —it wasn't going anywhere. Officer Carruthers was doing an
16 excellent job, more of like a communicative discussion. Nothing was working.

17 DELUCIA: Okay.

18 PAPIA: You know we had this going, this going and it just like, it was
19 going on too long. More and more people are coming outside. I'm looking around,
20 the Shabbat center there was individuals walking outside of the house wanting
21 to see what was going on. I look around breaking this tunnel vision and I just
22 see, it almost felt like people everywhere.

23 DELUCIA: Okay.

1 PAPIA: And this, this incident is not going away. It wouldn't end. As I
2 made my steps to the rear to go for another administrative load, as I walked
3 back I felt, I knew it was there, along the curb there's a snowbank.

4 DELUCIA: Okay.

5 PAPIA: And because it was warm out, it was almost like it was turning to
6 ice. As I took that step back I felt myself lose my footing, and I know he saw that
7 because I was in that distance of trying to get back and all I saw was Brendan
8 Reilly stand up. And as I kinda took that step back, I actually went back down
9 on my elbow.

10 DELUCIA: Your elbow hit the ground?

11 PAPIA: My elbow, my left elbow hit the ground. When I hit that ground
12 and I saw him step up, I was like oh my god like all this fuckin- excuse my
13 language- all this training and this is it. This is like the, that's my day. All
14 because of the snowbank because I lost my footing and all I could think of was
15 like, how do I put an end to this? How do I stop this? Because I'm on my back
16 trying to come back up with the muzzle and it just, look at him and now the
17 knife is not in his hand with it straight up, its now, it's over on top of me, what
18 felt like four feet, five feet, I don't know. Enough to feel like he was on top of me
19 almost. As I came up to try to do something about that, and to not say, this is not
20 for, this is not my day, I'm not doing, no this is not how I'm going, this is an
21 embarrassment, like I can't, I can't go like that. It was pop pop pop. And I, I
22 knew what that pop was, and I knew what the sound was, and it was right to the
23 left of me, and it was Officer Carruthers with three rounds, and it just went to
24 silence. And then I just, I got back up, my footing, and I was like, I can't believe

1 that he would, right for me, capitalizing on me taking a step back and hitting,
2 almost being knocked over, he chose me because I was down on the ground, now
3 there was something he could do against me. It was almost like he was trying to
4 get the upper hand on me.

5 DELUCIA: What do you think we would have done to you?

6 PAPIA: I think he would have stabbed me.

7 DELUCIA: Okay.

8 PAPIA: And I, that vivid, that thought, (*stuttering*) I didn't have
9 anything, I could do about it, I couldn't get that rifle back up on point, it haunts
10 me.

11 DELUCIA: Yup I understand.

12 PAPIA: And, and, all the training. Three pops and it was over. That was
13 it. For me anyways, I mean. (*unintelligible*).

14 MCDONALD: Do you want to take a uh—

15 PAPIA: Yeah please. A little break.

16 DELUCIA: Okay. You guys stay here, I'll step out, wanna do that? Unless
17 you want to step out, I don't care. I'm gonna shut this off right now right now
18 then we'll turn it back on alright? It is uh, 11:03. Okay?

Ofc. Papia Interview Recording #2

1 DELUCIA: Uh so it's 11:11 AM on uh February 16th, 2022, Wednesday,
2 we are just coming back online. Um, would you mind initialing this photo? Um,
3 and that's gonna be photo #5 that we just discussed, um, from the Burlington
4 Street view. Was there anything that I didn't ask you uh officer that, that you
5 wanted to say, or is there anything I didn't cover that you think is, is important
6 too, that you think I should know? I think you did a really good job explaining.

7 PAPIA: I know that when I went to that call, the outcome honestly didn't
8 cross my mind to that extent. I mean, my, my thinking was another hospital ride
9 in the ambulance, and the way that it unfolded, and the amount of time that it
10 took...

11 DELUCIA: How long would you, how long would you say the entire
12 incident was if you had to estimate it?

13 PAPIA: It seemed too long to be, to be out there on the street to be with
14 those people that live in this area shouldn't have to deal with that. We allowed
15 that to go on for far too long.

16 DELUCIA: So, from like start to finish, do you have any idea how long
17 the entire incident?

18 PAPIA: I'd say 10, 15 minutes too long.

19 DELUCIA: Okay.

20 PAPIA: Um, we did everything, we prolonged it and prolonged it with
21 useless- not useless but ineffective methods. Exhausted over and over.

22 DELUCIA: The way- I mean were you using methods the way you've been
23 trained to use your methods?

1 PAPIA: Yes.

2 DELUCIA: And they just weren't effective? Is that what you're saying?

3 PAPIA: The verbalization, the speaking to, talking to, the yelling it out
4 louder so that he would hear it, the ineffectiveness of the, the less lethal Super
5 Sock. I mean, this individual had a knife out in the middle of the day, peak
6 daytime where people were outside on a beautiful day. Last thing on my mind
7 was him going the way that he did. I mean, if we could have pepper sprayed him
8 and got compliance, you know that was, anything. That kid came towards me,
9 when he capitalized on me stepping back, making distance 'cause I knew what I
10 had to do was to put more rounds into that chamber. And he took full advantage
11 of that, because I was the one who started to go down and lost my footing. And
12 chose me. He was directly facing me, and as I was on the ground looking up
13 above him, and I thought that was my last thing, that's it.

14 DELUCIA: Okay.

15 PAPIA: That's it. And that flood of emotion of the flash was so surreal.
16 I've never had, I've never had, never been attacked by a knife before.

17 DELUCIA: Right.

18 PAPIA: The only thing at the range is a piece of paper. The best I've seen
19 is a moving target. Not a knife. And if Joe wasn't there to do what he did, I
20 might not, if somebody else was there, possibly less experienced than Joe, Joe
21 saw the, he needed to do and if he didn't do what he did I might (*unintelligible*).

22 DELUCIA: I understand. If you have anything else?

23 MCDONALD: I think, I think we're done (*unintelligible*).

1 DELUCIA: Okay. It's uh, I'm gonna shut this off, okay officer? It's uh, it's
2 11:15 hours, February 16, 2022.