

Ref: 21RIX1-1193-OF

A. I saw there was enough officers on the other side that—to render aid to the ...

63. Q. So you didn't observe any officers strike [REDACTED].

A. No, sir.

64. Q. Did you observe [REDACTED] injuries?

A. No, sir.

65. Q. And at some point did you see that he had injuries?

A. No, sir.

66. Q. Okay. Tell me what you did after this point: what post arrest responsibilities or duties were you assigned, or did you --

A. So--, s--

67. Q. -- take upon yourself.

A. So, pretty much just crime scene preservation. People um—I know I had to remove some—Sergeant Kennedy, like I said, requested me to move police cars again out of the way so the rescue can come in. I did walk over with the EMTs to the driver, [REDACTED], to evaluate his injuries. Crowd control.

68. Q. Okay. Back to when the rescue and you went to [REDACTED]. Tell me what that was a-, like. What—Did [REDACTED] say anything to the rescue? Was he injured?

A. He want--, He was refusing medical aid. He said he was fine. He was—he was—he thought he was fine. I --

69. Q. Okay. And it's well documented that--

A. Yes, sir.

70. Q. -- that, that subject had brain surgery pr--, or prior--

A. Yes.

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71. Q. -- to maybe a week before this incident.

A. Yes. Yeah, he's been having—I've been dealing with [REDACTED], with the driver a couple of times since I've been on.

72. Q. So, you're familiar

A. And I'm familiar, I [Indiscernible]--

73. Q. -- from prior contacts with that--

A. Yes, sir.

74. Q. -- subject?

A. Yes, sir.

75. Q. Were you familiar with the incident that uh--

A. I was familiar that he did get strike—struck by a vehicle...

76. Q. As a pedestrian?

A. On a bicycle. He was a bicycle and a vehicle struck him. And then I know he's had problems with his medications; that they—they react differently. Because I've had to go help him one day.

77. Q. Okay. All right. So, he refused medical at that time?

A. Yes, sir.

78. Q. Okay. Did he make any spontaneous utterances in front of you about the incident?

A. Not that I recall. And my body cam was activated when we went with the EMTs.

79. Q. Okay. Okay. Tell me what you did after that.

A. I don't know if it was--, it's a blur, so I'm not sure what I did first or second. But I know it's crowd control, because people were s- were starting to come out the, the um, housing, and then they were trying to come into the crime scene. So another officer was

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yelling at them to get back. They told them you can—One—Because they were yelling at us that we're not letting them film. I advised them they can film from a distance, that's—which is fine. And then they [Indiscernible]...

80. Q. Can you tell me what other officer was yelling—yelling at them?

A. I – I am not sure. It should be on the body cam.

81. Q. I get that. But I'm asking you if you saw it.

A. I don't--

82. Q. Or remember it.

A. I don't remember it.

83. Q. Okay. Did you have any conversation with any onlookers?

A. No, sir.

84. Q. Were they talking to you?

A. They were yelling at me, yes sir.

85. Q. Okay. Do you remember kind of what they were saying?

A. Uh, just obscenities, uh, we—they can film, I remember that was a big one. Um. I remember when--, So I was there when--, the front line when they, I believe it was [REDACTED] that was on the stretcher that they wheeled out. They kind of were saying that we killed him, that he's dead.

86. Q. Okay. I don't think that turned out to be true did it?

A. No.

87. Q. Was it? Are there any other post-arrest duties that you performed or prepared or any paperwork for this case?

A. No paperwork besides the yo-, AIR report. I pretty much just stand by. The, the

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Lieutenant at one point whatever officers were on scene, just had us form a line against the caution tape so nobody comes into—into the crime scene. He ad-, He advised us he—advised us to turn our body cams on while we do it. And then requested, I believe I had to try and find a tow truck for the vehicle, it was—And then there was one, [REDACTED], he was still on scene, so I ended up transporting [REDACTED] into Central.

88. Q. Okay. And, and just for the, the record, when you say 'AIR report,' what is, what is an AIR report?

A. It is a After Incident Report.

89. Q. And why is it prepared?

A. It's prepared for any use of force that was taken during an incident for apprehension or arrest.

90. Q. All right. So, that's it, use of force about compliance handcuffing?

A. Yes, sir.

91. Q. But less than . . . physical force that would maybe uh, be of a, a higher level?

A. Yes, sir.

92. Q. Okay. What prisoner did you transport?

A. I believe his name was [REDACTED].

93. Q. Okay. And that was the white subject?

A. Yes, sir.

94. Q. Okay. Did Mr. [REDACTED] during his ride have anything to say to you or any conversation with you?

A. He started asking—He pretty much was like, right at the beginning he was like: oh you're the nice one. He goes: the other ones, they like—He pretty much was saying that they

used force on the other ones, and then that why we were chasing them. He was asking, he didn't know why we were chasing them and...

95. Q. And did you record--

A. It was. My body ca--

96. Q. -- your transport?

A. Yes, sir, my body cam was activated.

97. Q. Okay. And he was asking why we—the police were pursuing--

A. Yes.

98. Q. -- that vehicle?

A. Yes.

99. Q. Did you explain why?

A. Yes, sir. And then he g--, And then, because I was telling him that we had numerous shots fired calls. And that's when he uttered, 'We weren't shooting, we had BBs.'

(chuckles)

100. Q. Okay. Did he admit to shooting a BB gun to you?

A. Yes.

101. Q. Okay. All right. Any other conversation between yourself and Mr. [REDACTED]?

A. That was pretty much it. And then explained—He kept asking if he was gonna get out that night or what was gonna happen. And I advised him it's going to be turned over to the Youth Service Bureau; that they would explain it to you.

102. Q. Okay. Did you stand by for processing?

A. Yes, sir.

103. Q. Okay. And was there anything said during that?

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- A. **Not really.**
104. Q. Okay. Just a routine processing ...?
- A. **Just—Yeah, just a routine processing.**
105. Q. Okay. And then you turned him over to the Youth Service Bureau?
- A. **Yes, sir.**
106. Q. Did any Youth Service detective respond at that time before he went in the cell, or?
- A. **Yes, sir. Yup. He came in. BCI was already up there, so they ended up bringing the driver [REDACTED] and [REDACTED] in to process them.**
107. Q. Okay.
- A. **And then brought them back. And that's when I cleared from the cellblock.**
108. Q. Okay. And at that time did you—you prepare your report?
- A. **After—Right after that. Yes, sir.**
109. Q. And after that you went back in service?
- A. **Yes, sir.**
110. Q. So you had no other--
- A. **That was it.**
111. Q. -- duties and responsibilities?
- A. **No.**
- DETECTIVE SERGEANT RICHARDSON: Yup.**
- DETECTIVE VINTON: I'm good.**
112. Q. Okay. Is there anything else you can add Patrolman that might be helpful?
- A. **That's all I recall.**

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113. Q. Okay.

DETECTIVE SERGEANT ZIENOWICZ: It's 10:48. That'll conclude this interview.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: July 27, 2021

TIME: 11:24 a.m.

INTERVIEW OF: Patrolman Luis Quinilla
Providence Police Department

INTERVIEW BY: Detective Sergeant Paul Zienowicz
Providence Police Department

PRESENT: Attorney Joseph Pezza for Patrolman Quinilla

Detective Sergeant Robert Richardson
And
Detective Stephen Vinton
Rhode Island State Police

LOCATION:

SUBJECT: 21RIX1-1193-OF

1. Q. It is 11:24 on July 27, 2021. This is a Garrity interview of Patrolman Luis Quinilla. Luis, can you spell your last name.

A. Last name is gonna be Q-U-I-N-I-L-L-A.

2. Q. Okay. My name is Detective Sergeant Paul Zienowicz. This is an inquiry relative to the pursuit and subsequent apprehension of three juveniles at Salmon and King Streets on 7/9/21.

You're represented by...

ATTY. PEZZA: Attorney Joseph Pezza, P-E-Z-Z-A.

3. Q. And I am here along with ...

DETECTIVE SERGEANT RICHARDSON: Detective Sergeant Robert Richardson,

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Badge number 25, Rhode Island State Police.

DETECTIVE VINTON: Detective Stephen Vinton, Badge 169, Rhode Island State Police.

4. Q. Officer, were you on duty the night of July 8th into the 9th?

A. Yes.

5. Q. Okay. What car were you assigned to?

A. I believe I was car 353 that night.

6. Q. Okay. District 5?

A. Yes.

7. Q. At some point did you become aware of a black BMW that was of interest to the police?

A. Yes.

8. Q. All right. What can you tell me about that.

A. The first incident that I was aware of, I was dis--, not—not that I was dispatched, but car 5--, 351 Manton and Steuben I believe that the cross street was, I was just—I was uh—we were dispatched to look for—look around there to see a um, the black vehicle that we—that you mentioned to be driving around at high rate of speed possibly, you know, possibly having some type of firearm. So uh—And that's like the fir--, That was the first time I've uh, heard about the vehicle.

9. Q. Okay. And you responded to the area of Manton Avenue and searched around for a black BMW?

A. Correct.

10. Q. Yeah.

A. I was--

11. Q. Did you locate it?

A. Yes. So, once I arrived around the area, I noticed that the vehicle was coming at me at a high rate of speed. Um, at that—at that moment, I turned around on uh, I believe it was Am--, Amherst Street to get—just to see—to get behind it to see if I can get a plate or anything like that. Then that's when—At that—at that point, it—it was—the vehicle was already out of my sight; I couldn't—I couldn't locate it again. And then another--, I, I don't remember what vehicle—what officer picked it up and then started pursuing that vehicle.

12. Q. When you saw it in the Manton Avenue area and the Am--, Amherst Street area, --

A. Mm hmm.

13. Q. -- did—could you see the oc--, the occupants of the vehicle?

A. No. They, they were just driving at a high rate of speed to the point where I, I was just trying to get out of the, out of the way.

14. Q. Could you determine whether the um, convertible top was up or down?

A. No, I couldn't see it.

15. Q. Okay. All right. So, you—you uh—Did you hear any other broadcasts relative to that vehicle going on into the night, what, what they might have been doing,--

A. Um, --

16. Q. -- um...?

A. I do believe I—there was--, I know for a fact that there was other dispatch calls for it, just not—not in the district. And then once I heard it in my district, that's when I started to really, you know, pay attention to—well not just really pay attention to it, but I said, okay, this is the car—this is—this vehicle has become a constant problem; now it's in my district; now,

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it's—I want to see if I can try and locate this vehicle.

17. Q. Okay. And you had heard maybe on the air that there was some felonies committed by that vehicle in uh, in kind of other parts of the city.

A. Mm hmm.

18. Q. Okay. So, you said a little bit earlier that somebody else in another part of the city began to pursue the vehicle?

A. Cor--, Correct.

19. Q. Okay. You don't know who that was?

A. No.

20. Q. Okay. How long did that pursuit last?

A. The whole pursuit in general, or just--

21. Q. Well yeah, the--

A. -- my part?

22. Q. -- the, the one that um, --

A. Um, so, ...

23. Q. -- started the end game, so to speak, of everything that happened that night.

A. So, pretty much towards the end game, I, I want to say it was Officer Rousseau.

He followed the vehicle, uh, pursued the vehicle for a while, lost sight of it, and then I believe Patrolman Na-, Naj—I, I, I'm sorry, I can't pronounce his last name.

24. Q. All right. And if I said 'Najarian,' would--

A. Naja--

25. Q. -- that be--

A. Ye--,

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26. Q. -- correct?

A. Yes.

27. Q. Okay.

A. **And then he became in--, in--, and he started pursuing the vehicle afterwards.**

28. Q. Okay. My understanding is that pursuit lasted quite some time.

A. **Say it again.**

29. Q. It is my understanding that that pursuit, once Patrolman Najarian started following, it lasted --

A. **Um, --**

30. Q. -- a good amount of time.

A. **It—Pro--, Yes.**

31. Q. Okay. At some certain point did you again become engaged in the pursuit?

A. **No. After that I was just listening over the radio seeing where—where this vehicle was going.**

32. Q. Okay. At some point did it come back to your district?

A. **Uh yes, it ca--, it came back into—It came back in and then up to the point where it crashed, the vehicle crashed.**

33. Q. Okay. Where were you just prior to that?

A. **So prior to the vehicle crashing, I was still—I was still in the area of um, Atwells—Atwells Ave. Mm hmm.**

34. Q. Okay. So when they came into—heading towards the Manton Projects and Salmon Street, --

A. **Mm hmm.**

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35. Q. -- did you follow in?

A. Yes.

36. Q. Okay. Okay. Did you see the ap--, the crash of the vehicle?

A. I didn't see the vehicle crash into the fire hydrant. As soon as I heard over the, the radio that it--that they saying, oh, the vehicle crashed, I immediately dr--, pulled into Salmon Street, got out of my vehicle. As soon as I got out, noticed that all--all the occupants of the vehicle were already out of the veh--, were already out.

37. Q. Did you assist in any of the apprehensions?

A. I did, yes.

38. Q. Of who?

A. Um. The d--, I believe it was the driver. So, when I walked over--

39. Q. Okay, I'm gonna stop you there.

A. Mm hmm.

40. Q. This is your body cam video, if you want to look at it and maybe . . . we can talk about the uh, currently 202 and 46 seconds in the morning...

A. Mm hmm.

AUDIO RECORDING: (Sirens blaring)

A. Yes.

41. Q. So it looks like you're securing--

A. Mm hmm. I just saw them...

42. Q. -- the o--, And you, you said this is the operator?

A. I believe that was, yup.

43. Q. All right. And you secured his legs. They picked him up. So that was pretty quick?

A. Yup.

44. Q. About uh, ten seconds or so. And then he's let off.

A. Mm hmm.

45. Q. What did you do after that?

A. After that, I was walking around to see if any—anyone else needed help. I was handed off just a, a little fanny pack with cell phones in it, I was just told to secure it, so I held onto it. At that point, they told me—they were saying to move all the cruisers out of the way to—because they wanted the ambulance to come in. I immediately left the, the scene. Oh, well I handed off the bag. When um, [Indiscernible] ...

46. Q. Do you know who you gave it to?

A. I, I don't remember, sir.

47. Q. Okay. After you assisted in the apprehension of--

A. Mm hmm.

48. Q. -- the operator, and you stood up, did you observe the apprehension of [REDACTED], the black individual?

A. I—I just remember seeing him being sat up and then they were um—Patrolman Sepe was um, trying to see if he could get the blood off his face and stuff like that. But other than that, --

49. Q. Okay.

A. -- that's—that's all I saw.

50. Q. You didn't see any force used on [REDACTED]?

A. Um, I believe--, Yes, I did see some force used on him. But once—I, I just thought they were just securing him. And--

51. Q. [Indiscernible]

A. -- like, like I said, they had like, about three officers I want to say. After that, I turned, and then that's when I helped assist.

52. Q. All right. So when I say, 'forced,' did you see any punches being thrown at the direction of [REDACTED]?

A. Yes.

53. Q. Yeah. Do--

A. [Indiscernible]

54. Q. -- you know who was delivering those punches?

A. From--from the looks of it, I believe it was one of the Pawtucket officers.

55. Q. Okay.

A. I couldn't see who was, with the--I couldn't see the two officers that was in front, they had their backs towards me.

56. Q. Okay.

A. Mm.

57. Q. Did you see any Providence officers strike [REDACTED]?

A. I ca--, I, I don't--, It, it just happened so fast, I, I, I didn't see much of it.

58. Q. Okay. After Mr. [REDACTED] was brought to a seated position,--

A. Mm hmm.

59. Q. -- and a--, he was handcuffed, --

A. Mm hmm.

60. Q. -- he had some--

A. He had blood on his face.

61. Q. Okay.

A. Yes.

62. Q. At some point, did you see a Providence officer walk up and spit in that gentleman's direction?

A. Negative.

63. Q. You didn't see that?

A. No.

64. Q. Okay. Did you hear any officers talking about how [REDACTED] received his injuries?

A. No.

65. Q. Were you in any discussions with any officer about how, how [REDACTED] received his injuries, whether it was from the vehicle accident or police use of force?

A. Negative.

66. Q. Okay. What did you do next after you saw [REDACTED] being seated upright?

A. Seated up--

67. Q. You, you, you did describe that somebody handed you a, a, the, the--

A. A, a fanny pack...

68. Q. -- fanny pack that was [REDACTED]'s.

A. Mm hmm.

69. Q. You had a possession of it for a few minutes; you passed it along to somebody else. And then what?

A. And then after that I was—I was called by the desk sergeant. He says, tells me oh, 'I need you for a hospital prisoner watch at Rhode Island Hospital.'

70. Q. Okay.

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A. I said, 'Okay Serge. I'm, I'm just gonna leave the scene here and I'll head over there as soon as I can.'

71. Q. Okay.

A. And I was--

72. Q. And about how much longer after this--

A. Mm hmm.

73. Q. -- did the sergeant call you and did you head for the prisoner watch?

A. So, after all this had happened, he attempted to give me a phone call. I missed his phone call. And then approximately five minutes if anything.

74. Q. All right. So, your total video is seven minutes and 23 seconds, So, --

A. Mm hmm.

75. Q. -- at the end of this video is when you left the scene?

A. I, I left the scene and went straight to Rhode Island Hospital.

76. Q. Okay.

A. Mm hmm.

77. Q. And then the prisoner you had to watch had nothing to do with this incident?

A. Not--, Nope. It was--

78. Q. Okay.

A. -- from a different separate—separate case.

79. Q. Okay. So, did you pare--, prepare any paperwork for this case?

A. No, I did not.

80. Q. Okay. A AIR report?

A. Negative.

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81. Q. Okay. [Aside: Is there anything you guys want?] Do you have anything else you'd like to add or something that we might want to know about the case?

A. I don't—I don't have anything.

DETECTIVE SERGEANT ZIENOWICZ: That'll conclude this interview at 11:35.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: July 26, 2021

TIME: 3:23 p.m.

INTERVIEW OF: Patrolman Lucas Ramalho
Providence Police Department

INTERVIEW BY: Detective Sergeant Paul Zienowicz
Providence Police Department

PRESENT: Attorney Joseph Pezza for Patrolman Ramalho

Detective Sergeant Robert Richardson
And
Detective Stephen Vinton
Rhode Island State Police

LOCATION:

SUBJECT: 21RIX1-1193-OF

1. **Q.** It is currently 3:23 on July 26, 2021. This is the Garrity interview of Lucas Ramalho relative to the pursuit of an apprehension of three juveniles at Salmon and King Streets on 7/9/21. My name is Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z. Spell your last name please.

A. R-A-M-A-L-H-O.

2. **Q.** And you're being represented by...?

ATTY. PEZZA: Joseph Pezza, P-E-Z-Z-A.

DETECTIVE SERGEANT RICHARDSON: Detective Sergeant Robert J. Richardson,
Badge number 25, Rhode Island State Police.

DETECTIVE VINTON: Detective Stephen Vinton, Badge 169, Rhode Island State

Police.

3. Q. Okay, Patrolman, you signed for your Garrity rights form, and I trust that your attorney has explained them to you, --

A. Yes, sir.

4. Q. -- and you understand them.

A. Yes, sir.

5. Q. Okay. Were you on duty the night of July 8th into July 9th?

A. Yes, sir.

6. Q. What car post were you assigned to that evening?

A. I'm a split car, so either 372 or 374, I don't remember at the moment.

7. Q. Okay. Suffice it to say you were in District 7.

A. Yes, sir. Three seventy-two. I remember.

8. Q. Okay. Did you at some point that evening become aware of a black BMW that was of interest to the police?

A. Yes, sir.

9. Q. Okay. What information do you recall about hearing about that vehicle?

A. I had heard that something happened I think in the area of Brown University and someone in that vehicle pointed what a, a, what a witness or a, a victim said was a rifle at someone, --

10. Q. Mm hmm.

A. -- and that that vehicle was wanted for ADW.

11. Q. Okay. Did you hear about one incident or possibly more incidents--

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A. So, --

12. Q. -- involve...?

A. -- that was the first time that I heard of it. Myself and uh--, Well, not myself, but Patrolman, um, John . . . what was his name. There was a patrol officer that was chasing the vehicle at some point, and then he came over the air that that vehicle, someone in that vehicle pointed a rifle at him while he was chasing that vehicle. So that was the second time I had heard of anyone in that vehicle pointing a rifle at someone.

13. Q. Would that be Patrolman Najarian?

A. Najarian, correct.

14. Q. Okay. So, you were aware then that there were a couple of felonies attributed to the occupants of that BMW.

A. Correct.

15. Q. And throughout the evening did you ever observe the vehicle at some point --

A. Yes, sir.

16. Q. -- in your travels? Where were you?

A. I was a few vehicles behind the lead car, and Pawtucket vehicles during the chase, and I could see it turning and...

17. Q. What area of the city did you begin to first see the [Indiscernible] ...

A. It came through District 7 through 74 Post—through the top of 74 Post on—on Smithfield Avenue. It proceeded down—It proceeded down towards Branch Avenue, took the turn on Branch Avenue, then Hawkins, Admiral, then Douglas, then Eaton. Then I think it was either Pembroke or Pinehurst [Indiscernible] ...

18. Q. Okay, you don't lay out the whole travel. But--

A. (laughs)

19. Q. But, but I, I--

A. And so on and so forth. Yeah, I --

20. Q. Yeah.

A. -- I was, I was--

21. Q. I just wanted to know about what time you—you joined in.

A. Near the area of District 7.

22. Q. Okay. So, at that time you were in pursuit of the vehicle.

A. I was trying to catch up to the pursuit at that time.

23. Q. Okay. Did you ever get to the point that you saw the vehicle and were in pursuit before it terminated at Salmon and King Streets?

A. I could catch brief glimpses of the vehicle, you know, pass all the other police cars somewhere near District 6 before we got to the District 5 area at Salmon Street.

24. Q. Okay. Did you ever see any weapons at that time?

A. No, sir.

25. Q. During the pursuit, or at any time, did you hear Lieutenant Jeannette make a broadcast based on witness information to rule out that the suspects just have BB guns?

A. Yes, I had heard at some point. I don't remember exactly when, but that Lieutenant Jeannette was in contact with either Brown P.D. or the victim and that the victim stated that it was—it appeared to them to be a rifle.

26. Q. Okay. How did the pursuit end?

A. I was not a part of the pursuit when it ended--,

27. Q. Okay.

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A. -- prior to the pursuit ending, because the vehicle went down Salmon Street, and we know that Salmon Street, there's only one way in and out of that part—in part of Salmon Street. The pursuit went right. I went left because I figured that they would flee on foot at some point and that they would come in my direction. The vehicle then passed me and some other patrol vehicles passed me, and at that point, I was in an accident with Patrolman [sic] Sanchez, and uh --

28. Q. Patrolwoman Sanchez?

A. Patrolwoman. My apologies. And by the time I looked at my vehicle saw the damage, we heard that the veh--, that the vehicle had crashed into I was believe was a fire hydrant or something up the street. I got back into my car, drove up the street, and by then people were already in handcuffs. So I was never a part of ... the pursuit terminating.

29. Q. So how long after the BMW's crash--

A. Mm hmm.

30. Q. -- did you arrive on the scene about?

A. I'm not sure. At—at least—At least five minutes. I, I know that when I arrived, there was a juvenile in handcuffs that was being placed in the back of a vehicle and that patrol officers were standing on the street where um—pretty much just waiting and making sure that the crowd didn't come into the scene. That's all.

31. Q. Okay. So, it, it's quite obvious you weren't involved in any of the apprehensions, --

A. No, sir.

32. Q. -- you didn't observe any of the apprehensions.

A. No, sir.

33. Q. What did you observe on your arrival other than somebody getting placed in a cruiser?

A. Multiple patrol officers trying to, you know, look—I-, they were looking through the vehicle and making sure that there wasn't any weapons in the vehicle. There was, what appeared to me, to be like a s--, maybe a small caliber pump-action rifle.

34. Q. Mm hmm.

A. I mean, lever action rifle in the passenger seat. I—That wasn't anything that I was involved with, I wasn't the—I wasn't the patrol officer that was directly chasing the vehicle, so I spent most of my time with the other officers making sure that the crowd didn't try to enter the scene for the most part.

35. Q. Okay. And were you directed to do that by anybody, or you just took it upon yourself to do that?

A. I don't recall if I was directly told to, but I know that with large—large crowds in a, you know, at—at a very dynamic scene, we want to make sure that people don't start entering the scene and trying to stop us from doing our job in any kind of way.

36. Q. The—the suspect by the name of [REDACTED] that went on the rescue, did you ever view his injuries, did you ever see him?

A. I don't know who that is. I don't know--

37. Q. Okay.

A. -- him by name.

38. Q. Did you ever notice any of the suspects with injuries on scene?

A. There was a bald-headed young man who had a small cut on his forehead, um, on—on the top of his head.

39. Q. Mm hmm.

A. He had some scars that he said was from a previous injury. Patrolman Najarian

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had asked him if he was okay; a couple of officers asked him if—if he needs the rescue. I think he was—he kept saying no, and that we told him we were going to get a rescue anyways.

40. Q. Yup. Okay. So, that was the light skin s--,

A. Yes.

41. Q. -- subject.

A. Yes. Yes, sir, light skin sub--

42. Q. There was a black male subject ju--, a juvenile. Did you happen to view him and his injuries?

A. Not to my recollection.

43. Q. Okay. So, did you transport any prisoners, did you prepare any paperwork?

A. No, sir, my vehicle, like I said, was involved in an accident, so I waited until that part of the situation was handled before I moved my vehicle in any way.

44. Q. Okay. So, o—did you—Other than keeping the crowd at bay, were there any post arrest duties that you were assigned or responsibilities that you took care of?

A. I think at one point someone had asked me if I could transport somebody, and I told them that I was involved in an accident and I couldn't.

45. Q. Okay. Did you prepare any paperwork for this case other than maybe a letter for the accident you were in?

A. Um. N—I mean, I wrote—Yeah, for the accident stuff. And I think I helped Patrolman Najarian navigate his way through a E-ticket because he's not super familiar with it.

46. Q. Okay.

A. I didn't myself prepare any paperwork.

47. Q. I see.

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DETECTIVE SERGEANT RICHARDSON:

48. Q. Did you—You said you did crowd control or you assisted with the perimeter or after--
- A. Correct.
49. Q. -- after the crash.
- A. Mm.
50. Q. Was it a head-on crash, or? I'm just trying to get a mental picture of what happened.
- A. I didn't see the crash. I think I--, It looked like they hit--maybe the front driver's side might have hit a fire hydrant or something.
51. Q. I'm talking about with your vehicle.
- A. Oh, my vehicle?
52. Q. Yeah.
- A. Oh, it was a uh—the front of the other officer's vehicle hit the rear driver's side of mine.
53. Q. Okay.
- A. I was trying to move--
54. Q. Fairly minor accident?
- A. Yeah. The vehicles were both operational: I drove mine and she drove hers to the garage afterwards...
55. Q. But you were facing the scene as to where the um, the suspect vehicle ended up, fair to say.
- A. No, s--, So, Salmon Street goes down and then loops around.
56. Q. Right.
- A. My—my accident happened on the other side. So then the suspect vehicle came

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back up Salmon Street into King. So, the veh--, the, the scene was not in view from when I—from where my accident happened.

57. Q. Okay.

A. There was--

58. Q. And --

A. -- buildings and a couple of streets, it was—

DETECTIVE SERGEANT ZIENOWICZ:

59. Q. Were you actually inside the Manton Projects off--

A. Yes, I--

60. Q. -- of Salmon Street?

A. -- was dow—I was, I was...

61. Q. So that, that, that's why you were [Indiscernible] --

A. When it goes down and loops around, I was--

62. Q. Yes.

A. -- at that back end of the loop is where I was. So, it was—I couldn't even see it from where I was.

DETECTIVE SERGEANT RICHARDSON:

63. Q. Okay. And you were on the perimeter trying to secure the crowd at that point.

A. Correct.

64. Q. Approximately how many people did you see that were coming out?

A. A few dozen, maybe 30, 40.

65. Q. Okay. And did you see any exchanges of any talk with—whether the people from the crowd were yelling things or anybody yelling anything back, did you see anything like that?

A. I don't remember anyone yelling anything back, I remember there was a woman that was really upset. They were saying something like: Oh, you were trying to kill those kids, or something like that. And I had no idea what was going on, I just knew that we were keeping [Indiscernible] ...

66. Q. You don't remember specifically what she said?

A. Um. I remember a woman saying something along the lines of: Do you even like—Can his mother see him? She kept talking about, like, the mother seeing the child. Obviously they're juveniles, so were going to contact the parents at some point anyway, so I, I wasn't concerned about that. I wasn't paying any mind to what most people were saying, it kinda just kinda went—went in—in one ear and out the other.

DETECTIVE SERGEANT RICHARDSON: [Indiscernible]

DETECTIVE SERGEANT ZIENOWICZ:

67. Q. All right. Anything else you can add, Patrolman?

A. No, sir, I--

68. Q. No.

A. I was preoccupied with an accident, so I wasn't really part of much.

69. Q. I understand. Okay.

DETECTIVE SERGEANT ZIENOWICZ: So it is currently 3:34. That'll conclude this interview.

STATEMENT TAKEN BY:

WITNESS STATEMENT OF RAMALHO, PTLM. LUCAS

Ref: 21RIX1-1193-OF

WITNESSED BY:

WITNESS STATEMENT

DATE: July 26, 2021

TIME: 1:36 p.m.

INTERVIEW OF: Patrolman Daviniel Urizar
Providence Police Department

INTERVIEW BY: Detective Sergeant Paul Zienowicz
Providence Police Department

PRESENT: Attorney Joseph Pezza for Patrolman Urizar

Detective Sergeant Robert Richardson
And
Detective Stephen Vinton
Rhode Island State Police

LOCATION:

SUBJECT: 21RIX1-1193-OF

1. Q. It is currently 1:36 on July 26, 2021. This is a Garrity interview of Daviniel Urizar relative to a pursuit and subsequent apprehension of three juveniles at Salmon Street and King Street on nine—excuse me, 7/9/21. My name is Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z. This is an interview of – Say your name and spell your last name.

A. Daviniel Urizar. Last name spelled, U-R-I-Z-A-R.

ATTY. PEZZA: Attorney Joseph Pezza, P-E-Z-Z-A.

DETECTIVE SERGEANT RICHARDSON: Detective Sergeant Robert J. Richardson,
Badge 25, Rhode Island State Police.

DETECTIVE VINTON: Detective Stephen Vinton, Badge 169, Rhode Island State

WITNESS STATEMENT OF URIZAR, PTLM. DAVINIEL

Ref: 21RIX1-1193-OF

Police.

2. Q. Okay. And, and for the-the transcriptee (phonetic). The spelling on that first name is D-A-V-I-N-I-E-L. And Patrolman, you were explained the Garrity rights by Attorney Pezza, and you understand them.
- A. Correct.
3. Q. Correct. Okay. And you signed for them with me. You were on duty the night of July 8th into the 9th.
- A. Yes.
4. Q. What car post were you assigned to?
- A. I believe I was 62 car.
5. Q. Sixty-two?
- A. I'm not a hundred percent sure, but I know I was in District 6 that day.
6. Q. So, you're--, Yeah, you're not—You don't have a permanent post, you tramp around?
- A. Yes.
7. Q. Okay. So you were in District 6.
- A. Mm hmm.
8. Q. At some point did you become aware of a black BMW that was of interest to the police?
- A. Yes.
9. Q. Okay. What information do you recall about this--
- A. Um, --
10. Q. -- vehicle?
- A. So, first the vehicle was in pursuit a few times; then it was—the pursuit was

cancelled because we didn't have—according to policy, we didn't have enough to pursue the vehicle, so it was cancelled. And then it—once it was pursued again, one of the officers who was in pursuit of that vehicle stated that one of them pointed a, a firearm at him, which led to the continuation of the pursuit.

11. Q. Okay. Did you hear any other calls related to that vehicle that might have . . . allowed that pursuit to continue, any documented felonies, maybe any ADWs or anything of that nature?

A. I believe during that same shift, I believe Brown University gave us a call stating that somewhere on the East Side I believe, I don't know exactly where, that a, a vehicle with similar characteristics was seen pointing a, a, what looked like to be weapons at people. I don't know who exactly was—was it pointed at, but I do remember hearing that over the radio, and that Brown University P.D. reported it to us.

12. Q. And so at some point we pursued the vehicle a, a, again?

A. Yes.

13. Q. Okay. Did that pursuit ever go into the area that you work in or your district?

A. No. So, I um, I left District--, I was—I was near District 7, and I remember hearing correctly that it was on 95 towards the mall, which is near District 7, and I was in the 6 / 7 line. So I was like, hey, might as well, you know, help our other officers out. So, you know, then I started to try to find the pursuit.

14. Q. Okay. Did you ever find the vehicle or observe the vehicle at some point?

A. Yes, I have.

15. Q. Where was that?

A. Before it—the rifle and it was pointed at one of the officers, which was one of the times which the vehicle was—which the pursuit was broken off. I believe I chased the vehicle

somewhere between Atwells and Valley Street towards like the Coca-Cola factory. And then the second time I saw the vehicle was pretty much when I started broad--, broadcasting the vehicle.

16. Q. Okay. Do you know approximately how long that lasted?

A. I wouldn't be an exact answer.

17. Q. Okay. So, you were in direct pursuit of the vehicle. You were directly behind it or?

A. N--, I believe I was two vehicles behind it, but I was um, broadcasting the, the pursuit.

18. Q. Okay. Very good. At that point did you observe any weapons in the vehicle?

A. During the pursuit? No.

19. Q. Okay. And at some point did—it was terminated did you say?

A. This was before when we actually let us chase the vehicle, but it was early on in the day when—when we didn't have any reason, according to policy, to chase the vehicle, yes, I saw it. But I didn't see any—I didn't see who the occupants were in the vehicle or—at any time at that first time.

20. Q. Are you a uh, mid-shift officer or are you a--?

A. I'm out last.

21. Q. You're out last. Okay. So, at some point during the evening do you remember hearing Lieutenant Jeannette state that based on witness information that we're going to rule out that these are just BBs for officer safety?

A. Yes.

22. Q. You heard him state that?

A. I believe so.

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23. Q. Okay. And at some point the pursuit picked up again?

A. Yes.

24. Q. Okay. Were you involved in that--

A. The--

25. Q. --pursuit?

A. The pursuit, um--

26. Q. The pursuit that led to the ending of--

A. Yes, I was part of that. Towards the end, I found the vehicle. But when they first started—when they let it go as far as letting us pursue the vehicle, I was [Indiscernible] trying to find them, but obviously I couldn't find them until like the few last minutes before the pursuit obviously came to, you know, when—when it ended.

27. Q. Okay. And how did it end?

A. One of the officers broadcast over the radio that it crashed. I believe it was Salmon and King Street, and it crashed into a fire hydrant.

28. Q. Okay. Did you witness that accident?

A. I did not.

29. Q. Okay. About how long after the crash did you arrive?

A. Hmm, I'd probably say it was probably around a minute.

30. Q. Okay.

A. Maybe less. Between 30 seconds and a minute. I w-, I can't give you an exact,--

31. Q. Okay.

A. --you know, time estimate.

32. Q. Okay. Were you involved in any apprehensions?

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A. I was... Yes. So when um—Once I got out of my vehicle, I rushed towards—I rushed towards the vehicle which I saw that was already crashed. I saw the driver who was on the ground trying to be apprehended by other officers. So I immediately rushed over there, and obviously I helped them apprehend him by holding the subjects that he—until they obviously got him in handcuffs. So.

33. Q. So you assisted in the apprehension of the operator. Do you know that subject's name?

A. I do not.

34. Q. Okay. This is your body cam video; we're just gonna...

AUDIO RECORDING: (Sirens blaring)

35. Q. Slow it down a little bit.

AUDIO RECORDING: (Sirens blaring)

36. Q. So is that you holding him down?

A. Yes.

AUDIO RECORDING: (Sirens blaring)

37. Q. Did you observe any . . . force utilized on this subject that was inappropriate?

A. I did not, no.

38. Q. Any punches?

A. I did not see any p--, any punches.

39. Q. Did the suspect say anything to you?

A. As I was walking towards him, it kinda felt like he was kinda moving to like, the right, and I, I didn't remember exactly what he was saying, but um, then I told him to, I told him to shut the fuck up.

40. Q. Okay.

A. [Indiscernible]

41. Q. And did you escort him to a cruiser?

A. Yes, I did.

42. Q. Okay. Whose cruiser?

A. I'm not a hundred percent sure whose cruiser it was, everybody's cruiser was there, so I wouldn't be able to g--, give you an exact ...

43. Q. So you just secured the prisoner.

A. Yes.

44. Q. Did you stand by that prisoner?

A. I believe somebody else did.

45. Q. Okay. **AUDIO RECORDING: (Sirens blaring)** Other than uh, the brief conversation which you described, did you have any other conversation with that prisoner?

A. Um, ...

46. Q. Did he make any utterances to you, did he say anything...?

A. Not—Not that I recall.

47. Q. Okay. I know you were involved in the apprehension of the young man you described.

A. Mm hmm.

48. Q. Did you observe any of the other apprehensions that were made?

A. No, I did not.

49. Q. Okay. At any point while you were on scene, did you observe the subject [REDACTED]?

A. On--, I don't know who that is, so.

50. Q. So, it's the—There were three individuals in the car. There was a—the one you apprehended, --

WITNESS STATEMENT OF URIZAR, PTLM. DAVINIEL

Ref: 21RIX1-1193-OF

A. Mm hmm.

51. Q. -- there was a white juvenile and a black juvenile.

A. Okay.

52. Q. The black juvenile's name is [REDACTED].

A. Okay. I did observe him getting treated by rescue when rescue arrived.

53. Q. Okay. Did you hear on scene how he may have received those injuries?

A. I did not.

54. Q. Did you hear--? Was anybody discussing his injuries? Did--? You observed the injuries though.

A. I observed him being treated, I didn't--

55. Q. I--

A. -- I didn't, I didn't--

56. Q. No, but I, I'm not saying that you observed them--

A. Oh--

57. Q. -- happen, but I'm saying you observed the f--, his injuries on his face--

A. Uh, I didn't--

58. Q. --when you...

A. I just observed him being treated, I didn't see exactly what h-, he was being treated for, I just saw him--the rescue being there with him--

59. Q. Okay.

A. -- on scene.

60. Q. So but before the rescue started treating him, did you see blood on his face, any of that?

A. No.

61. Q. No?

A. No.

62. Q. Were you assigned to any post arrest duties while you were on scene by any supervisor?

A. No.

63. Q. So did you remain on scene or did you leave after this?

A. I remained on scene just to secure one of the vehicles, which was like, far away from the scene just to make sure that nobody tampered with vehicles or anything like that.

64. Q. Sure. And did anything, did you monitor the crowd, were you putting up crime scene tape, you d--?

A. No, I—Like I said, I just made sure that the vehicles, because there was a, I believe it was a, one of the brand newer cruisers and another cruiser that was like, towards like, Salmon and Manton Ave. So I just stayed with those vehicles to make sure that nothing were to happen to those vehicles, and because the crime scene tape was there, I pretty much brought the crime scene tape up from when vehicles were either leaving the scene or when the tow truck came into the scene to tow the vehicle.

65. Q. Okay. So how, how long after the apprehension that you were involved in did you leave the scene?

A. I w--, I wouldn't be able to give you an exact answer.

66. Q. Well I don't need an exact answer, that's why I said how about. How about--

A. [Indiscernible]

67. Q. So, five minutes? A half-hour? Can you ballpark it somewhere.

A. I'd probably say somewhere between a half-hour and 45 minutes.

68. Q. Okay. So the point I was getting at: what did you do for, you know, a half-hour or 45

minutes if you—Were you just standing by those cruisers watching them for--

A. Yes.

69. Q. -- the whole time?

A. Yes.

70. Q. Okay. Thank you. Did you prepare any paperwork in regards to this case?

A. Because I was broadcasting the case, I did leave a To / From letter, which was part of our policy to leave a To / From letter whenever we do—get involved in a chase. So I just did a, a To / From letter as far as what my involvement was in the pursuit.

71. Q. Okay.

DETECTIVE SERGEANT RICHARDSON:

72. Q. The subject that you apprehended, can you describe him.

A. Light skin male, thin build, kind of like shaved head.

73. Q. Okay. And you stated that—that you were involved in the chase approximately tw--, It, it went on for about 20—20 minutes, is that correct? Or?

A. Somewhere around that time I believe.

74. Q. And do you remember what—what specific time in the morning that was?

A. I wouldn't be able to give you—I, I, I honestly don't know.

75. Q. Okay. And the individual that you apprehended at the scene did he complain of any injuries?

A. Not to me.

DETECTIVE SERGEANT ZIENOWICZ:

76. Q. Did you observe anything about that individual's head? Did you see any scarring on it?

A. Not—I didn't notice any scars.

WITNESS STATEMENT OF URIZAR, PTLM. DAVINIEL

Ref: 21RIX1-1193-OF

77. Q. Okay. All right. Do you have anything else you want to add, anything you want to say?

A. No, I'm good.

78. Q. Okay.

DETECTIVE SERGEANT ZIENOWICZ: It's currently 1:48. That'll conclude this interview.

STATEMENT TAKEN BY:

WITNESSED BY:

Ref: 21RIX1-1193-OF

WITNESS STATEMENT

DATE: July 28, 2021

TIME: 2:53 p.m.

INTERVIEW OF: Patrolwoman Jenna Heeder
Providence Police Department

INTERVIEW BY: Detective Sergeant Paul Zienowicz
Providence Police Department

PRESENT: Attorney Joseph Pezza for Patrolwoman Heeder

Detective Sergeant Robert Richardson
And
Detective Stephen Vinton
Rhode Island State Police

LOCATION:

SUBJECT: 21RIX1-1193-OF

1. **Q.** It is 2:53 on July 28, 2021. This is a Garrity interview of Patrolwoman Jenna Heeder relative to the pursuit and subsequent apprehension of three juveniles at Salmon and King Street on July 9th of 2021. My name is Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z. Can you spell your name please for the record.

A. Yes, sir. Patrolwoman Jenna Heeder, J-E-N-N-A, H-E-E-D-E-R.

2. **Q.** You're represented by ...

ATTY. PEZZA: Attorney Joseph Pezza, P-E-Z-Z-A.

3. **Q.** And I'm here along with ...

DETECTIVE SERGEANT RICHARDSON: Detective Sergeant Robert Richardson, Badge

number 25, Rhode Island State Police, R-I-C-H-A-R-D-S-O-N.

DETECTIVE VINTON: Detective Stephen Vinton, Badge 169, Rhode Island State Police.

4. Q. Officer, you were on duty the night of July 8th into July 9th.

A. Yes, sir.

5. Q. And you're assigned to the out last shift?

A. Yes, sir.

6. Q. What car post were you assigned to that evening?

A. Oh, I believe it was three--, three-forty—I'm sorry, 344 car.

7. Q. Okay. That's the west end area of the city?

A. Yes, sir.

8. Q. At some point during your shift did you become aware of a black BMW that was of interest to police?

A. Yes, sir.

9. Q. What do you recall hearing about that vehicle and what crimes they may have committed?

A. There were several calls throughout the night that I recall, at least three or four just in regards to air soft BB gun rifles being shot at different complainants that did not have complaints, and then other officers seeing the vehicle, it fleeing from them and vice versa, just a lot of the same types of calls just regarding air soft rifles initially, and then we tried to disregard the air soft part of it because we weren't sure um, in the long run.

10. Q. Okay. So did you ever observe this vehicle in your travels that evening?

A. Yes, sir, only one time did I actually see the vehicle pursuing.

Ref: 21RIX1-1193-OF

11. Q. Okay. Tell me about that.

A. We were in Johnston at that time, it was just over the line. Woonasquatucket Avenue. They were fleeing from, I think it was a . . . oh, [Indiscernible] Officer Prete was right behind him. I just remember him traveling back towards Providence on Woonasqua--, Woonasquatucket Avenue in Johnston. Then he fled from there to some side street back towards Johnston, and that's really the only time I actually saw--

12. Q. So--

A. -- the car.

13. Q. -- at no time you were--

A. I was never the primary ...

14. Q. --in direct pursuit.

A. Correct.

15. Q. Okay. In the brief time that you saw that vehicle, did you see any weapons?

A. I did not.

16. Q. But you—you did make reference to saying that uh, not to just -- So the question is: Lieutenant Jeannette, did you monitor him broadcasting that based on witness information to rule out the suspects are just having—using BB guns?

A. Yes, sir.

17. Q. Okay. And that was for officer safety?

A. Yes, sir. Due to only the dispatcher, I know he had asked the dispatcher over the radio why he had that thought or indication that it was air soft rifles versus just a typical everyday rifle. So just for our safety, he wanted to cancel out that—that just because of uncertainty.

18. Q. Okay. Do you know how the pursuit ended?

A. I do.

19. Q. Can you tell me about it.

A. As far as I know, the subjects entered into the Salmon Street apartment area, which I believe we were kind of made aware of them living in the area over there. But at that time I just recall them striking a fire hydrant. And I know along that travel just before—just beforehand they had a, one of their tires blew out, and it almost seemed like it was coming to an end. Then finally, I did hear that they crashed into a fire hydrant, and that was it.

20. Q. But you did not witness the accident.

A. I did not.

21. Q. Upon your arrival to the scene, how long after the crash do you believe it was?

A. Probably I would guess four or five minutes or so.

22. Q. Okay.

A. I was in the area, but I hadn't been very close to them, so we just happened to park and walk through all the cars that were there at the end [Indiscernible] time.

23. Q. Okay. So, you didn't witness any of the apprehensions?

A. I did not.

24. Q. Okay.

A. I only saw one person that was apprehended at the very end, and I didn't even see the other two subjects--

25. Q. Okay.

A. -- at all.

26. Q. Who was that person...?

Ref: 21RIX1-1193-OF

A. I believe his name was [REDACTED] (phonetic).

27. Q. [REDACTED]?

A. -- in the car... Yes. [Indiscernible] passenger.

28. Q. Okay. And did you observe that subject's injuries?

A. I did, yes.

29. Q. Did you hear any discussion between officers as to how Mr. [REDACTED] might have received his injuries?

A. The only thing I did overhear was that it was from the airbag. I didn't hear anything else as far as ...

30. Q. Okay.

A. -- how his injuries came about.

31. Q. Were you assigned any duties while you were on scene?

A. No, sir. They actually had just pretty much almost immediately asked for a bunch of the cars to leave the area. I only remained for a little bit just because the crowd started to gather. So. But not really. I actually went back to my cruiser for a little bit and helped just moving out cars to get the state troopers out and the other officers.

32. Q. Okay. So, you didn't perform any crowd control, you assisted in moving some cruisers around to clear the roadway.

A. Correct. I do—There was one moment where I did see Domingo Diaz and Sean Cooney engaging in the crowd, a little aggressively, and I did approach Domingo Diaz and told him it wasn't worth that kind of thing and Sergeant Troia was saying the same thing to him. And he did, he stepped back, he calmed down and ...

33. Q. Yeah.

A. -- that was pretty much all I --

34. Q. Do you recall what he said to the crowd?

A. I don't recall at all.

35. Q. Okay. Did you speak to any onlookers or witnesses?

A. No, sir.

36. Q. Okay. Did you prepare any paperwork for this case, did you get assigned any prisoner watches, did you--?

A. I did have the Hasbro Ch--, prisoner watch with [REDACTED]. There were four of us over there.

37. Q. Okay. And were you there to watch [REDACTED] or were you there for security reasons in case any of the family showed up?

A. For security reasons.

38. Q. Okay. Were at any time you were in the room with [REDACTED]?

A. No, sir.

39. Q. Okay. You didn't overhear [REDACTED] saying anything in the hospital?

A. No, sir, he was very quiet at the hospital.

40. Q. Okay. About how long were you stationed at the hospital?

A. I think about three / 3 ½ hours. A significant amount of time.

41. Q. Were you relieved by somebody or w--, did the security end just because the family wasn't showing up, or --

A. I --

42. Q. -- do you know?

A. Only the mom had showed up. But once she left, it seemed like the father wasn't

Ref: 21RIX1-1193-OF

going to show up. So at the end of our shift, actually, Sergeant Perez indicated that two of us out of the four, because there were two prisoners in there, could leave. So they only left the one officer per prisoner.

43. Q. Okay. So, was that the end of your involvement as this case--

A. Yes.

44. Q. -- per se, you—you—no, no paperwork, correct, and --

A. Correct.

45. Q. Okay. Do you have anything else to add, a anything that you remember or?

A. No, sir.

46. Q. Okay.

DETECTIVE SERGEANT ZIENOWICZ: It is currently 3:00 That'll conclude this interview.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: July 26, 2021

TIME: 12:07 p.m.

INTERVIEW OF: Patrolwoman Demaris Sanchez
Providence Police Department

INTERVIEW BY: Detective Sergeant Paul Zienowicz
Providence Police Department

PRESENT: Attorney Joseph Pezza for Patrolwoman Sanchez

Detective Sergeant Robert Richardson
And
Detective Stephen Vinton
Rhode Island State Police

LOCATION:

SUBJECT: 21RIX1-1193-OF

1. **Q.** It is 12:07 on July 26th, 2021. And this is a Garrity interview of Patrolwoman Demaris Sanchez relative to the pursuit and subsequent apprehension of three juveniles at Salmon and King Streets on July 9th, 2021. My name is Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z.

Present in the room are ...

A. Demaris Sanchez.

2. **Q.** Kindly spell your last name.

A. S-A-N-C-H-E-Z.

ATTY. PEZZA: Joseph Pezza, Demaris' attorney.

DETECTIVE SERGEANT RICHARDSON: Detective Sergeant Robert Richardson,

Rhode Island State Police Badge number 25.

DETECTIVE VINTON: Detective Stephen Vinton, Badge 169, Rhode Island State Police.

3. Q. I'm going to go off the record for a minute.

(End of Audio Recording #1)

(Continuation, Audio Recording #2)

4. Q. Okay. And after a ten second delay, 12:08, we're back on the record. Patrolwoman Sanchez, were you on duty the night of July 8th into the July 9th?

A. Yes.

5. Q. Okay. What car post were you assigned to?

A. I was -- I know I was in the south side. I think I was maybe 23.

6. Q. So, --

A. I'm sorry, I don't--, I get moved around, so I don't remember what car post I was that night.

7. Q. I understand you're not bid so --

A. Yeah.

8. Q. -- you, you, you kind of tramp around what car.

A. Yes.

9. Q. So that would be car 323, right?

A. Yes.

10. Q. Okay. Did you at some point become aware of a black BMW that was of interest to the police?

WITNESS STATEMENT OF SANCHEZ, PTLW. DEMARIS

Ref: 21RIX1-1193-OF

A. Yes.

11. Q. Okay. What information do you recall about this vehicle?

A. I know that it was a BMW convertible; there was three subjects inside with a, with a weapon, possible shotgun.

12. Q. Okay. Did you hear any information as to what crimes they may have committed?

A. Yes, I heard that they--there was a victim in Brown school that saw these subjects with a shotgun and have pointed at them. And as the pursuit was involving, because I wasn't part of the initial pursuit, I heard over the radio that he pointed the shotgun to one of the officers.

13. Q. Oh, okay. Did you ever observe this vehicle before you arrived at Salmon and King Streets?

A. Yes. When I started the pursuit on Route 6 west and was heading towards on Hartford, I had jumped on the highway, and then he was initially on the highway, so he was going towards downtown in Pawtucket that way. So that's when I initially ...

14. Q. Okay. So you were in direct pursuit of the vehicle.

A. Correct.

15. Q. Did you broadcast?

A. Yes.

16. Q. Okay. About how long did that last?

A. The pursuit was about 15, 20 minutes before it ended in Salmon.

17. Q. Okay. We--, And were you in direct pursuit that whole time or did you lose sight of the vehicle...?

A. I was in direct pursuit that whole time.

WITNESS STATEMENT OF SANCHEZ, PTLW. DEMARIS

Ref: 21RIX1-1193-OF

18. Q. Okay. And did you ever consider terminating—terminating your pursuit.

A. Uh, no.

19. Q. Okay. Can you tell me why not.

A. **Because it was a vehicle of high interest, and like I said, he had the shotgun in the vehicle and he also pointed it at the officers and another subject.**

20. Q. Okay. Can you tell me how many passengers were in—or, or how many occupants total were inside the vehicle?

A. **There was three. I saw two. I didn't see the one all the way in the back, I just saw the front—the driver and the front passenger who kept looking back. But I didn't see the, the third subject.**

21. Q. Okay. At that time did you observe any weapons while you were in pursuit?

A. I did not.

22. Q. Okay. During the pursuit, did you hear Lieutenant Jeannette say based on his—based on witness information that he received, to rule out that the suspects are only using BB guns for officer safety?

A. No.

23. Q. You didn't hear that.

A. Nn nn.

24. Q. Okay. How did the pursuit end?

A. **It ended when the vehicle came into contact with a fire hydrant on Salmon.**

25. Q. Okay. Just prior to coming into that fire hydrant, the vehicle went down Salmon into the Projects and drove around. Were you behind it at that time?

A. **No, I got involved—I was—When we went into Salmon on uh, Salmon and—I forgot**

the side street—I ended up getting into a uh, city-involved accident with another cruiser. It was just a little fender-bender. So, I got into—in the accident. But when I arrived to King and Salmon, the vehicle was already stopped, and a—a few of the subjects were already outside the vehicle.

26. Q. So you didn't wit--, witness the accident portion...

A. I did not witness the accident portion, no.

27. Q. Okay. So about how long after the accident did you arrive would you say?

A. It could have been maybe a minute or two.

28. Q. Okay.

A. I didn't stop too long, I just, you know, was startled because I got into the accident and went around the vehicle and...

29. Q. Okay. You didn't get hurt, did you?

A. No. (chuckles)

30. Q. What did you observe upon your arrival?

A. When I arrived, there were a couple of the Pawtucket and Providence cruisers lined up. I walked towards the scene. I noticed the vehicle had crashed into the fire hydrant. I noticed a couple of officers on top of a, a subject, trying to, you know, restrain him, and throwing some—some punches. And then I saw—I was—At that time I was walking out with Sergeant Perez. I saw that there was already enough officers, you know, trying to get control of one guy, so I wasn't trying to get in there. I went straight to the vehicle, made sure the weapons were secured, if there were weapons. I saw Sergeant Perez pull one of our officers off the subject and um, by that point, I already started looking inside the vehicle. There w--, I didn't see anything, I just did a quick search. Like, I didn't really go into the car, I just did a

Ref: 21RIX1-1193-OF

quick overlook.

31. Q. Mm hmm.

A. And then I went back to one of the cruisers and opened the door for one of the officers to put one of the subjects inside the back in the cage.

32. Q. Okay. So I want to back up a little bit. And upon your arrival when you were observing the apprehension of that suspect, who later turned out to be [REDACTED] when you approached that apprehension, do you remember hearing the Sergeant giving any instructions?

A. When Sergeant Perez had arrived, and he pulled Officer Domingo off, he told him he had to hear him say, handcuff him.

33. Q. So, he—he was instructing the officers on scene to cuff him—

A. Yes.

34. Q. -- handcuff him.

A. Yes.

35. Q. Okay. And you mentioned that you observed Sergeant Perez pull Patrolman Diaz out of the pile.

A. Yes.

36. Q. Okay. Do you observe what Patrolman Diaz is doing at that time, why—why you think uh, he pulled—Sergeant Perez pulled Diaz out of the pile?

A. Why do I think he pulled him off? One, because there were already—I think there were already enough officers, and, you know, Officer Diaz was, like I said, throwing punches at the—at the subject.

37. Q. Okay. Did you happen to observe, or could you tell me about how many punches you saw thrown?

WITNESS STATEMENT OF SANCHEZ, PTLW. DEMARIS

Ref: 21RIX1-1193-OF

A. Like, two maybe three.

38. Q. Okay.

A. Yeah.

39. Q. All right. Did you s--, observe any other officer striking [REDACTED]?

A. Um, I, I did see a couple—I can't—I don't remember who exactly it was, because like I said, there was a lot of officers. The only one I really remember was Diaz because he was like, on top of everyone—pretty much on top of everyone else. I did see a--, another officer throw like, a punch, but I didn't—I don't know who it was.

40. Q. Okay.

A. Yeah.

41. Q. Did you happen to see Patrolman Diaz come back after the apprehension and spit in the direction of uh--?

A. I did not see that, no.

42. Q. Okay. All right. Did you notice any injuries on Mr. [REDACTED]?

A. I did. After he was pulled up and seated, I saw he had blood on his face and his face was severely injured. I don't know if it was because of the accident or because of, you know, the injury maybe the officers caused. Because I didn't see the initial accident.

43. Q. I see. Did you inform any supervisor on the scene that you observed the use of force that required a Use of Force inquiry?

A. I did afterwards. I think I told Sergeant Perez and Lieutenant Jeannette that I did get some of the—I had my camera on pretty much the whole t--, the whole time.

44. Q. Yeah.

A. Yeah.

45. Q. So you told them you—that you observed the punches and that it's on video?

A. Yes.

46. Q. Okay. I assume you told them about your police car accident?

A. Yes.

47. Q. Okay. And they took care of that?

A. Yes.

48. Q. Okay. Did you have any post-arrest responsibilities or duties assigned to you?

A. No.

49. Q. No—no putting up tape, no crowd control, no going to the hospital with anybody?

A. **I was—I stood on scene for crowd control. Because there were a lot of subjects who came out of the buildings and they were upset and started yelling, and, you know. So I just—we secured the scene and stayed on scene until the scene was secured and the vehicle was taken away and everyone was pretty much out of the scene.**

50. Q. Okay. Did you engage in any conversation with any of those onlookers?

A. **No. I re--, kind of was recording the whole time, but I didn't engage in any conversation.**

51. Q. Did you hear any other officers engaged in conversation with them?

A. **Sergeant Perez did a little bit. Not in, you know, yelling terms, I think he was just, you know, speaking to them. I know that a couple of subjects were speaking to Lieutenant Jeannette. I think they were inquiring on the juveniles, and that's pretty much it.**

52. Q. Okay. [Aside: Anything?]

DETECTIVE SERGEANT RICHARDSON:

53. Q. Just a question. When—when you were on scene prior to that you stated that you, you

observed weapons in the vehicle?

A. I did not observe the w-, the weapons, no.

54. Q. When you—when you were on the scene, were the weapons seized?

A. Oh, I did see the sh--, the shotgun – from a distance as I was walking out towards the car being secured. I don't remember who was—or who grabbed it out of the vehicle. But I know they had taken it out of—I think it was the middle console. I know I seen somebody grabbed it and they were looking at it to secure it, and I think they might have put it in one of the cruisers because I was walking towards the car at this point, it was from a distance.

55. Q. Okay. And how many vehicles [sic] were seized out of the car?

A. How many uh--

56. Q. Out of the black ...

A. -- weapons?

57. Q. --BMW, correct.

A. I just saw that one. But I, I think I heard there were two weapons. But I saw that one.

58. Q. Okay. And you stated that a crowd had been gathering at that point?

A. Yes.

DETECTIVE SERGEANT ZIENOWICZ:

59. Q. Do you have anything else you can add, anything that you think we might want to know or anything else you want to tell us?

A. Um. No.

[Indiscernible]

60. Q. Okay, st--, stand by on second. Go ahead.

DETECTIVE VINTON:

61. Q. The two to three punches that you observed thrown by Patrolman Diaz, --
- A. Mm hmm.
62. Q. -- do you recall if they were open fist / closed fist?
- A. I think they were closed fist.
63. Q. Do you recall what hand he was striking with?
- A. I saw the left. I s--, I think I--, I saw one with the right and one with the left.
64. Q. All right.
- A. Yeah.
65. Q. Do you recall where those--
- A. Landed?
66. Q. -- the subject? Yes.
- A. No.
67. Q. Did you observe the suspect resisting?
- A. I couldn't even see the suspect honestly because there were just so many officers on the suspect.
68. Q. Could you see where the suspect's hands were?
- A. I couldn't.
69. Q. All right. How was the suspect laying on the street?
- A. I think he was laying on his back, but I couldn't even see him till all the officers got off of him, and they had a--they were pulling him up to a sitting position and to put him in a secured area...
70. Q. And that was--that was after he had been handcuffed.

WITNESS STATEMENT OF SANCHEZ, PTLW. DEMARIS

Ref: 21RIX1-1193-OF

A. Right.

71. Q. I'm talking about when--

A. Prior?

72. Q. -- prior to--?

A. I—I couldn't see him.

73. Q. All right.

DETECTIVE SERGEANT ZIENOWICZ:

74. Q. Okay. It's currently 12:20. You stated you didn't have anything else to add,--

A. Correct.

75. Q. -- is that correct.

A. Yes.

75. Q. Okay. That'll conclude this interview.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: July 28, 2021

TIME: 1:36 p.m.

INTERVIEW OF: Patrolwoman Sarita Fernandez
Providence Police Department

INTERVIEW BY: Detective Sergeant Paul Zienowicz
Providence Police Department

PRESENT: Attorney Joseph Pezza for Patrolwoman Fernandez

Detective Sergeant Robert Richardson
And
Detective Stephen Vinton
Rhode Island State Police

LOCATION:

SUBJECT: 21RIX1-1193-OF

1. Q. It is currently 1:36 on July 28, 2021. This is a Garrity interview of Patrolwoman Sarita Fernandez relative to the pursuit and subsequent apprehension of three juveniles at Salmon and King Streets on 7/9/21. My name is Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z. Officer, can you spell your name for the record.

A. S-A-R-I-T-A, F-E-R-N-A-N-D-E-Z.

2. Q. Okay. And you're represented by ...

ATTY. PEZZA: Attorney Joseph Pezza, P-E-Z-Z-A.

3. Q. And I'm with ...

DETECTIVE SERGEANT RICHARDSON: Detective Sergeant Robert Richardson, Rhode Island

State Police, Badge number 25, R-I-C-H-A-R-D-S-O-N.

DETECTIVE VINTON: Stephen Vinton, Badge 169, Rhode Island State Police.

4. Q. Okay. Officer, you were on duty the night of July 8th into t-ni—into--

A. Y--

5. Q. -- the 9th?

A. Yes.

6. Q. Okay. What car post were you assigned?

A. **Three eleven and 312.**

7. Q. Okay. Thank you. At some point you were aware of a broadcast for a black BMW that was of interest to the police?

A. Yes.

8. Q. What can you tell me about that.

A. **It was broadcasted over the radio that it had been terrorizing the city in various capacities over the course of many hours and was on the run from police.**

9. Q. Okay. Do you remember what-- kind of what things they were doing in that vehicle, or any crimes that they may have committed?

A. **Alleged rifle, alleged BB gun--**

10. Q. [Indiscernible]

A. **-- pointing it at pedestrians and vandali--, and vandalism.**

11. Q. Okay. So, it was kind of documented that they—that vehicle was wanted for some felonies, the occupants of that vehicle. Yes?

A. Yes.

WITNESS STATEMENT OF FERNANDEZ, PTLW. SARITA

Ref: 21RIX1-1193-OF

12. Q. Okay. Did you ever observe this vehicle on your patrols that night?

A. I did.

13. Q. Can you tell me about that.

A. I observed it while near Kennedy Plaza. At that time I began to pursue it and I broadcasted it over Channel 1.

14. Q. Okay. Can you kind of tell me the direction it went and how that resolved or did not resolve itself?

A. It began on Dorrance Street and went through traveling up by Memorial Boulevard, going past the mall, also going through a construction site and by ending around the Rhode Island Blood Center.

15. Q. Okay. And was it ended because you lost sight of the vehicle?

A. Correct.

16. Q. Okay. I want to go back to when that started. Do you about approximately what time you—you encountered the vehicle at first?

A. It's in my—it is in my witness statement. I don't recall,--

17. Q. Yeah.

A. -- it's not in my head.

18. Q. All right. Fair enough. And when you did encounter it, were you able to see inside the vehicle; did it have it's rag top up or down?

A. Rag top down.

19. Q. So you could see the occupants?

A. Negative.

20. Q. You couldn't see the--

A. No.

21. Q. -- occupants. Okay. So you couldn't tell how many occupants were in the vehicle.

A. I can't, it was so far ahead.

22. Q. I see. Okay. So, I guess it was safe to assume that you didn't see them display any weapons at that time.

A. Correct.

23. Q. After you lost pursuit of the vehicle did you ever see it again?

A. No.

24. Q. No. Okay. But did you monitor more broadcasts of the vehicle being spotted and maybe involved in more crime?

A. I did.

25. Q. Okay. Can you tell me about that.

A. I continued to monitor from a distance and to follow.

26. Q. Okay. But what were you hearing on the radio?

A. I was hearing other officers picking it back up and losing sight of him, and picking it back up, and losing sight.

27. Q. Okay. During all that, did you monitor Lieutenant Jeannette broadcast that based on information he received from a witness that—to rule out that the suspects just have BB guns and treat it as possible real weapons in the vehicle?

A. I do recall.

28. Q. You do recall hearing that? Okay. Were you at some point able to make your way to Salmon and King Streets where the pursuit ended?

A. Yes.

WITNESS STATEMENT OF FERNANDEZ, PTLW. SARITA

Ref: 21RIX1-1193-OF

29. Q. Yes. Well did you witness how the pursuit ended?

A. No.

30. Q. Okay. You knew how it ended though.

A. Yes.

31. Q. Can you tell us?

A. **To my awareness there was a crash.**

32. Q. Okay. You did not witness the crash?

A. **Correct.**

33. Q. Were you involved in making any apprehensions?

A. No.

34. Q. Okay. Upon your arrival, did you observe any of the apprehensions being made?

A. No.

35. Q. No. About how long after the apprehensions, or after the accident I'll say, did you arrive?

A. **Within minutes.**

36. Q. Within minutes? Did you assist with any of the suspects, securing them into cruisers, watching them, or--

A. No.

37. Q. --any? No. Well what did you do...? What did you see and what did you do when you got on scene?

A. **Upon getting on scene, I noticed suspects were already in custody, so I noticed everything was all set and I left.**

38. Q. Okay. Can you tell me how long you might have been on scene from--

A. **Minutes.**

39. Q. -- start to finish? Minutes?

A. **Well—Yeah, at most five minutes.**

40. Q. Okay. Did you see a suspect later identified as [REDACTED] on the sidewalk being treated by other officers?

A. **No.**

41. Q. No. Being this vehicle was wanted for some felonies and there was approximate 40-minute pursuit of this vehicle when you arrived on scene, can you tell me why you had no body-worn camera video, you never activated your camera?

A. **My camera was activated.**

42. Q. It was?

A. **When I--**

43. Q. [Indiscernible]

A. **-- arrived on scene? Yes.**

44. Q. Do you have video of this incident?

A. **It should be on video, yes.**

45. Q. Okay. Well, (sighs) (pause) We're going to take a moment and see if we can find ...

(pause) So, on July 9th, . . . I see two videos: one at 5:55 a.m. and one at 6:01 a.m., which is well after this incident. So, I'm going to try to look for it again. (pause) Well, I, I'm not finding the video that you speak of. We'll look again and we'll re-visit that. Your memory is, is you turned your video on?

A. **Correct.**

46. Q. Okay. So I take it that if you didn't perform any police functions and you didn't apprehend anybody, I, I don't assume that you would have prepared any paperwork for the case.

A. Due to my involvement in the chase, and picking up the broadcast, I did complete a witness statement for that portion.

47. Q. I see. All right. And then you turned that over to the Youth Services or was that in—in—in retro for the supervisor for the use—the pursuit inquiry?

A. Correct, the supervisor.

48. Q. Okay. You weren't asked to stand by any prisoners, watch any prisoners at the station or at the hospital?

A. No.

49. Q. Okay. [Aside: Do you have anything?] Okay.

DETECTIVE SERGEANT ZIENOWICZ: Well, it's currently 1:45, and that'll conclude this interview.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: July 28, 2021

TIME: 1:53 p.m.

INTERVIEW OF: Patrolman Renaud Joseph
Providence Police Department

INTERVIEW BY: Detective Sergeant Paul Zienowicz
Providence Police Department

PRESENT: Attorney Joseph Pezza for Patrolman Joseph

Detective Sergeant Robert Richardson
And
Detective Stephen Vinton
Rhode Island State Police

LOCATION:

SUBJECT: 21RIX1-1193-OF

1. Q. It is 1:53 on July 28, 2021. This is a Garrity interview of Patrolman Renaud Joseph relative to the pursuit and subsequent apprehension of three juveniles at Salmon and King Streets on July 9th, 2021. My name is Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z. Officer, can you spell your name for the record.

A. Renaud, R-E-N-A-U-D, Joseph, J-O-S-E-P-H.

2. Q. Okay. And you're represented by ...

ATTY. PEZZA: Joseph Pezza, P-E-Z-Z-A.

3. Q. And I'm along with ...

DETECTIVE SERGEANT RICHARDSON: Detective Sergeant Robert Richardson, Rhode Island

Ref: 21RIX1-1193-OF

State Police, Badge number 25, R-I-C-H-A-R-D-S-O-N.

DETECTIVE VINTON: Detective Stephen Vinton, Badge 169, Rhode Island State Police.

3. Q. Officer were you on duty the night of July 8th into July 9th?

A. Yes.

4. Q. Okay. What car post were you assigned to, sir?

A. Three sixty-four.

5. Q. Okay. And are you an out last officer?

A. Yes.

6. Q. Okay. So, at some point did you become aware of a black BMW that was of interest to the police?

A. Yes.

7. Q. Can you--? And what can you tell me the information you recall about hearing relative to that vehicle.

A. Over the ra--, Channel 1, I heard of a pursuit, a black BMW convertible. It star--, It started up on North Main. The officer pursued the car, and then lost—lost the vehicle along the way. And around Providence Place Mall, one—another officer happened to see the, the, the vehicle. The pursuit was back on through Smith and up to Chalkstone. That officer happened to lost sight of the vehicle. But my post is Chalkstone and that area, so I actually posted on Chalkstone and Mount Pleasant. I didn't know the car was going outbound on Chalkstone, so I happened to see the vehicle going outbound past...

8. Q. Okay. Before you describe that—all that to me, --

A. Yeah.

9. Q. -- did you hear what some of the crimes that this vehicle may have committed?

A. Yes.

10. Q. Can you tell me what that was.

A. They pulled out a, a—a assault rifle on one of the officers, and they—There were so many, like, infractions, like uh um, red lights and um, illegal turns.

11. Q. Did you remember monitoring on the air that they might have pointed a, a weapon at a citizen or maybe even shot at a citizen?

A. Yes, they were—All through, I think, when we came in, that came over the air also, a gentleman was shooting at pedestrians and other people. I think it was one of, of RISD's s-, security officers, they pulled out a, the gun on them. We weren't sure if it was—what kind of weapon it was.

12. Q. I see.

A. Yeah.

13. Q. Okay. So, before I interrupted you, you said you were short posting yourself on Chalkstone Avenue?

A. And Mount Pleasant, yes.

14. Q. And Mount Pleasant. Okay.

A. Yes.

15. Q. Can you continue from there.

A. From there, I observed a car traveling outbound on Chalkstone. Came over the air and put out the description of the car. And I started pursuing from there down Chalkstone towards Manton Ave. And once we reached Manton Ave., they took a left turn, and I was still following them, and took a left turn and they were gone. So, I ... I lost sight of them. And that

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was it from there. Then we started looking around for it.

16. Q. So when you initially first saw them pass you and you are pursuing them, were you able to see the occupants of the vehicle?

A. Yes, there were three occupants in the vehicle. Because the--

17. Q. Okay.

A. -- the, the, the car, you know, they took the --

18. Q. Convertible top?

A. -- convertible top off.

19. Q. Okay. And at any point did you see any weapons when you—when you observed the vehicle go by?

A. No, I didn't see any weapons.

20. Q. Okay. So, at some certain point, did somebody else find the vehicle?

A. At some point somebody did. They put it out over Channel 1 also. And that's when I started, you know, pursuing the car again. From Manton Ave., to, to the highway up to Pawtucket, come back [Indiscernible] ...

21. Q. So at some certain point did the pursuit come back to your area?

A. Again.

22. Q. Yes. Did it?

A. Yes, it did.

23. Q. And did you get involved in looking for the vehicle at that time?

A. Yes, I did.

24. Q. Tell—Tell me what happened.

A. I was kind of far away. I don't know the area pretty well, so I was driving the

WITNESS STATEMENT OF JOSEPH, PTLM. RENAUD

Ref: 21RIX1-1193-OF

opposite direction. I know they went down [Indiscernible]. So, I was the opposite street.

Because I wasn't sure which way, you know, which direction it was gonna take. When they reached Manton Ave., they took a left turn, I was a few streets over, so I didn't really get to see the vehicle at all.

25. Q. Okay. So at some point my understanding is the vehicle ended up going down Salmon Street pursued by several police cars and ended up getting in an accident. Is that your recollection?

A. Yes. That's what came over the radio.

26. Q. Okay.

A. Yes.

27. Q. Did you witness the accident?

A. No.

28. Q. How long after the accident did you arrive on the scene?

A. Oh, a, I'd say about 45 seconds to a m--, About 45 seconds to a minute. Close to a minute.

29. Q. Okay.

A. Yeah.

30. Q. Did you assist in securing any of the suspects?

A. No.

31. Q. You didn't assist in any of the apprehensions?

A. No.

32. Q. Did you witness any of the apprehensions?

A. No.

33. Q. No. Did you see the suspect by the name of [REDACTED] that was seated on the

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sidewalk with some officers, did you see him?

A. Yeah, I saw him.

34. Q. Did you see his injuries?

A. N—I wasn't sure. I mean, I saw he had blood on his face, yes.

35. Q. I see. Yup. Did you hear anybody talking about how he may have received those injuries?

A. No.

36. Q. No. What actions did you take if any? Were you assigned any duties at this point?

A. Yes, I—There was a, a patrol vehicle that was right in the middle of the street. It was a supervisor's truck. I moved that out of the way so rescue could have access. And then I got back in my patrol car and I left, and I was called back after the fact to bring another truck to—to central station.

37. Q. Oh, okay. But you didn't do any c-, crowd control duties or, or any of that, or uh, stand by any prisoners, --

A. No.

38. Q. -- prepare any paperwork for this case?

A. I had to do a-- As the for any pursuit policy, we have to do a, a, a, a witness statement, and stuff like that.

39. Q. So you prepared a witness statement for your portion of the pursuit.

A. For my portion of the pursuit.

40. Q. Okay. And that's it?

A. That was it, yes.

41. Q. Can you tell me why there's no body-worn camera video from your camera for any of this

activity that you had that night.

A. My camera was on, and uh, but when I'm on Chalkstone and Mount Pleasant, I had turned it on.

42. Q. Okay.

A. So, I don't know [Indiscernible] what it was—it should have been on.

43. Q. Well it, you know, it should have. But uh (pause) So, this happened on July 9th of 2021; your name is Renaud Joseph, correct?

A. Yes.

44. Q. You have a two minute and 30-second video for that date. There's only one video and it's . . . uh . . . at 11:39. Would this be when you were pursuing that vehicle?

AUDIO RECORDING PLAYING

45. Q. I think so—I don't think so, I think this is you going to a call of suspicious activity. But – So, this is the only video you have for that day.

A. [Indiscernible]

ATTY. PEZZA: Could it have been on July 8th?

46. Q. Um. Well no, the apprehen—hension—

ATTY. PEZZA:

A. But you--

47. Q. -- happened at the 9th.

A. Right.

48. Q. So, if I—if I put in the 8th, --

A. But I mean, the, the chase part, the earlier chase.

Ref: 21RIX1-1193-OF

49. Q. No. When--

A. Okay.

50. Q. Whenever it was recorded. He starts work at uh, 2300 on the 8th; I understand that.

A. Yeah. Okay.

51. Q. But he has no video for the 9th on the scene of his arrival ...

A. On the scene. Right.

52. Q. Yeah. So, um ...

PTLM. JOSEPH:

A. [Indiscernible]

53. Q. I may have to look into that. But--

A. Yeah, I pressed the button, I don't know, maybe it wasn't [Indiscernible] or something, but I—It should have been on.

54. Q. I, I'm sorry, I don't think I understood what you just said.

A. No, ... I know I turned it on. I know it turned it on. Once I, I observed the vehicle, I took that left turn and I make sure I pressed it, and I looked; it was red. So, I, I don't know --

55. Q. Okay.

A. -- if, from moving. I don't know.

56. Q. Okay. All right.

A. [Indiscernible]

57. Q. Do you have anything else you can add to, to the statement?

A. That's all I have now.

58. Q. Okay.

WITNESS STATEMENT OF JOSEPH, PTLM. RENAUD

Ref: 21RIX1-1193-OF

A. Yes.

DETECTIVE SERGEANT ZIENOWICZ: It's 2:04. That'll conclude this interview.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: August 13, 2021

TIME: 7:04 a.m.

INTERVIEW OF: Officer Caisey Calabro
Pawtucket Police Department

INTERVIEW BY: Detective Stephen Vinton
Rhode Island State Police Major Crimes Unit

LOCATION: Pawtucket Police Department
121 Roosevelt Avenue
Pawtucket, Rhode Island 02860

PRESENT: Attorney Joseph F. Penza for Officer Caisey Calabro
Detective Paul Zienowicz, Providence Police Department
And
Detective Sergeant Matthew Braga
Pawtucket Police Department Office of Professional
Standards

SUBJECT: 21RIX1-1193-OF

1. Q. Today's date is Friday, August 13th, 2021. The time is now 7:04 a.m. Location of this interview is the Pawtucket Police Department located at 121 Roosevelt Avenue, Pawtucket, Rhode Island. This is the Garrity interview of Officer Caisey Calabro of the Pawtucket Police Department. Conducting this interview is Detective Stephen Vinton of the Rhode Island State Police. Present for this interview is...

ATTY. PENZA, JR.: Joseph F. Penza, Jr., attorney for the officer.

DETECTIVE SERGEANT ZIENOWICZ: Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z.

2. Q. Please.

DETECTIVE SERGEANT BRAGA: Detective Sergeant Matthew Braga, Office of Professional

Standards, Pawtucket Police.

3. Q. All right. And this interview is in regards to case number 21RIX1-1193-OF. Officer Calabro, you had a chance prior to going on the record to review the Garrity form?

A. Yes, sir.

4. Q. All right. And you signed that form?

A. Yes, sir.

5. Q. All right. And you spoke with your attorney, and you have no questions or anything about that, right.

A. Yes, sir.

6. Q. All right. All right. Were you on duty the night of Thursday, July 8th into Friday, July 9th?

A. Yes--

7. Q. -- 2021?

A. Yes, sir.

8. Q. All right. And what was your assignment that evening?

A. **My assignment was cruiser 309 with Officer Richards.**

9. Q. All right. And at some point that evening, were you made aware of a broadcast for a black BMW that was of interest to the Providence Police?

A. Yes, sir.

10. Q. All right. And what can you tell me about that.

A. **It was a broadcast for a vehicle involved possibly trying to ram a Providence officer and shooting a rifle out the window at responding officers.**

11. Q. All right. So you—you actually heard it come over the radio that they were either pointing the rifle or shooting at responding officers?

- A. **It was relayed from our dispatch through--**
12. Q. All right.
- A. **-- the Intercity.**
13. Q. All right. Did they say what type of firearms?
- A. **Just rifle.**
14. Q. Rifles.
- A. **There wasn't further [Indiscernible].**
15. Q. All right. At any point did anybody on your radio say anything about a BB gun or were you told to treat it as a rifle?
- A. **We were just told rifle, so that's what we assumed it was.**
16. Q. All right. Did you ever observe that black BMW while on patrol that night?
- A. **I did.**
17. Q. All right. Can you tell me about that.
- A. **We were told over the dispatch that it was approaching Pawtucket on the highway, 95 North, and we joined into the pursuit on 95 North and followed the vehicle.**
18. Q. All right. Could you describe that vehicle--
- A. **Um, --**
19. Q. **-- that you saw?**
- A. **It was like a, a black convertible, like, soft top.**
20. Q. Mm hmm.
- A. **And it had three occupants inside of it.**
21. Q. Was the top up or down when you saw it?
- A. **When I saw it, it—it was down, but then it was also back up, so I don't know if it**

WITNESS STATEMENT OF CALABRO, OFFICER CAISEY

Ref: 21RIX1-1193-OF

was damaged at some point, and it was--

22. Q. All right.

A. -- you know, working...

23. Q. When you say—When you say there were three occupants, was that relayed over the radio or did you--

A. I--

24. Q. -- were you able--

A. -- could see.

25. Q. -- to see?

A. I, I was able to see three when we were behind it.

26. Q. All right. Do you recall approximately what time you encountered that vehicle at that night?

A. If I could refer to my narrative I'd know, I don't know exactly off the top of my head.

One--, 1:48 in the morning.

27. Q. All right. And you were able to see inside the vehicle. Did you see any weapons at any point inside the vehicle?

A. I wasn't able to see inside,--

28. Q. But you saw the three occupants.

A. -- I just—just three occupants.

29. Q. All right. All right. And did you witness how the pursuit ended?

A. I did not. We were on the other side of the building when the crash occurred, --

30. Q. You s--

A. -- and we were alerted that where the—where the intersection where the crash

was, so we--

31. Q. All right.

A. -- responded over to it.

32. Q. So, dur--, Were you involved in the pursuit of the vehicle?

A. Yes, sir.

33. Q. All right. During the pursuit of the vehicle in Pawtucket, can you describe the operation of the BMW.

A. Very reckless; it appeared as if it was trying to um, almost like . . . hit the—Because the two Providence officers were in front of us, so it appeared as if it was trying to hit the Providence officers. It went the wrong way down a one-way, high speeds, you know, not really knowing where it was going, in two different lanes. So not obeying traffic laws.

34. Q. You say it drove the wrong way on a one-way; did it drive toward any oncoming traffic?

A. Only responding, I believe, Providen--, Providence cruiser.

35. Q. Okay.

A. But there was no like, civilian traffic at the time.

36. Q. All right. And so you pursued the vehicle through Pawtucket into Providence; you didn't see how the pursuit ended.

A. No, sir.

37. Q. Do you recall the area of where it ended?

A. I know the intersection was Salmon and King Street--

38. Q. All right.

A. -- just from my, my narrative.

39. Q. All right. And upon your arrival on scene, what—what did you witness?

A. So when I arrived on scene, I was further back. There was, you know, already some Providence cruisers. So myself and Officer Richards, we got out of our vehicle, we ran up to the scene. All of the occupants were out of the vehicle. And my direction—my intention was directed towards, I—the—I believe it was the front seat passenger who was face down on the ground, e--, flailing his legs almost to me it looked like he was trying to stand up, possibly trying to run. But I, I don't know if he had something on him, so I went over and just placed my hands on, like around his ankle area to prevent him from kicking myself, standing up and kicking any other officers.

40. Q. Can you describe what that male party was wearing--

A. I cannot.

41. Q. -- do you recall? No. All right. Once you took a hold of his legs, did he continue to flail them or?

A. No. I was able to keep them secured until the...

42. Q. But was he still resisting against your pressure?

A. Yes.

43. Q. All right. And at that time did you observe where his—his arms or his hands were?

A. He w--, I could hear officers saying, 'Give me your hands. Give me your arms.' So, I believe they were under him, they were not, you know, on his back; --

44. Q. Mm hmm.

A. -- he was not actively listening to commands and—and providing his arms.

45. Q. All right. Was he saying anything do you recall?

A. No. I don't recall.

46. Q. Do you recall him possessing any weapons or any, anything that could have concealed a

Ref: 21RIX1-1193-OF

weapon, anything like that--

A. I do.

47. Q. -- on his person?

A. I remember seeing um, a--would it be like a fanny pack being removed from him, which from experience, um, you know, as officers, we know that they do conceal weapons inside of it.

48. Q. Mm hmm.

A. [Indiscernible]

49. Q. Do you know where that was located on his person?

A. Upper body. Arm maybe. I don't know specifics.

50. Q. So from your--

A. I wasn't—I wasn't the one--, I just saw it being removed from--

51. Q. Yup.

A. -- him while I was holding his feet...

52. Q. So from your viewpoint exactly, you just saw it being--

A. Yes, sir.

53. Q. -- secured from his—his person.

A. Yes, sir.

54. Q. All right. All right. Do you recall exactly how long it may have taken while you were on his legs to apprehend that suspect?

A. I don't know exact time. Maybe like, a minute was--, I—it could have been longer: the heat of the moment; all the sirens going on, --

55. Q. Mm hmm.

WITNESS STATEMENT OF CALABRO, OFFICER CAISEY

Ref: 21RIX1-1193-OF

A. -- the adrenaline from everything going on, I'm not exactly...

56. Q. I understand.

A. -- sure.

57. Q. But during that, it was say approximately a minute you're saying--

A. Mm hmm.

58. Q. -- where he continued to resist until they were able to get him under control?

A. Yes.

59. Q. All right. And during that time, were officers giving him loud verbal commands to give him [sic] their [sic] hands or anything like that?

A. Yes, sir.

60. Q. All right. And there's no way that the suspect would not have known that it was police officers, right; everybody was in uniform?

A. Yes, sir.

61. Q. All right. All right. Once that party—Do you know who that—I know probably not at the time, but do you know who that individual was now?

A. Now. Yes, sir.

62. Q. All right.

A. I believe his name is [REDACTED], if--

63. Q. [REDACTED]. All right.

A. -- I'm saying it correctly.

64. Q. Once he was secured in handcuffs, did you stand by the scene anywhere or?

A. I um, -- Once he was secured in handcuffs, I walked away and was approached by, I believe it was a lieutenant from Providence, who asked us if we could stay for crowd control.

So just watch the perimeter. People were starting to come out of the apartment complex, and if anything arose from that, just to assist with that.

65. Q. All right. Do you recall approximately how many people you think came outside of that apartment complex?

A. Twenty-five / 30 maybe. They started to come out as um, the, the night went on.

There--, Like I said, there were sirens and lights--

66. Q. Mm hmm.

A. -- going on. So not too, too late in the night, so, you know, people started to come out to see what the commotion was...

67. Q. And what--what was their kind of overall demeanor, the people that were coming out?

A. Um, --

68. Q. The crowd.

A. -- just like, yelling and upset. I don't know any like, specifics, they just didn't seem happy that we were there.

69. Q. So you remained on scene. Did--did you see that possibly turning into a officer safety issue with that many people gathering around the scene?

A. Yeah. I, I felt as though as if the, and like I said, I think it was a lieutenant from Providence was asking us to stay, it was, you know, for the safety of us and the people coming out; to make sure everything was as calm and cooperative as it could be.

70. Q. All right. So besides standing by for assistance, were there any other police functions that you performed--

A. No.

71. Q. -- on scene? All right. Did you prepare any paperwork for the incident?

WITNESS STATEMENT OF CALABRO, OFFICER CAISEY

Ref: 21RIX1-1193-OF

A. I generated a report on our end for Pawtucket for my involvement because I put my hands on the subject.

72. Q. Yep. All right. Is there anything else that you would like to add to the statement that we did not discuss?

A. No.

DETECTIVE VINTON: All right. That'll conclude the interview. The time is now 7 a.m.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT OF RICHARDS, OFFICER ANTHONY

Ref: 21RIX1-1193-OF

WITNESS STATEMENT**DATE: August 17, 2021****TIME: 7:04 a.m.****INTERVIEW OF: Officer Anthony Richards
Pawtucket Police Department****INTERVIEW BY: Detective Stephen Vinton
Rhode Island State Police Major Crimes Unit****LOCATION: Pawtucket Police Department
121 Roosevelt Avenue
Pawtucket, Rhode Island****PRESENT: Attorney Joseph Penza for Officer Anthony Richards
Detective Paul Zienowicz, Providence Police Department
And
Detective Sergeant Matthew Braga
Pawtucket Police Department Office of Professional
Standards****SUBJECT: 21RIX1-1193-OF**

1. Q. Today's date is Tuesday, August 17th, 2021. The time is now 7:04 a.m. The location of this interview is the Pawtucket Police Department located at 121 Roosevelt Avenue, Pawtucket, Rhode Island. This is the Garrity interview of Officer Anthony Richards. Conducting this interview is Detective Stephen Vinton, Rhode Island State Police. Present for this interview ...

ATTY. PENZA: Joseph Penza, Jr., attorney for Officer Richards.

DETECTIVE ZIENOWICZ: Detective Paul Zienowicz, Z-I-E-N-O-W-I-C-Z, Providence Police Department.

DETECTIVE SERGEANT BRAGA: Detective Sergeant Matthew Braga, Office of Professional

Standards, Pawtucket Police Department.

2. Q. This interview is in regards to case number 21RIX1-1193-OF. Officer Richards, prior to going on the record, you had a chance to confer with your attorney about your Garrity Rights and you signed a form advising that you understand those rights, is that correct?

A. Yes.

3. Q. Okay. All right, sir, were you on duty the night of Thursday, July 8th into Friday, July 9th, 2021?

A. Yes.

4. Q. All right. And what was your assignment that evening?

A. I was in—on patrol in vehicle 309 with a partner, Officer Calabro.

5. Q. All right. And at some point were you made aware of a broadcast for a black BMW that was of interest to the Providence Police?

A. Yes.

6. Q. All right. And what can you tell me about that.

A. This—This was like a month ago. But from the best of my memory, it basically said that the vehicle was involved in firing at Providence officers and attempting to ram into them when they tried to apprehend it. This was probably like an hour before we saw the vehicle. And then we got another one, a broadcast saying it could potentially be heading our way and that it was coming our way.

7. Q. All right. Do you recall any of the crimes other than you said shooting at officers that the occupants may have been involved committing?

A. Just what I remember is where they attempted to ram into them and then shooting at them. That was—that was what I remember.

8. Q. All right. Did you ever observe the vehicle while on patrol that night?
- A. Yes, we did.
9. Q. All right. Can you tell me about that.
- A. So the second time they said the vehicle was coming our way, we went to Six Bridges, which is the closest highway point to Providence and just waited on the on-ramp. And then we—we saw the vehicle coming with police lights and sirens behind it.
10. Q. All right. And do you recall at approximately what time you encountered the vehicle?
- A. Somewhere before like, two a.m.
11. Q. All right. Were you able to see inside the vehicle at any point that night?
- A. Yes.
12. Q. All right. How many occupants were inside the vehicle?
- A. There were three occupants inside the vehicle.
13. Q. All right. Was the convertible top up or down?
- A. Initially the—the convertible top was down. I know when we got to the vehicle way after it crashed later in the night, the—the top was up.
14. Q. All right. And did you observe any weapons inside the vehicle while you were in pursuit?
- A. While in pursuit? No.
15. Q. Did you witness how the pursuit ended?
- A. No.
16. Q. No. All right. Were you ever actively involved in the pursuit?
- A. Yes.
17. Q. All right. Can you tell me about that.
- A. When we were on Six Bridges and saw the vehicle coming, we joined in the

pursuit. Once the vehicle took the School Street exit, being familiar with the area, we got right behind the vehicle. We followed it down to the end of School Street. The vehicle turned in to a parking lot after Beverage Hill Ave. Officers tried to stop him there, but he then went over a curb and started going in the wrong direction down School Street. Which we followed him. He then took a right on . . . Chestnut Street. So we took the right after him. He got to the top and just took a left onto Prospect without stopping, at which point Officer Schumacher was actually coming down Prospect and got right behind him. And then we were like, second. And then we followed him to the highway, and then we were behind him again on...

18. Q. Can you describe his operation at all, the suspect vehicle.

A. So reckless. He was driving somewhere around 50-miles-an-hour. But again, when—once he started—started traveling in the wrong direction, it was—it got a little dangerous.

19. Q. All right. And you said you did not witness how the pursuit ended. Do you know where it came to an end?

A. I don't know the specific address [Indiscernible].

20. Q. All right. Was it in the City of Pawtucket / City of Providence?

A. City of Providence.

21. Q. All right. Were you involved in making any of the apprehensions of the suspects?

A. So when Officer Calabro arrived, all the occupants were already out of the car. And I remember to the right of the car there was—officers were kind of like, struggling it—it appeared with one individual. So that caught our attention. So, we went over there.

22. Q. Can I just stop you for one sec. The right of the vehicle of uh—?

A. Where the vehicle had crashed, it was just—Bef--, I mean, I guess prior.

23. Q. Would it be on the operator's side, the passenger side?
- A. It was the passenger side of the vehicle.
24. Q. The passenger side of the vehicle.
- A. Yes.
25. Q. All right. So you saw officers struggling with the suspect that was--
- A. Yes.
26. Q. -- resisting there?
- A. Yes.
27. Q. Do you know who that suspect was?
- A. His last name was [REDACTED].
28. Q. All right. Did you assist officers at that time?
- A. Yes.
29. Q. All right. Can you tell me about that.
- A. Sure. So, like I said, he—he appeared to be struggling. So we went over there, and he was kind of [Indiscernible], like on the ground squirming. So, I, I knelt by his right side, and I grabbed his right arm and placed it behind his back so he could be handcuffed so the—to try to help with just getting him into custody.
30. Q. All right. At that time when you grabbed his arm, was he—was he still actively resisting, was he tensing up, was he pulling away from you?
- A. He was trying to hold it a little bit. But it—it didn't take me—I didn't have to use much force to put his arm behind his back. When I did grab it, I noticed when I put it behind his back that he was bleeding already on his arm. But I just held it there and waited for the other arm, and then somebody cuffed him because I knew I wouldn't get my cuffs back if I had

put them on, so.

31. Q. How long did you, I guess from the time that you started assisting with the apprehension of [REDACTED] until the time he was handcuffed, how much time do you think elapsed there?

A. No more than a minute.

32. Q. All right. And so you said that you—you arrived, and they already had been attempting to place him into custody,--

A. Yes.

33. Q. -- and you assisted. (pause) All right, once he was placed into cuffs, [REDACTED], what did you do then?

A. I went back to my vehicle to see if there was help needed anywhere else. He was already in custody so.

34. Q. All right. (pause) All right. And during the apprehension of the suspect [REDACTED], did he say anything while you were holding his right arm?

A. There was a lot of commotion: there was—people came out of the Projects, were standing on the side of the road, yelling, screaming. So, I don't specifically remember him saying anything.

35. Q. All right. When you got there, do you remember if officers were saying anything to him?

A. I'm sure, 'Stop resisting,' and things of that nature (phonetic). But--

36. Q. Do you--?

A. -- I couldn't --

37. Q. Do you recall that or? No ...?

A. -- definitely say.

38. Q. All right.

Ref: 21RIX1-1193-OF

A. Like, a hundred percent I couldn't say.

39. Q. All right. Once—once the suspects were secured, did you have any other police functions on scene?

A. At that point, I don't know who it was from Providence, some high-ranking guy in a white shirt had asked us to just kinda be like, security because all the—the Projects were dumping out and they didn't want like a, a riot or something to start.

40. Q. When you say the people started to gather outside of the, the Manton Heights Housing Projects there, how—approximately how many people do you think came out in that group?

A. Somewhere around like, f--, maybe 40—30 to 40 people.

41. Q. All right. And their --

A. They were very angry. Yeah.

42. Q. And their demeanor was angry--

A. Oh yeah. They were yelling, screaming, they all had their phones out and calling us all kind of names.

43. Q. All right. Did you do any paperwork for this incident for your department?

A. Yes.

44. Q. All right. And what was that?

A. I did a vehicle pursuit form, a subject aggression resistance form, as well as a offense narrative.

45. Q. All right. Is there anything else that you want to add to the statement that you think would be pertinent that we didn't discuss about the apprehension or the pursuit?

A. No, sir.

UNIDENTIFIED SPEAKER: Can I clarify something?

46. Q. Yes, sir.

UNIDENTIFIED SPEAKER: Only because I'm confused, and I think I had this with the other officers.

UNIDENTIFIED SPEAKER:

47. Q. With respect to the convertible, you said initially the top was down, and at the time of the crash, it was up. What position is up and down in your mind?

A. Up is open. Down is like, concealed...to me.

48. Q. Down is the top is down, so it's opened air.

A. Oh yeah, I guess it's like that. Yeah, so when I say [Indiscernible / voices overlapping]...

49. Q. So you did say it backwards.

DETECTIVE VINTON: [Indiscernible]

50. Q. Yeah, yeah. So, when I say the top is down, I mean I can't like—they're enclosed.

DETECTIVE VINTON:

51. Q. So, --

UNIDENTIFIED SPEAKER:

52. Q. Okay.

DETECTIVE VINTON:

A. [Indiscernible / voices overlapping]

53. Q. So when you originally saw the vehicle, the top was up, and it was enclosed.

A. Correct.

54. Q. Could you see inside the vehicle how many occupants at that time?

A. Yes, because we were behind it on the highway, and we were nervous because the

WITNESS STATEMENT OF RICHARDS, OFFICER ANTHONY

Ref: 21RIX1-1193-OF

passenger in the back kept looking through um, the rear window at us, and assuming there was firearms, they had blown a tire, we thought it was very possible that this guy could just start shooting at us through the back window. So we had radio-transmitted that to everyone just to kind of I guess—for us it was like, yeah, their tire went, so they're gonna kinda be in desperation mode,

55. Q. Exactly.

A. And he was acting super strange.

56. Q. I understand. All right. [Aside:] Anything else?

UNIDENTIFIED SPEAKER: Okay. Thank you. Well I have a convertible, so

(chuckles) when I say [Indiscernible / voices overlapping]...

A. Yes, I, I see that.

57. Q. When I say the top is down, it's down and it's open air (chuckles)

DETECTIVE VINTON:

58. Q. All right. Officer Richards, thank you very much for your time.

DETECTIVE VINTON: That'll conclude the interview. The time is now 7:14 a.m.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: August 13, 2021

TIME: 7:08 a.m.

INTERVIEW OF: Officer Neftalie Ortiz
Pawtucket Police Department

INTERVIEW BY: Detective Stephen Vinton
Rhode Island State Police Major Crimes Unit

LOCATION: Pawtucket Police Department
121 Roosevelt Avenue
Pawtucket, Rhode Island 02860

PRESENT: Attorney Joseph F. Penza for Officer Neftalie Ortiz
Detective Paul Zienowicz, Providence Police Department
And
Detective Sergeant Matthew Braga
Pawtucket Police Department Office of Professional
Standards

SUBJECT: 21RIX1-1193-OF

1. Q. Today's date is Friday, August 13th, 2021, and the time is now 7:08 a.m. Location of this interview is the Pawtucket Police Department located at 121 Roosevelt Avenue, Pawtucket, Rhode Island. This is the Garrity interview of Officer Neftalie Ortiz. Conducting this interview is Detective Stephen Vinton of the Rhode Island State Police. Present for this interview is...

ATTY. PENZA, JR.: Joseph F. Penza, Jr., for Officer Ortiz.

DETECTIVE SERGEANT ZIENOWICZ: Detective Sergeant Paul Zienowicz,
Providence Police Department, Z-I-E-N-O-W-I-C-Z.

DETECTIVE SERGEANT BRAGA: Detective Sergeant Matthew Braga, Pawtucket
Police Department, Office of Professional Standards.

2. Q. All right. And this interview is in regards to case number 21RIX1-1193-OF. Officer Ortiz, you were informed of the—the Garrity form, you were able to review it, sign that, no questions, spoke with your attorney?

A. Yes, sir.

3. Q. All right. Sir, were you on duty the night of Thursday, July 8th, into Friday, July 9th, 2021?

A. Yes, sir.

4. Q. All right. And what was your assignment that evening?

A. I was assigned to patrol in District 5.

5. Q. All right. At some point were you made aware of a broadcast for a black BMW that was of interest to the Providence Police?

A. Yes, sir.

6. Q. All right. And what can you tell me about that.

A. It was a—It was a transmission that went over Intercity stating that Providence Police was in pursuit of a vehicle that shot at responding officers and it was kind of something that they were trying to get all day, and they were chasing them, and they were on the highway heading towards Pawtucket.

7. Q. All right. And can you describe the uh—or how the, the suspect vehicle was described over the radio?

A. It was a, a black two-door BMW, and we were unaware of the, of the plates, but it was t--, we were told it was occupied multiple times.

8. Q. All right. And you said that it was—it was said to have shot at police. Do you recall any other crimes that the occupants in the vehicle may have committed that was put over the radio?

A. No, sir.

9. Q. All right. Did you ever observe that vehicle while on patrol that night?

A. Yes sir, before we—before Pawtucket engaged in the pursuit.

10. Q. All right. Can you tell me about that.

A. We were—we were told to stage on, we call it the 'six bridges' by the highway, we were told to stage there just in case that vehicle came into Pawtucket, which it then did. And then that's when we engaged in the pursuit.

11. Q. All right. And during that pursuit, were you able to see inside that vehicle at all?

A. No, sir.

12. Q. All right. So you weren't able to identify how many occupants were in that—that?

A. No, sir.

13. Q. All right. Did that pursuit go through the City of Pawtucket?

A. Yes, sir. It went through—it got on—got off of Exit 28, the School Street exit, and then it went into a, a—went into Pawtucket and took various streets.

14. Q. All right. And through your observations of that vehicle, what was the operation of that vehicle like during that pursuit?

A. Very—Very erratic. It was a pretty high speed. They had no regard for anyone in the public, they were just trying to get away from officers that were trying to pull them over.

15. Q. All right. At any point did you observe the vehicle drive the wrong way down a one-way street towards oncoming officers?

A. No sir, I didn't observe that.

16. Q. All right. When—when you saw the black BMW, was the convertible top up or down? Do you recall?

A. When I saw it, it was up.

17. Q. It was up? All right.

A. Yes, sir.

18. Q. And you said you weren't able to see inside the vehicle. Did—Were the windows do you recall were they tinted, were you able to see inside the windows?

A. I be--, I . . . believe that—the—it was the uh, the, the, the top came down to the back window. It was like a plastic material, so it was hard to see through.

19. Q. Gotcha. All right. All right. So at no point did you observe the occupants or any weapons inside the vehicle during the pursuit.

A. No, sir.

20. Q. All right. Did you witness how the pursuit ended?

A. Yes, sir.

21. Q. All right. Can you tell me about that.

A. We were on, I believe it was King Street, and—and I observed the—the vehicle crash into a fire hydrant that was at the intersection of King Street and Salmon. At that point, I got out of my—I got out of my vehicle, I drew my department-issued firearm and pointed it at the suspect and started giving him loud verbal commands.

22. Q. All right. And were you involved in any of the apprehensions of the suspects in the vehicle?

A. Yes, sir.

23. Q. All right. And who did you assist with the apprehension?

A. It was uh--, I um, I approached the vehicle, and I grabbed the passenger that was in the back—that was in the backseat. Uh, --

24. Q. [Indiscernible]

A. I believe it was [REDACTED]. I, I pulled him out of the car, I handcuffed him, and then I brought him to the back of a Providence cruiser. I'm not sure which Providence cruiser.

25. Q. All right. Did you place handcuffs on him?

A. Yes, sir.

26. Q. All right. And he was secured in the back of a Providence Police cruiser.

A. Yes, sir.

27. Q. Once he was secured in the back of the Providence Police c-, cruiser, did you have any other police duties on scene?

A. Yes, sir. We were asked to assist in crowd control. We were seeing that a large crowd emerged from the housing project that was right where the scene of the crash.

28. Q. All right. And if I can just go back, you said -- So you were the original person that pulled [REDACTED] out of the vehicle?

A. Yes, sir.

29. Q. What was his actions like dur--, while you were trying to take him into custody, was he--was he compliant?

A. Yes, sir. He was--He was compliant. I took him out of the car, placed him on the ground, I put him in handcuffs, and there wasn't any resistance.

30. Q. All right. All right, so he was placed in--And you said you stood by because a--a large crowd started to form--

A. Yes, sir.

31. Q. -- around the scene.

A. Yes, sir.

32. Q. You--

A. We were—we were asked by Providence supervisors to—to kind of stand by and assist them.

33. Q. Do you recall how many people started to form in the crowd?

A. If I were—if I were to give a rough guess, probably 50 to 60 people.

34. Q. And what was the demeanor of those people [Indiscernible] ...?

A. They were very upset and aggressive verbally towards officers on scene.

35. Q. All right. During the apprehension of [REDACTED], did he say anything to you?

A. No, sir.

36. Q. No. All right. Did you see anything else when you got on scene?

A. No, sir. I just grabbed [REDACTED], cuffed him, threw him in the back of the cruiser, and I--

37. Q. Did you s--? Were you able to observe any of the apprehensions of the other two--

A. No, sir.

38. Q. -- passengers? All right.

A. No, sir.

39. Q. How long do you think you were on scene for?

A. Half-an-hour to 45 minutes.

40. Q. All right.

A. I believe so.

41. Q. And other than taking [REDACTED] into custody and standing by for crowd control, did you perform any other police functions that evening on scene?

A. No, sir.

WITNESS STATEMENT OF ORTIZ, OFFICER NEFTALIE

Ref: 21RIX1-1193-OF

42. Q. Okay. Did you prepare any paperwork for your department for this incident?

A. Yes, sir, I filled out a, a report, and I also filled out a Subject Resistance and Aggression form.

43. Q. All right. Is there anything else that you'd like to add to the statement that we did not discuss?

A. No, sir.

44. Q. No. [Aside: You?] All right. That'll conclude the interview. Thank you for your time.

DETECTIVE VINTON: The time is now 7:15 a.m.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: August 13, 2021

TIME: 7:23 a.m.

INTERVIEW OF: Officer Brendan Schumacher
Pawtucket Police Department

INTERVIEW BY: Detective Stephen Vinton
Rhode Island State Police Major Crimes Unit

LOCATION: Pawtucket Police Department
121 Roosevelt Avenue
Pawtucket, Rhode Island 02860

PRESENT: Attorney Joseph F. Penza for Officer Brendan Schumacher
Detective Paul Zienowicz, Providence Police Department
And
Detective Sergeant Matthew Braga
Pawtucket Police Department Office of Professional
Standards

SUBJECT: 21RIX1-1193-OF

1. Q. Today's date is Friday, August 13th, 2021. The time is now 7:23 a.m. Location of this interview is the Pawtucket Police Department located at 121 Roosevelt Avenue, Pawtucket, Rhode Island. This is the Garrity interview of Officer Brendan Schumacher. Conducting this interview is Detective Stephen Vinton of the Rhode Island State Police. Present for this interview is...

ATTY. PENZA, JR.: Joseph F. Penza, Jr., attorney for Officer Schumacher.

DETECTIVE SERGEANT ZIENOWICZ: Detective Sergeant Paul Zienowicz,
Providence Police Department, Z-I-E-N-O-W-I-C-Z.

DETECTIVE SERGEANT BRAGA: Detective Sergeant Matthew Braga, Office of
Professional Standards, Pawtucket Police.

2. Q. All right. And this is in regard to case 21RIX1-1193-OF. And Officer Schumacher, you were able to review and sign the Garrity form prior to the interview?

A. Yes, sir.

3. Q. And you discussed it with your attorney, and you don't have any questions.

A. **No questions.**

4. Q. All right. All right, sir, were you on duty the night of Thursday, July 8th into Friday, July 9th?

A. Yes, sir.

5. Q. All right. And what was your assignment that evening?

A. **I was assigned to car 1 of third platoon.**

6. Q. All right.

A. **With the patrol.**

7. Q. At some point that evening, were you made aware of a broadcast for a black BMW that was of interest to the Providence Police?

A. Yes, I was.

8. Q. All right. Can you tell me about that.

A. **We were informed that Providence Police was looking for a black BMW that was involved in an incident where they were firing a rifle at police officers and even attempted to run police officers off the road. Dispatch let us know that they had lost them in a certain area of Providence, but just to be on the lookout for it. And then at some point dispatch started updating us letting us know that it was possibly heading towards Pawtucket and to be ready in case we needed to assist in any type of way.**

9. Q. All right. And at any point in that night did you observe that vehicle while on patrol?

A. Yes, I did.

10. Q. All right. Can you tell me about that.

A. We were informed that the vehicle took the School Street exit into our city. And at that point I started making my way into that general direction. At one point I got directly behind it on Prospect Street, and so I was about two to three car lengths behind it. I followed it until it took the 95 South exit off of Walcott Street. I saw it hit the curb when it took the exit ramp, and then I stayed behind it, 95 South back towards Providence.

11. Q. You said it—it hit the curb taking the exit. The School Street exit?

A. Negative. When it was good (sic)—when it was going back onto 95 South, --

12. Q. Oh, I get...

A. -- out of city, it—it hit the curb--

13. Q. Getting on the on ramp?

A. Getting on the on ramp.

14. Q. All right.

A. I continued driving. I was following it. At that point in time, I forget who exactly the vehicle behind me was, but they were in charge of radio communication, I was just focused on driving and --

15. Q. If --

A. -- observing the--

16. Q. All right. If I could stop you for a second.

A. Mm hmm.

17. Q. So you get behind the vehicle. Can you describe that suspect vehicle from your

WITNESS STATEMENT OF SCHUMACHER, OFFICER BRENDAN

Ref: 21RIX1-1193-OF

observation.

A. Yes. It was a—it was a convertible sedan. I could see three occupants: one driver, one front passenger, one in the back of the vehicle. I believe it was a, a Montana registration. I read that off as best I could, but it was kind of weird. The occupant in the back kept turning around and looking back at me.

18. Q. Mm hmm.

A. So, once we got on 95 South, I, I backed off a little bit just because we were told that they had a rifle and that they were firing at police.

19. Q. Yup.

A. I didn't want to be too close to make it easy for them to . . . hit me or the vehicle.

20. Q. Yep. And so the convertible top was down at that point, and you could see there were three occupants inside the vehicle.

A. Yes.

21. Q. Did you see any weapons inside the vehicle?

A. While driving, I did not see any.

22. Q. All right. And while they were looking back at you, you [sic] never pointed anything at you or anything like that?

A. No.

23. Q. All right. All right. And during the pursuit, how did that vehicle operate?

A. Um. So, on Prospect Street before I got on 95 South, they were traveling at an extreme – extreme high rate of speed. It's a 25-mile-an-hour zone and it had to have been going well over 50, 60-miles-an-hour. It ran several red lights [sic] – red lights without stopping, not even slowing down. Like I said, it had hit the curb taking the, the on ramp onto 95 South. I

thought they were going to crash there, but they kept going. At some point in time on 95 South, the, I think it's the front passenger star--, tire started smoking. I, I thought they were going to wipe out because they were all over the road. The speed slowed at some point on 95 South, but they just continued—continued going. And eventually, multiple other cruisers got in front of me and took over the pursuit. I, I kind of backed off because at that point in time we were on the highway and they were heading back towards Providence, so I thought either the State Police or Providence would take control at that point.

24. Q. All right. And during the pursuit in the City of Pawtucket, did you observe it go down any one-way streets the wrong way, that suspect vehicle?

A. Yes. I was informed that it went the wrong way down School Street.

25. Q. All right. And . . . So you pursued it onto 95. Do you recall where that pursuit ended?

A. It ended—The, the pursuit eventually ended in Providence in a, in a, an apartment complex type streets. I'm – I'm not really familiar with the streets [Indiscernible] ...

26. Q. All right. No problem. Do you recall how it ended?

A. I believe the vehicle crashed either into or just near a fire hydrant.

27. Q. So you didn't witness the crash.

A. I did not. There were too many--

28. Q. All right.

A. -- cars in front of me.

29. Q. All right. Upon your arrival, what did you observe on scene?

A. I observed several police officers. There were a couple of officers who were walking one of the occupants of the vehicle towards a cruiser who was already in handcuffs. I observed two to three other officers trying to detain another occupant. One of our officers

assisted by, I believe, holding the feet. I observed them trying to get his hands behind his back so they could handcuff him.

30. Q. Do you—Do you recall the location of that suspect, or --

A. He was on --

31. Q. -- [Indiscernible] closer to the vehicle?

A. He was on the ground on the passenger side of the vehicle.

32. Q. Do you recall what he was wearing or anything like that?

A. I do not recall.

33. Q. All right. But you observed that suspect resisting arrest?

A. Yeah, he was actively resisting.

34. Q. All right. Do you recall that suspect's race or anything about him?

A. I do not recall, sir.

35. Q. No. All right. And you said there were approximately three officers trying to gain control of that suspect?

A. To my knowledge there was at least one on either side of his upper body, and then I believe one of our officers grabbed his feet. And then there were multiple around--

36. Q. All right.

A. -- as well.

37. Q. Was he laying [sic] face down? Face up?

A. Face down.

38. Q. All right. Did you see where his hands were?

A. Like, I--, Like I--, What I remember is he was n--, refusing to give his hands and the officer trying to get his hands. I believe they were still underneath his body. And it, it was a—it

was a very short period of time they were able to eventually get his hands behind his back, but.

39. Q. All right. All right. Once the three subjects were apprehended and secured, did you have any other police function on scene?

A. So I talked to a Providence Police sergeant, and at that time the apartment complex that was very nearby to where all of us were, people started coming out. And just because there was a large crowd, we—he asked if we stood by just kind of really for crowd control if needed.

40. Q. And do you recall what—what the—? What was the demeanor of that crowd?

A. They were highly upset. They were yelling. It, it looked like it, it could get hostile very fast.

41. Q. All right. All right. And did you prepare any paperwork for your department on this incident?

A. I did a narrative for my involvement in the chase.

42. Q. All right. Is there anything else that you would like to add to the statement, anything that would be pertinent that we did not discuss?

A. Not at this time.

43. Q. All right. All right. And—I'm sorry, going back to you saw that approximately three officers trying to apprehend a suspect, did you hear them giving any verbal commands?

A. They did. They were telling him to stop resisting and to put his hands behind his back. I don't r--, I don't recall if he said anything back to them or not. But like I said, once I witnessed it, it—it was only a handful of seconds until they were able to get his hands behind his ...

WITNESS STATEMENT OF SCHUMACHER, OFFICER BRENDAN

Ref: 21RIX1-1193-OF

44. Q. All right. All right, sir. I thank you very much for your time.

DETECTIVE VINTON: That'll end the interview. The time is now 7:32 a.m.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: August 17, 2021

TIME: 7:19 a.m.

INTERVIEW OF: Officer Justin McCabe
Pawtucket Police Department

INTERVIEW BY: Detective Stephen Vinton
Rhode Island State Police Major Crimes Unit

LOCATION: Pawtucket Police Department
121 Roosevelt Avenue
Pawtucket, Rhode Island 02860

PRESENT: Attorney Joseph F. Penza for Officer Justin McCabe
Detective Paul Zienowicz, Providence Police Department
And
Detective Sergeant Matthew Braga
Pawtucket Police Department Office of Professional
Standards

SUBJECT: 21RIX1-1193-OF

1. Q. Today's date is Tuesday, August 17th, 2021. The time is now 7:19 a.m. Location of this interview is the Pawtucket Police Department located at 121 Roosevelt Avenue, Pawtucket, Rhode Island. This is the Garrity interview of Officer Justin McCabe of the Pawtucket Police Department. Conducting this interview is Detective Stephen Vinton of the Rhode Island State Police. Present for this interview is...

ATTY. PENZA, JR.: Joseph F. Penza, Jr., attorney for Officer McCabe.

DETECTIVE SERGEANT ZIENOWICZ: Detective Sergeant Paul Zienowicz, Z-I-E-N-O-W-I-C-Z,
Providence Police Department.

DETECTIVE SERGEANT BRAGA: Detective Sergeant Matthew Braga, Office of Professional

Standards, Pawtucket Police Department.

2. Q. This interview is in regard to case number 21RIX1-1193-OF. And Officer McCabe, prior to going on the record, you had a chance to confer with your attorney about your Garrity rights, and you signed a form advising that you understand those rights,--

A. Yes.

3. Q. -- is that correct?

A. It is correct.

4. Q. All right. All right, sir. On the night of Thursday, July 8th into Friday, July 9th, were you for duty?

A. Correct.

5. Q. All right. And what was your assignment that evening?

A. Patrol.

6. Q. All right. And at some point that evening, were you made aware of a broadcast for a black BMW that was of interest to the Providence Police?

A. Correct.

7. Q. All right. Can you tell me about that.

A. The initial relay from dispatch was a black BMW with a Wyoming registration that had pointed a rifle at a p Providence police officer

8. Q. Do you recall any other crimes that the occupants may have committed in that vehicle?

A. I w--, I was aware. I know that there was two BOLOs that went out I believe. One of them I gradually caught as I was interacting with another situation at the time, but the second BOLO I overheard--

9. Q. All right.

A. -- which was the one I just stated.

10. Q. All right. And did Pawtucket dispatch put anything out for officer safety reasons to you guys--

A. Correct. They said--

11. Q. -- um, [Indiscernible]...

A. -- officer safety; be on the lookout for this vehicle.

12. Q. All right. Did you ever observe that suspect vehicle while on patrol that night?

A. Not until the initiation of the pursuit itself.

13. Q. All right. Can you tell me about that.

A. Correct. So, dispatch relayed that the vehicle pursuit was coming towards Pawtucket. Myself and other officers staged on six bridges and Smithfield Ave. ov--, overpass,
--

14. Q. Mm hmm.

A. -- until the pursuit entered Pawtucket via 95 North.

15. Q. All right. And were you ever actively involved in the pursuit?

A. Yes.

16. Q. All right. Can you tell me about that.

A. The pursuit went on 95 North--

17. Q. Okay.

A. -- to School Street into Pawtucket, and then down School Street where he turned around in a parking lot, and came back up School Street and then...

18. Q. When you say he came back up School Street, --

A. Up the wrong direction.

19. Q. All right.

A. The wrong direction.

20. Q. Can you talk a little bit about the operation of that suspect vehicle.

A. I didn't have a great view of the vehicle myself due to lights and other vehicles in front of me. I went—Speeds were around 42-miles-an-hour, fluctuating while on School Street.

21. Q. All right. And you said it did at one point drive the wrong way--

A. Correct.

22. Q. -- on School Street. Do you recall at approximately what time you encountered that vehicle?

A. I do not.

23. Q. All right. Were you able to see inside the vehicle at any point that night?

A. I was not.

24. Q. All right. Was the convertible top up or down when you observed the vehicle?

A. The quick glimpse I had of the vehicle as it went the wrong way on School Street, the convertible top was up.

25. Q. All right. Did you—Were you able to see how many occupants were inside the vehicle?

A. I was not.

26. Q. I'm guessing you also did not observe any weapons inside the vehicle.

A. Correct.

27. Q. All right. All right. The pursuit at some point leaves Pawtucket and goes back into Providence?

A. Correct.

28. Q. Are you still involved in the pursuit at that time?

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A. Yes.

29. Q. All right. Can you tell me about that.

A. The pursuit got back on 95 southbound, at which point it got off at the Smithfield Ave. exit. That was when we entered Providence on the left onto Silver Spring. At this point there were . . . I can't specify how many cars in front of me, but I was—I was a few cars back.

30. Q. All right. Were you able to see how the pursuit ended?

A. No.

31. Q. All right. All right. Once on scene, were you involved in making any apprehensions of any suspects?

A. No.

32. Q. All right. Upon your arrival, what did you observe on scene?

A. I observed—I was rather far back at the time, so when I approached where the suspect vehicle had crashed, I was – a lot of people everywhere. Kinda looked around to see where I was needed at the time. I saw a . . . scuffle that was going on on the ground that appeared to have a sufficient number of officers involved. So I looked elsewhere to see where I was needed, at which point there was no further reason for me to intervene anywhere.

33. Q. When you say, 'a scuffle on the ground,' can you elaborate on that.

A. A—There was a lot of bodies involved; it was hard for me to specify what was happening. All I knew was that obviously they had a suspect and that there appeared to be a sufficient number of officers to handle that situation.

34. Q. All right. But on—But you said, 'scuffle.' I mean, were you able to see a suspect? Was he compliant? Was he resisting?

A. He appeared to be not compliant.

35. Q. All right. Came to [Indiscernible]... All right. Did you see the suspects once they were taken into custody?

A. I did not.

36. Q. No. All right. All right. Once on scene, did you perform any police functions on scene?

A. I did not.

37. Q. Do you recall how long you might have been on scene?

A. I would say under ten minutes. I know that people began to be coming—coming out toward the street and we were asked by Providence in case of something to further escalate to remain in the area until our supervisor arrived on scene, at which point I was cleared and returned back to Pawtucket.

38. Q. Did you observe a crowd forming--

A. Correct.

39. Q. -- outside the scene?

A. Yeah.

40. Q. Approximately how many people do you think were gathering?

A. I'd say 30.

UNIDENTIFIED SPEAKER: Mm.

41. Q. All right. And what was the—the demeanor of the crowd.

A. Just rambunctious. I—I wouldn't say threatening. I—But it was loud too, there were sirens going off, but.

42. Q. All right. Did you prepare any paperwork for your department for this incident?

A. Correct.

43. Q. And what—what paperwork did you --?

A. I completed a narrative on my involvement as well as an incident in our Guardian Tracking.

44. Q. All right. All right. Is there anything else that you would like to add to the statement that we did not discuss, anything that might be pertinent to the case?

A. Not at this time.

45. Q. No. [Aside: Is there anything?] All right. Thank you for your time.

DETECTIVE VINTON: The time is now 7:26. That'll conclude the interview.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: August 13, 2021

TIME: 7:40 a.m.

INTERVIEW OF: Officer Tyler Mobrice
Pawtucket Police Department

INTERVIEW BY: Detective Stephen Vinton
Rhode Island State Police Major Crimes Unit

LOCATION: Pawtucket Police Department
121 Roosevelt Avenue
Pawtucket, Rhode Island 02860

PRESENT: Attorney Joseph F. Penza for Officer Tyler Mobrice
Detective Paul Zienowicz, Providence Police Department
And
Detective Sergeant Matthew Braga
Pawtucket Police Department Office of Professional
Standards

SUBJECT: 21RIX1-1193-OF

1. Q. Today's date is Friday, August 13th, 2021. The time is now 7:40 a.m. Location of this interview is the Pawtucket Police Department located at 121 Roosevelt Avenue, Pawtucket, Rhode Island. This is the Garrity interview of Tyler Mobrice of the Pawtucket Police Department. Conducting this interview is Detective Stephen Vinton of the Rhode Island State Police. Present for this interview is...

ATTY. PENZA, JR.: Joseph F. Penza, Jr., for Officer Mobrice.

DETECTIVE SERGEANT ZIENOWICZ: Sergeant Paul Zienowicz, Providence Police Department,
Z-I-E-N-O-W-I-C-Z.

DETECTIVE SERGEANT BRAGA: Detective Sergeant Matthew Braga, Pawtucket Police, Office of Professional Standards.

2. Q. All right. This interview is in regard to case number 21RIX1-1193-OF. And Officer Mobrice, you were able to review the Garrity form and sign it prior to--

A. Yes.

3. Q. -- going on the record?

A. I was.

4. Q. All right. And you spoke with your attorney?

A. Yes.

5. Q. All right. Sir, on the night of Thursday, July 8th, into Friday, July 9th, 2021, were you on duty?

A. Yes, sir.

6. Q. All right. And what was your assignment that evening?

A. I was in Wagon 8, which is the East Side wagon with Office Jesse (phonetic) --

7. Q. All right.

A. -- from Patrol.

8. Q. At some point that evening, were you made aware of a broadcast for a black BMW that was of interest to the Providence Police?

A. Yes.

9. Q. All right. Can you tell me about that.

A. It was given out as a BOLO initially for a black BMW; that the occupants were actively shooting at the pursuing officers. Then we were made aware that the vehicle was being pursued by Providence Police towards Pawtucket on 95.

10. Q. Over the radio were you advised of what type of weapons they might have been shooting?

A. I'm not sure if they disclosed that or not. I think it was—They just said a rifle.

11. Q. All right. so they did say rifle?

A. Yes.

12. Q. All right. At any point that evening, did you ever observe that vehicle while on patrol?

A. Yes.

13. Q. All right. Can you tell me about that.

A. It entered the City of Pawtucket coming off the School Street exit, which is Exit 28 from 95 North.

14. Q. All right. Do you recall approximately what time you encountered that vehicle?

A. I don't know the time, maybe around 1:40 a.m.

15. Q. All right. And were you able to see inside the vehicle at any point?

A. No, I didn't see inside the vehicle at any point.

16. Q. Was the convertible top up or down when you saw the vehicle?

A. I believe it was up when I saw the vehicle.

17. Q. All right. And so you said it—it—the pursuit went into Pawtucket. Did you see the operation of that vehicle, and can you describe that at all?

A. Yes, it was driving erratic in nature and not obeying traffic laws.

18. Q. All right. What—what about the speeds, was it high speed? Low speed?

A. Well when I observed it, it was coming off of the off ramp at a high rate of speed. Like I said, not obeying traffic laws, so I didn't—did not--

19. Q. Did you ob--? Oh, I'm sorry.

A. I was going to say not regular traffic flow.

20. Q. All right. And did you ever observe it travel the wrong way down a one-way street in Pawtucket?

A. I did not.

21. Q. All right.

A. I was made aware of that by radio, but I didn't observe it myself.

22. Q. All right. So you weren't able to see inside the vehicle; you were never able to see how many occupants or if there were any weapons inside the vehicle--

A. No.

23. Q. -- at any point in time during that pursuit. All right. During that pursuit, did you see how it ended?

A. I didn't see how it--how it ended, I--I saw the aftermath. When I arrived on scene afterwards, I saw the vehicle was at a rest in front of a fire hydrant in Providence.

24. Q. All right. And do you recall how many suspects were in the vehicle once you got on scene that you observed?

A. I--I only observed one suspect when I arrived on scene. [Indiscernible]

25. Q. And where was that suspect located?

A. He was seated on the gr--, ground or sidewalk about 50 feet aw--, away from the vehicle, and he was already in handcuffs.

26. Q. And do you recall the race of that suspect?

A. He was black.

27. Q. All right. So, by the time you got on scene, you didn't see any of the apprehensions of the three suspects inside the vehicle.

A. No, they were all—had already been apprehended.

28. Q. All right. Did you—Did you observe at that time anything inside the vehicle, did you see the suspect vehicle at all on scene?

A. I did, I saw it, like I said, at a rest in front of the fire hydrant. I didn't look inside the vehicle.

29. Q. All right. The party that was in handcuffs, you saw him sitting on the sidewalk?

A. Yes.

30. Q. All right. And what was his demeanor at that time?

A. He was bleeding from his face, his nose, and his mouth. He appeared to be unconscious at the time, but he was sitting upright. My belief was that he was pretending to be unconscious. He was seated up against one of the cruisers, I don't remember which cruiser it was, but I was speaking with a Providence officer and we were determining if he was in fact conscious. We were testing his responsiveness. I, I gave him a sternum rub, an eye-flick, which proved he actually was responding, so he therefore wasn't unconscious.

31. Q. All right. I think that was Patrolman David Sepe from Providence, who's a--

A. Okay.

32. Q. -- a certified paramedic.

A. Yes, sir.

33. Q. So you were there on scene when he—Did you see what he did, some of the, the tests to—to check consciousness?

A. I believe we did the same tests together: the sternum rub and the eye-flick. And then--

34. Q. So when you say an 'eye-flick,' can you just explain what that is.

A. It's basically a, a flick of the eyelid which once it strikes—your finger strikes the eyelid, it causes an uncontrollable, like a reaction from the eyelid. If you're—if you're awake or conscious, --

35. Q. Mm.

A. -- you would react. Like, subconsciously, your body would--

36. Q. And you--

A. -- to prove that you were awake.

37. Q. And you observed him react?

A. Yes.

38. Q. All right. At any point did you observe Patrolman Sepe try to open his eye to check his--

A. Yes, sir.

39. Q. -- pupils? And did—Was he able to open his eye do you recall?

A. I don't recall. I, I re--, I think his eye was open, but I don't recall--

40. Q. You don't recall.

A. -- what he said at anything after that, or—Because I don't—I don't...

41. Q. You don't recall if the—if the suspect tried to shut his eye or if he—if he was able to open it?

A. I think he was able to open it, yes.

42. Q. All right. All right. And so you—How long did you remain on scene?

A. Roughly five to ten minutes.

43. Q. All right. And at some point this party—Providence Fire EMS came and treated--

A. Yes, sir.

44. Q. -- that party? All right. Do you recall how long that took from the time you were on scene?

A. I can't give you an exact time.

45. Q. Like approximately? A few minutes?

A. Fi—Five minutes maybe.

46. Q. All right. Other than the blood on the face did you observe any other injuries to him that were --?

A. No, that was the only injury that I observed ...

47. Q. Just superficial wounds to the face?

A. Yes. I believe that those wounds were caused from the accident. Because they had crashed into the fire hydrant, and I assumed he hit his face on something.

48. Q. Okay. Once—once the—the EMS personnel transported the suspect who was [REDACTED]

[REDACTED]—I'll, I'll tell you if you weren't--

A. Okay.

49. Q. -- aware, from there, did you have any other police functions on scene?

A. No, sir, I was cleared by my supervisor to return to Pawtucket.

50. Q. All right. [Aside: Anything?] All right. Did you prepare any paperwork--

A. No, I did not.

51. Q. -- for your department? All right. All right. Is there anything else that you would like to add to the statement that you think might be pertinent that we did not discuss?

A. No, sir, I can't think of any.

WITNESS STATEMENT OF MOBRICE, OFFICER TYLER

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52. Q. [Aside: [Indiscernible]] Okay.

DETECTIVE VINTON: All right, that'll conclude the interview. The time is now 7:48

a.m.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: August 4, 2021

TIME: 4:10 p.m.

INTERVIEW OF: Lieutenant Thomas Miller
Providence Fire Department

INTERVIEW BY: Detective Sergeant Herbert Tilson
Rhode Island State Police Major Crimes Unit

LOCATION: [Not Stated]

SUBJECT: 21RIX1-1193-OF

1. **Q.** Okay, today's date is Wednesday, August 4th, 2021. The time is approximately 4:10 p.m.

This is Detective Sergeant Herbert Tilson with the Rhode Island State Police Major Crimes Unit. I am here with Lieutenant Thomas Miller who has agreed to provide a statement under his own free will.

Lieutenant, thank you again--

A. You're welcome.

2. **Q.** -- for your time, and I know you're extremely busy. And as I stated before, we just want to talk about the events that occurred on July 9th, at approximately 2 a.m. I know--

A. [Indiscernible]

3. **Q.** -- your shift started on the 8th, --

A. Correct.

4. **Q.** -- is that correct, sir?

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A. Yes, sir.

5. Q. Excellent. And just for the record, can you go ahead and say your first and last name for me.

A. I am Thomas Miller.

6. Q. All right, sir. And your—How do you spell your last name?

A. M-I-L-L-E-R.

7. Q. Excellent. And what is your date of birth?

A. 8/9/68.

8. Q. All right, sir. And approximately how—how many years do you have working with Providence Fire?

A. Approaching 30 years.

9. Q. All right. Congratulations on that.

A. Thank you.

10. Q. All right. So, again, you—you start your shift on the 8th. And what time do you go in, sir?

A. I usually arrive about quarter-to-seven in the morning.

11. Q. Okay. And at some point during your shift, you—you do get a call, and I, after speaking with—with Justin, who just left, it came in as an accident, is that, is that right do you recall?

A. Yes, sir, it came in as an auto accident. Yes, sir.

12. Q. All right. And where were you when you got the call?

A. We were at the station.

13. Q. All right. And how did it come over the air, just uh...?

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A. As a normal auto accident call: Rescue 2 respond to the corner of Salmon and King for an auto accident.

14. Q. Okay.

A. That was the—what originated.

15. Q. All right. And once you get the call, you respond in the rescue. Is—is there a, a number attached to that vehicle, or your team?

A. My partner and I meet at the truck immediately and then we, we respond--

16. Q. Okay.

A. -- to the incident--

17. Q. All right.

A. -- address.

18. Q. Okay. And so you get to K--, K--, Salmon and King. And what—what do you observe when arrive?

A. We came up to Sa--, We came off of Manton Avenue onto Salmon, took a right onto Salmon Street off Manton. We weren't able to get to the exact corner off Salmon and King because there was multiple police cars and tape on there. So I had my driver go as close as he could --

19. Q. Okay.

A. -- and secure the rescue to I believe the right side of the road. At that time, I told him let's go see what's going on and see how many victims we have --

20. Q. Okay.

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A. -- and process because I didn't get anything over the air.

21. Q. Gotcha.

A. So, I went to go to assess. I noticed that there was one gentleman across the street. I noticed there was a car on the corner of Salmon and King.

22. Q. Mm hmm.

A. And then I noticed that they had flagged me over. Across the way about ten feet across the street on the sidewalk there was a young man on--

23. Q. Okay.

A. -- the—on the ground in a prone position--

24. Q. All right.

A. -- with being—with handcuffs on.

25. Q. Okay.

A. I approached that young man and I spoke with the lieutenant. I said, Lieutenant, did—did you—did you take a look at him yet? Which I was referring to Lieutenant Bell. He says, 'I just got here Tom about five seconds before you.'

26. Q. Okay.

A. 'The police said that he didn't say anything.' So I started to approach the young man. I asked—I s--, I said, 'Young man, are you okay?'

27. Q. Mm hmm.

A. I was looking for any obvious signs of injury. I didn't see any at that time.

28. Q. All right.

A. I asked them to re--, put him on his back so I can observe his face--

29. Q. Okay.

A. -- and see his facial expressions or eyes so I could palpate him. He did not speak to me, and he didn't open his eyes. And I said--

30. Q. All right.

A. -- to the officer, 'Has he been like this since you detained him?' He says, 'Yes. He hasn't said anything or opened his eyes.' I says, 'Justin, go back and get the stretcher and a collar.' Justin and another gentleman, Pedro from Engine 15, went and got the stretcher and came back. And at that moment I was trying to obtain information from this young man. He wasn't cooperating, he was very elusive: he didn't say anything, he just kept his eyes tight. And I explained that I'm with the rescue, I'm here to help you. If you're hurt in any manner, I'll take care of you, you know, let's just tell me. So as I was doing that I told him, 'I'm going to touch you in certain places.' And I was waiting for his reaction to jump.

31. Q. Okay.

A. He did not jump or move: I palpated head to toe. At that time we loaded him up in the truck. I asked Justin to do a primary assessment, get vitals. The normal things we normally do. At that time, I needed to get his information and his name. I asked him several times; he didn't answer me.

32. Q. Okay.

A. He just sat in the stretcher with the handcuffs. And I told Justin I'm gonna go back and see if I can get a name and date of birth on him, --

33. Q. All right.

A. -- anything. I didn't get anything from the police officers. They didn't know because he didn't speak to them.

34. Q. Okay.

A. On my way back I had saw Lieutenant Bell in the rear of my rescue truck, but in the back area speaking with some lady.

35. Q. Okay.

A. Just by gut I just said let me see who this woman is. You don't normally stand behind the truck [Indiscernible] ...

36. Q. Right.

A. I says, 'Henry, is this any relations?' And he says, 'Tom, that's the mother of, of your patient.'

37. Q. Gotcha.

A. So I asked this woman if I could have a moment of her time. She was very nice. She gave me all the information on Mr. [REDACTED]?

38. Q. Yes.

A. Is that it?

39. Q. Yup, [Indiscernible / voices overlapping] ...

A. Mr. [REDACTED]. Yeah. She told me he had no medical history, --

40. Q. Okay.

A. -- no medical problems and was not on any medication.

41. Q. All right.

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A. And at that time I asked her for date of birth. I asked her for the address of where—share her name and address--

42. Q. Okay.

A. -- so I could document that and report where I got this information from. And then I proceed to say thank you and she kept—and she went down the sidewalk towards the s--, the incident.

43. Q. Okay.

A. I went back into my truck, and I asked him, I says, -- I talked to [REDACTED], and I says, [REDACTED], your mom's outside. I told her you were okay.' Which I did, I told the mother that your son was okay and--

44. Q. Right.

A. -- stable just to reassure her he was physically. And he had a minor scratch, an abrasion on his nose, --

45. Q. Okay.

A. -- and a little scratch over here on the [Indiscernible]. Very minor.

46. Q. Okay.

A. And that was it. Justin addressed that wound. He just kinda cleaned it to make sure nothing else was going on. And I asked him to do a primary, which is a primary head to toe also where they physically palpate chest, --

47. Q. Okay.

A. -- the four quadrants, legs, um, and then we determine his level of consciousness. I tried to get him to just, if he didn't answer me, to just y--, nod yes or no to any question: he

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still wasn't complying with that.

48. Q. Okay.

A. So I said, 'Justin, I feel safe enough to say that this young man is alert and conscious and stable enough by his blood pressure.' We—Later, Justin put an IV in. I said, 'Justin, let them notify them that I need a, a police escort to Hasbro please,'--

49. Q. Gotcha.

A. -- because he was still in custody.

50. Q. Okay.

A. So that's when we-- they just loaded everything up, proceeded to call the hospital, and then we transported enroute.

51. Q. Okay. And during the transport you were able to have an officer ride with you inside the, the rescue, is that correct?

A. No, sir. I had him follow behind. I believe that he—No, the--

52. Q. Well there was--

A. -- officer was inside. I'm sorry.

53. Q. No, no. No problem.

A. There was one inside and one behind me.

54. Q. Okay.

A. Yes, sir. Yes, --

55. Q. Now, --

A. -- because I was spoken [sic] -- I spoke with the officer inside.

56. Q. All right. And did the—the officer advise you on what ha--, may have—what may have happened to the young man, do you recall?

A. No, we did not discuss any of that.

57. Q. Okay.

A. No, I just—I—It was just um, I asked him briefly his name.

58. Q. Okay.

A. I asked him if—He looked kind of young. I said, Is this--? 'Are you new to the police department?'

59. Q. Yeah.

A. So it was just nothing to—about the incident at all...

60. Q. Okay. Just--

A. I had every—all the information I needed.

61. Q. All right.

A. I didn't need to know about—I saw the car, the condition, and uh, and that, and um, that young man didn't have any like, major--

62. Q. Okay.

A. There wasn't anything majorly wrong with him, and I felt comfortable with that.

63. Q. Was there any indication--

A. I didn't know what happened, --

64. Q. All right.

A. -- honestly, I thought it was an auto accident at first --

65. Q. Okay.

A. -- until I saw a rifle in the car.

66. Q. Okay.

A. I saw it in the passenger side when I turned to Justin and said, 'Go get the stretcher.'

67. Q. All right. And--

A. That's --

68. Q. -- from Providence -- From Providence P.D., was there any indication as to where he was in the vehicle, where he was seated to your knowledge?

A. I believe they said he--when they were in a p--, I, I believe they said he was the front passenger, but I wasn't sure.

69. Q. All right. And--

A. I think that's what I had mentioned in the report because I had asked, and I think that's what they had told me, he--that young man evacuated out of the front seat or came out that side door--

70. Q. Okay.

A. -- on the passenger side. I don't know if he was rear or front, but I believe they said he was up front.

71. Q. [Indiscernible]

A. Front passenger. Yes.

72. Q. All right. Just a moment here.

A. I didn't actually visualize him in the car.

73. Q. Th--, Okay.

A. He was on the sidewalk when I got there.

74. Q. And you didn't see it--, I know you said you saw the vehicle, but did you see any damage to the vehicle that may have been consistent with the injuries that he sustained? Were you that close at all?

A. I just looked at the vehicle briefly. It--

75. Q. Okay.

A. -- didn't look like there was major damage to the vehicle from—from my perspective.

76. Q. Okay.

A. And the injuries he sustained looked more like an abrasion on the sidewalk--

77. Q. Okay.

A. -- due to some—and which I normally see on a fall, legs, and stuff like that that fall.

78. Q. All right. And when you—you said you spoke with—with his mom. And--

A. Yes.

79. Q. -- after you informed him that you spoke to his mom, did he, did he at least open his eyes at that point to kind of--?

A. I—I think it was I saw him just do a sigh of relief that--

80. Q. Okay.

A. -- his mother knew he was okay and--

81. Q. All right.

A. -- his mother knew he was back there.

82. Q. Okay.

A. And I told him, 'I just spoke with your mom, and she gave me all the information.' I says, 'Listen, we need to know if anything's wrong.'

83. Q. Right.

A. 'I'm just here to help you, son.'

84. Q. Okay. And a side, you said the mother was—was very nice, very cooperative.

A. She was very cooperative--

85. Q. Okay.

A. -- with me. She was just clear, concise, and right to the ...

86. Q. Did she disclose anything to you about what she may have heard happened to her son, anything like that?

A. No, we didn't get in any discussion of that, I was just there for pertinent information.

87. Q. Okay. All right. And when -- You said he was—his eyes were closed, he didn't respond to your questions, did y--, Well based off your, your obvious experience, did you find that more geared toward him because the injuries he may have sustained or just because he just independently just didn't --

A. No, I didn't--

88. Q. -- want to respond?

A. -- find anything that—due to the injuries that he--The, the injuries he sustained were very superficial and minor.

89. Q. Okay.

A. If he had any injuries that were life-threatening, I would have known by palpating him, --

90. Q. Okay.

A. -- feeling him, the blood pressures that we assessed. I did—I did two blood pressures on him.

91. Q. Okay.

A. They would have been off. I would have known at that point. I, I palpated his head myself--

92. Q. Okay.

A. -- to see if he had any head—head injuries. He had a minor, minor abrasion right here, like a scratch and on the nose.

93. Q. All right.

A. So that told me that he was—When I got there, he was in a prone position facing the cement. I don't know how he got the abrasion, --

94. Q. Yeah.

A. -- all I know is I visualized him--

95. Q. Okay.

A. -- face down in a prone position.

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96. Q. All right. And during the ride and once you got to the hospital, did he f--, disclose anything to you as far as what happened?

A. Negative. He--

97. Q. Okay.

A. -- remained silent. And I think he—he—I—It, it looks as if he understood what I was telling him.

98. Q. Okay.

A. And I told him exactly, I informed him of what's g--, what's going on, I informed him that we have him an IV for precautionary measures in case there was something else--

99. Q. Okay.

A. -- and they got to administer medication to you so they would have access if anything happened.

100. Q. Okay.

A. Because sometimes kids do compensate very well, and then they crash immediately.

101. Q. I see.

A. So that's why we did it, as a precaution.

102. Q. All right. Excellent.

A. Yes, sir.

103. Q. All right. So when you go into Hasbro, just like I spoke with Justin, you updated the doctors, is that correct, about --?

A. Yes, I, I call them--

104. Q. Right.

A. -- too, and I usually give the hospital a courtesy call to let them know I am—I am coming in--

105. Q. Okay.

A. -- with a day—the age, the sustained of injuries, and, and if that gentleman is stable or not, and what teams I'm gonna need. And I did give them a courtesy call--

106. Q. All right.

A. -- prior to my arrival.

107. Q. Excellent.

A. Yes, sir.

108. Q. All right. And once you arrived at Hasbro, how—how does that, as far as the uh, the official transfer of, of [REDACTED]?

A. The official transfer. We meet with the triage nurse in the—in the front, and then I give her a brief description of what's going on.

109. Q. Okay.

A. She does her primary assessment with the patient, reassesses vitals, and then they determine where that young man is gonna go.

110. Q. Okay. Excellent.

A. And transfer care right there.

111. Q. All right. And after that you go ahead and secure from the building, is that correct?

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A. Yes, sir.

112. Q. More or less.

A. Yes, we transfer--

113. Q. Okay.

A. -- care over to their—their gurneys and then we – Justin takes ours out and we--

114. Q. Okay.

A. -- usually exit the building sir.

115. Q. Did anyone from Providence P.D. ask you any questions as to wh--, whether you had a conversation or anything to follow up?

A. No, sir.

116. Q. All right. All right. Do you have any questions for me at all?

A. No, sir.

117. Q. All right. Excellent. Well that completes the statement. Thank you Lieutenant, I truly appreciate it.

A. You're welcome.

DETECTIVE SERGEANT TILSON: The time is approximately 4:23 p.m.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT OF LYONS, JUSTIN

Ref: 21RIX1-1193-OF

WITNESS STATEMENT

DATE: August 4, 2021

TIME: 4:10 p.m.

INTERVIEW OF: Rescue Technician Justin Lyons
Providence Fire Department

INTERVIEW BY: Detective Sergeant Herbert D. Tilson
Rhode Island State Police Major Crimes Unit

LOCATION: [Not Stated]

SUBJECT: 21RIX1-1193-OF

1. **Q.** Okay. Today's date is August 4th, 2021. This is Detective Sergeant Herbert D. Tilson. I'm here at the Providence Safety Complex. I am here today with ... Rescue Technician Justin Lyons. Am I pronouncing that right?

A. Yes.

2. **Q.** All right. Excellent. And Justin, if you don't mind, if you can go ahead and say your first and last name for me.

A. Justin Lyons.

3. **Q.** All right. And how do you spell your last name.

A. L-Y-O-N-S.

4. **Q.** Okay. And what's your date of birth?

A. June 19th, 1991.

5. **Q.** Okay. And how many years do you have approximately working with Providence Fire?

A. About three-and-a-half.

6. **Q.** Okay. And what is your official capaci--, Rescue Technician, is that your official title?

A. Yes.

7. **Q.** All right. Excellent. And the three-and-a-half years. So, as—as you know, first of all, thank you for coming forward to provide a statement. And just for the record, I haven't made any promises to you at all regarding giving a statement, is that right?

A. Yes. Correct.

8. **Q.** All right. And I didn't make y—You're here on your own free will, --

A. Correct.

9. **Q.** -- and you're not being forced to do it?

A. Yes.

10. **Q.** All right. Excellent. All right, so what I want to do is talk about the evening—Actually, the evening of July 9th, but we'll go ahead and, and go back because you actually started working July 8th, correct?

A. Correct.

11. **Q.** And what time did you come in to—to duty for that day?

A. Zero seven hundred hours.

12. **Q.** Okay. And at some point during the evening, were you called to respond to accident at King and Salmon Street?

A. Correct. Yes.

13. **Q.** Okay. And was that—was that the location they provided you when it came in initially?

A. Yes.

14. Q. All right. And how did that come in to y--, to your—to your attention?

A. I was dispatched. I was at the station, it approximately 0:200 hours the following day, which would be the 9th..

15. Q. Yes.

A. -- if I'm correct.

16. Q. Okay.

A. So on the 9th I came in around two in the morning, I was at the station, I was resting, and when it came in, it came in just as a, an auto accident, --

17. Q. Okay.

A. -- no other information given.

18. Q. All right.

A. So, we went immediately, no delay, we went to the scene. It probably took us approximately I'd six to eight minutes to get there.

19. Q. And, and I—and apologize for my ignorance because you know, ... police and fire, you know, there's a lot of jargon or words we use that may be different. So, when you—when you respond from headquarters down to that location, what are you—what are you traveling in? Is it your rescue?

A. Yes, in the rescue, the--

20. Q. All right.

A. -- ambulance.

21. Q. Do they—Do they come with numbers, or how--

A. Yes.

22. Q. -- how are you identified?

A. Rescue number two.

23. Q. Rescue 2. Okay. All right. And who was with you when you said we did?

A. My lu--, My lieutenant, Lieutenant Miller.

24. Q. All right. So just you and Lieutenant Miller?

A. Correct.

25. Q. All right. Excellent. All right. So you get the call. I'll let you go ahead and, and lead that.

So, --

A. Yeah.

26. Q. -- how long did you think the, the ETA was for you guys to get from headquarters down to that location?

A. So from there, about six—six to eight minutes.

27. Q. Okay.

A. So, we got there; the street was blocked off approximately 200 maybe 100 yards before the actual scene itself.

28. Q. Okay.

A. It was just red lights; you couldn't really see anything going on inside there.

29. Q. All right.

A. Lieutenant Miller and I got out of the truck. We approached the scene to try and get

a, a scene size-up, see what was going on.

30. Q. Okay.

A. We finally approached the scene after passing the secured—the tape and multiple officers, and we saw the vehicle to our left. It was stopped off I believe, and to the right about six feet away, the patient was on the ground in police custody--

31. Q. Okay.

A. -- in a supine position—was cuffed already. We approached the patient. Our guys from Engine 15 were already with him, assessing him.

32. Q. Okay.

A. We went to take a look at him. My lieutenant told me to go get the stretcher. He assisted the patient, so I went to the truck with one of the guys from Engine 15.

33. Q. Okay.

A. We grabbed the stretcher from the truck and some equipment we thought we would need. We brought that back over to the patient, at which time we turned him over, we put him on—we placed him onto the stretcher.

34. Q. Okay.

A. From there we rolled him to the truck as quickly as possible to avoid the crowd.

35. Q. Right.

A. We got him into the back of the truck, and it was pretty much me and Pedro from Engine 15, and Lieutenant Miller stayed outside to get information. And in the back of the truck we put a collar on him. The whole time, the patient wasn't saying much. He was awake; he was conscious and oriented, --

36. Q. Okay.

A. -- but he wasn't responding to any of our questions.

37. Q. Okay.

A. So, in trying to get information, while we were trying to get information, we collared him, we put a IV line in his left forearm, and did a trauma assessment, in which we didn't reveal any serious injuries that we could find.

38. Q. Okay.

A. All I did notice was an abrasion on his nose. We checked his pupils; those were fine. Everything we could without his actual speaking to us. From what I remember, I believe we cut his clothes to assess for further injuries. And again, we didn't find anything. We palpated; there was no grimacing or anything. And he was awake the whole time.

39. Q. Okay.

A. From there, Lieutenant Miller came back to the truck. He had the information he needed. He informed me of the situation, and then pretty much that was it. And then I got in front and waited to--for the pe--, police to clear out of the way and then we proceeded to Hasbro.

40. Q. Okay. All right. I just want to cover a few things.

A. Mm hmm.

41. Q. You said it was Engine 15 that was aiding him prior to your arrival, right--

A. Yes.

42. Q. -- when you got there?

A. Yup.

43. Q. And you said the, the young man was in the s--, so--, su-peen (phonetic) position?
- A. Yes.
44. Q. So-pine?
- A. Yes.
45. Q. Now what is that, for--?
- A. He was laying on his stomach.
46. Q. Okay. See, I learn something new every day. All right.
- A. Sorry, did I say 'supine?'
47. Q. No no.
- A. I mean su--, Probably—Is it prone?
48. Q. Yeah, prone.
- A. Prone. That was m--, Supine is the opposite way.
49. Q. [Indiscernible] (chuckles) No problem.
- A. That was my mistake (chuckles).
50. Q. No. No worries.
- A. (chuckles)
51. Q. All right. And you said there was a lot of cars, there was—there was the yellow tape, obviously; it was—it was blocked off. And as far as the crowd, did you g--,-- What would you s--, How would you describe the crowd when you—when you got on scene?
- A. Hostile.
52. Q. Okay. All right. And what did you hear from the crowd as you were getting out of there?

A. A lot of yelling, a lot of anger. One specific thing that I could make out was, 'You guys fucking killed him.'

53. Q. Okay.

A. And I heard someone scream that over and over again a few times something—something to that nature. But.

54. Q. All right. And when you got on scene, he's—he's in the prone. Are his eyes open? Closed?

A. They were open.

55. Q. They were open.

A. Yes.

56. Q. All right. And he wasn't responding to questions initially?

A. No.

57. Q. He was not.

A. His eyes were moving, they—he was awake, but he wasn't answering any of our questions.

58. Q. Okay. All right. And you said you had to—you then had to put a collar on for him. And what --

A. Yeah.

59. Q. -- was—Was that the decision made by you or the lieutenant?

A. It was made by the lieutenant, --

60. Q. Okay.

WITNESS STATEMENT OF LYONS, JUSTIN

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A. -- but a group decision considering--

61. Q. Gotcha.

A. -- the, the car accident, so we were just following protocol.

62. Q. And that was the--, And the information that you got from the officers, and I know there was a lot of scene, some—just to reiterate, did they say what injuries he may or may--, or may not have had, or?

A. Negative.

63. Q. Okay.

A. They didn't relay any in--, any possible or potential injuries to us.

64. Q. All right. So you guys made your own independent assessment?

A. Yes.

65. Q. Okay. And the trauma assessment, is that kind of like a, a list of things that you normally do?

A. Yeah.

66. Q. Could you—Could you just break it down for me like what—what you, you do for an assessment ...

A. Yeah. So, essentially you'd start—you start from the head to the, uh, feet.

You're—You palpate; pretty much you want to feel everything, you want to--

67. Q. Okay.

A. -- make sure there's no deformities, any internal injuries where if you squeeze, the patient would jump or or show obvious pain. We remove the clothes to make sure there's no lacerations, bruising, deformed bones, anything that we wouldn't be able to see with the

clothing on.

68. Q. Okay.

A. See if th--, if any blood, where it's coming from, and we didn't see anything like that.

69. Q. Okay.

A. And then at the same time also with the patient's feedback, which we didn't have.

So.

70. Q. All right.

A. So, --

71. Q. So he was --

A. He was—he was...

72. Q. Go ahead.

A. And we also go further to assess his um, cognitive abilities: we do a—if he uh, if he um, -- Excuse me.

73. Q. No, no problem.

A. If he responds to speech, --

74. Q. Okay.

A. -- which he wasn't, but he--, Well, he was with his eyes, but he wasn't responding back in the way we were looking, but he was responding to pain, which you do a sternal rub on them, --

75. Q. Okay.

A. -- and that he did grimace and look around, so that's—He was with it at that point.

76. Q. All right. And as far as the abrasions on the nose that you pointed out, did any—any officers say how that may have happened--

A. Negative.

77. Q. -- to your knowledge? Okay.

A. No.

78. Q. And you--, I mean you've been doing this for, for three-and-a-half years. When you—, When you're with an individual who has sustained -- was in that—in that scene, rather, can you--? Is there any way to determine whether their purposely not responding to kind of just avoid contact with law enforcement, you know, that sort of thing, and then they kinda open up later on, --

A. Yeah.

79. Q. -- did you get that feeling at all just as your independent view?

A. That I did, yes.

80. Q. Okay.

A. Like, I felt like he was. Because when I was asking him questions, he was looking around; when I tried opening his eyes, he was purposely trying to keep them shut.

81. Q. Okay.

A. So he—There's a little—there's little tells there that I felt that he was with it enough to understand and hear what I was saying, but he--

82. Q. Right.

A. -- just want to say a word.

83. Q. All right. So, it wasn't necessarily due to the injuries that he was responding, it's because he's—it's more of a, more of a choice to say.

A. It could be, yeah.

84. Q. All right.

A. From what I gather.

85. Q. Okay.

A. Yes.

86. Q. All right. Now when you got in the, the truck, you go ahead and respond to Hasbro, did anyone else ride with you and the lieutenant?

A. If I remember correctly, I believe one of the officers did stay in the back for the ride, --

87. Q. Okay.

A. -- as well as someone following us--

88. Q. All right.

A. -- in a squad car. But...

89. Q. Do you remember the name of the officer that rode with you?

A. No, that I don't know.

90. Q. Okay. No problem. All right. And how long do you estimate that it took to get to Hasbro. Just an approximate.

A. I'd say maybe ten minutes.

91. Q. All right. And pretty standard? I mean, no issues responding there?

A. No.

92. Q. Okay.

A. Nope, straight forward, --

93. Q. No [Indiscernible] ...

A. No problems.

94. Q. All right. Okay. And once you get to the, to Hasbro Children's Hospital, what happens there once you get into the, the building?

A. So, we bring him in through the doors. There's usually some nurses, a doctor waiting for us. So the lieutenant will give a report. They—Once they—they uh, get their own vitals, they ta--, do their own assessment, and once that's done, then they have us bring him to a room.

95. Q. Okay.

A. The police would escort him to that room and determine if he needed to be cuffed at that point or whatever they have to do.

96. Q. Okay. And just to—for the record: Do you recall the young man's name?

A. I do not, no.

97. Q. If I said it, would it—would it ring a bell? All right.

A. No.

98. Q. [REDACTED]?

A. (No audible response)

99. Q. All right. During the ride, did he make any disclosure to you or even when you went into

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the building, did he say anything to you, any--?

A. No.

100. Q. Okay. Not at all.

A. Nope.

101. Q. All right. All right. Is there anything else you want to add to this statement at all?

A. Um. No, that's pretty much straight forward what I remember.

102. Q. Okay. All right.

DETECTIVE SERGEANT TILSON: Well that completes the statement. The time is approximately 4:05 p.m.

STATEMENT TAKEN BY:

WITNESSED BY:

WITNESS STATEMENT

DATE: August 5, 2021

TIME: 11:24 a.m.

INTERVIEW OF: [REDACTED]

INTERVIEW BY: Detective Sergeant Herbert D. Tilson
Rhode Island State Police Major Crimes Unit

LOCATION: Rhode Island State Police Headquarters
311 Danielson Pike
North Scituate, Rhode Island 02857

SUBJECT: 21RIX1-1193-OF

1. **Q.** Okay. Today's date is August 5th, 2021; the time is approximately 11:24 a.m. This is Detective Herbert D. Tilson, Rhode Island State Police Major Crimes Unit. I am here at State Police Headquarters with [REDACTED], who is here voluntarily--

A. Yeah.

2. **Q.** -- to give a statement in reference to incident 21RIX1-1193-OF. And Nicole, if you don't mind, can you state your first and last name for me.

A. [REDACTED].

3. **Q.** All right. And how do you spell your first and last name.

A. [REDACTED]

4. **Q.** All right. Thank you. And what's your date of birth?

A. [REDACTED].

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5. Q. All right. And what's your current address.

A. [REDACTED]

6. Q. All right. And that's in [REDACTED], right?

A. Yes.

7. Q. Okay. And what's a good number to—to reach you if we have any follow up questions?

A. [REDACTED]

8. Q. Mm hmm.

A. [REDACTED]

9. Q. All right.

A. [REDACTED]

10. Q. All right. And that's your cell phone, right?

A. Yes.

11. Q. All right. Thank you. Okay. First and foremost again, [REDACTED], thank you for being here.

And just so we can get it on the record, are—you're here voluntarily, correct?

A. Yes.

12. Q. And did I make any promises to you for being here--

A. No.

13. Q. -- to give a statement? All right. And what I would like to do is talk to you about an event that happened on July 9th of this year. I mean, when we first spoke, it was at your apartment several days ago, and we spoke about it briefly; we just want to go ahead and get it on the record. And at a certain point at that time, and—and correct me if I'm wrong, it was approximately a little two—a little over 2 a.m., a little over--

A. Yeah.

WITNESS STATEMENT OF [REDACTED] [REDACTED]

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14. Q. -- you be-, you became aware that there was an event happening in close proximity to where you live, correct?

A. Yes.

15. Q. All right. I'll go ahead and let you explain what happened.

A. Okay. So, I heard the police. But normally they always go to the back, so, I started to ignore it.

16. Q. Okay.

A. But then when I started hearing a lot more, I um, was looking out my window.

17. Q. Okay. And--

A. Uh, --

18. Q. -- when you said you heard the police, was that the sirens?

A. Yeah, the sirens.

19. Q. Okay.

A. Like a--Like a bunch of them.

20. Q. Okay.

A. So, then I started freaking out because, you know, we live right there. So um, we were looking out the window, and all I seen was the car that these kids, I believe they're kids, that's what I'm told, they were kids, --

21. Q. Okay.

A. -- hit the fire hydrant. As soon as they hit the fire hydrant, they--I seen them put their hands up. Now, I seen the driver and the passenger put their hands up.

22. Q. Okay.

A. Right--They--And they stayed right there until the police got out their car.

23. Q. All right. And you said driver and passenger; that's all you could see from your window?

A. Yes.

24. Q. So, you live in a, in a high-rise, is that--? Is it safe to --

A. Yeah.

25. Q. -- safe to say. Are you the top level? Like, how--?

A. [REDACTED]

26. Q. [REDACTED] Okay. All right. And what kind of c--? Do you remember what kind of car, make or model?

A. It was black.

27. Q. Just black.

A. I know it was a black car.

28. Q. Okay.

A. A convertible.

29. Q. All right.

A. I don't know the make or model, --

30. Q. Okay.

A. -- I just know that it was a black car.

31. Q. Okay.

A. So, I seen them put their hands up. Then I seen the police get out. And the pa--, the driver, three of 'em pulled him out. But the passenger, there was like—They came over the back. Like. The best way to explain it is like: the passenger was honey, and the Providence Police were the bees. And they like, jumped over the back and everything. Now—now there's like a group of them on—maybe 10 to 15 I want to say. Probably less. I'm not go--, I don't

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want—really want to throw out a number like that. But there was a group of 'em. And they were beating on that kid. Like, I, I physically seened (phonetic) it. I was yelling out the window because--

32. Q. Okay.

A. -- um—I mean, I'm pretty sure whatever they did was wrong, but the situation I feel that it shouldn't have been handled that way.

33. Q. Did you--? When--, Now when the officers approached, could you hear them giving commands, giving them orders--

A. Oh. No.

34. Q. --from where—how far you were--

A. No.

35. Q. -- you could hear that at all?

A. No.

36. Q. Okay.

A. Nope. Um, --

37. Q. So not to say that they didn't, you just couldn't hear.

A. Hear. Yeah.

38. Q. All right. Now is your w-, you window open?

A. My window was up, yeah.

39. Q. All right.

A. 'Cuz--

40. Q. Are you filming anything at this time?

A. Um, n--, no. Because I--

41. Q. Okay.

A. --I was watching, but at the same time I'm yelling because I'm like, oh my God, like, I understand if they did something wrong, fine, you know, that's understandable. But the way that they approached it was not. Like, I, I'm pretty sure that's not how police are supposed to respond to something like that.

42. Q. All right. But you had no information as to what was going on.

A. No.

43. Q. So, you just—This is all coming from your experience, your, your life experience, safe--

A. Yeah.

44. Q. -- to say.

A. Yeah.

45. Q. Okay. All right.

A. So, I'm—I'm yelling out the window at this point, like: hey, like I'm pretty sure you're not supposed to be beating on the passenger. I mean, only—I'm only saying this 'cuz you know—This is coming from me: Okay, I can understand, I wouldn't say beat on the driver, but, you know, handle the driver a certain way than you would handle the passenger because it's a passenger, you—Just because I—If I was put in that situation, and I was the passenger in that car, and I could be telling the driver, like, hey pull over, hey pull over, but as long as they keep on driving, I can't really do nothing except for jump out the car, you know, while it's driving. But um, yup, I seen them; they were—they—I mean, they literally beat the crap out of that poor kid and...

46. Q. Now, when you say, 'beat the crap,' what are you seeing?

A. Like, I'm seeing like a group of police officers—Like literally, the kid's on the

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ground and they're like, hovering over--Like, I, I don't know how to explain it. Like, you know, like that--

47. Q. So, --

A. -- like hovering--

48. Q. -- they're over him.

A. Yeah.

49. Q. Now you c--, Can you--? You can't see anything being done because the amou--, Is--is--? And, and I don't want to put words in your mouth. So, they're hovering over. So, were you bothered about more the fact of the amount of police officers over the, the individual--

A. Um, --

50. Q. -- as opposed to them actually--

A. Well, --

51. Q. -- doing anything?

A. Well, I seen at first like, the chicken wing thing--s--, thing. That--that's what my dad calls it, chicken wing.

52. Q. Is that like [Indiscernible] elbows?

A. No, no, --

53. Q. -- is, is that...?

A. -- a chicken wing, like here's one pulling one way, pulling one way, pulling one way until they fall flat on their face--

54. Q. Okay.

A. -- type of situation.

55. Q. All right.

A. So I seen that back and forth type thing. And then I see the kid on the ground. And then I—And now I see them, like, over the kid like—like this, you know, like literally leaned over.

56. Q. Okay. How many officers would you say approximately at that time?

A. Ooh. At least 10.

57. Q. Okay.

A. At least 10.

58. Q. And can you describe the passenger, front passenger?

A. Um. He was--

59. Q. White? Black?

A. -- dark.

60. Q. Hispanic?

A. He was dark.

61. Q. Okay.

A. I know the driver, I want to say he's probably like my skin color, a little bit--

62. Q. All right.

A. -- darker maybe.

63. Q. So white light skin?

A. Yeah.

64. Q. Okay.

A. So—Yeah, so I seen that. And then I'm like, yelling out the window, but at the same time there's people downstairs that are recording. And now I'm starting to record because I went and gone—got my phone.

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65. Q. Okay. And what kind of phone do you have?

A. I have a iPhone SE.

66. Q. [Indiscernible] Okay.

A. Now I'm recording on my phone. And the way that they—They noticed that other people were downstairs, which I didn't know that there was nobody downstairs, they were recording on their phone. So then they start coming closer to the people that are recording--

67. Q. Okay.

A. -- to like, try to stop them from recording. And you could see that the people are like, backing up.

68. Q. When you say s--, 'try to stop them recording,' are you hearing any orders being given?

A. He was saying, 'You can't record. You can't record.' And then I was yelling out the window, 'You have the right to record.'

69. Q. Okay.

A. 'You have the right to record.' You can--, I mean, excuse my foul language in the video, but.

70. Q. Be—Be as blunt as possible.

A. Y—Um, --

71. Q. That's fine. This...

A. But, you know, the situation that happened, I, I feel like it shouldn't have gotten that far. You know. And then so the kid—the, the kids that are downstairs--, Well, the guy or whatever, people that was downstairs were recording. Now, they're coming like—like towards them. They want them to stop recording. And then that's when I said, 'No, you have the right to record. You have the right to record.' Like I kept on saying it over and over and over again.

And then—Then finally they put up the tape.

72. Q. This is the yellow tape?

A. Yeah.

73. Q. Okay.

A. I mean which they should have did that like, right—ki--, Well--

74. Q. Yeah.

A. -- I mean, if there's—If the whole street--, I'm not trying to be funny, but the whole--

75. Q. Right.

A. -- street from the bottom to the office, --

76. Q. Okay.

A. -- all the way down, and then that side street of Dearborn had all police cars, --

77. Q. Okay.

A. -- I mean, if there's like—Let's say there was 50 police officers there, --

78. Q. Mm hmm.

A. -- There was probably more than that. But let's say there's 50 police officers there.

At some point I would think that, hey, one person out them 50 should be putting up the tape since they're trying to stop the other people from recording. I don't know, maybe that's just me. You know.

79. Q. Okay.

A. So I'm—now I'm ye--, I'm just keep on saying over and over, 'They have the right to record. They have the right to record.' So they kinda like left them alone; they put on the yellow tape.

80. Q. Okay.

A. And then I see the kid still lying on the ground, the passenger. Like he's just legit lying—like, lying there.

81. Q. Now d--, how did--? Did you see at what point when he went from the vehicle to the ground?

A. Uh—No, because --

82. Q. Okay.

A. -- like I said, it was like a swarm of bees, and he--

83. Q. All right.

A. -- was the honey, you know, --

84. Q. Okay.

A. -- it's all...

85. Q. I just wanted—I'm just making sure you—Because you s--, Originally you said that there were police officers hovering over him, and then you go get your phone, you're—you're interacting with the police officer because they're interacting with—with the people coming out of the building, saying, you know, you can't record; you tell them that they can, and then you see the kid on—on the uh--

A. On the ground.

86. Q. -- s—on the ground.

A. Yeah.

87. Q. I just want to s--, see if you saw him go from vehicle to the ground.

A. No.

88. Q. Okay.

A. No, there was too many—There was too --

89. Q. All right.

A. -- many police--

90. Q. Okay.

A. -- to even--

91. Q. No--

A. -- see--

92. Q. No problem.

A. -- all that.

93. Q. Okay.

A. He was on the ground next to the car. Then I did see them like—I don't, I don't want to say drag him, but basically that's what they did, they picked him up by his hands and feet and then they moved him like, towards--

94. Q. All right.

A. -- the sidewalk-type area ...

95. Q. So then you have two p--, So he's being elevated at this point.

A. Yeah.

96. Q. All right. Because I just want to make sure because dr--, when I get the idea of dragging, it's kind of like, you know, you got his hands, and his feet are being dragged.

A. No, no, no.

97. Q. So, he w-, he was--

A. Yeah.

98. Q. -- up, he was elevated.

A. Yeah.

99. Q. Okay.

A. Yeah.

100. Q. So it's safe to say that he was being supported? And by being supported, like he, he w--, he was above the ground, and he's not being dragged.

A. No.

101. Q. Okay.

A. Okay.

102. Q. All right.

A. So they put him on the sidewalk. Now everybody thought this poor kid was dead. Even I did. Because he wasn't moving, nothing. And it took like maybe 15 - 20 minutes for the ambulance to show up.

103. Q. Okay.

A. But when it did, it parked all the way at the end of the street.

104. Q. Was that--? Did uh--Was that because just due to the amount of traffic, couldn't get through?

A. No. No. The--Because there was room. There was--

105. Q. Yup.

A. -- definitely room for the ambulance--

106. Q. Okay.

A. -- to get through. And then when they got there, it took them another 15 - 20 minutes to get out of their ambulance to go to the kid. And then--

107. Q. Okay.

A. -- when they finally got to the kid, they put him in a, you know, the--

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108. Q. The stretcher?

A. Yeah, yeah, the--

109. Q. Okay.

A. -- stretcher. And but he was all covered up in blankets. Like, you couldn't even see his face at that point...

110. Q. Okay.

A. Now the mom to one of the kids, she's on the video too, it shows that she was asking the police officers if that was her son, or like, you know, like information like that, but they kinda like shooed her off like a fly: Oh ma'am, get behind the tape, get behind the tape.

111. Q. Okay.

A. Um, --

112. Q. So it's—S--, All right, go ahead. Yup.

A. And then um, -- And then it took another 15 – 20 minutes for the ambulance to leave from right there. I don't know what they was doing. Whatever. And then from there on, they just like—like, I don't know, like formed a line like as if it was like a riot or something, 'cuz that's the only time I ever seened [sic] a, a line like that, like--

113. Q. Okay.

A. -- on the news. You know how like on the news when they had the riots and stuff.

114. Q. All right. Well how—how was the uh, the community—well, the crowd that was there, you're saying the police were forming a line. Were people trying to kind of go into the scene?

A. No. No.

115. Q. All right.

A. No. We was all staying behind the tape--

116. Q. Okay.

A. -- on the sidewalk.

117. Q. So, -- So, --

A. But I think--

118. Q. Go ahead.

A. -- because more people started . . . Excuse my language. But the—it was like—it was like cockroaches coming out at nighttime.

119. Q. The nose--, The nosey--

A. Yes. Yes.

120. Q. Yeah. Yeah, --

A. Okay.

121. Q. -- nosey neighbors.

A. And literally was coming—Like, they were all th--, I mean, they were all coming out.

122. Q. Coming out the woodwork.

A. Yeah.

123. Q. Okay.

A. So um, I can understand that part. But the way that they were doing it was like, you know, like ugh, like the riot people, you know, --

124. Q. All right.

A. -- like: Come past this thing and we're--

125. Q. Right.

A. -- g--, we're gonna harm you. So, um, --

126. Q. Was there--? In all fairness, was there, the people that were watching everything going

down, were they exchanging words with police officers, cursing, things like that?

A. Um, --

127. Q. Not--

A. Some, yeah.

128. Q. All right.

A. Some were.

129. Q. Any—Any--? Okay. Go ahead. Well what kind of things were the crowd saying? And you—And you can be [Indiscernible].

A. That was—They were saying that it was fucked up, --

130. Q. Okay.

A. -- they seen how they, like, beat the crap out of them kids, --

131. Q. Right.

A. -- they were just kids regardless if they did what—if they did something wrong, or like--

132. Q. Yup.

A. -- that's not the way to go about it.

133. Q. Okay.

A. Just—just a lot of stuff.

134. Q. All right. Let's see. Do you know --? Or you said the young man's mother was there. Do you know her at all?

A. No, I just met--, Like I just met her after the fact.

135. Q. Okay.

A. Because she was asking me for some video, and I was like, look, I can't take it

off—I don't know, okay.

136. Q. Okay.

A. When it comes to the phones, I don't know. All I know how to do is text and call.

137. Q. Okay.

A. Anything past that, I don't know.

138. Q. Okay.

A. I'm like, the only reason why it was recorded is because my son pressed the button, --

139. Q. All right.

A. -- you know what I mean. I don't know --

140. Q. So he's—he's the tech wiz.

A. Yes. Yes.

141. Q. Okay. Do you know her name, the mom, now that you—you said you met her, --

A. I think--

142. Q. -- you spoke to her?

A. -- her name is April.

143. Q. Okay. All right. Did you guys exchange numbers?

A. Um, n--, no.

144. Q. Okay. All right. Now it sounds like you were focused on the young man there, her son.

Did you see what was going on with the other—with anyone else in that vehicle that was there?

A. Nn nn.

145. Q. Okay, so, you were just focused on him.

A. Yup.

146. Q. Okay.

A. Because I—I, I'm s--, I know I seen one police car take off, so I'm assuming that the person that was driving was in the—in the police car, because there was one police car that took off before anybody else did.

147. Q. All right.

A. Yup. But we seen the kid lying there on the sidewalk for a while.

148. Q. Mm hmm.

A. Then they came and got him.

149. Q. Could you see if they were trying to make—trying to communicate with him at all from what—from where you were--

A. No. Oh, --

150. Q. -- to the police officers?

A. No. No. And here's why: Because here he was lying on the sidewalk.

151. Q. Mm hmm.

A. And then there was a group, maybe like five or six of them that were off to the side of him, and they were like—I want to—I don't want to say having a party, but they were laughing and joking, and hee hee, ha ha. Like, they, like legitimately looked like they was at a party.

152. Q. But you couldn't hear what they were saying.

A. No.

153. Q. All right. So this is just you visually --

A. Yes, me a--,

154. Q. -- seeing their--

A. Like yeah, seeing --

155. Q. [Indiscernible]

A. -- with my eyes.

156. Q. Okay.

A. Yup. Um.

157. Q. And did you record that portion as well?

A. Yes.

158. Q. Okay.

A. Because it was at a point that I went down the stairs just so I could get a little closer.

159. Q. And that's all. And you're still filming; you're going down the steps; --

A. Yes.

160. Q. -- you get outside? All right.

A. Yup.

161. Q. Okay.

A. And then in the video you'll hear other people saying, 'Did you just see how they beat the crap out of them kids?' And I was like, yeah, but I mean, what do you want me to do? I mean--

162. Q. Right.

A. -- you know.

163. Q. Okay. Did you--? Were you able to see up to the point where the young man was put in the rescue?

A. Yes.

164. Q. Did you film that portion as well?

A. Well I s--, I filmed when he was going by.

165. Q. The rescue itself.

A. Yeah. Yeah.

166. Q. Okay.

A. So when he was going by, and they were bring him down towards the rescue.

Because the rescue was --

167. Q. Oh. So, so they're wheeling him?

A. Yeah.

168. Q. Is that what you're saying?

A. Yeah.

169. Q. Okay.

A. Because the rescue was like, all the way at the end toward the liquor store.

170. Q. Gotcha.

A. Yeah.

171. Q. Okay.

A. But we couldn't see his face or nothing. Like, he was like, like covered up. It

looked like the poor kid was dead.

172. Q. Okay. Were you near the mother at that time when you saw him?

A. Nope, the mother came after that.

173. Q. Okay.

A. The mo--, Yup, the mother came after that. And um, I know she was trying to call his cell phone; it was ringing, like, in the car. They grabbed it out the car and they were just

like, looking at it, laughing.

174. Q. Mm. Who--, Who's looking at whose cell phone?

A. The, the police were looking at the boy's cell phone. Because I guess the mom was calling the kid's cell phone.

175. Q. Okay.

A. And they grabbed it out the car, and they were looking at it, and they were just laughing. So she--, I know she got upset and she was like, 'Oh, that's my son. That's my son. I know it's my son.' And then um, they searched the pol--, They searched the car like three or four times.

176. Q. Did you see anything that they found in the car?

A. Um, yeah, they found a BB gun. And I think it was a s--, I believe it was the trunk--

177. Q. Okay.

A. -- where they grabbed it from because you see them going through the trunk, and then the next thing you know, they pull out a, a tsk, what do you call it, a rifle. Like, it looked like a rifle, but you could tell that the barrel was small.

178. Q. All right.

A. So I knew that it was a—I knew it was a BB gun.

179. Q. So you made that determination on your own.

A. Yeah.

180. Q. You didn't hear anyone say, 'It's a BB gun.'

A. No.

181. Q. Okay.

A. No.

182. Q. All right. Did the mom mention how she found out her son was involved?

A. After the fact, after everything happened, because she came to my house looking for the video, --

183. Q. Is this the following day or the same night?

A. No, the ne--, the next day.

184. Q. All right.

A. She was telling me that the neighbor that lives on the side of me—I don't really talk to them, --

185. Q. Okay.

A. -- but um, she said she was also recording it, and that's how the mom found out.

186. Q. Was she doing kind of like a Facebook Live--

A. Yeah. Yeah.

187. Q. -- thing, some sort of thing? D—D--? I, I don't want to—Do you know for—for sure if it was Facebook ...?

A. No, no. Yeah, it was a Facebook Live.

188. Q. Okay.

A. That's how she—That's how the mom found out.

189. Q. [Indiscernible] Okay. All right. So you said that you saw them take out a—a—a rifle; then you looked at it and you determined it was more than likely a BB gun, your independent view on that.

A. Yup.

190. Q. All right. And when the mother came to your place yes--, the following day, was that because she—you gave her your information and she looked up you?

A. No, s--, No, um, my nei--, my neighbor ga--, She told me, she's--

191. Q. Okay.

A. -- like, well, your neighbor on the side of you, --

192. Q. All right.

A. -- she told me that you recorded the whole thing.

193. Q. Gotcha.

A. And I was like, --

194. Q. Okay.

A. -- okay. And she's like: 'Can you send it to me?' And I'm like: 'I can't even share it.'

Like.

195. Q. Right.

A. I, I, I'm trying, and I can't even share it.

196. Q. Okay. Did you share the video with anyone after that?

A. Yes, I did.

197. Q. All right. Who did you share it...?

A. Um. Uh, I forgot his name. He's from um, Uprise Rhode Island.

198. Q. Okay. And just so you know, it's—it's—it's your video, so don't feel like you're doing anything wrong, I just want to get an idea who—who else observed it. So, Upri--, Uprise Rhode Island. How—how did they get in contact with you?

A. They got in contact m--, with me through Facebook.

199. Q. Okay. So did they come to your place?

A. No.

200. Q. How did they get to look--look at the video?

A. Because he was telling me--, Because I was trying to share it, --

201. Q. Mm hmm.

A. -- but I had to accept him as my friend first and then try to share it through

Messenger because--

202. Q. Okay.

A. -- it was back blocked or something--

203. Q. Okay.

A. -- that's what he said.

204. Q. All right.

A. I don't know.

205. Q. Yeah.

A. Because he was like, well—He's—And I'm like: I'm sharing it, like, what do you want me to do.

206. Q. It's not working.

A. It's not working.

207. Q. Okay. Did he—

A. But—

208. Q. Did he end up figuring it out or no?

A. Yes.

209. Q. Okay.

A. Yup. He—He finally got it through Messenger, but he—then he said he had to like, make it a little bit shorter or something like that, so he could get the full thing.

210. Q. Okay. All right. Did, did April f--, get a copy finally--

A. Uh, --

WITNESS STATEMENT OF [REDACTED] [REDACTED]

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211. Q. -- of the video?

A. I'm not—I'm not really sure.

212. Q. Okay. But not from you.

A. No.

213. Q. Okay. Has anyone from the community approached you or tell you how to interact with police if you were contacted by us?

A. No.

214. Q. All right. And not—not con--, like, like an alternative motive, like: Hey, or you need to change up your story type deal?

A. No. No.

215. Q. Okay.

A. No.

216. Q. Okay.

A. I'm not gonna lie for nobody.

217. Q. Okay. All right. Did—did—did the mom give you her son's name at any time?

A. No.

218. Q. Do you know his--? Do you know his name now?

A. No.

219. Q. All right.

A. I don't—I don't know none of them kids' names.

220. Q. Okay.

A. Um, --

221. Q. So you don't know them from—from the community?

A. Nope. The m--, the grandma—I know the grandma to one of the kids.

222. Q. Mm hmm.

A. Because I was told there was three, but I only seen two.

223. Q. Okay.

A. So, um, -- But one of the grandmas, she lives at the bottom of Manton Heights, like towards the back.

224. Q. Okay.

A. But I didn't meet these people until after the fact, and now I had like, bombarded with all these people, like, --

225. Q. Mm hmm.

A. -- hey, do you have this; hey, did you see that, hey. And I'm like--

226. Q. Yeah.

A. -- yeah, but I don't know what you want me to—Like, --

227. Q. Okay.

A. -- how can I help, you know? Um. I did—I was—I was nervous at first because after they took the kids away, --

228. Q. Right.

A. --and one of the police officers, I didn't even realize it until after when I re-watched the video.

229. Q. Mm hmm.

A. Because when I was yelling at first, 'Hey, like, you're beating on them kids,' one police officer shines a light at my window. But then I realized later on when I re-watched the video, that was the same police officer that was asking what my address was. And then

somebody told him what my address was. So I asked him what his name was, because if you're gonna come and retaliate against me, um, if you're gonna come and retaliate against me later because I recorded this, then, you know, I, I need my own, my own defense.

230. Q. Okay.

A. You know.

231. Q. All right. Do you recall the officer's--? Do you get a name from the officer?

A. Oh, it's—Yeah, it's in—it's on the video. I think it--

232. Q. All right. So, your interaction with him is on the video?

A. Yes.

233. Q. Okay. Did you think maybe he wanted your—your address because maybe he wanted to look at the video as opposed to--

A. No.

234. Q. -- get--

A. No. No. He was def--, You could tell definitely, like, um, that he wanted me to stop recording.

235. Q. What, did he say anything . . . to you?

A. He was saying stuff like, to his buddy. But like s--, like sarca--, You know how when somebody like, I don't know how to say it in English when they throw indirectas to you. Like, they're not saying it to you, but they're saying like, in--, like indirectly to you.

236. Q. What—what comments were made?

A. He was saying like, oh, um,--He was telling his buddy, like: oh, well we need to find out where she lives at. And then s--, some -- excuse my language -- but some stupid person on the side of me said, 'Oh, this is [REDACTED].' And I was like, oh great.

237. Q. And that was someone from -- from your neighborhood; not--

A. Yes.

238. Q. -- a police officer.

A. Yeah.

239. Q. Okay. All right. All right. So, not--not a threat, just we need to find out where she lives.

A. Yeah.

240. Q. Okay. All right. Did you file a complaint about that? Did you reach out--

A. No. No.

241. Q. -- to Providence P--Okay.

A. No. Nope.

242. Q. S-, So, --

A. I, I was so nervous --

243. Q. Okay.

A. -- I, I didn't know what to do, --

244. Q. All right.

A. -- so I just stayed to myself.

245. Q. Okay. All right. Now aft--, after the, the young man was transported, did you stick around or did you...?

A. Yeah. I stayed until mostly all of 'em left.

246. Q. Okay.

A. I stayed until they were towing the car.

247. Q. All right. What time would you say approximately that was?

A. Hmm. Three. Maybe 3:00 in the morning. Because the sprinklers came on.

248. Q. Oh. Oh. Okay. And obviously did you hear what happened prior to the accident later on through the news?

A. Um. Before the k--, The kid that was downstairs recording when I was saying, hey, 'They have the right to record,' one kid was telling me in Spanish: Oh, they—they got them because they were looking for guns.

249. Q. Mm hmm.

A. And I said, Okay. But then, you know, I didn't pay no mind to that because at that point I—it was like, (sighs) – I don't know how to explain. Like I felt like regardless of what they did, right or wrong, they should have—still shouldn't have been treated that way.

250. Q. But you said it was the one person you saw that was being hovered over. Did you see any—any strikes? And there are different words for—for physical contact, um, . . . And again, you said you couldn't really hear--

A. Nn nn.

251. Q. -- from—from where you were at. Now you said they were hovering over him. Did you see any punches or blows, kicks, anything like on that [Indiscernible / voices overlapping] ...

A. There was too many.

252. Q. All right. So, you --

A. There was too many.

253. Q. So you couldn't see any—any um, anything going on with the exception of them—the kids being crowded.

A. Yeah.

254. Q. All right. Okay.

A. There—There was way too many. Like if there was like four or five?

255. Q. Okay.

A. Okay. Fine. But it was like literally--

256. Q. Okay.

A. When I say like a --

257. Q. So you—you were more--

A. -- honey on top of bees ...

258. Q. You were more bothered by the amount of police officers that were around the individuals, is that safe to say?

A. Yes.

259. Q. Okay.

A. Yes.

260. Q. All right. Okay. All right. All right. Did you see--? Now when were you able to see the young man, did you see any—any injuries? And I know you're not a doctor, but I mean could you see anything visible that was like: oh shit, he got fucked up.

A. N--, No. I just--

261. Q. Okay.

A. We just seen him lying on the ground.

262. Q. Okay.

A. And um, towels. Like, they had like, I want to say t--, like white towels or sheets or something like that.

263. Q. And who—who brought those to the [Indiscernible]?

A. I think the—I think the police had 'em--

264. Q. Okay.

- A. -- or something like that. Because that was before the ambulance came.
265. Q. Was that for the young man?
- A. Yeah.
266. Q. So they were—they were treating him?
- A. I—Psh—I don't know.
267. Q. Okay.
- A. I--
268. Q. It --
- A. -- to be honest.
269. Q. Yeah. Listen, and, and we—we spoke about that. I mean this is... W--, Is it safe to say you h--, you have compassionate police officers?
- A. Yes.
270. Q. All right. Did—did you see any compassion on that scene--
- A. Uh ...
271. Q. -- with the young man. You said there were towels.
- A. Well (sighs) maybe.
272. Q. Okay.
- A. But what I mostly saw was a lot of negative more than positive.
273. Q. Okay. All right.
- A. Um. And then—And then when the ambulance came, then like I said, they covered him all the way up; like nobody could see his face--
274. Q. Okay.
- A. -- or nothing.

WITNESS STATEMENT OF [REDACTED] [REDACTED]

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275. Q. Did you later find out how old the three—men were? The men?

A. Uh yes, later on. Yeah.

276. Q. All right.

A. About a couple of days later.

277. Q. What did you find out?

A. They're like [REDACTED] or something like that.

278. Q. Oh, so they're teenagers, right.

A. Yeah, young kids.

279. Q. Did you hear about later on what—what started all this?

A. Yes.

280. Q. All right.

A. On the news. On the news it said um, that they pointed it at a Bryant University security guard or something--

281. Q. Okay.

A. -- like that. I don't--

282. Q. Right.

A. Something like that.

283. Q. Okay. All right. Okay. So, they pointed—pointed the, the ri--, The rifle?

A. Yeah, the BB gun, yup.

284. Q. Okay. All right. Is there anything else that I may have missed about that night, any interactions you may have had with an officer or perhaps with a relative, and we spoke about April, perhaps a friend of one of the teenagers perhaps?

A. No.

WITNESS STATEMENT OF [REDACTED]

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285. Q. Okay.

A. No.

286. Q. All right. And you weren't asked to give a statement by anyone from Providence Police since that--

A. No.

287. Q. -- happened?

A. No.

288. Q. And no--

A. And--

289. Q. -- one--no one approached you?

A. No.

290. Q. Am I the first law enforcement officer to--to approach you?

A. Yes. Yes.

291. Q. Okay. Okay. All right. Is there anything you want to add to this statement at all?

A. Um. No, I think I said--I, I think I said my part, --

292. Q. Okay.

A. -- you know. I mean, yes, them kids did wrong. And I understand that. But in truly deeply down, like I believe that they could have handled it a little bit better than the way they did.

293. Q. Okay.

A. Just to be honest, 'cuz I keep on always telling my husband, I was like, that could have--Like, my nieces and nephews don't a--, like, they don't do stuff like that.

294. Q. Right.

A. But who's to say they're in the car with somebody and the person don't want to stop driving, you know.

295. Q. How--? You—you have a son, correct?

A. Yes.

296. Q. How old is your son?

A. He just turned 18.

297. Q. He just turned 18.

A. Yes.

298. Q. All right. That's good. All right.

A. So that—that was like very conc—Like, I think that was the most part that was like, concerning to me, because--

299. Q. [Indiscernible]

A. -- after the fact I found out those were kids and, and it's just like, Oh my God, you did them kids like that, like, they're kids, you should—you should have--, I don't know, I felt like you should have handled it a different way. Maybe it's not the way you see it on TV this is how they handle the situation. I don't know, I'm not a police officer.

300. Q. That—And I'm glad you said that.

A. You know.

301. Q. Because that's—that's—And that's a fair—a fair thing to say. And I, I think when you have a—And we, we could politic about this all day. But I, I think that um, ultimately we can discuss that. But I, I think – I appreciate you being up front and honest. And like I said, I—it's—it's greatly appreciative. Is—Is there anything else you want to—you want to add?

A. No.

WITNESS STATEMENT OF [REDACTED] [REDACTED]

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302. Q. Okay.

DETECTIVE SERGEANT TILSON: All right, well that completes the statement, and the time is approximately 11:54 a.m.

STATEMENT TAKEN BY:

WITNESSED BY:
