

CASE NUMBER: Not Stated

INTERVIEWEE: Officer Brian Pugliares

DATE: 01-06-23

TIME: 2:50 P.M.

PARTICIPANTS: Detective Lieutenant William Donoghue
Lieutenant David Brown
Attorney Kenneth Anderson
Officer Brian Pugliares

**TRANSCRIPTION
COMPLETED BY** IW/al

Brown: Okay. This room is recorded, gentlemen.

Donoghue: The date is, uh, January 6th, 20, uh, 23. The time is approximately 2:50 p.m. Uh, my name is Detective Lieutenant William Donoghue, D-O-N-O-G-H-U-E. Um, I'm a Detective Lieutenant with the Massachusetts State Police assigned to the Middlesex District Attorney's Office. Uh, we're currently, uh, conducting an interview of Cambridge Police Officer, uh, Brian Pugliares, uh, relative to the facts and circumstances surrounding a fatal officer-involved shooting, which occurred on Wednesday, January 4th, 2023 in the City of Cambridge. Uh, for the benefit of the tape, uh, WHY DON'T we identify ourselves.

Brown: Uh, Lieutenant David Brown, B-R-O-W-N, uh, assigned to the Criminal Investigation Section.

Anderson: Uh, Attorney Kenneth Anderson for Officer Brian Pugliares.

Pugliares: Uh, Officer Brian Pugliares, Cambridge Police.

Donoghue: Could you spell your last name, OFFICER?

Pugliares: It's P-U-G-L-I-A-R-E-S.

Donoghue: Okay. Thank you. Um, so you've had an opportunity to consult with your attorney?

Pugliares: Yes, I have.

Donoghue: And you're here voluntarily today?

Pugliares: Yes, I am.

Donoghue: Okay. Attorney Anderson?

Anderson: Yeah. Just for the record, uh, we've consulted. He's here voluntarily. He has not been com-, compelled. He's not under any duress. And he's freely and willingly cooperating with the INVOS-, with the investigation.

Pugliares: Yes, I am.

Donoghue: Okay. Thank you. What's your current occupation?

Pugliares: Uh, day patrol.

Donoghue: Um, and you are a police officer?

Pugliares: Yes, OF the City of Cambridge.

Donoghue: In the City of Cambridge. How long have you been a police officer?

Pugliares: Uh, 20 years.

Donoghue: And what ... so what year is that? When'd you start?

Pugliares: '03.

Donoghue: '03.

Pugliares: 2003.

Donoghue: Um, and did you attend an academy for that?

Pugliares: Yes, I did.

Donoghue: And where was that?

Pugliares: Lowell Police Academy.

Donoghue: And could you describe that training?

Pugliares: Uh, it involved, um, different laws, motor-vehicle law, juvenile law. Um, it involved firearms training. Um, involved EVOC, which was, you know, driving the cruiser.

Donoghue: Yeah.

Pugliares: Um, things like that.

Donoghue: And, um, in that training, uh, so you became a Cambridge Police Officer in 2003. Since that time, is in-service training a part of your job here?

Pugliares: Yes, it is.

Donoghue: And what type of, of in-service training have you had?

Pugliares: Um, different varieties from, uh, mental health issues to, uh, de-escalation issues, to updates in criminal law.

Donoghue: And when you say mental health and de-escalation, can you expand on that?

Pugliares: Um, to understand, uh, what people would kind of express when they are going through a mental health situation and how to see that and diagnose that on, on scene. And then how to properly handle that and give them the best opportunity to fix themselves as possible.

Donoghue: And what type of techniques would you EMPLOY for that?

Pugliares: A lot of, um, verbal talking, you know, uh, talking kindly to the person, offering them help. Letting them know that we're there to help them, um, not hurt them. Um, things like that.

Donoghue: How often does the Cambridge Police Department, um, do type ... that type of training?

Pugliares: Um, it's usually every in-service. We, we get updates on me-, mental health. Um, sometimes ... uh, a few, a few years back, they, uh, gave us a CIT training, which was, like, an elevated level of de-escalation.

Donoghue: What is ... do you know what CIT stands for?

Anderson: I think ... NOT ...

Pugliares: NOT CIT. ICAT. I'm sorry.

Donoghue: ICAT? Okay.

Pugliares: Yes. I'm not quite sure what it stands for.

Donoghue: Yeah, sure.

Pugliares: But I ...

Donoghue: What is, what is it in, in substance? What's the training about?

Pugliares: So if you're dealing with someone that has mental illness where, um, they want to hurt themselves and they have some sort of instrument, knife or whatever it is, all it is is calming

down the situation, uh, understanding that you're gonna be there for a long period of time and just try to work this person through that situation. 'Cause they will be armed more than likely and it's just one of those sit back, wait and, and try to help that person as, as much as possible.

Donoghue: And, um, do you have any other positions within the, the Cambridge Police Department?

Pugliares: Um, I'm a me-, member of the SWAT team here in ... for Cambridge. I'm also a, uh, firearms instructor and a less-lethal instructor.

Donoghue: And in that capacity, do you, um, do you respond to calls, do you have ALL the training? What is ... what does that specifically entail?

Pugliares: So, um, that is ... when I, when I am in those capacities as far as a, um, SWAT team/SRT is for trainings. And then, if there's any type of, um, CRIMINALIST AND ... that happens out on the street, um, they'll call us in and then we'll handle that as far as, you know, searching buildings, barricade a suspect, things like that.

Donoghue: And, um, in your ... in that capacity, um, you're familiar with force continuum ...

Pugliares: Yes.

Donoghue: ... USING force.

Pugliares: Mm hmm.

Donoghue: As well as ...

Pugliares: Yes.

Donoghue: ... and then the combination of de-escalation techniques with that ...

Pugliares: Yes.

Donoghue: ... in those incidents?

Pugliares: Yes.

Donoghue: Um, so you ... um, did you ... I'll ask you that, uh, in a little bit. So, uh, as a ... THE OTHER SIDE OF YOUR specialities, what are your rules and responsibilities, uh, within the Cambridge Police right now?

Anderson: IT'S the microphone UNDER THERE.

Donoghue: Oh, sorry. Thank you.

Pugliares: Um, right now, I work day patrol so, um, four, four days of patrol on working, two days off. And all four days, currently, I work, uh, a two-man car, which is Car 1 in East Cambridge.

Donoghue: And, um, what is your PRA-, patrol duties specifically?

Pugliares: Uh, just answer any calls that are in my area of, of responsibility. Anything ranging from 9-1-1 hang ups to B&E's, larcenies, things like that ...

Donoghue: Okay.

Pugliares: ... INAUDIBLE INTERACTIONS.

Donoghue: And directing your attention to this past Wednesday, January 4th of 2023, were you working?

Pugliares: Yes, I was.

Donoghue: And what was your assignment that day?

Pugliares: I was out working in Car 1 in East Cambridge.

Donoghue: Car 1. Um, were you, uh, single-man car, two-man car?

Pugliares: A two-man car.

Donoghue: Who were you, uh, riding with?

Pugliares: Officer Colbert.

Donoghue: And what was your area of responsibility that day?

Pugliares: Uh, East Cambridge for the most part. So basically, it runs ... say if we only have two sets of cars on the street, be basically

Broadway, MASS AVE. ... WE'D BE MADE UP OF mostly Broadway up to say, uh, Cambridge Street and down to, like, INMAN SQUARE.

- Donoghue: In a marked car?
- Pugliares: Yes. Yeah.
- Donoghue: And on this day, um, on Wednesday, did you, um ... do you recall receiving a call? Did you respond to, uh, an incident?
- Pugliares: Yes. Um, a, a call came over the radio, um, for, um, another sector car, Car 3 and I think in OUR CAR A SERGEANT to respond to Sidney Street for, uh, an individual with a knife.
- Donoghue: And, um, where were you, uh, in Car 1, and Officer Colbert at that time, do you recall?
- Pugliares: Um, we were somewhere around Galileo Way OR, OR that area I believe.
- Donoghue: How far would that be from the scene?
- Pugliares: Um ...
- Donoghue: Or the call I should say.
- Pugliares: Yeah. Um, I, I ... a few, a few blocks. So I can't really say. So, like, where Broadway ... so it's, like, it'd be Broadway, then it would be Harvard Street, then Mass Ave. and then Sidney's ... Sidney Street's off Mass Ave. but it was at the farther end of Sidney Street.
- Donoghue: Okay. How, how long do you think it took you guys, uh, to respond?
- Pugliares: Uh, five minutes.
- Donoghue: Okay. And in the time that you were responding, do you recall any radio transmissions? Did you learn anything more about the nature of the call while in route?
- Pugliares: Um, just that the individual supposedly jumped out of window and was out in front of the building, um, had a ... THEY state

HE HAD a machete and had some broken glass and they were cutting their ... cutting himself with it.

- Donoghue: Okay. Um, you were able to make it to the area?
- Pugliares: Yes.
- Donoghue: What happened next?
- Pugliares: Um, so when we ... I, I was driving so when, when we get to the area, um, at first, we didn't really see anybody so we drove by the place. We didn't see anybody. We asked control ... I believe we asked control if there was an RP on scene and they said they'll get back to us.
- Donoghue: What's RP?
- Pugliares: Uh, reporting person.
- Donoghue: Okay.
- Pugliares: So then, I backed up and then when I backed up, I think it was Colbert noticed the individual in question sitting in, like, an alleyway on the side, like, of the building.
- Donoghue: Were you ... when he noticed it, were you, were you able to see it as well? Did he direct your attention to it?
- Pugliares: Ye-, yes. Yeah. So I, I parked the cruiser right in the middle of the street, um, both of us get out of the cruiser. Um, we saw him sitting on the ground.
- Donoghue: Did you have your lights on at that time?
- Pugliares: Yes.
- Donoghue: Okay. And you said ... you described him as sitting on the ground. Could you describe what you saw?
- Pugliares: Yeah. It was just a, uh, white male, shirtless, sitting on the ground, had something in his hand. I really couldn't see, but he was sitting there, looking down, doing something with his hands. I, I couldn't really PICK it out.
- Donoghue: Okay. And was his back to you at that time?

Pugliares: I MEAN, he was ... it was ... if you were looking at it from the street, it was his side.

Donoghue: His side.

Pugliares: Mm hmm.

Donoghue: Um, did you recognize him?

Pugliares: Um, I ... I've never seen this person before.

Donoghue: Okay. Um, what do you do with that INFOR-, so you see him sitting. What happens next?

Pugliares: So once we saw him sitting, once we clo-, closed, YOU KNOW, the cruiser doors, that might have, might have alerted him because he popped right up and just ran to the back of the yard.

Donoghue: And just to back up a little bit, do you remember what he was wearing when he was seated?

Pugliares: Uh, no, no shirt, um, and he had some pants on at the time.

Donoghue: Did you notice any injuries?

Pugliares: Um, not, not really. I just know that he had things in his hands.

Donoghue: Okay. And at that time, did you have an opportunity to communicate with him and did he say anything to you?

Pugliares: No, nothing.

Donoghue: Okay. So you shut the doors, he starts to move, what do you do next?

Pugliares: Uh, I end up going to the back of the yard, Colbert leads and I follow him. We go back to the yard 'cause that's where he ran towards.

Donoghue: Okay. Um, what happens next?

Pugliares: Um, he ends up fitting through a fence somewhere to, to the left of the yard. Um, Colbert and I followed him. Colbert's in the lead and he goes across, um, Putnam Ave.

Donoghue: So in the time that you first saw him and then he crossed Putnam Ave. ...

Pugliares: Mm hmm.

Donoghue: ... did you make any, uh, further observations about him?

Pugliares: Yeah. So at that ... at, at that time, I saw that he was, you know, had brown hair. He had no shirt. He, he had the weapon, a knife in his hand or something and gray sweatpants so I broadcasted that on the radio.

Donoghue: Did you notice, um, any injuries to him at that time?

Pugliares: Um, not, not at the time 'cause he was running.

Donoghue: Okay. Did he have anything else in his hand?

Pugliares: I, I didn't notice anything.

Donoghue: Okay. Any verbal communications either way?

Pugliares: Not from me. I, I didn't ... 'cause he was a little bit of a distance so I, I didn't make any communication with him.

Donoghue: And then you made, um, radio transmissions?

Pugliares: Yeah, saying white male, no shirt, gray sweatpants, with, with a ... running across, uh, Putnam Ave.

Donoghue: And, um, how long would you say that initial interaction was prior to Putnam Ave.?

Pugliares: Oh, it was ... with him? It wa-, it was ... we shut the door, we see him, he runs, we just follow.

Donoghue: Okay. So, uh, you cross Putnam Ave. ...

Pugliares: Mm hmm.

Donoghue: ... what happens next? Where do you go?

Pugliares: So I saw him cross Putnam Ave., um, up towards, like, Central Square area, went down a little side street and there's, like, a pharmaceutical at the end of the side street. I'm not sure of the name of the street or the pharmaceutical company, but he went down that side street, towards Central Square and then, he turned right. Um, when he turned right, I stayed on Putnam Ave. and I saw him kind of pop out of that area and head towards the Waverly Street and the Waverly Street parking lot.

Donoghue: And in that time, just to be clear for me, did, um, did an-, did you or Colbert issue verbal commands for him to stop?

Pugliares: Um, I, I didn't. I'm not sure if Colbert did or not.

Donoghue: Okay.

Pugliares: He was ahead of me.

Donoghue: And what was your distance ... going back to the initial call across from Putnam Ave., what was your distance between you and the individual?

Pugliares: Uh, geez, uh, 'cause I, I was basically cutting through side yards when I saw him go across the street so, uh, a, a couple street widths, I guess. I don't ...

Donoghue: Okay.

Pugliares: ... know what distance that would be.

Donoghue: And you didn't ... essentially, you wouldn't have occasion, you weren't close enough to make a, a, a statement, like, LET YOU give any commands?

Pugliares: No, no.

Donoghue: That's what I'm trying ...

Pugliares: Yes.

Donoghue: ... to get at.

Pugliares: No.

Donoghue: Okay. Um, so now you have ... you continue with this. Um, have you ... you and Colbert together or have you separated?

Pugliares: He's, he's ahead of me.

Donoghue: Okay.

Pugliares: So what, uh ... I ... he's a distance ahead of me, close enough where I can hear him trying to communicate on the radio.

Donoghue: Okay. Uh, continue, what happened next?

Pugliares: So, once he came out of that area, he ran across Waverly Street, then, uh, went to Waverly Street parking lot, um, ran towards the fence. Um, I started getting closer to Colbert. I hear Colbert making some sort of demands, you know, like, stop, whatever it was. Um, the guy turns right down the parking lot, like, towards the river and there's, like, a construction site there, uh, with white ... with blue tarps so he runs to where those two fences meet and there was a little space and so he goes in there. So Colbert ... I kind of catch up to Colbert. I see him kind of fan out, check that area before he goes in. He goes in and, and then I follow. Um, this guy continues on running down the tracks, um, towards the river, just slows down and starts walking. Me and Colbert follow behind him and at this time, that's when the other sector car and the ... um, I think it was the other ... OUR car kind of show up on the tracks and so we kind of have him in the middle of us.

Donoghue: And with this vantage point, um, do you make any other observations, you know, are you, are you ... has the distance closed for yourself?

Pugliares: Yeah. So the distance closed. It was, you know, it, it ... a few yards away.

Donoghue: Okay.

Pugliares: But he stopped running at this point and I could see that there was blood on his hands, on his chest.

Donoghue: And now that you're closer, could you more, in greater detail, describe the knife? What did you see?

Pugliares: It wa-, it was just a big knife, silver.

Donoghue: And, um, I think the call came in as a machete?

Pugliares: Right.

Donoghue: Is it fair to say it's a machete?

Pugliares: IT ... yes. Mm hmm.

Donoghue: Um, and was there blood on the knife, do you recall?

Pugliares: I, I don't remember seeing the blood on the knife at this point.

Donoghue: And, um, any conversation from the individual? Did he ... do you recall him making any statements?

Pugliares: No.

Donoghue: And any, um, any observations about his demeanor or his condition?

Pugliares: Um, smiling and then straight face and then smiling.

Donoghue: And based upon your training experience and given the setting of ...

Pugliares: Mm hmm.

Donoghue: ... what's going on with the machete and the blood and the smiling, what is ... what did, what did you ... what was going through your mind at that point? What kind of a call did you have?

Pugliares: I, I knew that this guy had some serious mental issues.

Donoghue: Did that concern you?

Pugliares: Yes.

Donoghue: Um, do you remember who else was in that ... the other officers that arrived by any chance?

Pugliares: Um, Officer McMahon was there and Ayoub.

Donoghue: Okay. What happens after ... at that little instance and then what ... so he stopped at that time?

Pugliares: Yes. So he stopped in the middle of the tracks and he saw that me and Colbert were coming from behind him and the two officers kind of had in on the other side and that's when he decides to run across the tracks, back towards Waverly Street.

Donoghue: Okay. And do you guys follow?

Pugliares: Yes.

Donoghue: Okay. And what happens at that point?

Pugliares: Um, so once he made it across the tracks, towards Wave-, Waverly Street, um, myself, I kind of was able to close here distance on him and I remember I crossed, um, one of the officers that was standing on the sidewalk, I kind of jogged past him. And the reason why I did that is because he was in the middle of Chestnut Street this time.

Donoghue: When you say "he", who was in the middle?

Pugliares: Uh, the, the individual with the knife that was bleeding.

Donoghue: Okay.

Pugliares: He was in the middle of Chestnut Street doing, like, a walk, jog, walk, jog.

Donoghue: Gonna ask you a quick question regarding the neighborhood. What's the setting? Can you describe Chestnut Street? You talked about train tracks ...

Pugliares: Mm hmm.

Donoghue: ... now you're on Ches-, what ... how would you describe that neighborhood?

Pugliares: Right. So where the train tracks are is wide open. Um, Waverly Street's, um, YOU KNOW, PARTS a neighborhood and right next IN THE ... right next to Waverly Street, from there is Chestnut Street and Sidney and whatnot, but once you get onto Waverly Street, um, it gets, like, thickly set up neighborhood.

- Donoghue: And what ... um, how would you charac-, characterize the neighborhood? Who lives in WAVELS ... Waverly? So describe the neighborhood.
- Pugliares: Uh, yeah, like, single, uh, double fam-, two-family homes, you know, um, families probably live there, kids. Um, there was a big apartment complex over to the left that houses a lot of different people.
- Donoghue: Okay. And when you came onto Chestnut Street, did you ... were any ... did you see any other people? You're pursuing someone with a knife, but did you see anyone else, any other civilian or residents?
- Pugliares: I saw some peop-, in that CARP-, apartment complex to the left. I saw some people on, like, the walkway. There was, like, two, two or three guys. I'm not sure what they were doing but as we're, as we're ... I was walking up, I was looking around everywhere and that ... that's where I noticed people, in that ACOMP-, apartment complex.
- Donoghue: And when you got onto Chestnut Street, um, what would be the positioning at ... to the best of your memory, of, uh, the individual with the knife and then the order of officers behind?
- Pugliares: So he was in the middle of the street, um, I remember seeing Of-, 'cause I, I ... my whole purpose of trying to get past him on the left side of the street ... I wanted to get past him so we can kind of corral him, you know, and that's to prevent him from going deeper into the neighborhood.
- Donoghue: Well, what's the ... as a police officer, with your training, what's the ... what is the ... what's the benefit of getting ahead, in further detail?
- Pugliares: So you can stop him pursuing forward or getting into the neighborhood and getting innocent people going into a house, things like that. You want to try to prevent him ... you want to contain the ... contain him as much as possible so he doesn't cause injury to other people.
- Donoghue: Okay. Was that a concern for you at the time?
- Pugliares: Mm hmm. Yes, it was.

- Donoghue: And were you able to get ahead of him?
- Pugliares: Um, I would get a little bit ahead of him and when I would start to make my way from the sidewalk, towards the street, he'd look and kind of smile and then take off running.
- Donoghue: And in ... when he would turn and smile, um, were you issuing commands or trying to engage him in any dialogue?
- Pugliares: Yes. Yeah. So ...
- Donoghue: What types of things were you saying?
- Pugliares: So, so on-, once, once I got to a distance where I ... he could hear my voice or I thought he could hear my voice, you know, I'd, I'd sa-, I was saying, "We're here to hep you. You don't need to do this." You know, "Drop the knife. Just stop running. We're gonna help you out with this." Things like that.
- Donoghue: How many times do you think you said that?
- Pugliares: A lot. I can't say how many times, but it was repetitive. Ma-, many times.
- Donoghue: And, um, when, um ... you've talked to a lot of people, what type of ... when you're trying to en-, when you're trying to engage somebody like that, what ... understanding it's an intense situation, what type of ... um, how do you balance the delivery of that? How would ... how did you deliver that message?
- Pugliares: Um, I was, I was loud when I said it.
- Donoghue: Yup.
- Pugliares: Um, I was hoping for some sort of reaction 'cause in calls before where you talk to people, they would at least acknowledge you and say ... swear at you or I'm not doing ... some sort of communication back.
- Donoghue: Did you get any response from this?
- Pugliares: No, just a smile and a run.

Donoghue: Did that concern you?

Pugliares: Yes. And, and at that time, he had the knife to his throat and there was blood coming down so ...

Donoghue: Do you ... um, so you said he had CUT HIS ... knife to his throat.

Pugliares: Mm hmm.

Donoghue: Do you rem-, recall which hand he had it in?

Pugliares: Uh, I want to say ... I, I, can't say exactly. I ... may-, maybe, maybe the left hand.

Donoghue: Um, did he ... when he was moving with the knife, did it co-, did it change positions, did it come down, did it go up, was it always at his throat, that you recall?

Pugliares: Yeah. I, I, I believe it was always up around, up around this area.

Donoghue: Okay. And, um, he had visible injuries?

Pugliares: Yes. Yeah. I, I ...

Donoghue: WHAT'D YOU NOTICE?

Pugliares: ... noticed just various injuries, THAT'S IT.

Donoghue: So, um, just back to the WATER, you were trying to get ahead of him. Who were the other officers that were in direct pursuit?

Pugliares: Um, Officer McMahon was a little bit further back, same thing with Nick Ayoub and also Colbert, Officer Colbert.

Donoghue: Okay. And what, what happens next?

Pugliares: Um, as we're all fol-, as we're following him down Chestnut Street, same idea where he'll stop and smile and then he'll take off JOGGING so we followed him. Everyone's giving him commands. You know, everyone's saying, "Drop the knife. We don't want to hurt you. We can fix this." That type of thing. Um, he ends up, um, moving forward down Chestnut Street. I, I get on the radio and, um, I had ... I asked the

sergeant for less-lethal at this time because I figured in my head that that's the only way this is gonna stop is if we get less-lethal there and try to work it out that way 'cause he ... this individual was not, was not gonna stop.

Donoghue: When you say this INDIVIUAL, IDI-, individual was not gonna stop, specifically, what are the things that you had learned in that moment when you called less-lethal, what, what was the criteria in your brain or the decision making facts about it?

Pugliares: He was gonna keep running through the neighborhoods and it would have been an endless run through the neighborhoods and potentially he could have harmed other people that were, that were around there.

Donoghue: Uh, when you called for less-lethal, specifically what di-, what do you, what do you know when you have the ... in the Cambridge Police Department, if I call for less-lethal, what does that mean as a practical term?

Pugliares: Um, that just means that you're looking for some sort of device to stop this individual from harming himself or others but the device is meant to, uh, temporarily stun or knock that person down temporarily SO ...

Donoghue: And, uh, what do, what do the Cambridge Police have for less-lethal options?

Pugliares: Um, so on, on a duty belt, we have OC, which is, like, pepper spray. We have our PR-24 baton. Um, the baton's up close, you're not gonna use that for someone with a knife.

Donoghue: Why is that?

Pugliares: Uh, because if they have a knife and you have your baton, they can easily slash at you or cut you.

Donoghue: So if you used the baton in this instance with someone that has a machete ...

Pugliares: Yeah, he would have cut us.

Donoghue: And what about OC spray as an option?

- Pugliares: Uh, you'd still have to get in pretty close. With the OC I think it's 2 to 3 feet, which is not, not very good to use for INAUDIBLE with a person with a knife like that.
- Donoghue: Right. And to, and to further, to further describe that in, you know, you're calling for less-lethal, um, just to talk about OC spray for a moment, what's a normal instance that OC spray would be used then?
- Pugliares: Um, someone that is physically assaultive where they don't have weapons in their hands. So if they're ... want to try to fight the officer, they put their hands up and they're being physically aggressive with their hands, that's something that OC spray's good, good for using.
- Donoghue: But not if they're armed?
- Pugliares: Uh, typically not if they're armed.
- Donoghue: And that's based upon your training as a tactical officer or ... is it your basic training as well?
- Pugliares: Yeah. So that ... that's bas-, that's training from, like, the academy, on through.
- Donoghue: And then, uh, you called for less-lethal, are you, um ... so those other items, what INAUDIBLE calling for is what, what weapon were you calling for in particular when you called for less-lethal?
- Pugliares: Yeah, that, that ... it's the, um, the 40 millimeter launcher.
- Donoghue: Okay. And are you trained in that yourself?
- Pugliares: Yes.
- Donoghue: Um, do you train people in that?
- Pugliares: Yes, I do.
- Donoghue: And, um, could you describe that?
- Pugliares: Yes. So it's, um, it's a ... considered a firearm through the ATF basically. Uh, but all this is is a, a tube about this long. Um, it has a, a stock, you know, it has a trigger and it has a, a hammer

on it just like a, um, like a revolver would. Um, it only shoots one round at a time and the rounds that it shoots, it's a, uh, foam tipped round. Um, it's meant to, uh, temporarily disable anyone that it hits by causing, you know, uh, impact or pain on, on the body. Uh, it comes out at a speed like a Roger Clemens fastball basically. Um, and that's what you want to use for distance, to help you gain distance, um, especially if you have someone that has a, a knife on them.

Donoghue:

So we'll talk about distance for a moment so, um ... more particularly. So you want distance ... you can't get close with OC spray.

Pugliares:

Right.

Donoghue:

You want to disable him so what's the distance that you could deploy that in? What would be ...

Pugliares:

Uh ...

Donoghue:

What would be the optimum distance to, to get to?

Pugliares:

I'd say it ... about 20 feet or so is a, a good distance, 20 feet away.

Donoghue:

And that distance, would that, um, what does that allow for?

Pugliares:

Yeah. Uh, distance allows for hopefully ... in case the individual wants to, to charge you and you have that distance with the launcher, you can deploy that o him and then you can, you know, move back, try to do a reload with, with that launcher and then deploy another one. The distance is just something that provides you with a little bit more safety, you know.

Donoghue:

Okay. So you called for that less-lethal.

Pugliares:

Yes.

Donoghue:

Um, did it come?

Pugliares:

Yes.

Donoghue:

Okay. And then just an ... as the order of events goes here. So you call for that radio ... we got a little sidetracked there but

you called for that less-lethal on the radio. Given everything we know, what, what happens next? Is there ... do you continue to pursue or does that, um, does that less-lethal arrive on scene? What happens?

- Pugliares: So I ... when, when I called out on the radio, um, I noticed that this individual, he was kind of stopped in he street and then he took off running down the street again so we followed and that's when he ...
- Donoghue: When you say "the street", what street are you talking?
- Pugliares: Uh, Chestnut Street.
- Donoghue: Okay.
- Pugliares: Yeah. 'Cause the whole time, he's in the middle of Chestnut Street, the whole time. So I call for less-lethal, um, we're still trying to talk to him. He ends up turning right off the street and going in towards one of the side yards, um, so, I, I crossed the street and I begin to follow him into the side yard.
- Donoghue: Um, do you, do you recall what address that was on Chestnut Street?
- Pugliares: No.
- Donoghue: Um, when you said the side yard, what, um ... if we're facing that house ...
- Pugliares: Mm hmm.
- Donoghue: ... uh, side yard, are we talking left side, right side?
- Pugliares: It was, uh ... it would be the left side of that house.
- Donoghue: Okay. And you were on that left side, what ... did you maintain sight of him?
- Pugliares: Yes.
- Donoghue: And were there any other officers that were IN THAT?
- Pugliares: I saw, um, Officer McMahon, Liam, he was ahead of me.

Donoghue: Um, any other officers?

Pugliares: Not that I remember.

Donoghue: Okay. So you went to the left side?

Pugliares: Mm hmm.

Donoghue: Um, we're from the street, left side so the individual, McMahon and yourself, do you recall any other officers on scene and where they were?

Pugliares: Um, I, I, I imag-, I believe they were probably still coming up the street. I'm not sure. 'Cause once he did take off to the side yard, I just kind of focused on him.

Donoghue: Okay. So you're, you're following in the side yard, what happens next?

Pugliares: Um, I see him hop a fence ... so he goes in the left side yard. I see him turn right and hop a fence behind the house and Liam's ahead of me and I see Liam do the same. I figured he was gonna double back around so then I turn around, I run back out to the street, to, uh, Chestnut Street. When I come out to Chestnut Street, I turn left to the front of the house.

Donoghue: Okay. Um, just quickly, the fences that he jumped, so the first one, what, what was the positioning of that? So he, he actually went over two fences to get to the ...

Pugliares: I, I believe ...

Donoghue: ... INAUDIBLE.

Pugliares: ... it was just one.

Donoghue: Just one, okay. And what was the height of that fence?

Pugliares: Waist high maybe.

Donoghue: Waist high?

Pugliares: Yeah.

Donoghue: Um, how fast was he ABLE INAUDIBLE moving?

Pugliares: Um, he, he was, he was running ... moving pretty quickly.

Donoghue: Uh, and again, any, any statements, you can recall, from the individual?

Pugliares: Not from him. He ... out of our whole interaction, I never heard his voice once.

Donoghue: Okay. And on ... at different times, YOU SAW PUTTING ON SI-, ON ... you were issuing commands ... when you're at the side of the house, do you recall Officer McMahon or yourself issuing any more commands or still trying to engage?

Pugliares: No, not really.

Donoghue: Okay. So you return to Chestnut Street, you go where?

Pugliares: So when I returned to Chestnut Street, um, that's when I see Officer Colbert with the less-lethal, that 40 millimeter launcher, the orange one. He had that in his hand.

Donoghue: And do you recall any other officers that were present?

Pugliares: Uh, Deputy Boyle was there and also, um, ILYINSKY, Officer Ilyinsky was there.

Donoghue: And where ... what was their positioning ...

Pugliares: Um ...

Donoghue: ... relative to the, the street and the house and the driveway.

Pugliares: So they were set up at the top of the driveway.

Donoghue: And when you say top, closest to ...

Pugliares: Sidewalk driveway.

Donoghue: ... back AL- ...

Pugliares: Sidewalk ...

Donoghue: Sidewalk driveway.

Pugliares: Right.

Donoghue: So the top is, is closest to the sidewalk of Chestnut Street?

Pugliares: Yes, yes.

Donoghue: Okay.

Pugliares: Yes. Looking into the yard.

Donoghue: Okay.

Pugliares: Um, Officer Colbert was first ... was, was up first. Um, the deputy was behind Officer Colbert and Officer Ilyinsky was over to the right.

Donoghue: And, um, the positioning, did ... do ... was less-lethal on scene?

Pugliares: Yes. Officer Colbert had the less-lethal launcher at the time.

Donoghue: Um, and, uh, was it drawn?

Pugliares: Yes. Yeah.

Donoghue: Okay. Anyone else with weapons drawn?

Pugliares: Um, I originally had my weapon drawn. I saw that Officer Ilyinsky had his weapon drawn and the way we train is you want a lethal cover always with less-lethal and then you want someone free hands just in case you need to have free hands ...

Donoghue: So ...

Pugliares: ... so I holstered up my weapon at that point.

Donoghue: So you holstered up and that's based upon your training, knowing ... so just to ... NEED a little further detail, if someone ... if you're gonna deploy less-lethal ...

Pugliares: Mm hmm.

Donoghue: ... is there a, a standard operating procedure to do so?

Pugliares: Yes.

Donoghue: And what is that?

Pugliares: Uh, typically, you always ... you, you always want to have a lethal cover with your less-lethal. Um, and then you want to have added officers for an arrest team. Um, that arrest team consists of ba-, you really want to have someone with free hands and then someone with, uh, with a lethal weapon on him.

Donoghue: And why, and why, why lethal also?

Pugliares: So if the munition ... if the less-lethal works the way it's supposed to work and you get a good impact and the individual falls on the ground, that's when the arrest team is gonna move up and you want someone free hands just in case this individual tries to go after the officers but they don't have that weapon any longer in their hand.

Donoghue: So if the, if the impact ... well, I don't want to talk about hypotheticals but regardless ... so you observe the ... that formation with Colbert with less LUSIL ... lethal, Boyle and, um ... that formation of less-lethal, lethal and then the free hands and then ...

Pugliares: Yeah.

Donoghue: ... you re-holstered your weapon?

Pugliares: Yes.

Donoghue: Um, what happens next?

Pugliares: So that, that, that, that individual with the knife ends up coming out of the backyard and walking up the driveway towards us. Um, Officer Colbert is giving verbal commands. Um, no ... the commands, again, zero effect on, on ...

Donoghue: What was he saying?

Pugliares: Officer Colbert, drop the knife, things like that.

Donoghue: Um, do you ... were officers continuing to ... the ... I understand the drop the knife but ...

Pugliares: Mm hmm.

Donoghue: ... there's also a component of this where trying to engage him with, as you had stated, "I think we can help you," and things like that. Was ...

Pugliares: Yes.

Donoghue: Was that a simultaneous dialogue as well, if you recall?

Pugliares: Uh, I, I recall. I was ... Colbert ... I was on Colbert's right so I could hear him more directly and I heard him saying, you know, "Drop the knife. Drop the knife."

Donoghue: Okay. Um, what happens next?

Pugliares: Uh, the, the ... this individual with the knife didn't listen at all. Didn't ... he, um ...

Donoghue: Where was the knife positioned when you were ... what was ... I HAVE, I HAVE two questions. One, what was the distance betw-, you were on the ... he's coming at you guys ...

Pugliares: Yeah.

Donoghue: ... in the driveway. You were in that formation as we had talked ...

Pugliares: Mm hmm.

Donoghue: ... about. Um, Colbert as the LETH-, less-lethal on him. What is ... is he closing distance?

Pugliares: So I, I don't, I don't remember if he was closing distance towards us. I, I can't remember that INAUDIBLE.

Donoghue: Okay. And what would you estimate the distance to be during Colbert's ... and you're in position, but what's Colbert's distance between ...

Pugliares: About a, about a car length or so.

Donoghue: A car length so in real terms, 12 feet?

Pugliares: I ... yeah. Yeah, 15 feet.

Donoghue: Okay.

Pugliares: Something like that.

Donoghue: Um, and where ... at that time, where's the position of the knife?

Pugliares: It ... the knife is up around here, his neck, his hand, right around here.

Donoghue: So you had motioned here, was it, was it ... did it leave his neck at times?

Pugliares: Uh, yeah. He was up here and then just doing mo-, motions with his hands, you know.

Donoghue: Okay. Um, and what was that individual's demeanor? Did you make any more observations about him at that time?

Pugliares: He, he was just smiling.

Donoghue: And in context, what did, what did that say to you?

Pugliares: Uh, he was, he was not listening to ... and he would not listen to anything that we were trying to say. I ... it, it didn't seem like he wanted any help at this point.

Donoghue: Okay. Um, what happened next?

Pugliares: Uh, Colbert, gave, gave those commands and deployed the, the less-lethal, um, impact and it struck that individual with the knife.

Donoghue: And what happened?

Pugliares: Um, it hit him somewhere around this area. The, the ... his hip area. I didn't see exactly where but ...

Donoghue: Yeah.

Pugliares: ... around his hip area, struck him. He kind of smiled. Looked at us and gave ME a little smile and then turned around.

Donoghue: And you say, uh, turned around, um, what, what type of pace did he turn around?

Pugliares: Um, I, I don't know what type of pace. He just smiled and then turned and then started walking towards the backyard.

Donoghue: Uh, and where was the knife at that time?

Pugliares: It, it was still in his hand.

Donoghue: When you say hand, was it IN HIS HAND AT HIS NECK or hand, outside or both or what, what ...

Pugliares: I, I ...

Donoghue: You had mentioned like that, that's the only reason ...

Pugliares: Yeah. I, I, I can't remember where his hand was at the time.

Donoghue: Yup.

Pugliares: Um, he, he, he turned ON back to us and he started walking into he yard. I, I can't remember where IT WAS.

Donoghue: So, um, in your capacity as a, as a SWAT officer and a less-lethal trainer, um, have, have you, in your experience, responded to critical incidents in the past?

Pugliares: Yes.

Donoghue: Um, have you, have you deployed that weapon yourself?

Pugliares: Only in training.

Donoghue: Have you seen it deployed in the field?

Pugliares: No.

Donoghue: Okay. When that was deployed, knowing it's capabilities and there was no effect, what is ... what, what goes through your mind as an officer on scene when that is deployed and that's ...

Pugliares: That this individual must be on some sort of drugs based off the trainings that we've had. It's one of those things where you see videos where people test it on other instructors, you know, they sign waivers and they test it and the deploy it and it ... the reaction that these individuals get, that are trainers, is incredible. They fall on the ground, things like that. And we

also seen videos of individuals that were not on any type of drugs and right when that impact happens, they immediately fall to the ground, numerous videos of that. And there are videos of individuals that are struck where they ... later afterwards, they find out that they were on some sort of narcotic drug, that's why the impact didn't have any effect on that particular individual. It bounces off of them, they just keep going because they were ... had some sort of narcotic in them.

- Donoghue: So in this case, there was no effect.
- Pugliares: No effect so right, right there in my head, I was ... I, I, I believe this, this guy had some sort of narcotic in him based off the videos that I had in the trainings.
- Donoghue: And he ... when all this is happening, you had started on the left side of the building, do you ... now, looking back in the next order of events, do you know who was in the backyard from Cambridge Police or ...
- Pugliares: So ...
- Donoghue: ... WAS THERE ANYONE?
- Pugliares: ... I saw Li-, Liam, Officer McMahan hop the fence and follow him back, that individual. When I saw that, that's when I went to the front. So as far as I knew, it was just Officer Liam in the back.
- Donoghue: And, um, from your vantage point at, at ... after the deployment, at that moment, were you able to see Officer Mc-, McMahan?
- Pugliares: Yes.
- Donoghue: You could see him?
- Pugliares: I could.
- Donoghue: And then, the individual is struck ...
- Pugliares: Mm hmm.
- Donoghue: ... smiles, in your words, and then turns.

Pugliares: Mm hmm. Yes.

Donoghue: What happens next?

Pugliares: Then he starts en-, walking, engaging towards Officer Liam, Officer McMahon.

Donoghue: And when you say engaging, what do you ... what does, what does that ...

Pugliares: Getting ... walking direct ... walking towards him. Right, right at him. Like, one of those walks where you think, oh, shit. That, that ... that's what I thought.

Donoghue: And, um, in your interaction from start to this moment, had you seen him directly engage an officer like that prior to this?

Pugliares: No.

Donoghue: Um, so he turns and, um, what, what was the pace with which he was walking at the officer?

Pugliares: Um, it, it was a good ... it was a quick, steady pace HE HAD.

Donoghue: And do you recall where the knife was at that point?

Pugliares: It was up, up ... his back was towards us but it was up around here.

Donoghue: Okay. Um, and ...

Anderson: And you have your hand up at neck level.

Pugliares: YEAH. Up around here, his back was towards us.

Donoghue: His back was towards you. Um, can you hear anything from the backyard at this moment?

Pugliares: AUDITORY DUMP, you know ...

Donoghue: Yup.

Pugliares: ... I'm sorry, but ...

Donoghue: That's okay.

Pugliares: ... it ... I didn't, I didn't really hear.

Donoghue: And, um, he's now walking towards the officer. What, what do you see next or what happens next?

Pugliares: Of-, Officer Liam's standing there as, as he's walking towards him. Officer ...

Donoghue: We can take a break too if, uh, if you want to do that. Let's take a quick break. If we could go off tape, is that okay?

Anderson: Yes.

Brown: We're recording again.

Donoghue: So, uh, we're, we're back on tape, Officer.

Pugliares: Mm hmm. Yes.

Donoghue: Um, I think when we, when we left off, we were ... you were describing to us, um, your observations, um, just for the benefit of OUR restart, your positioning at the time, after the less-lethal round was fired, you were in the driveway.

Pugliares: Yes. Mm hmm.

Donoghue: And you had a view towards the backyard?

Pugliares: Mm hmm.

Donoghue: The individual was now walking towards Officer McMahon.

Pugliares: Yes.

Donoghue: Uh, I think we had described the pace.

Pugliares: Yes.

Donoghue: Uh, and how would you ... just to start off again, how would you describe that pace?

Pugliares: Walking with a purpose.

Donoghue: And, um, while he is walking, we had talked about again, I know he was facing away from you.

Pugliares: Yes.

Donoghue: Um, just to describe the position of the knife again, was it out, was it up, if you could see?

Pugliares: Right. He ... his back was towards us, but the knife was up around his, his face area, somewhere around ...

Donoghue: Okay.

Pugliares: ... HERE.

Donoghue: Okay. When you say his face area, would it be, um, consistently at his face or, or was it at one spot firm or was it moving?

Pugliares: I ... it ... I just remember it being here. I can't remember whether it was moving ...

Donoghue: Okay.

Pugliares: ... around but I remember seeing it up high.

Donoghue: And would you say, from your vantage point, here as in closer to his neck or here at times further away from his body?

Pugliares: Maybe a li-, a little bit of both.

Donoghue: Little bit of both.

Pugliares: Yeah.

Donoghue: Ever, ever turned down, up, out?

Pugliares: I can't remember.

Donoghue: Okay. Um, at the moment he's walking with a purpose, are you able to see Officer McMahon in the sa-, in your same line of sight?

Pugliares: Yes. Mm hmm.

Donoghue: Okay. And at that initial ... as he's walking, can you estimate the distance between the two?

Pugliares: Around 10 feet I'D SAY.

Donoghue: Around 10 feet.

Pugliares: Mm hmm.

Donoghue: And in your observations of Officer McMahon, um, can you describe his body positioning? Does he have a, a firearm out and, and is there anyone else around him?

Pugliares: Uh, I didn't see anyone else around him. Um, he was standing, facing thi-, this individual. He was in the yard and there was a fence to his back. There was a fence to his right. Um, he, he had the weapon ... I can't remember if it was at the low ready or whether it was up high, but the weapon was being presented AT THAT ...

Donoghue: And ...

Pugliares: Mm hmm.

Donoghue: ... the weapon's being presented and you said that, uh, the individual's within 10 feet. If you can, what would you estimate the distance between Officer, uh, McMahon and the fence behind him, that distance?

Pugliares: It was, it was pretty close. I ... I'd say probably from where you're sitting to where the wall is.

Donoghue: Okay. Um ...

Pugliares: INAUDIBLE 5 feet maybe.

Donoghue: Okay. And then ...

Pugliares: INAUDIBLE.

Donoghue: ... um, that backyard, is there, is there a fence to the left or the right if you recall or did you see?

Pugliares: Uh, there, there was a fence to the right, um, to, to the left, I, I can't remember if there was one to the left or not.

Donoghue: Okay. And his gun is drawn?

Pugliares: Yes.

Donoghue: Do you recall or did you hear ... I know you had mentioned, um, what you reca-, referred to an auditory dump.

Pugliares: Yes INAUDIBLE.

Donoghue: What ... um, is that a, a term ... a police term or used in training or can you describe or define that INAUDIBLE.

Pugliares: Yes. That's, um, when you're in a hyper-stressful situation, your senses kind of hone in on themselves and, um, you usually get an auditory dump because your hearing ... your senses don't really need that as much as you do your vision or say your hands. So your body really can't handle the stress of the situation so it has to let go of something so other things work better. I don't know if that makes sense.

Donoghue: Sure. Is that something that you learned ... or how did you learn it?

Pugliares: Uh, just through trainings I had, through SIT trainings, instructor trainings, things like that.

Donoghue: And did you experience that?

Pugliares: I did. Mm hmm.

Donoghue: Um, so watching the individual approach Officer McMahon ...

Pugliares: Mm hmm.

Donoghue: ... within 10 feet, what do you see at that moment?

Pugliares: I, I see Liam McMahon re-raise his weapon, um, and I heard gunfire.

Donoghue: Okay. Do you remember how many, how many shots?

Pugliares: Uh, five rounds.

Donoghue: Okay. Uh, what do you see next?

Pugliares: Uh, the individual just collapse to the ground.

Donoghue: Okay. And what did you do at that time?

Pugliares: I, I approached the individual, looked down at him, saw that he was wounded, um, and then began providing medical aid.

Donoghue: When you, uh, approached the individual, did you see the knife again?

Pugliares: It ... yes, it was still ... his hands were back and it was still in his hands.

Donoghue: When you say in his hands, was it ... were there two hands holding that knife?

Pugliares: Uh, it ... one or two. Um, I want to say it was his right hand was more so gripping the knife but he was laying back like this.

Donoghue: And, um, now that you're up close with that knife, do you ... can you further describe it?

Pugliares: Yeah. So it was probably about this big.

Anderson: Which is how ... for someone reading when you're ...

Pugliares: Yeah. So it was probably 2 and a half feet I'd say, 2 feet long, 2 and a half feet from the, the, the hilt I guess you can call it to the tip.

Donoghue: When you sa-, when you say hilt, blade or handle ...

Pugliares: Yeah, from the handle, from the butt of the handle to the ...

Donoghue: Okay. Yeah.

Pugliares: ... the top of the blade was probably about 2 feet, 2 and a half feet I'd say.

Donoghue: Okay.

Pugliares: Um, it was silver. It had a ... the top part was ... I, I ... straight and then it WOULD kind of curve UNDER almost like a, like a

half an S back down towards the hi-, hilt. So it was, like, fatter at the tip as opposed to where the hilt is.

- Donoghue: Okay. And that ... this is, um ... was this something you would have in your kitchen? THAT'S A NO?
- Pugliares: No. No.
- Donoghue: And was it consistent with as it would be described when you heard the first call that it was a machete if you were to categorize it?
- Pugliares: Yes, exactly.
- Donoghue: Um, okay. Did, um ... you were providing medical aid?
- Pugliares: Yes.
- Donoghue: Um, he was in the position that you described with the, the machete. What happens to the machete? Did you move it? Did you see anyone else move it?
- Pugliares: Yeah. So I put rubber gloves on and I grabbed the machete and I moved it five feet away or so from the individual. Whenever there is a weapon and you have to provide medical aid, first thing you do is get rid of that weapon and that's what I did.
- Donoghue: Okay. And that's training?
- Pugliares: Mm hmm.
- Donoghue: Uh, did you notice or observe any other articles around the body?
- Pugliares: Uh, there was a book that had blood all over it. Cover appeared to be a Qur'an.
- Donoghue: And had ... prior to that, had you seen that?
- Pugliares: No. No, I don't remember ... recall seeing that.
- Donoghue: Okay. Um, what happens ... you provided medical aid. Do you remember who else was present at that time?

Pugliares: Yes. So, um, um, Officer KAZMAZ, Casimir, he immediately went up to Officer McMahon, um, face to face. I don't know what was said. I, I saw that and I told Kazmaz, I said, "Get Liam out of here. Liam doesn't ...

Donoghue: And what's ...

Pugliares: ... need to see this."

Donoghue: Okay. What would the purpose of that be?

Pugliares: Liam was just involved in a hyper-stressful situation that you can't expr-, ex-, describe. He doesn't need to see the aftermath.

Donoghue: Okay. And you ... there are other officers present to provide medical?

Pugliares: Yes.

Donoghue: Okay. And that is something that that ... having him move, is, is that something that you learned in training? Is that a procedural thing?

Pugliares: I'm sorry, what's that?

Donoghue: Having, um ... Liam McMahon was involved in a shooting, having him moved with ALL THE support there, is that something that is ...

Pugliares: Yes, that ...

Donoghue: ... based on training?

Pugliares: That, that ... that's a training thing. Mm hmm.

Donoghue: Okay. Um, what ... you're providing medical aid. What else happens? What happens next? What do you do?

Pugliares: Uh, so, um, with the medical aid, we had tourniquets. Um, someone came with a medical bag. I was handed a chest seal 'cause there was a wound here to his chest.

Donoghue: What does a chest seal do?

Pugliares: Um, it's, like, sticky plastic and when someone has a wound anywhere on their chest or back, you just put it on the wound 'cause, uh, air can come out. You know, it might be, like, a lung shot or something and if air comes out then they won't be able to breathe so putting that chest seal on hopefully will stop some of the bleeding, but also allow them to breathe a little bit better because the air might be seeping out of where the wounds are.

Donoghue: Okay. Um, so did you continue to provide medical?

Pugliares: Yes.

Donoghue: Um, and what do you do next?

Pugliares: Um, we provide medical, the EMT's come. We help put him on the gurney. EMT's take him away and I remain on scene. Um, some of the detectives show up and I describe to the detectives what happened, where Liam I saw standing, the casings that were involved and the weapon, the knife that was there.

Donoghue: Um, and do you ... did you ALWA-, do you recall making ANY-, any further observations, now that the scene is secure, about the, the backyard area?

Pugliares: Um, the fence to the right, fence to the left, uh, uh ... I'm sorry, a fence to the rear, fence to the right. Um, if you're looking at the street, there was a house there. Um, my, my, my focus literally wasn't ...

Donoghue: Sure.

Pugliares: ... anything ... as I'm looking at the back of the house now, like, where the street is, my focus really wasn't much here. It was right here in front of me and where that knife was to the right.

Donoghue: And, um, that ... the house, you're in the backyard, describe that house. What kind of residence is that?

Pugliares: Uh, the backyard, it, it was probably a two-family home I'd imagine.

Donoghue: Okay. Um, I'm just gonna have you draw a diagram, if you could, of your positioning, um, at the time that that less lethal

round was deployed and then your observations of, um, the individual in relation to Officer McMahon. Does that sound fair?

Anderson:

Yeah.

Donoghue:

And then we can do that. So, um, you can draw Chestnut Street do-, and the house here and then where you guys were in this position when that was deployed and then from your vantage point, how close the individual was to Officer MAN-, McMahon at the time he fired and we can estimate that. Is that okay?

Pugliares:

Yeah.

Donoghue:

Okay. Thank you. And this is ... to refresh your memory, this is ...

Brown:

WATCH THE MIC.

Donoghue:

Sorry. Yeah. This is an overall shot. Okay? Just to refresh your memory ...

Pugliares:

RIGHT.

Donoghue:

... of the driveway ...

Pugliares:

Mm hmm.

Donoghue:

... and he street here.

Pugliares:

That same red car was there.

Donoghue:

Okay. So does that refresh your ...

Pugliares:

Mm hmm.

Donoghue:

Okay.

Pugliares:

Yeah. I'm just trying to keep my hand from shaking SO ...

Donoghue:

Yeah, that's okay. No. No. I really appreciate THAT. Okay.

Pugliares:

So is it ... this would be the driveway.

Donoghue: Yup.

Pugliares: And that's the street.

Donoghue: Okay.

Pugliares: That would be the car.

Donoghue: Okay.

Pugliares: Uh, up ... I'd, I'd say that's Colbert. Uh, that's Colbert, that's, um, the deputy. Uh, over here, I believe would be, um, Ilyinsky and that was right here.

Donoghue: Okay. So if ... where those circles are, if you could just put the first letter of their last name to indicate who ...

Pugliares: Yeah.

Donoghue: ... was there, if that's okay.

Pugliares: Um, Boyle and Ilyinsky.

Donoghue: Okay. Perfect.

Pugliares: I'll put SP for suspect.

Donoghue: Yup. And then we could ... we can mark this, um, is this essentially the distance when that was fired?

Pugliares: Give, give or take. Maybe it was a little bit further back but it was ...

Donoghue: Yup.

Pugliares: ... at least a car's length.

Donoghue: Okay.

Pugliares: Yeah.

Donoghue: So we'll just mark that #1, is that fair Attorney Anderson?

Anderson: Yup.

Pugliares: Put 1 here?

Donoghue: Yes.

Pugliares: Okay.

Donoghue: Maybe the number SIGN 1 JUST SO WE CAN ...

Pugliares: SORRY.

Donoghue: That's okay. Yeah. And now, if you could, just maybe draw, and I understand it's an estimate, the backyard and then the distance of ... the final distance.

Pugliares: Mm hmm. Okay. LET'S GET IN BACK. So that's the house.

Donoghue: Yup.

Pugliares: I believe this fence went straight back.

Donoghue: Okay.

Pugliares: Fence about here. There was some sort of tree. Uh, Liam was probably about here. SP gets hit and then INAUDIBLE.

Donoghue: And just ... we talked about this before, but just for the ... while we're looking at the diagram ...

Pugliares: Mm hmm.

Donoghue: ... that li- ... that round is deployed, this ... the ...

Anderson: The less-lethal.

Donoghue: The less-lethal round, correct. I'm sorry. The less-lethal round is deployed ...

Pugliares: Mm hmm.

Donoghue: ... your positioning is here?

Pugliares: Mm hmm.

Donoghue: Where do you ... you walk forward or what do you do ...

Pugliares: So on-, once ...

Donoghue: ... WITH THAT INAUDIBLE.

Pugliares: ... it was deployed, Colbert's trying to do a reload. Deputy Boyle is pushing forward. They go forward. I come around this way.

Donoghue: So ...

Anderson: To the right of the car.

Pugliares: To the right of the car.

Donoghue: So where were you standing ...

Pugliares: I wa- ...

Donoghue: ... at the time that MA- ...

Pugliares: Of the, of the shooting?

Donoghue: Yes, correct.

Pugliares: I was right about here.

Donoghue: So could you just circle that and, uh, indicate that's your position?

Pugliares: Okay.

Donoghue: Okay. And let's put that as position #2.

Pugliares: Okay.

Donoghue: And then, this is Officer, uh, McMahon. If you could put ...

Pugliares: McMahon. I, I put Liam. I'm sorry.

Donoghue: Liam. That's okay. And then, if you could just indicate on the ... your diagram, uh, where the suspect was.

Pugliares: When he was shot?

Donoghue: When he fired, yes.

Pugliares: When he fired?

Donoghue: Yes.

Pugliares: He had to have been about here.

Donoghue: Okay. And then, two, two more things if you could. Just ...

Pugliares: Mm hmm.

Donoghue: ... estimate in there the distance here and then the distance here.

Pugliares: From when ...

Donoghue: Yea-, when this ... when the less-lethal was deployed ...

Pugliares: Yup.

Donoghue: ... and then this distance here between, uh, Liam and the individual.

Pugliares: Uh, so from when he was hit to where he walked to, 15 feet, 10 feet.

Donoghue: Okay. And then on the ... on this, for the purposes of this diagram ...

Pugliares: Mm hmm.

Donoghue: ... at the time of the shooting, if you could just indicate what that distance was.

Pugliares: Sure.

Donoghue: What you think it was based upon your ...

Pugliares: I was about 10 feet.

Donoghue: Okay. Okay. Um, and this distance here is, is, is essentially the car length?

Pugliares: Yes. Yes.

Donoghue: Okay.

Pugliares: And then, as I said, he was around, he was around this area. He was not yet in the backyard.

Donoghue: Okay.

Pugliares: He was on the side of the house, around the car SOMEWHERE.

Donoghue: Okay. If you could just, uh, sign that and date it.

Pugliares: Sure. What's today's date again?

Donoghue: IT'S 1/6/23. And then, Chestnut Street if we could just ...

Pugliares: Yup.

Donoghue: I just ha-, I just have one, one more. So when you're ... taking you back to this moment here, you changed positions, you're, you're watching ...

Pugliares: Mm hmm.

Donoghue: ... him move with the knife and OBVIOUSLY HIM, what, what was going through your mind? What were your concerns?

Pugliares: Liam.

Donoghue: And specifically what?

Pugliares: This guy's gonna stab Liam. That's what went through my head.

Donoghue: Okay. Lieutenant, do you have anything?

Brown: I have nothing. Thank you.

Anderson: I don't have ...

Donoghue: Attorney Anderson?

Anderson: ... anything else.

Donoghue: I don't have anything else. Thank you.

CAMBRIDGE STATEMENT TRANSCRIPTION

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THIS STATEMENT IS COMPLETE AT 3:45 P.M.

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