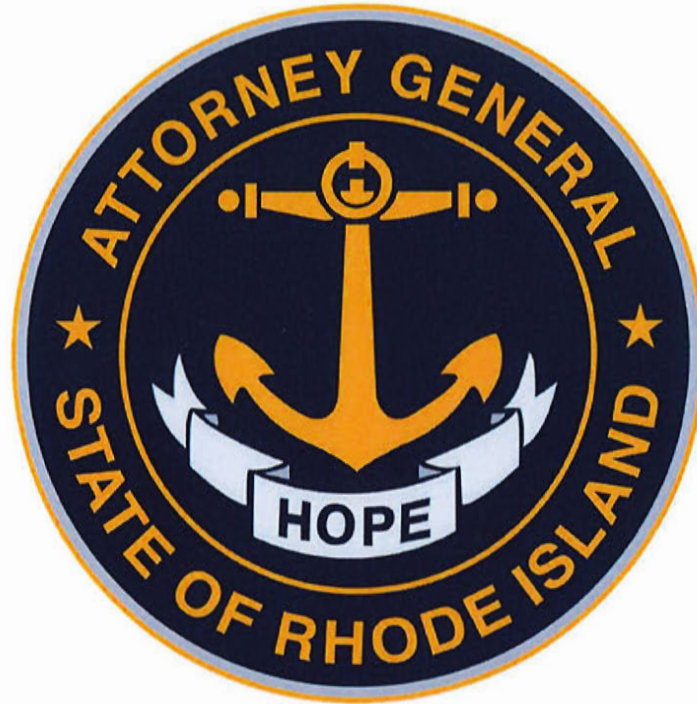


STATE OF RHODE ISLAND  
OFFICE OF THE ATTORNEY GENERAL

*Peter F. Neronha*  
*Attorney General*



INVESTIGATIVE REPORT  
August 13, 2024

<b>Incident Type:</b>	<b>Officer-Involved Shooting</b>
<b>Incident Location:</b>	<b>Plainfield Pike at Rt. 295, Cranston, R.I.</b>
<b>Incident Date:</b>	<b>May 24, 2023</b>
<b>Police Departments:</b>	<b>Providence, Cranston, and Johnston Police Departments</b>
<b>Officers Involved:</b>	<b>See Report</b>

## SUMMARY OF FINDINGS

The Office of Attorney General has concluded its review of the officer-involved shooting incident at Plainfield Pike, Cranston, Rhode Island, on May 24, 2023. The incident involved numerous Cranston Police officers as well as several members of the Providence and Johnston Police Departments. The investigation was conducted pursuant to the Attorney General's Protocol for the Review of Incidents Involving the Use of Deadly Force, Excessive Force, and Custodial Deaths ("The Attorney General Protocol"), together with the Rhode Island State Police and the involved police departments. Based on this review, we conclude that the actions of the police officers involved were legally justified.

A thorough account of the investigation may be found in the Rhode Island State Police Report of Investigation and attachments thereto. As detailed in those reports, James Harrison (born 1971) was wanted by the Johnston Police Department for murder and attempted murder following the discovery of Thomas May and his daughter ██████████ on the morning of Wednesday, May 24, 2023. Thomas May had been shot multiple times and was found deceased. ██████████ had also been shot multiple times and was grievously injured when police found her. ██████████ and her mother identified their next-door neighbor, James Harrison, as the shooter to Johnston Police officers who responded to the scene. Officers immediately went to Harrison's house. There, they found Harrison's mother, Janet Harrison, deceased with multiple gunshot wounds. Johnston Police immediately broadcast a statewide alert for Harrison and his vehicle, indicating that he was wanted for a "triple shooting" and that he was "armed and dangerous." Cranston police officers located Harrison several hours later at St. Ann Cemetery in Cranston. Harrison attempted to elude police, leading them on a high-speed chase through Cranston and Providence ending on Plainfield Pike in Cranston, where he crashed his vehicle on a grassy area on the side of the road adjacent to the Board of Elections. He was immediately surrounded by multiple police cruisers. Harrison emerged from his car brandishing a firearm. Body worn camera footage depicts Harrison pointing the gun at officers, at which time he was shot by multiple officers. Harrison was pronounced dead at the scene.

The Medical Examiner conducted an autopsy of Harrison on May 26, 2023. According to the Autopsy Report of March 18, 2024, the Medical Examiner determined the cause of death to be multiple gunshot wounds: two perforating gunshot wounds and eight penetrating gunshot wounds. There were two gunshot wounds to the head, four gunshot wounds to the torso, a gunshot wound to the left shoulder/axilla, a gunshot wound to the left chest and right arm, a gunshot wound to the right forearm, and a gunshot wound to the left shoulder. The report also noted two graze wounds: one to the head and one to the left forearm. Ten projectiles were recovered from Harrison's body. Those projectiles were turned over to the Rhode Island State Police Forensic Services Unit (FSU). The Autopsy Report also included a Toxicology Report which indicated a blood alcohol concentration of .062%.

The FSU documented the scene and produced a report of its findings. Most notably, the FSU located a silver and black Colt MK IV Series 80 .45 semiautomatic handgun next to Harrison's body.<sup>1</sup> The hammer was in a downward position and the safety was off. There was a silver magazine inserted into the well of the weapon that appeared to be partially ejected. The magazine was fully loaded with seven cartridges. There was no cartridge loaded in the chamber of the pistol. The FSU also seized a silver revolver, an Iver Johnson's Arms .38 caliber revolver, from the glove box in Harrison's vehicle. That firearm was fully loaded with six .38 caliber

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<sup>1</sup> There was also an unspent bullet/cartridge included with Harrison's belongings that was turned over to the medical examiner.

cartridges. Out of the six cartridges, two had been fired and one had a firing pin impression on it, but it failed to discharge.

The FSU determined that ten members of the Cranston Police Department and one member of the Providence Police Department discharged a total of 141 projectiles from their firearms: 81 9 mm rounds, 10 .40 caliber rounds, 22 .223 caliber rounds, and 28 5.56 mm rounds. The FSU seized 70 9mm cartridge cases, seven .40 caliber cases, 16 .223 caliber cartridge cases, and 27 5.56mm cartridge cases from the scene, for a total of 120 cartridge cases. Additionally, 17 projectiles/projectile fragments were seized from Harrison's vehicle and 13 projectiles/projectile fragments were seized from the scene. 15 other projectiles/projectile fragments were located in Harrison's vehicle but not seized. Accordingly, the FSU could not locate all cartridge cases or projectiles expelled from law enforcement firearms.

The FSU seized ten firearms from the Cranston Police and one firearm from the Providence Police. The following Cranston police officers discharged their firearms<sup>2</sup>:

Patrolman Brendan Burke: discharged six projectiles.  
Patrolman Ross Manzotti: discharged three projectiles.  
Patrolman Bretton Medeiros (Ruger SR-556 5.56mm caliber semi-automatic rifle):  
discharged 22 projectiles.  
Patrolman Patrick McCoy: discharged 22 projectiles.  
Patrolman Randall Babcock: discharged 16 projectiles.  
Patrolman Robert Maione: discharged 14 projectiles.  
Patrolman John Mastrati: discharged two projectiles.  
Patrolman David Cragin (BCM .223 Remington caliber semi-automatic rifle): discharged  
28 projectiles.  
Sergeant Steven O'Leary: discharged one projectile.  
Sergeant Dennis Trinh: discharged 17 projectiles.

Additionally, Patrolman Jared Stanzione of the Providence Police Department discharged ten projectiles from his .40 caliber Smith & Wesson M&P firearm.

The Rhode Island State Crime Lab examined the ten projectiles that were seized from Harrison's body and attempted to compare those projectiles to projectiles that were test-fired from the police firearms. The firearms examiner determined that one of the projectiles was a .40 caliber but could not match that projectile to the firearm that was turned over for Patrolman Stanzione.<sup>3</sup> Additionally, four of the projectiles were determined to be .38 caliber class projectiles that include the 9mm Glock. Three projectiles were .22 caliber class projectiles that include the .223 caliber rifle projectiles. Two projectiles were too deformed for identification. No definitive comparisons could be made as none of the projectiles had sufficient individual characteristics necessary for identification. Accordingly, it is impossible to conclusively determine which of the officers fired the projectiles that struck Harrison's body.

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<sup>2</sup> Unless otherwise noted all firearms were Glock model 17 (or model 26) Gen5 9mm semi-automatic pistols.

<sup>3</sup> Providence Police Sgt. Desautels also carried a .40 caliber Smith & Wesson M&P firearm. Sgt. Desautels did not report discharging his weapon, and there was no evidence that he had done so. Nevertheless, because his firearm was the only other known .40 caliber pistol on scene, it was also later turned over to the State Crime Lab for analysis. The crime lab ruled out Sgt. Desautels' firearm as the gun that discharged the .40 caliber bullet recovered from Harrison's body. The State Police FSU and Major Crimes Unit could not identify another possible source for this .40 caliber projectile other than Officer Stanzione's firearm based on all the available evidence.

Police body worn camera footage was obtained from 11 Cranston Police officers and one State Police trooper. The footage, which will be more thoroughly described below, clearly depicts the highly dangerous high-speed chase prompted by Harrison's flight from the officers. After crashing his vehicle, Harrison emerged and, rather than submit to surrounding law enforcement officers, brandished a firearm at them. Faced with a dangerous fleeing felon, who was armed with a gun, it was objectively reasonable for the officers to use deadly force.

This Report focuses only on the facts most pertinent to our conclusion that the deadly force used by the police officers who responded to the scene was objectively reasonable and necessary under the circumstances.

## **EVIDENCE REVIEWED**

### **State Police Reports**

1. State Police Incident Report 05/24/2023 (27 pages)
2. Major Crimes Report (146 pages) and supplemental report (2 pages)
3. Forensic Services Unit Report issued January 22, 2024 (46 pages)
4. Forensic Services Unit Report issued January 11, 2024 (2 pages)
5. Forensic Services Unit Report issued April 24, 2024 (8 pages)

### **Recorded Statements & Transcripts**

1. Lieutenant Jon Pariseault - Cranston Police Department
2. Detective Albion Imondi - Cranston Police Department
3. Detective Daniel Dempsey - Cranston Police Department
4. Detective David Tirrell - Cranston Police Department
5. Detective Paul Bessett - Cranston Police Department
6. Detective Robert Santagata - Cranston Police Department
7. Officer Andrea Comella - Cranston Police Department
8. Officer John Rocchio - Cranston Police Department
9. Officer Matt Davis - Cranston Police Department
10. Officer Tom Lavey - Cranston Police Department
11. Officer Randall Babcock – Cranston Police Department (waiver obtained)
12. Officer Patrick McCoy – Cranston Police Department (waiver obtained)
13. Officer Ross Manzotti – Cranston Police Department (waiver obtained)
14. Officer David Cragin – Cranston Police Department (waiver obtained)
15. Officer Brendan Burke – Cranston Police Department (waiver obtained)
16. Officer Robert Maione – Cranston Police Department (waiver obtained)
17. Sergeant Steven O'Leary – Cranston Police Department (waiver obtained)
18. Officer Brenton Medeiros – Cranston Police Department (waiver obtained)
19. Sergeant Dennis Trinh – Cranston Police Department (waiver obtained)
20. Officer John Mastrati – Cranston Police Department (waiver obtained)
21. Officer Jared Stanzione Walk-Through – Providence Police Department (waiver obtained)
22. Officer Jared Stanzione Formal Interview – Providence Police Department (waiver obtained)
23. Sgt. Curt Desautels – Providence Police Department
24. Lieutenant Steven Guilmette - Johnston Police Department
25. Lieutenant Joseph McGinn - Johnston Police Department
26. Sergeant Derik Ofori - Johnston Police Department
27. Detective Kevin Brady - Johnston Police Department

28. Civilian 1 ( [REDACTED] )
26. Civilian 2 ( [REDACTED] )
27. Civilian 3 ( [REDACTED] )
28. Civilian 4 ( [REDACTED] )
29. Civilian 5 ( [REDACTED] )

#### Police Body Worn Cameras

1. Lieutenant Jon Pariseault - Cranston Police Department
2. Sergeant Steven O'Leary - Cranston Police Department
3. Officer David Cragin - Cranston Police Department
4. Officer Brendan Burke - Cranston Police Department
5. Officer Patrick McCoy - Cranston Police Department
6. Officer Brenton Medeiros - Cranston Police Department
7. Officer Robert Maione - Cranston Police Department
8. Officer Ross Manzotti - Cranston Police Department
9. Officer Tom Lavey - Cranston Police Department
10. Sergeant Jose Afonso - Cranston Police Department
11. Sergeant Matthew Josefson - Cranston Police Department
12. Trooper Colby Clarke - Rhode Island State Police

#### Other Videos

1. Civilian 4 cellular phone video
2. Civilian 5 cellular phone video
2. Rhode Island Department of Transportation Route 295 camera
3. 1441 Plainfield Pike, Cranston, Rhode Island
4. Social media video
5. Social media video

#### Forensic Reports

1. Toxicology Report issued August 26, 2023
2. RI State Crime Laboratory Report issued August 23, 2023
3. RI State Crime Laboratory Report issued January 31, 2024
4. RI State Crime Laboratory Report issued February 14, 2024
5. Medical Examiner Autopsy Report issued March 18, 2024

#### Cranston Police Reports

1. Cranston Police Incident Report 06/05/2023 (2 pages)
2. Lt. Pariseault First Report (2 pages)
3. Sgt. Trinh Supplemental Report (2 pages)
4. Sgt. Josefson Supplemental Report (2 pages)
5. Det. Imondi Supplemental Report (2 pages)
6. Det. Dempsey Supplemental Report (2 pages)
7. Det. Tirrell Supplemental Report (2 pages)
8. Det. Bessette Supplemental Report (1 page)
9. Det. Santagata Supplemental Report (2 pages)
10. Off. Comella Supplemental Report (2 pages)
11. Off. Burke Supplemental Report (1 page)
12. Off. Medeiros Supplemental Report (2 pages)
13. Off. Cragin Supplemental Report (2 pages)

14. Off. Mastrati Supplemental Report (2 pages)
15. Off. Rocchio Supplemental Report (2 pages)
16. Off. Davis Supplemental Report (2 pages)
17. Off. McCoy Supplemental Report (3 pages)
18. Off. Babcock Supplemental Report (2 pages)
19. Off. Maione Supplemental Report (2 pages)
20. Off. Manzotti Supplemental Report (1 page)
21. Off. O'Leary Supplemental Report (2 pages)
22. Off. Lavey Supplemental Report (1 page)
23. Dispatcher Ryan Palmer Supplemental Report (1 page)

#### Johnston Police Department

1. Incident Report (8 pages)
2. Officer Hopkins Narrative (1 page)
3. Officer Chen Supplemental Report (1 page)
4. Officer Letterie Supplemental Report (1 page)
5. Officer Gonzelez Supplemental Report (1 page)
6. Major Dolan Supplemental Report (1 page)

#### Providence Police Reports

1. Force Investigation Team Report (June 20, 2023) (6 pages)
2. Office of Professional Responsibility Investigative Action Report (21 pages)
3. Weapons Bureau Report (May 24, 2023) (3 pages)
4. BOLO email for Harrison

#### Additional Items Reviewed

1. Cranston Police Dispatch Communications
2. State Police Dispatch Communications – North Zone Radio
3. State Police Intercity Communications
4. Providence Police Dispatch Communications
4. UAS Drone Footage
5. TruView Portable Footage
6. 514 Crime Scene Photos
7. 33 Photos of crashed Cranston PD Cruiser
8. 65 Photos of Board of Elections
9. Cranston EMS Report
10. Cranston Police Department Use of Force Policy, General Order 310.01 (Eff. 4/10/2023)
11. Providence Police Department Use of Force Policy, General Order 200.01 (Eff. 4/20/2023)
12. Cranston Police Course Completion Status Report for involved officers
13. Providence Police Range Qualification Report for involved officers

### **SUMMARY OF THE FACTS**

On the morning of Wednesday, May 24, 2023, the Johnston Police Department responded to Ligian Court to follow up on a complaint made the prior evening. Shortly before midnight on May 23, Thomas May, a resident of 2 Ligian Court, called the police to report that his next-door neighbor, **James Harrison**, climbed up a ladder and attempted to look into the bedroom occupied by May's teenage daughter. Police responded that night and attempted to contact Harrison at 4 Ligian Court but were unsuccessful.

At about 7:30 a.m. the following morning, Johnston Police Officer Scott Hopkins drove back to 4 Ligian Court to serve Harrison with a No Trespass Order. As he approached the residence, Officer Hopkins observed Harrison drive past him in the opposite direction. Harrison looked at the officer and appeared to make a shooting gesture with his hand. Harrison was driving a dark blue Buick SUV, RI registration 1AM123. Officer Hopkins pulled into the driveway of 2 Ligian Court. He immediately saw the 15-year-old daughter of Thomas May on the front lawn screaming. Officer Hopkins learned from ██████████ that Harrison just shot her and at her mother. ██████████ sustained multiple gunshot wounds and was transported by rescue to Hasbro Children's Hospital in critical condition. Officer Hopkins immediately advised dispatch of the information and left the scene to locate Harrison.

Additional Johnston police officers arrived at 4 Ligian Court with rescue. Thomas May was found in the garage. He had been shot in the head and body and was pronounced dead at the scene. Officers located Mr. May's son inside the house unharmed. Additional officers immediately responded to 4 Ligian Court, Harrison's residence, to determine whether there were additional victims at that residence. Major Thomas Dolan and Officer Edward Gonzalez entered the residence and discovered the body of Janet Harrison, Harrison's mother, deceased on the floor with multiple gunshot wounds.

These findings were immediately relayed to Johnston Police dispatch. At about 7:56 a.m., police departments throughout the state received broadcast information from the Johnston Police regarding the triple shooting. At about 8:07 a.m., Johnston Police broadcast a BOLO (be on the lookout) for Harrison and his vehicle bearing RI registration 1AM123. At about 9:02 a.m., the BOLO was rebroadcast. Police were advised to "use caution," and Harrison was described as "Armed and Dangerous." Minutes later, police departments throughout the state received emails from Johnston Police indicating that Harrison was wanted for a homicide with a description of his vehicle.

At about 9:30 a.m., an off-duty dispatcher for the Cranston Police Department happened to notice Harrison's vehicle at St. Ann Cemetery in Cranston. Knowing this to be a wanted vehicle, the dispatcher notified Cranston Police and began following Harrison. At about 9:33 a.m., intercity radio communications alerted that Cranston Police were following the suspect vehicle at Dyer Ave./Prudence Ave. Cranston attempted a vehicle stop, but Harrison fled the scene. A pursuit was then authorized which proceeded through Cranston, Providence and Johnston. Multiple police vehicles were in pursuit.

At about 9:38 a.m., officers pursued Harrison's vehicle westbound on Plainfield Pike. As he attempted to elude police, Harrison crossed over to the opposite side of the road and drove in the direction of oncoming traffic. He struck two police cruisers and disabled one of them. Just after Harrison drove past the Route 295 overpass, Harrison lost control of his vehicle and crashed it on the side of the road in the vicinity of the Rhode Island Board of Elections, 2000 Plainfield Pike, Cranston, Rhode Island. Harrison's vehicle was immediately surrounded by multiple cruisers. One of the first to arrive on the scene, Sgt. Desautels of the Providence Police Department, broadcast on the radio that the suspect "just crashed." He further advised to "keep the air clear. Cranston has him at gunpoint."

Several officers on the scene reported that Harrison exited his vehicle and pointed a silver handgun at the police. These reports were corroborated by multiple body worn camera videos and a cellphone video taken by an eyewitness. A number of officers believed that Harrison discharged his firearm first – although that turned out not to be the case. Upon seeing Harrison point his gun at one of the officers (Officer Burke), multiple officers discharged their weapons. The exchange was captured on multiple body worn camera videos. Harrison was

struck multiple times, fell to the ground, and was pronounced dead at the scene. A loaded silver handgun was found under his body by the officers at the scene.

### The Investigation

All the officers involved submitted to interviews following the incident. The officers who discharged their firearms were initially interviewed in the presence of their union attorneys following *Garrity* warnings. Those officers later provided consent to share their statements with investigators voluntarily. Officers who did not discharge their firearms provided voluntary interviews.

The following is a summary of some of the pertinent information obtained from the interviews with the officers. Not all of the interviews were summarized. Complete witness statements and transcripts of the officer interviews are included in the Providence Police and State Police investigative materials. Additionally, the recordings of the *Garrity* interviews are also available. For ease of reference, a slide depicting the approximate locations of the officers at the time of the shooting is attached here as Exhibit A.

Officer Jared Stanzione – Providence Police Department: Officer Stanzione provided a statement as part of an internal affairs investigation by the Providence Police Department in the presence of counsel. Officer Stanzione later agreed to make his statement available to the criminal investigation. Officer Stanzione stated that he was aware of the BOLO for Harrison's vehicle earlier in the day. He then heard over the radio that Cranston Police were chasing the vehicle. As Stanzione was nearby, he headed in the direction of Atwood Avenue. He saw the Cranston Police cruisers and eventually the crash. Stanzione parked his vehicle about 60-100 feet from the site of the crash. He then approached Harrison's vehicle and joined a number of other officers who were positioned behind a cruiser. Stanzione took cover behind the driver's side door of a second cruiser and drew his firearm. (See Exhibit A, position 9). He heard officers giving loud verbal commands to Harrison to show his hands. He observed Harrison exit his car and immediately point a silver firearm at the officers in front of him. Harrison walked backwards a couple of steps and did not drop his weapon. At that point, Stanzione had a good line of sight on Harrison. Stanzione estimated he fired six to eight rounds. When asked whether he was the first officer to fire, Stanzione stated, "I don't really know. I ... thought I was but ... you know, it happened so quick." In a second interview, Stanzione stated that, "I felt like I was the first one but I, I mean, it was really . . . it was almost simultaneous..." Stanzione surmised that he struck Harrison. He did not believe that Harrison fired any shots first. Stanzione stated that immediately after Harrison was down and the gunfire stopped, he ran back to his cruiser to radio dispatch, report his use of force and ask for a supervisor to arrive on scene. He then went to check on Harrison with the other officers. He observed that Harrison was deceased and that there was a gun next to him.

Sgt. Curt Desautels – Providence Police Department – Sgt. Desautels provided a voluntary statement at the scene. Sgt. Desautels recounted that he was aware of the BOLO for Harrison in connection with the triple shooting in Johnston. He then received a radio transmission that Cranston police were in pursuit of Harrison on Plainfield Pike near Walmart, traveling westbound. Sgt. Desautels proceeded to drive eastbound on Plainfield Pike towards the pursuit. As he approached the 295 overpass, Sgt. Desautels saw Harrison's vehicle cross over the median towards oncoming traffic and then crash into the grassy area on the side of the road. Sgt. Desautels left the road and drove up the grassy hill to position his vehicle closer to Harrison. He then observed several Cranston police officers with rifles and handguns approach Harrison's vehicle. Sgt. Desautels stated that he heard the Cranston officers give commands to Harrison, "let me see your hands," without a response. Sgt. Desautels advanced further towards



Harrison's vehicle and took cover behind a tree. (See Exhibit A, position 2). He then observed Harrison exit his car holding a silver handgun. Sgt. Desautels stated that Harrison fired 2-3 rounds. Sgt. Desautels stated that Harrison first pointed the gun in his direction but then turned and pointed it at other officers. Sgt. Desautels believed that Harrison fired at the officers before they returned fire. Sgt. Desautels saw other officers return fire immediately. He did not discharge his weapon because he was concerned about crossfire. After Harrison was struck, the shooting stopped and Sgt. Desautels and other officers approached Harrison's body. Sgt. Desautels and another Cranston officer rolled Harrison over and located a silver-plated handgun under Harrison's body. He and a Cranston officer handcuffed Harrison and called for rescue.

Officer Brendan Burke – Cranston Police Department: Officer Burke provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer Burke later agreed to make his statement available to the criminal investigation. Officer Burke was aware of the BOLO for Harrison and his vehicle and the triple shooting in Johnston. Officer Burke described encountering Harrison at St. Ann Cemetery and Harrison's flight from the cemetery and the subsequent pursuit through Cranston to Plainfield Street. Officer Burke described the erratic and reckless driving by Harrison, including the fact that he struck one of the police cruisers. Burke then described the crash. Burke was operating cruiser 230, and he was about three vehicles behind Harrison. Burke left his cruiser and moved up to a cruiser that was closer to Harrison. Burke did not feel comfortable with the cover he had so he moved to the electrical box on the west/north of Harrison's vehicle. (See Exhibit A, position 3). (Note: according to the FSU scene reconstruction, this position was approximately 21 feet from the front of Harrison's vehicle.) Burke noted that it was extremely loud on the scene. He yelled that he wanted the "sirens killed." Burke saw Harrison moving inside the vehicle. Burke believes that he yelled commands towards Harrison to "show me your hands." He saw the driver's side door open, and Harrison emerged. He then saw Harrison's arm raised and a gun pointing at him. He believed he saw Harrison's firearm recoil but was not sure. Burke ducked in fear for his life and then began returning fire. Burke stated that he was not certain whether Harrison fired his weapon. Burke stated that he initially believed he only fired his weapon four times, but later realized he fired additional rounds. He then heard others fire at Harrison. Harrison fell to the ground. At that point, Officer Burke and a Providence Police officer (Sgt. Desautels) began moving up on Harrison. Multiple officers were yelling cease fire at the time. He then observed Harrison being turned over and saw a gun under him.

Officer Robert Maione – Cranston Police Department: Officer Maione provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer Maione later agreed to make his statement available to the criminal investigation. As with the other officers interviewed, Officer Maione was aware of the BOLO for Harrison and his vehicle and the triple shooting of which Harrison was a suspect. Officer Maione recounted the high-speed pursuit of Harrison from St. Ann Cemetery to the crash site. Along the way, Harrison struck Maione's cruiser twice and Officer Lavey's cruiser. Once at the crash site, Maione advanced towards the electrical box where Officer Burke was positioned. (See Exhibit A, position 4). Officer Maione had his 9 mm department-issued firearm on him. Officer Maione observed Harrison exit the vehicle and point a silver handgun at Officer Burke. Officer Maione did not know whether Harrison discharged any rounds. Officer Maione felt that Officer Burke's life, and his own, were in danger. Officer Maione fired his weapon multiple times. Other than Officer Burke, Officer Maione also saw Officer McCoy discharge his weapon.

Officer John Mastrati – Cranston Police Department: Officer Mastrati provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer Mastrati later agreed to make his statement available to the criminal

investigation. Officer Mastrati was on duty when he joined the pursuit of Harrison from St. Ann Cemetery to the crash site. Once at the scene, Officer Mastrati exited his cruiser and approached the crash site. He heard commands being yelled at Harrison to “get out of the car.” Harrison then exited the vehicle. There were sirens in the background and more commands yelled at him. Officer Mastrati (Exhibit A, position 11) observed Harrison pointing a gun in the direction of Officers Burke and Maione. Harrison walked back with his arms up, pointing a gun. Officer Mastrati heard a couple of shots in front of him but could not be sure whether those shots were fired by Harrison. Officer Mastrati stated he discharged 3-4 rounds using his department-issued 9 mm. He heard other officers also discharge their firearms. Harrison then fell and other officers yelled cease fire.

Officer Randall Babcock – Cranston Police Department: Officer Babcock provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer Babcock later agreed to make his statement available to the criminal investigation. Officer Babcock overheard the radio transmission that a Cranston dispatcher located the vehicle of the person wanted for a murder in the city of Johnston at St. Ann Cemetery. Earlier in the day, Officer Babcock received the BOLO for Harrison and his vehicle and learned that he was wanted for a triple shooting. Officer Babcock responded to the cemetery and took up a position at the front entrance, on the west side of St. Ann Cemetery. His intent was to stop Harrison from leaving the location. He observed the blue Buick accelerating towards him, causing Babcock to reverse out of the way to avoid a collision. Officer Babcock observed Harrison drive past him at a high rate of speed. Multiple vehicles continued to pursue Harrison’s vehicle. Babcock joined the pursuit, about four cars behind Harrison. Officer Babcock observed Harrison go “head on” with one of the Cranston cruisers and he saw Harrison strike another Cranston cruiser. Officer Babcock observed Harrison jump the median and crash on the side of Plainfield Pike. Officer Babcock and the other officers in pursuit took up positions surrounding Harrison. Because the passenger airbags inside Harrison’s vehicle deployed, Officer Babcock did not have a clear view as to what was happening inside the vehicle. Officer Babcock exited his cruiser and took a position behind another car. (Exhibit A, position 12). He stated that sirens were blaring around him. Officer Babcock noted that there were multiple officers around him and he saw a couple of the officers hiding behind an electrical box to the west of him (see Exhibit A, positions 3 &4). Officer Babcock saw the suspect emerge from the driver’s side of the crashed vehicle and then observed his hand raised, holding a silver handgun. Officer Babcock saw Harrison pointing the gun in the direction of the officers hiding behind the electrical box. Officer Babcock then aimed his weapon at Harrison. Officer Babcock heard shots fired; he moved to a better position, saw Harrison turn his body, and observed Harrison still holding the firearm. Officer Babcock then fired his weapon and saw Harrison drop to the ground. It appeared to Officer Babcock that Harrison was still moving on the ground, and he discharged his weapon again. Once Harrison was immobile, Officer Babcock and others approached Harrison and one of the officers immediately called for rescue. Officer Babcock did not recall how many times he discharged his firearm. He did not recall hearing commands shouted at Harrison but noted that it was extremely loud due to all the sirens.

Officer Ross Manzotti – Cranston Police Department: Officer Manzotti provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer Manzotti later agreed to make his statement available to the criminal investigation. Officer Manzotti advised that he was heading towards St. Ann Cemetery when he heard that Harrison left the cemetery and was fleeing police. Officer Manzotti joined the pursuit of Harrison and arrived at the scene of the crash on Plainfield Pike. He saw Harrison’s vehicle cut across the center median, cross the east-bound lanes, and ascend the grassy area on the side of the road. Officer Manzotti was in vehicle 7171 and approached the scene from the west-bound

lanes. He described the scene as chaotic with multiple people running around. Officer Manzotti joined Officer McCoy and Sgt. Trinh behind the vehicle closest to Harrison's car. (Exhibit A, position 7). He observed Officer Burke run to a spot behind the gray electrical box. Officer Manzotti saw Harrison emerge from his vehicle and point a silver object, which appeared to be a firearm, at the direction of Officer Burke (westbound). At that point, Officer McCoy stepped out and Officer Mansotti heard gunfire. He was then able to step out from behind the vehicle and he fired three rounds from his 9 mm duty weapon. After the third round, Officer Manzotti could not see Harrison so he stopped firing. Officer Manzotti did not know whether Harrison discharged his firearm. After the gunfire stopped, Officer Manzotti approached Harrison together with the officers. He observed a large silver handgun next to his body. Officer Manzotti then checked Harrison's vehicle to ensure there was no one else there.

Officer David Cragin – Cranston Police Department: Officer Cragin provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer Cragin later agreed to make his statement available to the criminal investigation. Officer Cragin recalled receiving the BOLO from dispatch regarding the triple shooting in Johnston. He also headed towards St. Ann Cemetery after hearing that Harrison's vehicle was seen there. Officer Cragin described Harrison driving towards Cragin's cruiser while at the cemetery and ignoring his command to stop. Officer Cragin took a good look of Harrison's face at the cemetery and knew that it matched the description of the individual wanted in connection with the triple shooting in Johnston. (Officer Cragin had seen Harrison's photo in a department-wide email earlier that day.) Officer Cragin then described the pursuit of Harrison until he crashed his vehicle on Plainfield Pike. Officer Cragin was the fourth or fifth car behind Harrison during the pursuit. Officer Cragin took a position behind Car 219. He returned to his own car to retrieve his rifle and then went behind vehicle 7061 (Car 216). (Exhibit A, position 10). There were officers on both sides of Officer Cragin. Officer Cragin then saw Harrison come out of the vehicle and saw him pointing his firearm in a westbound direction, towards another officer, to the right of Officer Cragin. Officer Cragin then fired several rounds from his rifle. He saw Harrison go down behind his car, but Officer Cragin was not sure whether Harrison was hit so he continued to fire because he was concerned that Harrison might approach other officers. Officer Cragin stated he initially thought he fired 10-15 rounds, but then realized he fired more than 20 rounds.

Officer Patrick McCoy – Cranston Police Department: Officer McCoy provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer McCoy later agreed to make his statement available to the criminal investigation. Officer McCoy received the BOLO regarding a triple-shooting in Johnson. McCoy heard dispatch directing officers to the cemetery for a sighting of the suspect. Once he was inside the cemetery, Officer McCoy heard from Officer Cragin that Harrison was wanted for a double murder. Officer McCoy saw Harrison elude multiple officers and leave the cemetery. Officer McCoy described the pursuit and characterized Harrison's operation of the vehicle as "reckless". Officer McCoy asked for permission to ram Harrison's vehicle, which was denied. Officer McCoy was the second vehicle behind Harrison. Officer McCoy observed Harrison slam his brakes causing another officer to hit his car. He then observed Harrison nearly hit another officer's cruiser and then saw Harrison hit a third cruiser. Officer McCoy ended up being the first cruiser to follow Harrison up the grassy hill at the side of the road. Officer McCoy quickly exited his vehicle and took a position behind the passenger door. Officer McCoy's car was facing Harrison's car. Multiple officers arrived at the scene. Officer McCoy saw Officer Burke take a position behind the electrical box, and he observed Officer Maione move up to Burke. Officer McCoy then saw Harrison exit his vehicle (he estimated it was over 30 seconds after the crash); Officer McCoy saw Harrison raise his hand and point a silver pistol in the direction of Officers

Burke and Maione, at which point Officer McCoy discharged his firearm multiple times, emptying his magazine. Officer McCoy stated that he reloaded, and then fired four more rounds until he observed no further movement and others yelled cease fire. Officer McCoy stated that he was in fear for the officers' lives, and he did not believe he had any other choice but to discharge his weapon. Officer McCoy described moving up on the suspect with Sgt. Trinh after the shooting stopped. He then described handcuffing Harrison with Officer Lavey and turning over his body with the help of a Providence Police officer. Officer McCoy observed the silver handgun underneath Harrison's body. Officer McCoy checked Harrison's pulse and heard someone else call for rescue.

Officer Steven O'Leary – Cranston Police Department: Officer O'Leary provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer O'Leary later agreed to make his statement available to the criminal investigation. Officer O'Leary was at the Gladstone School to provide security in connection with the triple shooting in Johnston. He then learned that Harrison's vehicle was observed at St. Ann Cemetery. Officer O'Leary joined the pursuit after Harrison left the cemetery. Once Harrison's vehicle crashed, Officer O'Leary passed the crash site and then he turned around to go east bound towards the scene. Officer O'Leary then positioned himself behind a tree to the west of Harrison's vehicle, closer to the Providence Police cruiser. (Exhibit A, position 1). He observed Harrison exit his car and point a gun in the direction of Officer Burke and other officers. Officer O'Leary then took a single shot from his handgun and the suspect fell to the ground. Officer O'Leary did not see Harrison discharge his firearm. A cease-fire was called a short time after. Officer O'Leary then helped keep traffic away from the scene.

Officer Brenton Medeiros – Cranston Police Department: Officer Medeiros provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Officer Medeiros later agreed to make his statement available to the criminal investigation. Officer Medeiros was also aware of the BOLO for Harrison and was aware he was wanted for a homicide. He responded to St. Ann Cemetery and he observed Harrison drive past him. Officer Medeiros joined the pursuit. Officer Medeiros heard transmissions describing Harrison's driving as dangerous and reckless, but he was too far back to observe it himself. After Officer Medeiros arrived at the area of the crash, he grabbed his rifle, exited his cruiser, and moved towards police vehicle 219 (plate # 7207) to take cover. (Exhibit A, position 8). He then drew down on the vehicle and gave verbal commands to "step out of the vehicle," and "keep your hands up." He heard other officers give verbal commands as well. However, Officer Medeiros described his view of the driver as obstructed by the airbags which had deployed. He then saw Harrison exit the vehicle and point a firearm at other officers. Officer Medeiros believed the other officers were in immediate danger at that time. Officer Medeiros then fired his rifle, estimating that he fired 5-10 times. Officer Medeiros heard several other officers discharge their weapons; he was unsure whether Harrison fired his gun.

Sgt. Dennis Trinh – Cranston Police Department: Sgt. Trinh provided a statement as part of an internal affairs investigation by the Cranston Police Department in the presence of counsel. Sgt. Trinh later agreed to make his statement available to the criminal investigation. Sgt. Trinh heard the BOLO regarding Harrison wanted for multiple shootings/homicide in Johnston. He proceeded to St. Ann Cemetery after hearing that the suspect was observed there. Before he got there, he heard that Harrison was being pursued by officers. Sgt. Trinh then turned around and followed the pursuit of Harrison, although he was too far behind to be directly involved. Sgt. Trinh heard that Harrison crashed his vehicle and then proceeded to that location. Sgt. Trinh was the ranking officer on scene. He took position behind vehicle 219 and directed officers to various locations, in order to ensure coverage of the scene. (Exhibit A, position 5). Sgt. Trinh

heard several officers give the suspect commands, "Let me see your hands." He then saw the suspect exit the vehicle, raise his hand, holding a silver handgun, and saw one round being discharged in a western direction. At that time, there were multiple officers in that vicinity. At that point, Sgt. Trinh discharged his gun, emptying his magazine. He then called "cease fire." He saw Harrison on the ground. Sgt. Trinh and other officers made a tactical approach towards Harrison's location. He then saw Harrison handcuffed and observed a firearm by his body.

Lt. Jon Pariseault – Cranston Police Department: Lt. Pariseault provided a voluntary statement at the scene. Lt. Pariseault recounted that he first encountered Harrison at St. Ann Cemetery in Cranston. Lt. Pariseault was in a marked cruiser. He and several other officers proceeded to pursue Harrison through Cranston and Providence, eventually reaching Plainfield Street at Plainfield Pike. Harrison proceeded to travel westbound on Plainfield Pike. At one point, Harrison crossed the raised median between the westbound and eastbound lanes and drove onto oncoming traffic. He lost control of the vehicle and crashed on the side of the road. Lt. Pariseault pulled up and prepared to conduct a felony car stop. Pariseault was one of multiple officers to converge on the vehicle. Pariseault took cover behind the door of another cruiser and drew his sidearm. (See Exhibit A, position 25). Pariseault observed officers to his left and to his right, setting up on the vehicle. Harrison did not immediately exit his car. When he did, Pariseault saw him stand next to the driver's side door of the vehicle. Lt. Pariseault heard officers yelling commands at Harrison, however it was very loud due to multiple sirens being activated. Lt. Pariseault stated that he observed a gun in Harrison's hand. Harrison pointed the gun towards Officer Burke (see Exhibit A, position 3). Lt. Pariseault stated that he heard Harrison fire a shot. He then observed Officer Burke fire his weapon towards Harrison. Lt. Pariseault did not discharge his weapon.

Det. Albion Imondi – Cranston Police Department: Det. Imondi provided a voluntary statement at the scene. Det. Imondi stated that he participated in the pursuit of Harrison from Silver Lake Avenue onto Plainfield Pike in Cranston. According to Det. Imondi, he was traveling between 40-45 mph. As he was traveling westbound on Plainfield Pike, Det. Imondi learned that Harrison may have struck one or two police cruisers. As he approached the I-295 overpass, Det. Imondi crossed over the eastbound lanes to get closer to Harrison's vehicle. Harrison's vehicle had already crashed by the time Det. Imondi arrived at the scene. He exited his vehicle and moved up to a marked Cranston Police Cruiser. (See Exhibit A, position 14). Once there, he observed Harrison exit his car and point a gun towards other officers. Det. Imondi did not know whether Harrison fired his gun, but he observed that Harrison had been shot by other officers.

Det. Daniel Dempsey – Cranston Police Department: Det. Dempsey provided a voluntary statement at the scene. Det. Dempsey heard a radio broadcast indicating that Harrison's vehicle was spotted at St. Ann Cemetery. Det. Dempsey decided to join the pursuit in his unmarked Dodge Charger. Det. Dempsey observed Harrison's vehicle near the 1025 Club on Plainfield Pike. There, he saw Harrison cross the double yellow line and travel directly at Detective Dempsey's vehicle. Det. Dempsey stated that Harrison attempted to strike his cruiser, even though Det. Dempsey had his overhead lights activated. Det. Dempsey estimated that Harrison was traveling about 60 mph. Det. Dempsey avoided being struck and made a U-turn to rejoin the pursuit. Det. Dempsey came to a stop near the crash site, exited his cruiser and ran towards a Cranston Police cruiser to take cover. He heard officers giving verbal commands to Harrison to show his hands but noted that it was very loud as multiple overhead sirens were activated. Det. Dempsey was moving between his cruiser and another cruiser when the shooting occurred, and he did not observe it. Like the other officers, he observed Harrison after he was shot and saw a firearm next to Harrison's body.

Det. David Tirrell – Cranston Police Department: Det. Tirrell provided a voluntary statement at the scene. Det. Tirrell joined the pursuit of Harrison’s vehicle. After Harrison crashed his vehicle, Det. Tirrell made his way towards one of the cruisers surrounding Harrison to take cover. (See Exhibit A, position 15). He observed Harrison holding a silver-colored handgun which he pointed at other officers. Det. Tirrell observed Harrison being struck by multiple rounds. Det. Tirrell noted that he could not hear any commands being yelled at Harrison as multiple sirens were activated. Det. Tirrell stated that he did not see which officers fired their weapons.

Det. Paul Bessette – Cranston Police Department: Det. Bessette provided a voluntary statement at the scene. Det. Bessette was located next to Det. Tirrell as police officers surrounded Harrison’s vehicle after he crashed it. (See Exhibit A, position 27). From his vantage point, Det. Bessette also observed Harrison point a gun at officers, facing north. Det. Bessette believed that Harrison fired a single round at the officers who were north of him. He observed officers return fire, and Harrison falling face down on the ground.

Det. Robert Santagata – Cranston Police Department: Det. Santagata provided a voluntary statement at the scene. He stated that as he traveled westbound on Plainfield Pike he observed Harrison’s vehicle make “a very abrupt left,” cross a concrete median, and then crash on the other side of the road. Det. Santagata exited his cruiser (See Exhibit A, position 26), ran across the median, and observed a Lexus parked in the middle of the street with several officers around it. He noticed a civilian (later identified as Civilian 1) sitting in the driver’s seat. The detective got her out of the vehicle and placed her on the ground. He then observed Harrison exit his vehicle with a gun in his hand. At that point, Det. Santagata led Civilian 1 across Plainfield Pike away from Harrison’s location. Det. Santagata heard a single gunshot followed by multiple gunshots. Civilian 1 was uninjured.

Officer Andrea Comella – Cranston Police Department: Officer Comella provided a voluntary statement at the scene. She stated that she participated in the pursuit of Harrison to the crash site. Once she arrived at the site, she positioned herself behind the Lexus described above. (See Exhibit A, position 20). Officer Burke was to her right, next to a metal electrical box. Officer Comella observed Det. Santagata remove the driver from the Lexus and guide her away from the scene. She heard officers command Harrison to “get out, hands up.” According to Comella, she observed Harrison get out of the vehicle with a pistol in his hand. He then pointed the pistol at Officer Burke. (See Exhibit A, position 3). Officer Comella then heard shots being fired but could not tell who fired the shots.

Officer John Rocchio – Cranston Police Department: Officer Rocchio gave a voluntary statement at the scene. Officer Rocchio was one of the officers who surrounded Harrison at the scene. From his vantage point (see Exhibit A, position 13), he observed Harrison stand up and point a silver handgun. Officer Rocchio believed Harrison fired one shot. He saw Harrison point the gun in a west/northwest direction at the direction of Officer Burke. Office Rocchio stated that he attempted to fire his rifle at Harrison but the gun malfunctioned.

Officer Tom Lavey – Cranston Police Department: Officer Lavey gave a voluntary statement at the scene. Officer Lavey was one of the officers in pursuit of Harrison after he left St. Ann Cemetery. Officer Lavey stated that when he got onto Plainfield Pike, he accelerated past Harrison and attempted to block vehicles from approaching the area. Prior to the intersection with Simmonsville Avenue, Harrison swerved his vehicle into Lavey’s cruiser and struck it so hard that the cruiser became disabled. Officer Lavey observed that Harrison’s vehicle came to a stop some 150 yards past his vehicle. Officer Lavey proceeded to run towards the scene. He

observed Harrison standing next to his vehicle and pointing a gun over the top of the vehicle. Officers then shot Harrison. Officer Lavey did not discharge his firearm. He ran towards Harrison's body and he and another officer (Officer McCoy) then handcuffed him. Officer Lavey and Sgt. Desautels then rolled Harrison's body over and observed a firearm under Harrison's body.

Officer Matt Davis – Cranston Police Department: Officer Davis gave a voluntary statement at the scene. Officer Davis operated car 219. Officer Davis is a school resource officer at Cranston East High School, but he was redirected to the Gladstone School that day. Officer Davis responded to St. Ann Cemetery and joined the pursuit of Harrison as he fled that area. Officer Davis was the third vehicle during the pursuit and observed Harrison operate his vehicle erratically and strike one of the cruisers. Officer Davis positioned himself beside car 7207 and drew his service weapon. Officer Davis explained that because he was not wearing his bullet proof vest, another officer pushed him back behind the vehicle. (Exhibit A, position 16). Officer Davis observed Harrison exit his vehicle and point his gun, facing west. Officer Davis could not tell whether Harrison discharged his weapon because it was so loud due to the sirens. He saw Harrison fall after being shot multiple times. Officer Davis did not discharge his firearm. Officer Davis approached the suspect and saw him being rolled over, revealing the silver handgun underneath him. Officer Davis then called for rescue and placed a sheet over Harrison's body.

Lt. Steven Guilmette, Lt. Joseph McGinn, Sgt. Derik Ofori, and Det. Kevin Brady – Johnston Police Department – All four members of the Johnston Police Department gave voluntary statements at Johnston Police Headquarters. All arrived at the scene at around the time that Harrison crashed his vehicle. Their account of events was consistent with the account provided above. Lt. Guilmette, Lt. McGinn and Sgt. Ofori indicated that they heard an officer yell “drop the gun. Drop the gun,” before hearing shots fired. None of these officers discharged their firearms.

Civilian 1 ( [REDACTED] ) – Civilian 1 was interviewed at the Board of Elections on May 24, 2023. Civilian 1 was driving eastbound on Plainfield Pike in her 2007 Lexus at about 9:30 am. As she approached the 295 overpass, she saw “four cop cars chasing a car.” She then saw “a small SUV . . . flying” across the traffic median in front of her. She then stepped on the breaks. Civilian 1 advised that a cruiser stopped in front of her vehicle and two officers stood next to her car. One of them grabbed her and ran with her across the street. Civilian 1 “heard many gunshots.”

Civilian 2 ( [REDACTED] ) – Civilian 2 is employed at the Rhode Island Board of Elections. He stated that he heard a loud bang which prompted him to look out the window. He and one of his colleagues, Civilian 4, observed multiple police officers surround a vehicle. He saw the driver, a six-foot tall white male, exit the car holding a handgun and staring directly at the officers. Gunfire erupted and the man was struck in the back and then he fell over.

Civilian 4 ( [REDACTED] ) – Civilian 4 was also working at the Rhode Island Board of Elections at the time of the incident. After hearing a loud crash outside, she looked out the window and saw a blue-colored SUV crashed into one of the large boulders in the area between the Board of Elections building and Plainfield Pike. She began recording the incident on her iPhone. Civilian 4 observed multiple officers surround the vehicle and after a few minutes she saw a white male exit the vehicle and point a gun “horizontal, right at the officers.” Then “people started shooting” and she went to the ground. Civilian 4 reported that several bullets struck the side of

the Board of Elections building. Civilian 4 took two videos with her phone which she provided to law enforcement.

Civilian 5 (██████████) – Civilian 5 observed a portion of the police pursuit of Harrison and saw Harrison strike one of the police cruisers with his car. Civilian 5 recorded this incident with her cellphone and provided the recordings to the police. She did not observe the shooting.

#### Body-worn camera footage and other video surveillance

The State Police collected body worn camera footage from the Cranston Police Department and the Rhode Island State Police. The body worn camera videos, together with other evidence obtained, were analyzed by the State Police to establish where the various officers were located during the standoff with Harrison, which officers discharged their weapons, and how many rounds were discharged. The State Police report summarizes the body worn camera footage in great detail which will not be repeated in this report. All the body worn camera footage was independently reviewed in preparation of this report.

The BWC videos depicted Harrison's encounter with Cranston police officers at St. Ann Cemetery where he refused their commands to stop, drove right past multiple cruisers, and took off on a high-speed chase. The videos then depict a seven-minute-long chase (approximately) through Cranston and Providence where Harrison struck a police cruiser and went head on with other vehicles. He eventually crossed the median on Plainfield Pike, just before going under the I-295 overpass and crashing on the side of the Board of Elections. The videos show multiple police vehicles arriving at the scene and multiple officers rushing up to take positions in a rough semi-circle around the crash location, as depicted in Exhibit A. Officers took cover behind police cruisers, trees, and an electrical box. Multiple BWC videos, and a cellphone video obtained from Civilian 4, depict Harrison emerging from his car shortly after the crash. Harrison ignores commands to put up his hands, turns towards Officers Burke and Maione, stretches out his right arm and points a silver handgun in their direction. Immediately, multiple officers can be seen and heard discharging their weapons at Harrison and his vehicle. Harrison remains standing, holding his gun, even after the initial shots. He then turns and falls to the ground. After additional shots are fired, officers call "cease fire" and approach Harrison. Harrison is lying face down on the ground, covered in blood. Officers McCoy, Lavey and Sgt. Desautels handcuff him, turn him over, and a silver handgun is found under his body.

Several of the BWC videos showed the encounter between Harrison and Cranston Police Officers at St. Ann Cemetery. Officer Burke's BWC, at 9:30:30 a.m. shows Officer Burke exit his police cruiser with his firearm drawn. Harrison drives right past him, and Officer Burke begins his pursuit. Burke calls on the radio to "get the exits blocked." Another officer can be heard saying, "he's coming head on with me," and "he's taking off." At about the same time, Officer Cragin's BWC shows Officer Cragin exiting his cruiser holding a rifle. Officer Cragin says, "he killed three people." Officer Cragin aims his rifle in Harrison's direction and shouts, "let me see your hands" multiple times as Harrison drives towards him while being pursued by other cruisers. As Harrison drives past Officer Cragin, Harrison says, "do it." Officer Cragin returns to his vehicle and joins the pursuit.

Thereafter, Officers Burke's, Maione's and Cragin's BWCs depict the high-speed pursuit of Harrison's vehicle, which lasts approximately seven minutes. On the radio transmissions in the background, officers can be heard stating, "doing 60," "doing 50." Callers state that Harrison is "ramming" and "going head on" with other cruisers and "multiple vehicles." An officer can be heard saying that "he tried to hit me." Officer Lavey's BWC video also depicts part



of the pursuit. At about 9:37 a.m., Officer Lavey's vehicle was struck by Harrison and became immobilized on the side of the road prior to reaching the Plainfield Pike overpass. Officer Lavey reports to dispatch that he was struck. He then leaves his cruiser and runs towards the crash scene, behind other officers who are also approaching the scene.

At about 9:37 a.m., multiple officers report that Harrison's vehicle crashed. Officer Burke's BWC depicts him pulling over and exiting his vehicle with his firearm drawn. He runs across the road and takes position behind a Cranston cruiser facing Harrison's vehicle. A second cruiser to the north is visible with three officers taking cover behind that cruiser. A third cruiser is visible slightly further back. Calls can be heard in the background to silence sirens. At about the same time, Lt. Periseault's BWC shows him exiting his cruiser with his firearm drawn. The noise of multiple sirens and officers shouting can be heard in the background. Lt. Periseault takes a position behind his cruiser and another officer is seen removing a civilian from the Lexus stopped next to the cruiser.

At about 9:37 a.m., Officer Burke's BWC shows him moving behind the electrical box at position 3 on Exhibit A. He aims his gun at Harrison's vehicle. Seconds later, loud verbal commands by police are clearly heard multiple times: "don't you fucking move. Don't you fucking move. Show me your fucking hands. Hey, show me your hands now." Harrison exits his vehicle. At first, he faces the Board of Elections building but then he quickly turns around and faces Officer Burke directly. The BWC footage clearly depicts his right arm extended and he is holding a silver handgun which is pointed in Officer Burke's direction. Officer Burke reacts by ducking behind the electrical box. Officer Burke then straightens up and begins firing at Harrison. At about 09:38:32 on Officer Burke's BWC, one can see and hear multiple gun shots go off, including shots fired by Officer Burke. Harrison continues to stand after the initial shots but then turns and drops to the ground. In a still photo of Officer Burke's BWC video reproduced by the RISP, one can see Harrison still standing pointing his gun at Officer Burke at the time Officer Burke first discharges his firearm.

At about 09:37 a.m., Officer Maione's BWC depicts Officer Maione driving up to the scene, exiting his vehicle, and positioning himself behind a cruiser. Officer Burke is visible in front of Officer Maione, standing behind the electrical box. Officer Maione yells to "back up," and to "watch crossfire." Officer Maione is positioned behind the driver's side door. Someone yells to "kill the siren" and "he's moving around." At 09:38:24, Officer Maione's BWC shows him running up towards Officer Burke who is behind the electrical box and yelling, "hands up, hands up." The video depicts Harrison standing behind his vehicle facing Maione and Burke. Gunfire erupts and the view is then obstructed by the electrical box.

Officer Cragin's BWC at 09:38:30 a.m. also depicts Harrison standing up behind his vehicle, pointing his firearm in the direction of Officer Burke. Officers immediately open fire, including Officer Cragin, who fires multiple rounds from his rifle while taking cover behind a cruiser at position 10 on Exhibit A.

At 09:38:37, someone shouts, "Cease fire. Cease fire." Officer Burke's BWC depicts multiple officers approach Harrison who is lying face down on the ground. The video depicts Officers McCoy, Lavey and Sgt. Desautels handcuffing Harrison behind his back as he lays face down on the ground.

Officer McCoy (at position 6 on Exh. A) was positioned behind the cruiser closest to Harrison. At about 09:38:28 a.m., Officer McCoy's camera faces officers Burke and Cragin who are positioned behind the electrical box. Harrison is seen standing behind his car. A still

photograph from Officer McCoy's video clearly shows the top of Harrison's head and his arm extended holding a silver handgun pointing in Officer Burke's direction, just over the roof of Harrison's car. A single shot can be heard which is immediately followed by multiple gunshots from officers Burke, Maione, McCoy and Sgt. Trinh. The video shows Officers McCoy and Trinh firing multiple rounds; both emptied their magazines and reloaded.

At 09:38:45, Officer McCoy's BWC depicts officers approaching Harrison, who is lying face down. At about 09:39, Officer McCoy handcuffs Harrison together with Sgt. Desautels and Officer Lavey. They turn Harrison on his back and a silver handgun is immediately visible underneath him. It is apparent that Harrison suffered multiple gunshot wounds as he, and the ground around him, is covered in blood. This is also visible on Officer Lavey's BWC video. Officers can be heard in the background calling to turn off the sirens, check Harrison's vehicle, and call for rescue.

Officer Cragin's BWC at 09:39:25 shows officers approaching Harrison. Someone says, "Get a rescue for gunshot wound. Man down." Officer Cragin confirms that he shot "like 10 rounds" at Harrison. Officer Cragin tells others to watch out for the shell casings on the road. At 09:39:30, Officer Burke's BWC also depicts him running up towards Harrison's body. The video depicts Harrison being handcuffed. After Harrison is turned over to his back, a silver pistol is visible on the ground next to his body. Officer Burke can be heard speaking with other officers on the scene. Officer Burke says, "he shot at me." Another officer then asks Officer Burke, "he shot you?" Another officer confirms that he saw Harrison shoot at Officer Burke and asks him whether he was hit. Officer Burke says he was not hit. Officer Maione can also be heard on his BWC telling another officer that he shot a few rounds.

A similar conversation is also captured on Officer Cragin's BWC. At about 09:42 a.m., Officer Cragin tells his lieutenant that he fired "10-15 shots." Officer Cragin states that he saw a silver gun in Harrison's hand. The Lieutenant says he saw it too, and that "I'm pretty sure he started." A few minutes later, at 09:46:30, Officer Cragin tells another officer that as Officer Cragin pointed his gun at Harrison at St. Ann Cemetery, Harrison said to him, "do it."

A cellphone video from Civilian 4, a Board of Elections employee, captured the moments immediately after Harrison crashed his vehicle. The video clearly depicts Harrison exiting his car, facing the Board of Elections building, before turning to his right, extending his right arm, and then pointing a handgun towards the officer, over the roof of his car. At this point, no officer had fired their weapon. Multiple officers then discharge their weapons. Harrison remains standing. Civilian 4 then ducks and the scene is no longer visible.

### Radio Calls

The BCI unit collected and analyzed 592 radio calls pertaining to the investigation. The radio calls relay much of the conversation that was also captured on various body worn cameras and also corroborate the accounts provided by law enforcement during their interviews.

## LEGAL ANALYSIS

### Applicable Law

When considering a police officer's actions which involve the use of force in his/her capacity as a peace officer a two-part analysis is required. First, it must be determined if the officer's use of force in arresting or detaining the suspect was necessary and reasonable. If an officer's conduct is found to be necessary and reasonable, then the inquiry ends, and no criminal charges will stem from the incident. If, however, it is determined that the use of force was not necessary and not reasonable then an inquiry must be made as to whether the use of force meets the elements of the applicable criminal statute(s). In this case, as we find that the conduct of the Cranston and Providence Police officers who used deadly force was objectively reasonable, we do not engage in the second prong of the analysis.

The Fourth Amendment protects "[t]he right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures." A "seizure" of a "person," can take the form of "physical force" or a "show of authority" that "in some way restrain[s] the liberty" of the person. Terry v. Ohio, 392 U.S. 1, 19 n16 (1968). An arrest or seizure of a person carries with it the right of police officers to use some degree of force. Graham v. Connor, 490 U.S. 386, 396 (1989). "All claims that law enforcement officers have used excessive force – deadly or not – in the course of an arrest ... or other 'seizure' of a free citizen should be analyzed under the Fourth Amendment and its 'reasonableness' standard..." Graham, 490 U.S. at 395; Tennessee v. Garner, 471 U.S. 1 (1985).

The Fourth Amendment instructs that the *degree* of force law enforcement officers are permitted to use must be "objectively reasonable" under the totality of circumstances. Id. at 8-9. Relevant facts include "the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting or attempting to evade arrest by flight." Graham, 490 U.S. at 396. The reasonableness of an officer's use of force "must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." Graham, 490 U.S. at 396. The Supreme Court has held that the determination of reasonableness must allow "for the fact that police officers are often forced to make split-second judgements – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation." Graham, 490 U.S. at 396-97. Critically, the reasonableness inquiry is an objective, not a subjective, one. The "question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation." Id. (emphasis added).

Applying these principles, Rhode Island law provides that "A police officer may use force dangerous to human life to make a lawful arrest for committing or attempting to commit a felony, whenever he or she reasonably believes that force dangerous to human life is necessary to effect the arrest and that the person to be arrested is aware that a peace officer is attempting to arrest him or her." R.I. Gen. Laws § 12-7-9. The Use of Force Policies of the Providence Police Department (General Order 300.01 ) and the Cranston Police Department (General Order 310.01) apply the legal principles set forth above. They provide that an officer is authorized to use lethal force to:

1. Protect himself/herself, another officer, or other person(s) when the officer has an objectively reasonable belief that an imminent threat of death or serious bodily injury exists to himself/herself, another officer or other person(s).

2. To prevent the escape of a fleeing subject when the officer has probable cause to believe that the person has committed, or intend to commit, a felony involving serious bodily injury or death, and the officer reasonably believes that there is an imminent risk serious bodily injury or death to the officer or another if the subject is not immediately apprehended.

Cranston Police General Order 300.01. The Providence Police use of lethal force policy is substantially similar.

### Analysis

Based on the information obtained through the joint investigation and summarized above, the use of deadly force and less lethal force by the Cranston and Providence police officers on the scene was necessary and objectively reasonable under the circumstances. The evidence is uncontroverted that (1) Harrison was a dangerous fleeing felon who was suspected of a triple shooting earlier in the day which left two people dead; (2) he had just led officers on a dangerous high-speed chase during which he struck and/or attempted to strike multiple police cruisers, and which ended only when Harrison lost control of his vehicle; and (3) Harrison emerged from his vehicle holding a handgun which he pointed at Officer Burke who was located a mere 21 feet away from him. There were numerous other officers and civilians in the vicinity who could have also been easily targeted by Harrison. Additionally, the evidence shows that Mr. Harrison disregarded warnings to lay down his gun and put up his hands. In short, Mr. Harrison gave no indication that he intended to surrender to law enforcement – just the opposite. These factors provided the officers with justification to use deadly force. Harrison presented an imminent risk of death and serious bodily injury to the officers at the scene. Additionally, he presented an imminent risk of death and serious bodily injury to the civilians traveling on the roadway in the vicinity of the crash site and at the Board of Elections building a short distance away. This risk was neither hypothetical nor speculative; the officers knew that Mr. Harrison had the means and the capacity to shoot and kill as he had done so earlier in the day. His decision to flee from officers, the fact that he struck multiple police cruisers during the pursuit, and his refusal to submit to multiple commands to show his hands removed any doubt that he had any interest in peacefully surrendering to the police.

We recognize that multiple officers believed, erroneously, that Mr. Harrison discharged his weapon at them when they engaged. The FSU scene investigation, as well as the crime lab investigation, established conclusively that Mr. Harrison did not discharge his weapon. Considering the high-stress and chaotic scene, it is not surprising that some officers were mistaken. First, the scene was extremely loud with multiple sirens activated. Second, officers fired at Harrison from multiple directions with bullets flying across the field. Accordingly, it is quite likely that one officer mistook a gunshot by another officer for a gunshot by Harrison. In any event, the fact that Mr. Harrison did not discharge his weapon does not alter the analysis. It is sufficient justification under the law that Mr. Harrison pointed a firearm at the police. And the evidence is incontrovertible that he did so. Not only did Officers Maione and Burke state that they observed Harrison aim a gun at their direction, forcing them to duck behind the electrical box, but multiple body worn camera videos, as well as Civilian 4's cellphone video, corroborate that account. Thus, they were authorized to fire their weapons in self-defense. Additionally, multiple other officers on scene – including those who discharged their weapons and others who did not – also observed Harrison point a gun in the direction of Officers Burke and Maione. The

remaining officers who discharged their weapons were authorized to act in defense of their fellow officers.

It is notable that the officers who converged on the crash scene took positions at some distance from Harrison, in an effort to isolate and surround him. There was no rush to engage Harrison. None of the officers discharged their weapons when they encountered Harrison at St. Ann Cemetery, during the high-speed chase, or while Harrison was inside his vehicle at the crash scene. Additionally, none of the officers discharged their weapons when Harrison first emerged from the car with his hands by his side. The video evidence confirms that police fired only once Harrison visibly stretched his arm and pointed his gun at officers who were approximately twenty feet in front of him. This was an extremely dangerous situation that exposed the officers and nearby civilians to imminent risk of death or serious bodily injury. Our review of the evidence supports the conclusion that the use of deadly force was objectively reasonable and necessary under these circumstances.

#### Conclusion

Our review of the extensive investigation conducted by the Rhode Island State Police concludes that the use of deadly force by members of the Providence Police and Cranston Police Departments was reasonable and legally justified. This was an extremely dangerous stand-off with an armed, fleeing felon who had earlier in the day shot multiple individuals, killing two of them.

Officers did not have much time to react or reason with Harrison. Harrison exited his car with his gun drawn, ready to be used. The moment officers observed him point a gun at Officers Burke and Maione, they were legally authorized to use deadly force in self-defense and defense of others. This matter is therefore closed.

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