

**From:** [DiSano, Dana](#)  
**To:** [pat@doyonwhitelaw.com](mailto:pat@doyonwhitelaw.com)  
**Cc:** [Mishaan, Jessica](#)  
**Subject:** Public Records Act Request - Mansilla  
**Date:** Friday, March 31, 2023 4:53:40 PM  
**Attachments:** [PRA Response Jonathan Mansilla.pdf](#)

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Good afternoon,

Please see the attached correspondence in response to your March 27, 2023 Public Records Act request.

Best,  
Dana

**Dana DiSano**  
Assistant Attorney General  
Office of the Attorney General | Criminal Division  
109 State Street  
Montpelier, Vermont 05609  
[dana.disano@vermont.gov](mailto:dana.disano@vermont.gov)



STATE OF VERMONT  
OFFICE OF THE ATTORNEY GENERAL  
109 STATE STREET  
MONTPELIER, VT  
05609-1001

March 31, 2023

Pat White  
Doyon & White Law Group  
VIA EMAIL: [pat@doyonwhitelaw.com](mailto:pat@doyonwhitelaw.com)

Re: Public Records Request Follow-Up

Dear Pat White,

I write in response to your Public Records Act request received on March 27, 2023, in which you requested: *documents related to the August 25, 2021 fatal shooting of Jonathan Mansilla by Rutland City Police officer Christopher Rose.*

The Attorney General's Office has previously responded to 4 public records requests related to this matter. Enclosed is a list of those public records requests, which includes links to documents available on our officer's website for your review. Our office will also send you a SharePoint link to download redacted documents and videos previously disclosed.

To the extent you are looking for additional materials, please let me know.

Should you believe information has been withheld in error, you may appeal to Deputy Attorney General, Robert McDougall. Such appeal should be in writing and addressed as follows:

Robert McDougall  
Deputy Attorney General  
Office of the Attorney General  
109 State Street  
Montpelier, VT 05609-1001

Sincerely,  
*/s/ Dana M. DiSano*  
Assistant Attorney General  
Criminal Division

11/17/2021	Brouwer, Derek	Seven Days	<a href="#">2021-11-17 Brouwer PRA request</a> <a href="#">2021-11-23 Lees 10 day ltr to Brouwer</a> <a href="#">2021-12-07 Lees cost estimate to Brouwer</a>
11/17/2021	Elder-Connors, Liam	Vermont Public Radio	<a href="#">2021-11-17 Elder-Connors PRA request</a> <a href="#">2021-11-19 Lees 10 day ltr to Elder-Connors</a> <a href="#">2021-12-07 Lees cost estimate to Elder-Connors</a>
11/22/2021	Keays, Alan	VTDigger	<a href="#">2021-11-22 Keays PRA request</a> <a href="#">2021-12-07 Lees cost estimate to Keays</a>
12/9/2021	Cookson, Jake	WPTZ-TV	<a href="#">2021-12-09 Cookson PRA request</a> <a href="#">2021-12-14 Lees response to Cook</a>

11/22/21  
13:34

Vermont State Police, Headquarters  
LAW Incident Table:

20329  
Page: 1

Incident

Incident Number 21B403506 Nature Agency Assist  
Case Number Image  
Address ✓ S MAIN ST & PARK ST  
City Rutland City State VT ZIP 05701  
Area 1119 RUTLAND CITY Contact 425 Sullivan

Complainant

Numbr  
Last Fst Mid  
DOB SSN Adr  
Race Sx Tel Cty ST ZIP

Details

Offense/Statute ASST 0101  
Circumstances LT21 W40 W12 UOF DF OIS ASST Observed 0101  
Rspndg Officers Sullivan, J. Kinney, Tyson Schmidt, J +  
Rspnsbl Officer Richardson, S Agency SPB4 CAD Call ID 7082135  
Received By Corliss, Shania Last RadLog 01:09:51 08/26/21 CMPLT  
How Received O Officer Report Clearance RTF Report to Follow  
When Reported 14:58:26 08/25/21 Disposition ACT Disp Date 08/25/21  
Occurrd between 14:58:17 08/25/21 Judicial Sts  
and 14:58:17 08/25/21 Supervisor  
MO

Narrative

Narrative OIS investigation; Rutland City PD 08/25/2021; see supplements  
Supplement (See below) (See below)

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INVOLVEMENTS:

Type	Record #	Date	Description	Relationship
NM	1950391	08/30/21	Rose, Christopher A	Victim/Offender
NM	[REDACTED]	08/25/21	[REDACTED]	Victim/Offender
CA	7082135	08/25/21	14:58 08/25/21 Agency Assist	*Initiating Call

LAW Incident Offenses Detail:

Seq Code	Offense and Statute Codes	Amou
t	Statute Code	
1	ASST Agency Assist	
0.00		

Seq Code	Offense and Statute Codes	Amou
t	Statute Code	
2	0101 Homicide/Murder	
0.00		

LAW Incident Circumstances:

Seq Code	Contributing Circumstances	Comments
1	LT21 Restaurant	
2	W40 Personal Weapons (Strongarm)	
3	W12 Handgun used	
4	UOF Use of Force by Officer	
5	DF Deadly Force	
6	OIS Officer Involved Shooting	
7	BM88 No Bias/Motivation	

LAW Incident Responders Detail

Responding Officers		
Seq	Name	Unit
1	Sullivan, J.	425
2	Kinney, Tyson	1902
3	Schmidt, J	1900
4	Colburn, K	474
5	Norton, D	405
6	Nadeau, M	277
7	Valenti, V	274
8	Nolan, Aimee	1909
9	Cota, D	372
10	Hall, J.	433
11	Gardner, C.	439
12	Lemnah, R	528
13	LaBombard, F	1904
14	Gallant, B	806
15	Rider, R	404
16	Malmgren, R	432
17	Jakubowski, E	421
18	Domingus, R	454
19	Neary, E	406
20	Richardson, S	1908
21	Gelder, S	472
22	Cushing, B	407
23	Vooris, J	1905
24	Alberico, H	427
25	Colburn, K	474
26	Stephenson, J	1825
27	Baxter, Todd	1901

Main Radio Log Table:

Time/Date	Typ	Unit	Code	Zone	Agnc	Description
01:09:51	08/	1 1900	CMPLT	SPB4	SPH1	incid#=21B403506 Completed cal
01:09:51	08/	1 806	CMPLT	SPB4	SPH2	incid#=21B403506 Completed cal

Time/Date	Typ	Unit	Code	Zone	Agnc	Description
01:09:50	08/	1	1900	OFFDFT	SPB4	SPH1
01:01:02	08/	1	1904	OFFDFT	SPB4	SPH1
00:59:09	08/	1	1909	OFFDFT	SPB4	SPH1
00:55:54	08/	1	528	CMPLT	SPB4	SPB2 incid#=21B403506 Completed cal
00:32:08	08/	1	1908	CMPLT	SPB4	SPH1 incid#=21B403506 Completed cal
00:31:08	08/	1	1902	CMPLT	SPB4	SPH1 incid#=21B403506 Completed cal
23:56:52	08/	1	474	CMPLT	SPB4	SPB4 incid#=21B403506 Completed cal
23:52:25	08/	1	472	CMPLT	SPB4	SPB4 (MDC) Completed call call=3091
23:30:54	08/	1	277	OFFDFT	SPB4	SPA3
23:30:36	08/	1	274	OFFDFT	SPB4	SPA1
22:56:27	08/	1	407	CMPLT	SPB4	SPB4 incid#=21B403506 Completed cal
22:55:37	08/	1	425	CMPLT	SPB4	SPB4 incid#=21B403506 Completed cal
22:55:28	08/	1	1900	ENRT	SPB4	SPH1 Assigned as Responsible Unit f
22:43:52	08/	1	1909	8	SPB4	SPH1 incid#=21B403506 In Service ca
22:43:52	08/	1	528	8	SPB4	SPB2 incid#=21B403506 In Service ca
22:31:49	08/	1	404	CMPLT	SPB4	SPB4 (MDC) Completed call incid#=21
19:57:16	08/	1	439	CMPLT	SPB4	SPB4 (MDC) Completed call incid#=21
19:53:27	08/	1	1900	43	SPB4	SPH1 [REDACTED]
19:46:05	08/	1	433	CMPLT	SPB4	SPB4 incid#=21B403506 Completed cal
19:43:03	08/	1	406	CMPLT	SPB4	SPB4 (MDC) Completed call incid#=21
19:36:53	08/	1	1902	ARRVD	SPB4	SPH1 incid#=21B403506 PD call=3091
19:33:38	08/	1	454	CMPLT	SPB4	SPB4 (MDC) Completed call incid#=21
19:33:00	08/	1	421	CMPLT	SPB4	SPB4 incid#=21B403506 Reassigned to
19:33:00	08/	1	432	CMPLT	SPB4	SPB4 incid#=21B403506 Reassigned to
19:31:10	08/	1	406	DLINQ	SPB4	SPB4 MDC: name=[REDACTED] I dob=[REDACTED]
19:31:00	08/	1	406	DLINQ	SPB4	SPB4 MDC: name=[REDACTED] I dob=[REDACTED]
19:30:15	08/	1	406	NMINQ	SPB4	SPB4 MDC: name=[REDACTED]
19:20:59	08/	1	454	ENRT	SPB4	SPB4 incid#=21B403506 Enroute to a
19:20:32	08/	1	454	CMPLT	SPB4	SPB4 incid#=21B403506 Reassigned to
19:17:42	08/	1	439	ARRVD	SPB4	SPB4 (MDC) Arrived on scene incid#=[REDACTED]
19:16:20	08/	1	1902	ENRT	SPB4	SPH1 incid#=21B403506 PD call=3091
19:16:08	08/	1	432	8	SPB4	SPB4 incid#=21B403506 In Service ca
19:11:56	08/	1	405	43	SPB4	SPB4 connected with 423
19:10:36	08/	1	439	ENRT	SPB4	SPB4 (MDC) Assisting unit 425 incid
19:07:55	08/	1	454	NMINQ	SPB4	SPB4 MDC: name=[REDACTED] * stat
19:07:35	08/	1	439	CMPLT	SPB4	SPB4 incid#=21B403506 Completed cal
19:02:25	08/	1	439	DLINQ	SPB4	SPB4 MDC: name=[REDACTED] dob=[REDACTED]
19:02:24	08/	1	439	NMINQ	SPB4	SPB4 MDC: name=[REDACTED] dob=[REDACTED]
19:01:58	08/	1	439	VHREG	SPB4	SPB4 MDC: pl=[REDACTED] st=VT lptyp=PC
19:01:57	08/	1	439	VHINQ	SPB4	SPB4 MDC: pl=[REDACTED] st=VT lptyp=PC
18:59:24	08/	1	439	OVIOL	SPB4	SPB4 s main st ruc at mobil black d
18:58:01	08/	1	454	VHREG	SPB4	SPB4 MDC: pl=[REDACTED] st=FL lptyp=PC
18:58:00	08/	1	454	VHINQ	SPB4	SPB4 MDC: pl=[REDACTED] st=FL lptyp=PC
18:43:18	08/	1	1902	ARRVD	SPB4	SPH1 incid#=21B403506 with 432 call
18:33:18	08/	1	406	ARRVD	SPB4	SPB4 incid#=21B403506 Arrived on sc
18:32:47	08/	1	406	CMPLT	SPB4	SPB4 incid#=21B403506 Reassigned to
18:31:52	08/	1	454	ARRVD	SPB4	SPB4 (MDC) b4 w/HCA and vehicle1 in
18:28:19	08/	1	1902	ENRT	SPB4	SPH1 incid#=21B403506 725 cold rive
18:28:19	08/	1	407	ARRVD	SPB4	SPB4 incid#=21B403506 Arrived on sc
18:26:19	08/	1	454	ENRT	SPB4	SPB4 (MDC) b4 w/HCA and vehicle #1
17:37:28	08/	1	274	ARRVD	SPB4	SPA1 incid#=21B403506 Arrived on sc
17:33:26	08/	1	472	ARRVD	SPB4	SPB4 (MDC) rpd incid#=21B4035
17:33:18	08/	1	472	ENRT	SPB4	SPB4 (MDC) Assisting unit 425 incid
17:28:14	08/	1	1908	ARRVD	SPB4	SPH1 (MDC) Arrived on scene call=30

Time/Date	Typ	Unit	Code	Zone	Agnc	Description
17:28:12	08/	1 1908	ENRT	SPB4	SPH1	(MDC) Assisting unit 425 call=
17:27:36	08/	1 406	ARRVD	SPB4	SPB4	(MDC) Arrived on scene incid#=#
17:27:34	08/	1 406	ENRT	SPB4	SPB4	(MDC) Assisting unit 425 incid
17:23:49	08/	1 433	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc
17:23:49	08/	1 439	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc
17:23:15	08/	1 405	43	SPB4	SPB4	connected with [REDACTED]
17:17:30	08/	1 454	ARRVD	SPB4	SPB4	(MDC) Arrived on scene incid#=#
17:17:23	08/	1 454	ENRT	SPB4	SPB4	(MDC) Assisting unit 405 incid
17:12:53	08/	1 421	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc
17:12:39	08/	1 432	ARRVD	SPB4	SPB4	(MDC) Arrived on scene incid#=#
17:12:37	08/	1 432	ENRT	SPB4	SPB4	(MDC) Assisting unit 425 incid
17:06:16	08/	1 433	ENRT	SPB4	SPB4	incid#=#21B403506 Enroute to a
17:06:16	08/	1 439	ENRT	SPB4	SPB4	incid#=#21B403506 Enroute to a
17:04:15	08/	1 277	ASSGN	SPB4	SPA3	incid#=#21B403506 NNTC call=309
17:03:41	08/	1 806	ASSGN	SPB4	SPH2	incid#=#21B403506 NNTC call=309
17:03:31	08/	1 806	ARRVD	SPB4	SPH2	incid#=#21B403506 Arrived on sc
17:02:39	08/	1 404	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc
17:01:11	08/	1 806	ENRT	SPB4	SPH2	Enroute to a call call=3091
16:49:28	08/	1 1904	ARRVD	SPB4	SPH1	incid#=#21B403506 RPD call=3091
16:49:12	08/	1 1904	ASSGN	SPB4	SPH1	Assigned to a call call=3091
16:31:21	08/	1 405	43	SPB4	SPB4	start calling night shift in,
16:29:47	08/	1 433	CMPLT	SPB4	SPB4	incid#=#21B403506 Reassigned to
16:29:47	08/	1 439	CMPLT	SPB4	SPB4	incid#=#21B403506 Reassigned to
16:27:09	08/	1 528	ENRT	SPB4	SPB2	Enroute to a call call=3091
16:23:14	08/	1 274	43	SPB4	SPA1	log that I was 75 with [REDACTED]
16:14:45	08/	1 439	ENRT	SPB4	SPB4	(MDC) Assisting unit 425 incid
16:13:43	08/	1 433	ENRT	SPB4	SPB4	(MDC) Assisting unit 425 incid
16:12:35	08/	1 1902	7	SPB4	SPH1	incid#=#21B403506 PD call=3091
16:11:58	08/	1 372	43	SPB4	SPA4	76 to call 309 for CRST // NNT
16:11:30	08/	1 372	ENRT	SPB4	SPA4	Enroute to a call call=3091
16:02:58	08/	1 1909	ENRT	SPB4	SPH1	Enroute to a call call=3091
15:58:05	08/	1 274	ENRT	SPB4	SPA1	(MDC) Assisting unit 425 call=
15:56:49	08/	1 277	ENRT	SPB4	SPA3	Enroute to a call call=3091
15:54:01	08/	1 405	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc
15:26:06	08/	1 425	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc
15:25:46	08/	1 425	CMPLT	SPB4	SPB4	incid#=#21B403506 Reassigned to
15:24:20	08/	1 474	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc
15:10:27	08/	1 1900	ENRT	SPB4	SPH1	Enroute to a call call=3091
15:10:17	08/	1 1902	ENRT	SPB4	SPH1	Enroute to a call call=3091
14:59:03	08/	1 425	ARRVD	SPB4	SPB4	incid#=#21B403506 Arrived on sc

Law Supplemental Narrative:

Supplemental Narratives

Seq Name Date Narrative

1 Vooris, J 09:36:44 08/26/21

Investigative Actions Report of Det. Sgt. James Vooris on August 25, 2021

Case #: 21B403506

Officer: Det. Sgt. James Vooris

Person(s) Interviewed:

LT. Kevin Geno DOB [REDACTED]  
Rutland County Sheriffs Department  
802-775-9851

[REDACTED] DOB [REDACTED]  
Pittsford VT  
[REDACTED]

[REDACTED] DOB [REDACTED]  
Barre Vermont  
[REDACTED]

[REDACTED] DOB [REDACTED]  
Brandon VT  
[REDACTED]

[REDACTED] DOB [REDACTED]  
Rutland City VT  
[REDACTED]

Evidence/Exhibits:

N/A

Narrative:

1. On August 25, 2021 at approximately 3:03 PM I learned from Detective LT JP Schmidt of an officer involved shooting that occurred in Rutland City Vermont. I learned the incident occurred at or near the McDonalds on South Main Street and the events surrounding the incident where not completely known at this time. I was requested to respond to the Rutland City Police Department and assist in the investigation. I responded from the Essex Vermont area and arrived around 5:00 PM.

2. Upon arrival at the police Department, I was provided a brief of what was believed to be known at the time and requested to assist Det. Sgt. Francis LaBombard with an interview of Rutland County Sheriff's LT, Kevin Geno. This interview occurred at the Rutland City Police Department and is documented in a separate person interviewed (PI) report completed by Det. Sgt. LaBombard.

3. While at the Rutland City Police Department, I also interviewed [REDACTED] DOB [REDACTED], [REDACTED] DOB [REDACTED], [REDACTED] DOB [REDACTED] and [REDACTED] DOB [REDACTED]. All interviews are documented in a separate PI report.



4. I also attempted to contact two additional witnesses, [REDACTED] and [REDACTED], unknown DOB for both. I learned both may have witnessed the vehicle crash in the area of McDonalds. At this time, I have not spoken with either however if that changes their interviews will be documented in separate PI reports.

5. After conducting the interviews, I was requested to respond to the scene, located at 182 S Main Street and escort the funeral home who was transporting the deceased north to the OCME's office. I responded to the location of the incident and observed the scene. I observed members of the Vermont State Police Crime Scene Search Team collect the body which was placed in the back of the funeral home's vehicle. I then followed the funeral home to the University of Vermont Medical Center where I observed the body be placed into cold storage at the OCME's office. This occurred at approximately 11:14 PM on 8-25-2021.

6. No further action.

Law Supplemental Narrative:

Supplemental Narratives

Seq Name Date Narrative

2 Vooris, J 11:28:13 08/26/21

PI: [REDACTED] by Det. Sgt James Vooris on August 25, 2021

Case#: 21B43506

Officer: Vooris

Person(s) Interviewed/of Interest:

[REDACTED] DOB [REDACTED]

Brandon VT  
[REDACTED]

Evidence/Exhibits:

1. 1 audio recorded phone interview with [REDACTED]

Narrative:

1. On August 25, 2021 I spoke with [REDACTED], DOB [REDACTED] via phone. I learned that [REDACTED] may have been present at McDonalds in Rutland City at the time of an officer involved shooting. In speaking with [REDACTED] I learned that she had stopped at McDonalds to use the bathroom and purchase a coffee. She advised she parked her vehicle on the drive through side of the parking lot, went inside and used the restroom. [REDACTED] advised that she believes the individuals involved in the incident entered from the opposite side as she was leaving.

2. [REDACTED] advised she heard "a lot of hollering" and advised it was something to the effect of, "get, go, get the fuck inside" but advised she did not see anyone. [REDACTED] later advised she heard two male voices yelling but did not know who it was.

3. [REDACTED] advised she arrived at McDonalds around 2PM, maybe shortly after and went inside to use the restroom. She again advised she had returned to her car by the time she heard individuals yelling to get inside. She stated when she turned to look, she did not observe anyone.

4. [REDACTED] advised that a young employee had exited the rear of the building and advised there were gunshots. [REDACTED] advised that she then waited in the drive through line to order a coffee and learned an incident occurred and they would not be taking any orders.

5. I asked [REDACTED] if she observed any of the incident that occurred inside McDonalds and she advised she did not. She advised she later observed a vehicle in the roadway as she was stuck in the parking lot for about an hour.

6. I asked [REDACTED] if she observed the police at McDonalds and she advised she did. She stated when she saw the police, they were entering the building with "vests and guns" through the side of McDonalds where the car was located. [REDACTED] advised she also observed a UPS driver complaining his back hurt.

7. I asked [REDACTED] if she observed the officer that fired his weapon and she stated she did not. I asked if she observed the individual involved with the officer in the incident and she advised she did not. [REDACTED] advised she did not hear the police say anything.

8. For additional statements made and actual dialog please refer to the

audio recording.

9. NFA

Law Supplemental Narrative:

Supplemental Narratives

Seq Name                      Date                      Narrative  
3 Vooris, J                      11:39:47 08/26/21  
PI: [REDACTED] by Det. Sgt. James Vooris  
Case#: 21B403506  
Officer: Vooris

Person(s) Interviewed/of Interest:

[REDACTED] DOB [REDACTED]  
Rutland City VT  
[REDACTED]

Evidence/Exhibits:

1. 1 audio recorded interview with [REDACTED]  
Narrative:

1. On August 25, 2021 I met with [REDACTED] at the Rutland City Police Department. I learned that [REDACTED] may have witnessed a portion of events related to an officer involved shooting that occurred earlier in the day. [REDACTED] and I met outside on the sidewalk in front of the police department.

2. [REDACTED] advised she was with her boyfriend [REDACTED] on her way to work at [REDACTED]. [REDACTED] advised [REDACTED] was driving and they were in the southbound turning lane waiting to turn onto Allen Street in Rutland City.

3. [REDACTED] advised she heard a crash and observed a black car go around a UPS truck into on coming traffic. [REDACTED] advised the car was damaged and explained the front of the car was totaled. [REDACTED] advised the individual from the vehicle exited his car and ran into McDonalds. [REDACTED] advised the cops were right behind him and "one went in first" before "a bunch more showed up."

4. I asked [REDACTED] to describe the individual she observed exit the black car and she described him as white and possibly in his 30's with "brown shaggy hair." I asked [REDACTED] if she heard the male in the car say anything and she advised she did not. She advised she did not hear the police say anything. [REDACTED] advised she did not see what occurred inside McDonalds any only observed what occurred outside.

5. At the conclusion of the interview [REDACTED] was verbally sworn to her statement. For additional statements made and actual dialog please refer to the audio recording.

6. NFA

Law Supplemental Narrative:

Supplemental Narratives

Seq Name                      Date                      Narrative  
4 Vooris, J                      12:57:13 08/26/21  
PI: [REDACTED] by Det. Sgt. James Vooris  
Case#: 21B403506  
Officer: Vooris

Person(s) Interviewed/of Interest:

[REDACTED]                      DOB [REDACTED]  
[REDACTED]  
Barre Vermont  
[REDACTED]

Evidence/Exhibits:

1.            1 Audio recorded interview with [REDACTED]
2.            1 signed sown audio recorded statement form
3.            1 drawing of McDonalds drawn by [REDACTED]

Narrative:

1.            On August 25, 2021 I spoke with [REDACTED] inside my unmarked police cruiser at the Rutland City Police Department. I learned [REDACTED] was an employee at McDonalds where an officer involved shooting occurred earlier in the day.

2.            While speaking with [REDACTED] I learned he is the [REDACTED] at the McDonalds located at 182 S. Main Street in Rutland City Vermont. I asked [REDACTED] to start from the beginning and describe in detail what he witnessed.

3.            [REDACTED] advised he was sitting in the lobby with two other employees, [REDACTED] and [REDACTED]. [REDACTED] advised [REDACTED] 5 of the 10 stores in the area. [REDACTED] advised that they observed a male "jolting" from the Allen Street entrance and running through the lobby. [REDACTED] stood up to see what was going on and explained, "He jolted right into the bathroom."

4.            [REDACTED] stated, "Officer Rose, uh, I saw him jolting, uhm, behind him. Uhm, Officer Rose has done a lot of things for us, uhm, in the store. He has always been one of the few Rutland City Police that came in. Uhm, I saw him prop open the door, and of course I was stupid, I wanted to make sure Officer Rose was good because you help other neighbors right. And uhm, I saw the door was locked from the red thing on the outside of the handicap bathroom stall. I'm guessing the guy was flushing something, from my understanding, that's what I would assume, sorry."

5.            [REDACTED] continued, "Officer Rose announced, "Rutland City Police, uhm, come out," a couple of times. He didn't come out until I saw the latch open, and he charged after Officer Rose with his hand in the air screaming. And uhm, I saw two of the, I saw, I heard four gunshots, I think three-to-four gunshots and one of them I saw penetrate the side of his chest up here. And then I made sure, [REDACTED] was taking care of, we had a family about five or six kids, a set of moms and dads, she pushed them to the play land and evacuated them. And as soon as that happened, I made sure that everything was situated with the crew, because we already had a manager on that."

6.            After obtaining the statement above I recapped it with [REDACTED] and he filled in additional details. [REDACTED] advised he was sitting in a booth near the Allen Street entrance when he observed the unknown male running through the lobby. [REDACTED] advised he did not see the male's face at the time but does not

believe he has ever seen him before. ██████ advised Officer Rose was "a little behind" as they entered the store.

7. While speaking with ██████ I asked if he would draw a sketch to depict what he was describing, which he agreed to do. The sketch is attached to this case. ██████ drew the hallway where the incident occurred, the location of the men's and women's restrooms and the location where he was standing when he observed the incident. He depicted the location of Officer Rose with the letters "RCP" (Rutland City Police). As he drew, ██████ reiterated what he observed.

8. ██████ advised he was pretty sure the Rutland Police Officer he observed was Officer Rose, but advised he could be wrong because of his adrenalin. ██████ advised he has dealt with Officer Rose the last few times he had to call the police. ██████ advised he only knows Officer Rose from his interactions at McDonalds and does not know him outside of work.

9. ██████ advised as the unknown male was locked in the bathroom stall, he observed Officer Rose in the area of the main door to the Men's room with it propped open. ██████ advised he was standing just behind Officer Rose in the hallway area and could see the red lock on the stall indicating it was locked. I asked ██████ what Officer Rose was doing at this point and he advised, "He's screaming, he's like, well not screaming, like he's aggressively letting him know that he's there. So, he knows that is Officer Rose at the door. He's like, Rutland City Police, Rutland City Police, come out, come out, come out, Rutland City Police. I think he must, he said it quite a few times."

10. ██████ continued, "He did have his gun in his hand. But not initially." ██████ stated that when Officer Rose opened the bathroom door, he did not have his gun out. ██████ advised he assumes Officer Rose heard something but wasn't sure. ██████ advised that Officer Rose did not enter the bathroom at all and remained around the bathroom door the entire time.

11. ██████ advised that after Officer Rose was "announcing himself" he observed the latch to the stall open. ██████ stated, "He charges at officer Rose. It looked like his hand and was up, I don't know if he had a weapon or if he was trying to take a swing at him." As ██████ was explaining this, he was demonstrating the motion with his own arm. ██████ had his arm bent in a near 90-degree angle with his hand up near the side of his head. ██████ was not certain which hand/arm the male was holding up as he charged the officer.

12. I asked ██████ what happened next, and he advised, "This man was on Officer Rose, Officer Rose has not fired a shot right away." ██████ described the male as being a "tit hair" away from officer Rose. ██████ stated, "I don't know if he like tried to jump on him or tried to maneuver around. From my understanding, what I think, is he wasn't shot in the bathroom he was shot kind of right by the exit of the men's bathroom." ██████ advised he was just a couple steps behind the officer when this occurred.

13. ██████ advised he heard three to four shots but only observed one shot, "with blood." ██████ advised the body ended up in the middle of the "corridor" outside of the bathroom. I asked ██████ how much time passed from when the male charged Officer Rose to when the shots were fired. ██████ initially estimated 15-20 seconds but then stated maybe 5-10 seconds after the male charged. ██████ advised he doesn't believe the officer shot right away and advised the officer was making a quick decision.

14. ██████ was asked if the unknown male was saying anything, and he described the male as growling or grunting while charging the officer. ██████

described it as a "battle cry" during the charge and as soon as the male exited the bathroom stall. I asked if Officer Rose said anything at that point and [REDACTED] advised he could not recall.

15. [REDACTED] advised he believes the shot he witnessed hit the male in the upper left shoulder area. He advised after the shots were fired, he observed "back up" coming in. He advised Officer Rose was "very upset" and was separated from the scene. [REDACTED] advised it was tough for him to see Officer Rose so "discombobulated" by the entire incident and explained he was in disarray afterwards.

16. I asked if Officer Rose interacted with the individual after the shots were fired and [REDACTED] advised he wasn't sure. He advised after the shots he turned his head and made sure no one was in the lobby.

17. [REDACTED] advised Officer Rose and the male were in close proximity to each other when the shots were fired. [REDACTED] advised after the incident he remained in the lobby to make sure no one else entered the store. [REDACTED] advised he remained at in the store for a period of time. [REDACTED] advised there are cameras at the location and an individual was making copies.

18. At the conclusion of the interview with [REDACTED] he signed the audio recorded statement form. For additional statements made and actual dialog please refer to the audio recording.

19. NFA

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name Date Narrative  
5 Vooris, J 13:25:25 08/26/21  
PI: [REDACTED] by Det. Sgt. James Vooris  
Case#: 21B403506  
Officer: Vooris

Person(s) Interviewed/of Interest:

[REDACTED] DOB [REDACTED]  
Pittsford VT  
[REDACTED]

Evidence/Exhibits:

1. 1 audio recorded interview with [REDACTED]
2. 1 signed sown audio recorded statement form

Narrative:

1. On August 25, 2021 I spoke with [REDACTED] in my unmarked cruiser at the Rutland Police Department. [REDACTED] is an employee at the McDonalds in Rutland City where an officer involved shooting occurred earlier in the day.
2. [REDACTED] advised he was working the first window of the drive through around 2PM. He advised there was a woman at the window, and he was taking her payment and speaking with her when a car "flew by." [REDACTED] advised he observed the vehicle driving "frantically" hit the back of a UPS truck causing the back of the car to go into the air. [REDACTED] advised the driver "tried to ditch the scene" and he noted that he had never seen something like this before. [REDACTED] later advised he lost sight of the individual as he ran toward the store. [REDACTED] advised police officers must have been chasing him because the first officer who arrived in a "white and black SUV" arrived almost immediately and began running toward the individual.
3. [REDACTED] advised he continued speaking with the female customer when he heard what sounded like gunshots. [REDACTED] advised the female customer asked if they were gunshots and if they came form inside the store. [REDACTED] advised that the women left, and he went to the front of the store to check on [REDACTED] who also works at the store.
4. [REDACTED] advised once he confirmed [REDACTED] was fine, they both went to the back of the store where they remained. [REDACTED] advised he was not close enough to the front of the store to see what was going on. [REDACTED] advised he could not see the police or the individual in the store and did not hear them say anything.
5. At the conclusion of the interview [REDACTED] was sworn to his statement and signed the audio recorded statement from. For additional statements made and actual dialog please refer to the audio recording.
6. NFA



Law Supplemental Narrative:

Supplemental Narratives

Seq Name	Date	Narrative
6 Gelder, S	17:14:48 08/27/21	

PI: [REDACTED] by Detective Trooper Steven Gelder

Case# 21B403506

Officer: Gelder

Person Interviewed:

[REDACTED] DOB: [REDACTED] ([REDACTED] YOA)  
[REDACTED], Rutland, VT 05701

Date and Time of Interview: August 25, 2021 at approximately 1739 hours

List of Exhibits:

- 1 - CD containing audio recorded interview with [REDACTED] [REDACTED]
- 1 - signed sown audio recorded statement form

Narrative:

On August 25, 2021, at approx. 1739 hrs, I conducted an interview with [REDACTED] [REDACTED] in front of the Rutland City Police Department located in Rutland, VT. The purpose of this interview was to obtain information from [REDACTED] regarding what she saw and heard prior to and during a shooting that occurred during her shift as an employee at McDonald's located at 182 South Main St, Rutland, VT.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the audio recording. It should be noted this interview was completed by Det. Trooper Steven Gelder of the Vermont State Police. During the interview I learned the following:

What were you doing before the shooting?

[REDACTED] said she was cooking fries at the fry station located near the drive-thru window. [REDACTED] said her co-worker, [REDACTED] told her there was an accident outside. She said she then saw a guy run inside McDonald's and go to the bathroom. She said she saw a cop follow the guy into the bathroom; she said she was not sure if the cop went inside the bathroom. [REDACTED] said she then heard at least two gunshots. She said she then ran to the back near the storage racks with her coworkers.

Where were you when you heard the gunshots?

[REDACTED] said she was near the counter or near the fry station.

What did you hear before the gunshots? Anything after the gunshots?

[REDACTED] said she did not hear anything before or after the gunshots.

What did you see the cop do after the gunshots?

[REDACTED] said she did not see what he did.

What was the guy running wearing?

[REDACTED] said she recalled him wearing something dark.

How did you identify the cop as a police officer?

[REDACTED] said he was wearing a Rutland City police uniform.

Do you know if the person ran into the men's or women's bathroom?

██████ said she could not see. She said she assumed he ran into the men's bathroom.

Before concluding the interview, I reviewed the sworn audio recorded statement form with ██████ at which time she signed affirming the information she provided was the truth.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
7 Gelder, S                      17:15:33 08/27/21  
PI: [REDACTED] by Detective Trooper Steven Gelder

Case# 21B403506

Officer: Gelder

Person Interviewed:

[REDACTED] DOB: [REDACTED] (22 YOA)  
[REDACTED] Rutland, VT 05701

Date and Time of Interview: August 25, 2021 at approximately 1800 hours

List of Exhibits:

- 1 - CD containing audio recorded interview with [REDACTED]
- 1 - signed sown audio recorded statement form

Narrative:

On August 25, 2021, at approx. 1800 hrs, I conducted an interview with [REDACTED] in front of the Rutland City Police Department located in Rutland, VT. The purpose of this interview was to obtain information from [REDACTED] regarding what she saw and heard prior to and during a shooting that occurred during her shift as an employee at McDonald's located at 182 South Main St, Rutland, VT.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the audio recording. It should be noted this interview was completed by Det. Trooper Steven Gelder of the Vermont State Police. During the interview I learned the following:

What were you doing prior to what happened?

[REDACTED] said she was working in the grill area making sandwiches. She explained the grill area is near the rear of the restaurant.

What did you see?

[REDACTED] said there were customers eating in the lobby when she believed she heard [REDACTED] asking customers to leave. [REDACTED] said she then heard two gunshots and saw her coworker, [REDACTED] run out back with other people. [REDACTED] said she did not see the person.

Did you see anything?

[REDACTED] said she did not.

Did you see any police inside?

[REDACTED] said she believed she saw two police officers. She said they were heading toward the area of the men's bathroom after the shooting.

What did you hear before the gunshot? What did you after?

[REDACTED] said she did not hear anything before the gunshots. She said after the gunshots, her coworker, [REDACTED] told everyone to go out back near the sink area at which time [REDACTED] said she did.

How many gun shots did you hear?  
[REDACTED] said she heard two.

Before concluding the interview, I reviewed the sworn audio recorded statement form with [REDACTED] at which time she signed affirming the information she provided was the truth.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
8 Gelder, S	17:16:10 08/27/21	

PI: [REDACTED] by Detective Trooper Steven Gelder

Case# 21B403506

Officer: Gelder

Person Interviewed:

[REDACTED] DOB: [REDACTED] ([REDACTED] YOA)  
[REDACTED] Rutland, VT 05701

Date and Time of Interview: August 25, 2021 at approximately 1816 hours

List of Exhibits:

- 1 - CD containing audio recorded interview with [REDACTED]
- 1 - signed sown audio recorded statement form

Narrative:

On August 25, 2021, at approx. 1816 hrs, I conducted an interview with [REDACTED] in front of the Rutland City Police Department located in Rutland, VT. The purpose of this interview was to obtain information from [REDACTED] regarding what she saw and heard prior to and during a shooting that occurred during her shift as an employee at McDonald's located at 182 South Main St, Rutland, VT.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the audio recording. It should be noted this interview was completed by Det. Trooper Steven Gelder of the Vermont State Police. During the interview I learned the following:

What were you doing before you became aware of what happened?

[REDACTED] said she was inside her office working on time punches. She said she heard about a car accident and someone fled from the scene, so she went to the drive-thru window to see what was happening. [REDACTED] said she saw a car and UPS truck. She said she proceeded to the front of the restaurant near the customer counter when she saw an officer run inside the building and turn the corner where they take customer orders. [REDACTED] said she then heard gunshots, so she got everyone out back.

Where is your office in relation to the front counter?

[REDACTED] said her office is in the back, near the grill. She explained she can see through the grill and into the lobby.

Did you see the person before the officer?

[REDACTED] said she did not.

How did you identify the person as an officer?

[REDACTED] said she saw the uniform. She was not sure if it was Rutland City police or not.

What did you hear before the gunshots?

█████ said just commotion. She said she did not know exactly what she heard.

Could you hear the officer?

█████ said she did not hear the officer or the other person saying anything.

How many gunshots did you hear?

█████ said she heard two, then three more shots.

Describe what you saw at the crash accident.

█████ said she saw the UPS truck in the far right lane and the black car in the left lane. She said three police cruisers then showed up.

Did you see anyone running/leaving the crash scene?

No.

Before concluding the interview, I reviewed the sworn audio recorded statement form with █████ at which time she signed affirming the information she provided was the truth.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narrative
9 Gelder, S	17:16:41 08/27/21	Narrative

PI: [REDACTED] by Detective Trooper Steven Gelder

Case# 21B403506

Officer: Gelder

Person Interviewed:

[REDACTED] DOB: [REDACTED] ( [REDACTED] YOA)  
[REDACTED] Brandon, VT 05733

Date and Time of Interview: August 25, 2021 at approximately 1838 hours

List of Exhibits:

- 1 - CD containing audio recorded interview with [REDACTED]
- 1 - signed sown audio recorded statement form
- 1 - sketch of McDonald's restaurant

Narrative:

On August 25, 2021, at approx. 1838 hrs, I conducted an interview with [REDACTED] inside the Rutland City Police Department located in Rutland, VT. The purpose of this interview was to obtain information from [REDACTED] regarding what she saw and heard prior to and during a shooting that occurred during her shift as an employee at McDonald's located at 182 South Main St, Rutland, VT.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the audio recording. It should be noted this interview was completed by Det. Trooper Steven Gelder of the Vermont State Police. During the interview I learned the following:

What were you doing before you became aware of what happened?

[REDACTED] said she was sitting in the lobby getting her evaluation because this was her [REDACTED].

What did you see happen?

[REDACTED] said she saw a guy run through the back door and into the bathroom. She said she saw an officer running behind him, telling him to put his hands up. Then she heard the gunshots. She said she saw the officer shoot the guy.

What was the person wearing who ran through the door?

[REDACTED] said she did not get a good description. She said she figured it was someone going to the bathroom.

How did you identify the cop as a police officer?

[REDACTED] said he was African American, tan/dark skin, average size guy. She said he was wearing his uniform.

I clarified with [REDACTED] if she heard the officer say put your hands up. [REDACTED] said the officer said show your hands. [REDACTED] said the officer said this two

or three times, before she heard the first gunshot which she said was not from the officer. She said she could see the officer and the shot came from the bathroom area. She said she then saw the cop shoot his gun. She said a second cop was entering through the back door as the shot was fired. [REDACTED] said this person then told her to stay there.

I asked [REDACTED] about the first shot she heard and saying it was not from the cop. [REDACTED] said from where she was standing, she could see down the hallway, but she could not see the guy in the restroom. She said she could see the cop. She said she did not see the cop fire the first shot, she just heard it. [REDACTED] said she saw him shoot the next round because the guy was coming out of the men's bathroom. [REDACTED] said the cop said, show your hands and told the guy to stop. [REDACTED] said she then heard the gun fire.

Describe the position of the bathroom door.

[REDACTED] said the door was open when he (the officer) said, show your hands. The first shot happened, then the door shut because the officer backed up. [REDACTED] said he was holding the door open with his shoe or boot. The door then opened again and she saw the guy coming out. [REDACTED] said she then heard more shots. [REDACTED] said she was not sure if the cop fired the first shot or not.

How did the door open the second time?

[REDACTED] said she did not know, because she moved behind the play area.

Was the cop who shot his gun the only police officer inside the restaurant at the time?

[REDACTED] said, yeah. She said the other cop came in as the other shots happened.

What was the person running from the police officer saying?

[REDACTED] said he was not saying anything. She said he just booked it into the bathroom before the first police officer entered the building.

I then asked [REDACTED] if she was willing to close her eyes and visualize what happened. She said she would. [REDACTED] said the person had long hair, his hands were holding his pants and he was maybe wearing a t-shirt. She said his pants were like sweatpants with big pockets. [REDACTED] said he was looking forward as he ran. [REDACTED] said he did not quite make it to the bathroom when the cop ran in. She said he was in the hallway near the bathroom when the cop ran through the lobby with his gun. She said she then moved a family to the play area with [REDACTED]. She said the gunshots happened as she was moving the family out the back door.

Where were the cop's hands when you first saw him come inside?

[REDACTED] said his hand was on gun, his gun was on his side. She said he didn't pull it out until he was almost to the hallway where the bathrooms are.

At what point did you hear him say, show me your hands?

[REDACTED] said the officer said, police, as soon as he reached the hallway. He then used his foot to open the door. He then said, show me your hands, when the door was open. She clarified that he hollered, police, as he got to the hallway. She said he said this three times, before the first shot happened. [REDACTED] said he stumbled back after the first shot, then more shots fired.

Where was the other person at when the police officer fired his weapon?

[REDACTED] said he was at the bathroom door. She said she thought he was coming out. [REDACTED] said the officer had his gun pointed at the door, but he was out in the lobby at this point. She said the door was opened, then two more shots fired.

How far are you from the cop when the shots fired?

[REDACTED] said maybe 30-35 steps away.



What is between you and the cop?

██████ said the dinning room and the glass from the play area. She said she could not see in the bathroom. She said she could see the officer, but she did not see the person that ran in the bathroom.

I then asked ██████ to draw a sketch of the layout and what she saw. Within the sketch, ██████ illustrated the path of the man running from the police officer toward the men's bathroom and the path the officer approached from. Refer to the sketch she provided.

What was the cop's demeanor like when he ran inside?

██████ said, he looked like he was trying to get him before he entered the bathroom, but the other guy was quick.

Before concluding the interview, I reviewed the sworn audio recorded statement form with ██████ at which time she signed affirming the information she provided was the truth.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
10 Gelder, S                      17:17:16 08/27/21  
PI: [REDACTED] by Detective Trooper Steven Gelder

Case# 21B403506

Officer: Gelder

Person Interviewed:

[REDACTED] DOB: [REDACTED] ([REDACTED] YOA)  
[REDACTED], Rutland, VT 05701

(Present during interview)

[REDACTED] DOB [REDACTED] ([REDACTED] YOA)  
[REDACTED] Rutland, VT 05701

Date and Time of Interview: August 25, 2021 at approximately 2005 hours

List of Exhibits:

- 1 - CD containing audio recorded interview with [REDACTED]
- 1 - signed sown audio recorded statement form

Narrative:

On August 25, 2021, at approx. 2005 hrs, I conducted an interview with [REDACTED] on her front porch located at [REDACTED], Rutland, VT. Her friend, [REDACTED], was also present. The purpose of this interview was to obtain information from [REDACTED] regarding what she saw and heard prior to and during a shooting that occurred at McDonald's located at 182 South Main St, Rutland, VT.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the audio recording. It should be noted this interview was completed by Det. Trooper Steven Gelder of the Vermont State Police. During the interview I learned the following:

[REDACTED] said she and [REDACTED] were sitting out back behind their house when they heard a loud car go by their home. She said they thought it was a car dragging its muffler. She said she then heard bang bang. She said they walked down to the tracks to see what happened and then walked into the McDonald's parking lot. She said they figured the loud noise was the damaged car and the car rim. She said they believed this was the loud car they heard go past their home.

[REDACTED] said she heard two gunshots while they were in their backyard. [REDACTED] said there are [REDACTED] houses between her home and the McDonald's. She said [REDACTED] did not hear anything.

[REDACTED] said they did not see the car or cops go by their house. They both

heard the sirens go by.

Before concluding the interview, I reviewed the sworn audio recorded statement form with [REDACTED] at which time she signed affirming the information she provided was the truth.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narrative
11 Gelder, S	17:18:14 08/27/21	

Investigative actions taken on 08/25/21 by Det Tpr Gelder

On August 25, 2021, I was informed that [REDACTED] [REDACTED] (DOB [REDACTED]) may have recorded a portion of this event on her cell phone. I contacted [REDACTED] who said she did record four seconds of what happened before the male ran inside the McDonald's restaurant.

In conversation with [REDACTED] she apologized for not mentioning this during an interview with her and advised that this officer may review the recording on her phone. [REDACTED] said she was at residence [REDACTED] Rutland.

At approx. 2000 hrs, I arrived at the address at which time I met [REDACTED] and viewed the four second recording. [REDACTED] transferred the recording via AirDrop to my phone. The recording was later placed onto a DVD.

End report.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
12 Schmidt, J                11:06:26 08/30/21  
Initial Supervision by Det/Lt Schmidt August 25-27, 2021  
Case #: 21B403506  
Officer: Det/Lt John-Paul Schmidt

Person(s) Interviewed/of Interest:

DOB [REDACTED]  
[REDACTED] Vermont

Narrative:

On August 25, 2021 at about 1450 hours, Rutland City Police Department (RCPD) Sergeant Chuck Whitehead called me and advised his agency had just been involved in an officer involved shooting incident. He advised the event occurred at the McDonald's on South Main St (US7,) the officer was not injured, and the subject (later identified as [REDACTED] hereinafter referred to as Decedent) had died on scene.

I conferenced Captain Scott Dunlap in on the call, and Whitehead provided a brief summary of what he knew up to that point:

A Be-On-Lookout (BOL) was issued for a vehicle earlier in the day. Rutland County Sheriff Department (RCSA) deputies located the vehicle and attempted to stop it. There was a pursuit that was discontinued and reinitiated at least once. The fleeing vehicle crashed on Allen St near the intersection of South Main St. Decedent fled out of the car. RCPD Officer Chris Rose had responded to the pursuit or crash and had shot Decedent. Decedent was dead inside of McDonald's but Whitehead was not sure if the shooting occurred inside or outside.

Captain Dunlap and I directed Whitehead to start a scene log, preserve the scene with the exception of any medical situations that needed attention, locate and identify any witnesses if possible, and to not interview anyone.

After the conversation with Whitehead, Captain Dunlap and I initiated a Major Crime Unit response. I updated Lieutenant Todd Baxter and contacted Detective Sergeants Tyson Kinney, Sam Truex, James Vooris, Frank LaBombard, and Seth Richardson and directed them to respond. RCPD was designated as the initial command post. While en route, I had additional conversations with Captain Dunlap and Whitehead and adjusted plans based on updates. Detective Richardson responded to the scene and worked to obtain consent to search and document the area with an unmanned aerial system (UAS.) I updated Detective Sergeant Aimee Nolan so she could activate a Crime Scene Search Team and prepare a response. I spoke with Detective Sergeant Henry Alberico. He and Detective Troopers Steven Gelder and Kipp Colburn would be responding from BCI, B West to assist. Additionally, Lieutenant Casey Daniell would be responding along with Narcotics Investigation Unit members Detective Sergeant Jason Johnson, Detective Trooper Jesse Dambrackas, and Bennington County Sheriff Department (BCSD) Detective Chris Roy.

I briefly stopped at the scene and observed the layout. I learned that after the crash, Decedent ran into the McDonald's, was followed by Rose, and was shot inside. (Ie, the shooting scene was all inside.) VSP personnel from the Rutland Barracks would handle the crash portion of the scene. There were several patrons and employees present inside McDonald's, and there were multiple cameras inside. I observed Decedent on the floor of a hallway in front of the restroom doors. While at the scene, I did not touch anything or collect any evidence. Prior to leaving the scene, Captain Dunlap handed me Decedent's [REDACTED] Driver's License, which had been removed by one of the EMTs who had responded. I later turned this over to Detective Richardson.

A briefing was held in the RCPD conference room. Detective Richardson was assigned as the MCU lead. Bennington County State's Attorney Erica Marthage would be reviewing the case as Rutland County State's Attorney Rose Kennedy conflicted out. During the briefing, it was noted that in addition to Rose, there was one other officer from RCPD, four personnel from RCSD, and one officer from Rutland Town Police Department (RTPD) involved. None of these other officers were present when the shooting occurred. The general information provided earlier by Whitehead was updated and presented to detectives. This included updated information about the events (pursuit of Decedent) prior to the shooting. Following the briefing, I delegated assignments. A large part of the early investigation included interviewing the law enforcement officers (with the exception of Rose) as well as the employees and other witnesses from McDonald's, many of whom came to RCPD to meet with investigators. Additional assignments included photographing Rose in uniform and completing a round count of his duty weapon; processing the scene; obtaining video (cruiser and body camera); obtaining radio logs and recordings; obtaining relevant reports; locating and interviewing additional witnesses; transporting Decedent's body to the OCME for autopsy; etc.

As assignments were completed, information was updated. This included that Decedent was involved in an LSA earlier in the day, and initial law enforcement contact with him when RCSD Lieutenant Kevin Geno initiated a traffic stop with him for this offense. This led to a series of pursuit events in Clarendon, Rutland Town, and Rutland City before Decedent crashed on Allen St in front of McDonald's.

Throughout the evening, attempts to identify Decedent's next of kin and learn more about him were conducted. Decedent's [REDACTED] also the registered owner of the car he'd crashed, was contacted. Eventually detectives were able to contact Decedent's [REDACTED] in Florida. In the process of trying to identify next of kin, detectives learned about Decedent's criminal history, which included elements of [REDACTED].

All detectives were released late in the evening/early morning.

The following day, I continued to actively supervise the case and assist Detective Richardson. I received a voicemail from Decedent's sister; Detective Richardson had already spoken with her by the time I received it. I also received a voicemail from [REDACTED]. [REDACTED] left a message indicating she had seen Decedent standing with his car in the driveway of a Clarendon residence, and there had been a police officer there pointing a weapon at him. Her information was consistent with information learned the previous evening (and there is video of it.) I left [REDACTED] a return message but did not assign anyone to call her back.

During the afternoon, I spoke with Detective Sergeant Ben Katz and OCME Acting Chief Pathologist Dr Steven Shapiro. They detailed the results of the autopsy. Decedent had been struck by two bullets, [REDACTED].

. One struck his [REDACTED].  
[REDACTED]. The other struck his [REDACTED].

[REDACTED]. Direction on both was [REDACTED].  
[REDACTED]. There was indication the second wound was [REDACTED].

Later in the afternoon, Captain Dunlap, Lieutenant Baxter, Detective Richardson, and I conferenced with SA Marthage and Deputy Attorney General Domenica Padula to update them on the case. During the conference, there was concern about why Decedent was in the area (his criminal history had elements of [REDACTED]) and it was decided to push getting his phones (one found at the scene and a second found in a backpack he left at the residence where he'd been staying) examined.

I contacted Lieutenant Greg Campbell and was able to coordinate getting both phones to the Technology Information Unit and examined by the end of the following day. (Neither phone was "readable;" one had a blank SD card and microchip; the other had no SD card or microchip.)

Later in the afternoon, I viewed McDonald's security video. I noted that less than a minute before Decedent entered the McDonald's and went into the men's bathroom, a young boy and older male (separately) exited it.

On Friday, August 27, I received a voicemail from [REDACTED], who felt he recognized Decedent's car from suspicious behavior in Rutland City. Detective Kinney was directed to follow up with [REDACTED] and he reported the car [REDACTED] had seen was not actually Decedent's car.

I spoke with Lieutenant Mike Studin about following up with human trafficking aspects of this investigation.

I reviewed portions of video obtained from RCSD and noted one body camera captures comments made by Rose while he is standing inside of McDonald's after the shooting.

As of this writing, the investigation is on-going. This includes plans to interview Rose. See various supplemental reports for additional information. Nothing further.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
14 Colburn, K                11:09:32 08/30/21  
Investigative actions taken on August 26, 2021, by Detective Kipp Colburn

Case#: 21B403506

Officer: Det. Kipp Colburn

List of Exhibits:

1.            (2) CD's labeled "21RUC003691 DEP. SCHNEIDER RCSD CRASH PHOTOS DISC 1 OF 1"
2.            (1) CD labeled "21RUC003691 SCHNEIDER DASH CAM DISC 1 OF 1"
3.            (1) CD labeled "21RUC003691 SCHNEIDER BODY CAM DISC 1 OF 1"
4.            (1) CD labeled "21RUC003691 REILLY BODY + DASH CAM DISC 1 OF 1"
5.            (1) CD labeled "21RUC003691 GENO DASH CAM DISC 1 OF 1"
6.            (1) CD labeled "21RUC003691 RCSD DISPATCH PHONE / RADIO RECORD DISC 1 OF 1"

Narrative:

On August 26, 2021, at approximately 10:00am, I met with Rutland County Sheriff's Department Lieutenant Bixby at the Rutland Barracks and received from him the above exhibits. Per his instructions I provided One copy of exhibit one to Trooper Malmgren, and the other to Sergeant Alberico. I provided the remaining exhibits to Detective Sergeant Richardson.

End of report.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
15 Colburn, K                11:10:15 08/30/21  
PI [REDACTED] by Det. Kipp Colburn, on August 25, 2021.  
Case#: 21B403506  
Incident: Homicide - Officer Involved Shooting  
Investigator: Detective Kipp Colburn

Person Interviewed: [REDACTED]  
DOB: [REDACTED]  
Address: [REDACTED]  
Rutland City, VT 05701  
Mailing Address: Same  
Alternate Address: [REDACTED]  
Rutland City, 05701  
Tel. #: [REDACTED] (C)  
Tel. #: [REDACTED] (H)

Date and Time of Interview: August 25, 2021 at approximately 1830 hours.

Exhibits:            1. (1) Digital media file containing the audio recorded statement of (Tara English) - on file at VSP-Rutland, dated 8/25/21.  
2. (1) Recorded Audio Statement Affidavit Form of ([REDACTED]).  
3. (1) 1-page hand drawn Map capturing ([REDACTED]) perspective at the time of the incident.

Narrative:

I introduced myself, explained the conversation would be recorded which [REDACTED] agreed to allow, and the recorded sworn audio statement form was reviewed with her. Following the interview [REDACTED] acknowledged she understood the recorded sworn audio statement form by virtue of her signature. [REDACTED] provided an audio-recorded statement which is summarized below. The ensuing interview summary is a synopsis of our conversation and not inclusive. For actual dialogue and statements made please refer to the digital audio recording.

Free Narrative information ([REDACTED])

- Worked for McDonalds for [REDACTED] years and is currently the [REDACTED]
- Worked her shift from 5:00am to 2:00pm and was off shift at the time of the incident.
- Her ride was late and she was standing outside on the south side of the building.
- Around 2:20pm she heard a bang that sounded like a car crash followed by two adults and three kids running out of the store saying 'Lets go.'
- [REDACTED] sees her standing outside and brings her into the storage room with the other employees. The storage room has a separate entrance to the outside on the south side of the building.
- She leaves the scene for a [REDACTED] and sees a police officer through the window, but nothing more.



██████ constructed a hand drawing of the McDonalds describing the layout and where she was during the incident.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
16 Colburn, K                11:11:35 08/30/21  
PI ██████████ by Det. Kipp Colburn, on August 25, 2021.  
Case#: 21B403506  
Incident: Homicide - Officer Involved Shooting  
Investigator: Detective Kipp Colburn

Person Interviewed: ██████████  
DOB: ██████████  
Address: ██████████  
West Rutland, VT 05777  
Mailing Address: Same  
Physical Address: Same  
Tel. #: ██████████

Date and Time of Interview: August 25, 2021 at approximately 1700 hours.

Exhibits:            1. (1) Digital media file containing the audio recorded statement of (██████████) - on file at VSP-Rutland, dated 8/25/21.  
2. (1) Recorded Audio Statement Affidavit Form of (██████████).  
3. (1) 1-page hand drawn Map capturing (██████████) perspective at the time of the incident.

Narrative:

I introduced myself, explained the conversation would be recorded which ████████ agreed to allow, and the recorded sworn audio statement form was reviewed with her. Following the interview ████████ acknowledged she understood the recorded sworn audio statement form by virtue of her signature. ████████ provided an audio-recorded statement which is summarized below. The ensuing interview summary is a synopsis of our conversation and not inclusive. For actual dialogue and statements made please refer to the digital audio recording.

Free Narrative information ██████████

- Working at McDonalds for ████████ months
- Started shift at 1100 hours
- Zoned out Working at the grill, which she advised was the furthest point from the lobby
- Heard another employee named ████████ advise someone was running from the police
- She believed ████████ happened to be in the area of the drive through at the time of the crash
- The statement from ████████ was followed shortly by three "bangs"
- Sent a text after the bangs at 1436 and estimated she heard the bangs at approximately 1430
- She could not see anything that happened from where she was
- Was ushered into the storeroom with the other employees.

██████ constructed a hand drawing of the McDonalds describing the layout and

where she was during the incident.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
17 Colburn, K                11:12:26 08/30/21  
PI [REDACTED] by Det. Kipp Colburn, on August 25, 2021.  
Case#: 21B403506  
Incident: Homicide - Officer Involved Shooting  
Investigator: Detective Kipp Colburn

Person Interviewed: [REDACTED]  
DOB: [REDACTED]  
Address: [REDACTED]  
Rutland City, VT 05701  
Mailing Address: Same  
Physical Address: Same  
Tel. #: [REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 1730 hours.

- Exhibits:
1. (1) Digital media file containing the audio recorded statement of ([REDACTED]) - on file at VSP-Rutland, dated 8/25/2021.
  2. (1) Recorded Audio Statement Affidavit Form of ([REDACTED]).
  3. (1) 1-page hand drawn Map capturing ([REDACTED]) perspective at the time of the incident.

Narrative:

I introduced myself, explained the conversation would be recorded which [REDACTED] agreed to allow, and the recorded sworn audio statement form was reviewed with him. Following the interview [REDACTED] acknowledged he understood the recorded sworn audio statement form by virtue of his signature. French provided an audio-recorded statement which is summarized below. The ensuing interview summary is a synopsis of our conversation and not inclusive. For actual dialogue and statements made please refer to the digital audio recording.

- Free Narrative information ([REDACTED])
- Working for McDonalds for [REDACTED] months
  - Started his shift at 1100 hours
  - Around 1430 he was working the grill but was in the area of the drink machine.
  - [REDACTED] alerted him something was happening
  - Saw a "burly" man, Caucasian, approximately 5'10 - 5' 11", 200-230lbs, brown hair, red and brown flannel shirt, green Carhart pants, run into McDonalds from the Allen Street entrance with a cop following him.
  - [REDACTED] and [REDACTED] saw the car crash and started recording with their phones.
  - He heard two shots and was ushered into the storage room.

[REDACTED] constructed a hand drawing of the McDonalds describing the layout and where he was during the incident.

Law Supplemental Narrative:

Supplemental Narratives

Seq Name                      Date                      Narrative  
18 Colburn, K                11:16:18 08/30/21  
PI [REDACTED] [REDACTED] by Det. Kipp Colburn, on August 25, 2021.  
Case#: 21B403506  
Incident: Homicide - Officer Involved Shooting  
Investigator: Detective Kipp Colburn

Person Interviewed: [REDACTED] [REDACTED]  
DOB: [REDACTED]  
Address: [REDACTED]  
Pittsford, VT 05763  
Mailing Address: Same  
Physical Address: Same  
Tel. #: [REDACTED] (C)  
Tel. #: [REDACTED] (H)

Date and Time of Interview: August 25, 2021 at approximately 1745 hours.

- Exhibits:
1. (1) Digital media file containing the audio recorded statement of ([REDACTED] [REDACTED] - on file at VSP-Rutland, dated 8/25/2021.
  2. (1) Recorded Audio Statement Affidavit Form of ([REDACTED] [REDACTED]
  3. (1) 1-page hand drawn Map capturing ([REDACTED] [REDACTED] perspective at the time of the incident.

Narrative:

I introduced myself, explained the conversation would be recorded which [REDACTED] agreed to allow, and the recorded sworn audio statement form was reviewed with him. Following the interview [REDACTED] acknowledged he understood the recorded sworn audio statement form by virtue of his signature. French provided an audio-recorded statement which is summarized below. The ensuing interview summary is a synopsis of our conversation and not inclusive. For actual dialogue and statements made please refer to the digital audio recording.

Free Narrative information ([REDACTED])

- Started working at McDonalds [REDACTED] years ago and holds a position as a [REDACTED]
- Started shift at 6:00am-3:00pm
- At the time of the incident he was working at one of the assembly tables just behind the front counter.
- There were [REDACTED] and [REDACTED] were in the lobby having a meeting with a [REDACTED].
- [REDACTED] the [REDACTED] was in the back checking employee time punches
- [REDACTED] was working near the first drive-through window with his [REDACTED] and she came back to tell him she saw the car crash that happened. He tells everyone to get back to work
- [REDACTED] and [REDACTED] working second drive through window. Closest to the allen street entrance.

• Shortly after speaking with [REDACTED] he saw two officers run in then heard two gun shots and ushered everyone back into the storage room. And saw three more officers run by towards the bathrooms.

[REDACTED] constructed a hand drawing of the McDonalds describing the layout and where he was during the incident.

Law Supplemental Narrative:

Supplemental Narratives  
Seq Name                      Date                      Narrative  
19 Colburn, K                11:17:47 08/30/21  
PI [REDACTED] by Det. Kipp Colburn, on August 26, 2021.  
Case#: 21B403506  
Incident: Homicide - Officer Involved Shooting  
Investigator: Detective Kipp Colburn

Person Interviewed: [REDACTED]  
DOB: [REDACTED]  
Address: [REDACTED]  
Rutland City, VT 05701  
Mailing Address: Same  
Alternate Address: Same  
Tel. #: [REDACTED] (C)

Date and Time of Interview: August 26, 2021 at approximately 1030 hours.

Exhibits:            1. (1) Digital media file containing the audio recorded statement of ([REDACTED]) - on file at VSP-Rutland, dated 8/26/21

Narrative:

I introduced myself, explained the conversation would be recorded which [REDACTED] agreed to allow, and the recorded sworn audio statement form was reviewed with her. Following the interview [REDACTED] acknowledged she understood the recorded sworn audio statement form by virtue of her signature. [REDACTED] provided an audio-recorded statement which is summarized below. The ensuing interview summary is a synopsis of our conversation and not inclusive. For actual dialogue and statements made please refer to the digital audio recording.

Free Narrative information ([REDACTED])

- Leaving [REDACTED] at [REDACTED] on Allen Street.
- Traveling west on Allen Street at approximately 15 miles per hour
- Hears a "terrible noise" coming from a car passing her in the left lane at "100 miles per hour all the way down"
- Describes the car as a little black junk car
- Sees a police car with its lights on traveling fast to get the vehicle
- Watches the black car crash into the UPS truck and into two other cars. She is close enough at this point to where she can make a right-hand turn into the Butcher shop parking lot where she parks.
- She is parked facing away from the McDonalds and does not see anything other than police arriving, and she heard one shot.
- She felt frightened throughout her experience and thought "the guy was nuts."

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
20 Truex, S	14:48:47 08/30/21	

Investigative actions taken from August 25, 2021 to August 30, 2021 by Det. Sgt. Sam Truex

Case#: 21B403506

Officer: Det. Sgt. Sam Truex

List of Exhibits:

1. One digital audio recorded interview with RCSD Lt. James Bennick on 08/25/2021.
2. One Sworn Recorded Audio Statement Form signed by RCSD Lt. James Bennick on 08/25/2021.
3. One digital audio recorded interview with [REDACTED] DOB: [REDACTED] on 08/25/2021.
4. One Sworn Recorded Audio Statement Form signed by [REDACTED] on 08/25/2021.
5. Four digital pictures of suspect vehicle taken by [REDACTED] on 08/25/2021 at 1311 hours.
6. One page photograph log of round count of officer's weapon used in the shooting.
7. One page document describing the officer's weapon, serial number, magazines and rounds of ammunition.

Narrative:

On August 25, 2021 at approximately 1440 hours, Det. Lt. John-Paul Schmidt advised of an officer involved shooting that occurred in Rutland City, Vermont. He asked that I respond to the Rutland City Police Department.

Upon my arrival at the police department, I met with detectives in a conference room. Det. Sgt. Tyson Kinney arrived and asked that I assist him with a round count of the officer's duty weapon used in the shooting. Det. Sgt. Kinney photographed the officer's weapon, 3 magazines and rounds of ammunition. I verified and documented the weapon description, serial number, ammunition, and number of magazines. I documented each photograph taken by Det. Sgt. Kinney in a photograph log. I provided the photograph log and weapon description form to Det. Sgt. Seth Richardson who is the lead investigator for this incident.

I then attended a case briefing held by Det. Lt. Schmidt in the conference room at the police department. Det. Lt. Schmidt asked that I interview Rutland County Sheriff's Department Lt. James Bennick who was involved in this incident. I met with Lt. Bennick at the police department. We went upstairs to an office where I interviewed him. The interview was digitally audio recorded using my department issued recorder. Please see the interview report of Lt. James Bennick for details of that interview.

Det. Lt. Schmidt asked that I locate and interview [REDACTED] [REDACTED] who reported being involved in a hit and run accident earlier in the day. The accident occurred in Rutland City and involved the same vehicle that was used when the officer involved shooting happened. [REDACTED] had reported his accident to the Rutland City Police Department. The phone number for [REDACTED] was provided and I contacted him by telephone. [REDACTED] answered and said his friend [REDACTED] was with him. They agreed to meet with me at the Rutland State Police Barracks. Det. Sgt. Henry Alberico and I met with [REDACTED] and [REDACTED] at the barracks. Det. Sgt. Alberico interviewed [REDACTED] in his cruiser. I interviewed [REDACTED] in my cruiser in the parking lot of the barracks. The interview was digitally audio recorded using my department issued recorder. Please refer to the interview report of [REDACTED] for details of that interview.

I then returned to the Rutland City Police Department. While there, Det. Sgt. Francis LaBombard asked if I would assist him in checking the trunk area of the suspect's vehicle to make sure there was not a person locked in the truck. I rode with Det. Sgt. LaBombard to the Rutland State Police Barracks where the suspect's vehicle was impounded. I obtained the key to the impound yard and unlocked the gate. The keys to the vehicle were in the ignition. Det. Sgt. LaBombard tried to use the keys from the ignition to open the trunk but was unsuccessful. I then used a light to look inside the vehicle through the passenger side front door window. The back seat of the vehicle was laying forward, partially covering the back seat. I was able to see enough into the trunk to verify a person was not locked in the trunk. Det. Sgt. LaBombard returned the key inside the vehicle and I locked the gate to the impound yard. We then returned to the Rutland City Police Department and updated Det. Lt. Schmidt.

On 08/26/2021 Det. Sgt. Seth Richardson asked if I could make contact with [REDACTED] who is [REDACTED] of [REDACTED] the deceased. Det. Sgt. Richardson said they spoke with [REDACTED] last night and notified her of [REDACTED] death. He asked if I could get a more in depth interview of [REDACTED] regarding [REDACTED] I attempted to contact [REDACTED] by telephone who lives in Arkansas. I was unable to make phone contact with her or leave a message on her phone.

On 08/30/2021 I advised Det. Sgt. Richardson that I have not made contact with [REDACTED] No further action taken at this time. I forwarded 4 photographs received from [REDACTED] [REDACTED] of the suspects vehicle to Det. Sgt. Richardson.

SPT  
08/30/2021

Law Supplemental Narrative:

Supplemental Narratives

Seq Name                      Date                      Narrative

21 Kinney, Tyson      08:32:24 08/31/21

Investigative actions taken by Det. Sgt. Tyson Kinney on August 25-30, 2021

Case#: 21B403506

Officer: Det. Sgt. Tyson Kinney

Person(s) Interviewed:

[REDACTED]                      DOB: [REDACTED]  
[REDACTED]  
Rutland City, Vermont 05701  
[REDACTED]

[REDACTED]                      DOB: [REDACTED]  
[REDACTED]  
North Clarendon, Vermont  
[REDACTED]

[REDACTED]                      DOB: [REDACTED]  
[REDACTED]  
North Clarendon, Vermont  
[REDACTED]

[REDACTED]                      DOB: [REDACTED]  
[REDACTED]  
North Clarendon, Vermont  
[REDACTED]

(No supplemental interview report completed. See narrative)

[REDACTED]  
[REDACTED]  
[REDACTED]  
(No supplemental interview report completed. See narrative)

[REDACTED]                      DOB: [REDACTED]  
[REDACTED]  
Miami, Florida  
[REDACTED]

[REDACTED]                      DOB: [REDACTED]  
[REDACTED]  
Hot Springs, AR  
[REDACTED]

DOB: [REDACTED]

[REDACTED]  
Wallingford, VT  
[REDACTED]

List of Evidence:

1. 1- Glock .45 Caliber (Rose weapon) with ammunition
2. 2- Video Recordings of crash scene by [REDACTED]
3. 1- Spare Tire
4. 1- Tire Jack
5. 1- Black Backpack containing [REDACTED] belongings
6. 1- Cell Phone removed from [REDACTED] backpack

List of Exhibits:

1. 1- Audio recording of interview ([REDACTED])
2. 1- Sworn audio statement form ([REDACTED])
3. 1- Round Count Sheet
4. 20- digital photographs of round count
5. 1- Audio recording of interview ([REDACTED])
6. 1- Audio recording of interview ([REDACTED])
7. 1- Sworn Audio Statement form ([REDACTED])
8. 1- Sworn Audio Statement form ([REDACTED])
9. 1- Audio recording of interview ([REDACTED])
10. 1- Preservation Request for [REDACTED] cell phone number [REDACTED]
11. 1- Confirmation Email from Google LERS

Narrative:

On August 25, 2021 at approximately 1455 hours, I was contacted by Det. Lt. John-Paul Schmidt and asked to respond to the Rutland City Police Department for an Officer Involved Shooting. I responded from the Shaftsbury Barracks to the Rutland City Police Department.

While responding, I was made aware by Det. Lt. Schmidt the incident had occurred at McDonald's on Allen Street, in the City of Rutland. I was also assigned to locate the law enforcement shooter's, who was later identified as Officer Chris Rose, firearm and conduct a round count with Det. Sgt. Sam Truex.

As I responded to the Police Department, I stopped at the scene. I did not enter the crime scene perimeter tape I wanted to examine the scene of what I could, prior to conducting interviews in reference to this investigation. While on-scene, I observed a UPS truck with rear-end damage, a dark colored sedan with front end damage and numerous police vehicles. I left the scene and continued to my original assignment.

At approximately 1620 hours, I seized Ofc. Rose's firearm from Rutland City Police Officer James Rajda. This firearm was located inside the duty belt of Officer Rose. It was removed the from the duty belt along with two magazines which were also located inside his duty belt. The firearm was identified as Glock 21 Gen 4, .45 caliber handgun, bearing S/N: [REDACTED]. This firearm was transported to the location where the round count was completed and unloaded. When the firearm was unloaded, the magazine was removed from the magazine well and a cartridge was removed from the chamber of the weapon. This magazine was referred to as Magazine #1. Magazine #1 had the capacity of holding 13 rounds, however was only holding 9; with one in the chamber. Due to this, it was determined Ofc. Rose fired 3 rounds during the incident. Magazine #2 and #3 were loaded to capacity of 13. Please refer to the digital photographs, photograph log, and round count sheet for further information.



Once the round count was completed, I then attended a briefing held by Det. Lt. Schmidt at 1709 hours. During this briefing, I was advised the suspect vehicle was a vehicle being searched for in reference to an earlier leaving the scene of

an accident. When Officers located the vehicle, a short pursuit ensued which ended on Allen Street due to a crash. The operator, who was later identified as [REDACTED] fled from the vehicle and ran into McDonald's where he was pursued by Officer Rose. While inside McDonald's [REDACTED] was shot and killed by Officer Rose.

At approximately 1733 hours, after the briefing was over, I turned the firearm and all magazines (including rounds) over to CSST Commander, Det. Sgt. Aimee Nolan.

At approximately 1735 hours, I was assigned to interview employees who were working at McDonald's at the time of the incident. These employees began arriving at the Rutland City Police Department and were waiting to be interviewed.

I then met with [REDACTED] (DOB: [REDACTED]) and conducted an interview with him in my police vehicle. For further information related to this interview, please refer to the digital audio recording, sworn audio statement form and two digital videos. It should be noted, these videos were seized by [REDACTED] via email on August 27, 2021 at 1342 hours. They have been included in the case file for reference.

After the interview with [REDACTED] was complete, I was assigned to follow up with the residents of [REDACTED], in the Town of Clarendon, Vermont. It was reported [REDACTED] may have stopped at this address in an attempt to change a tire. [REDACTED] was located by law enforcement and left the residence at a high rate of speed and at an erratic manner. Doing so, he forgot his spare tire and jack stand for the vehicle which was left in the driveway. I was assigned to travel to the residence to inquire what happened.

At approximately 1843 hours, I met with Tpr. Ryan Malmgren who was on-scene. Tpr. Malmgren showed me the area and where the tire and jack stand was moved to by the residents. He also stated the white truck which was parked in front of the garage was not there upon his arrival and was recently parked there by the homeowner.

At approximately 1850 hours, I took eight digital photographs of the driveway and damage to the property of [REDACTED], in the Town of Clarendon, Vermont. I also seized the tire and jack stand left by [REDACTED]

I then made contact with the residents of [REDACTED]. Upon knocking on the door, I met with [REDACTED] (DOB: [REDACTED]). For further information regarding the interview with [REDACTED] please refer to the digital audio recording and sworn audio statement form.

After speaking with [REDACTED] I met with [REDACTED] (DOB: [REDACTED]). For further information regarding the interview with [REDACTED] please refer to the digital audio recording and sworn audio statement form. It should be noted, during the interview with [REDACTED] he referenced surveillance video footage. This footage was previously sent to Tpr. Ryan Malmgren prior to my arrival.

When the interviews were concluded at [REDACTED], I traveled back to the Rutland City Police Department for my next assignment. When I drove passed the scene, I noticed the Vermont State Police- Crime Scene Command Post had arrived. I stopped at the scene to make contact with Det. Sgt. Nolan.

When I entered the crime scene command post, I advised Det. Sgt. Nolan I had seized two items of evidence. We entered the items into FileOnQ and printed evidence stickers for the items. I then placed each evidence sticker on the spare tire and tire jack to be logged into evidence at a later time. For further information regarding these items, please refer to the chain of custody in the FileOnQ evidence system.

At approximately 2002 hours, I was assigned to contact [REDACTED] regarding the video recordings. [REDACTED] advised he would send the videos via email. These emails were later received on August 27th.

At approximately 2019 hours, I was assigned to contact [REDACTED] (DOB: [REDACTED]). [REDACTED] contacted Dispatch and advised he had video of the incident.

I made contact with [REDACTED] using the telephone number provided. I informed [REDACTED] the interview was being recorded and asked him to share what information he had. He stated he was at a friend's residence earlier in the evening and was told they had surveillance footage of [REDACTED]. [REDACTED] identified the residence as the [REDACTED] residence of [REDACTED]. I informed [REDACTED] we had already spoken with them and had obtained the footage. [REDACTED] did not have any further relevant information to add. I ended my conversation with [REDACTED]. It should be noted, this interview was completed in my police and was recorded. A supplemental interview report was not completed due to the lack of relevant material. For further information, please refer to the digital audio recording which is included in this case file for reference.

At approximately 2051 hours, I was assigned to locate the Next of Kin information for [REDACTED]. This search consisted of open-source searches as well as Accurant and Clear searches. The Accurant and Clear searches were conducted by Det. Sgt. Jeffrey Stevenson and forwarded to me.

I contacted the Connecticut Department of Corrections after-hours line and made contact with [REDACTED]. I explained to [REDACTED] the purpose of my call and asked if she had anything on file for [REDACTED] next of kin. [REDACTED] advised she needed to log into the system and would contact me.

A short time later, I was contacted by [REDACTED]. [REDACTED] advised [REDACTED] listed his last known address as homeless and did not provide a emergency contact for his probation officer. [REDACTED] also check [REDACTED] visitation list when he was incarcerated. She provided the following information for [REDACTED]

[REDACTED]  
[REDACTED]  
Hot Springs, AR  
[REDACTED]

[REDACTED]  
Same address as [REDACTED]  
No telephone listed

[REDACTED] (sp)

[REDACTED]  
Hot Springs, AR  
[REDACTED]

This ended my conversation with [REDACTED]

At approximately 2330 hours, I was assigned to contact the [REDACTED] of [REDACTED] who was identified as [REDACTED] (DOB: [REDACTED]). This conversation was conducted in a conference room of the Rutland City Police Department. Present for the conversation was Det. Sgt. Seth Richardson and Major Crime Unit Victim's Advocate [REDACTED]

During this conversation, [REDACTED] identified himself as [REDACTED] of [REDACTED] and was informed of [REDACTED] death. While on the phone with him, [REDACTED], who was identified as [REDACTED] (DOB: [REDACTED]) was added to the call. She was also informed of [REDACTED] death. During this conversation, both parties were not interviewed extensively and were informed of the process moving forward in the coming days. Both [REDACTED] and [REDACTED] agreed to speak to us on the following day to learn more. It should be noted, a supplemental interview report was not completed for the next of kin notification to [REDACTED] and [REDACTED]. This ended my involvement on this date.

On August 26, 2021 at approximately 0833 hours, I received a call from [REDACTED] (DOB: [REDACTED]), who identified himself as a [REDACTED] of [REDACTED]. For further information regarding this call from [REDACTED] please refer to [REDACTED] supplemental interview report. It should be noted, this conversation was not recorded. [REDACTED] (DOB: [REDACTED]) was also on the call and provided information.

At approximately 1200 hours, I arrived at the Rutland Barracks and transferred custody of the Spare Tire and Tire Jack to Det. Sgt. Seth Richardson. The purpose of this was so he could return the items to the vehicle when they searched it on the following day.

Later that day, I was assigned to travel to the [REDACTED] residence and search [REDACTED] backpack he had left. I arrived at their residence at approximately 1315 hours and searched the backpack.

I noted the backpack contained what appeared to be clothing and personal belongings. One of the belongings was a broken cell phone which appeared to be missing the sim card and memory card. This backpack was subsequently seized as evidence and transported to the Shaftsbury Barracks and logged into evidence.

At approximately 1625, I was contacted by Det. Lt. Schmidt and ordered to transport the backpack to the Rutland Barracks on August 27, 2021 so the cell phone could be removed and transported to the Vermont State Police- Technology Information Unit to be extracted. This ended my involvement on this date.

On August 27, 2021, I removed the [REDACTED] backpack from temporary evidence and transported it to the Rutland Barracks. When I arrived, I removed the partially broken cell phone and entered it as a sub item number into FileOnQ. This cell phone was then transferred to Det. Sgt. Aron McNeil and transported to the Vermont State Police- Technology Information Unit to be extracted.

I also completed the preservation request form for [REDACTED] telephone number which was provided by [REDACTED]. This form was then sent to Det. Sgt. Seth Richardson to be faxed to the appropriate entity. This ended my involvement on this date.

On August 30, 2021, I was contacted by Det. Sgt. Richardson and advised the preservation form needed to be uploaded to the Google LERS portal. Det. Sgt. Richardson was having trouble accessing his portal so he asked me to upload it through my access. Which I did. Please refer to the Preservation Request and confirmation email which are included in the case file for reference. This ended my involvement in this case.

No further information.  
TK

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
22 Kinney, Tyson	08:33:12 08/31/21	

PI: [REDACTED] by Det. Sgt. Tyson Kinney on August 25, 2021

Detective Tyson Kinney

Case# 21B403506

[REDACTED] DOB: [REDACTED]  
[REDACTED]  
North Clarendon, Vermont  
Telephone #: [REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 1857 hours.

List of Exhibits: 1- Audio recording of interview  
1- Sworn Audio Statement Form

Narrative:

On the above date and time I conducted an interview with [REDACTED] at [REDACTED] [REDACTED], in North Clarendon, Vermont regarding a report of an Officer Involved Shooting inside a McDonald's bathroom. It had been reported that the male who was shot may have been at [REDACTED] residence prior to being pursued to McDonalds. This interview was to obtain information from [REDACTED] about what he observed while working.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the digital audio recording. It should be noted this interview was completed by Det. Sgt. Tyson Kinney of the Vermont State Police. This interview was conducted on the front porch of [REDACTED] residence. [REDACTED] was made aware I was recording the interview and did not object. Also present during the interview was Tpr. Ryan Malmgren. During the interview I learned the following;

[REDACTED] advised on August 25, 2021, at approximately 1430-1500 hours, her dog at the residence began barking. Due to [REDACTED] not being able to [REDACTED] [REDACTED], she asked [REDACTED] to get up and see what the dog was barking at.

[REDACTED] informed her that a male subject was in the driveway with his vehicle and was changing his tire. When asked if he needed help, the male told [REDACTED] he did not.

[REDACTED] told [REDACTED] the male appeared to be talking on a cell phone and was screaming and pacing around the driveway.

█████ stated she never saw the male subject and was informed of what the male subject was doing by █████

Nothing Further  
Det. Sgt. Tyson Kinney

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
23 Kinney, Tyson	08:34:09 08/31/21	

PI: █████ by Det. Sgt. Tyson Kinney on August 25, 2021

Detective Tyson Kinney

Case# 21B403506

█████ DOB: █████  
█████  
North Clarendon, Vermont  
Telephone #: █████

Date and Time of Interview: August 25, 2021 at approximately 1904 hours.

List of Exhibits: 1- Audio recording of interview  
1- Sworn Audio Statement Form

Narrative:

On the above date and time I conducted an interview with █████ at █████ █████, in North Clarendon, Vermont regarding a report of an Officer Involved Shooting inside a McDonald's bathroom. It had been reported that the male who was shot may have been contacted by █████ prior to being pursued to McDonalds. This interview was to obtain information from █████ about what he observed while working.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the digital audio recording. It should be noted this interview was completed by Det. Sgt. Tyson Kinney of the Vermont State Police. This interview was conducted on the front porch of █████ residence. █████ was made aware I was recording the interview and did not object. Also present during the interview was Tpr. Ryan Malmgren. During the interview I learned the following;

█████ advised by █████, █████ that someone was in the driveway and she asked him to go and check to see what was going on. █████ stated when he went to the back door he noticed what appeared to be a male subject, in his middle thirties, in a black Chevy Impala in the driveway. █████ asked the male subject if he was okay and if he needed help. The male subject stated he did not need help and that he was just changing a tire. █████ then went back into the residence.

█████ stated he continued to watch the male subject via surveillance camera footage on the property. He advised the male subject appeared to be speaking on a cell phone and was screaming into it.

Approximately twenty minutes later, a law enforcement officer arrived on the property and the male subject left the residence and drove across the yard.

████████ stated when the male subject left, he left a jack stand and spare tire for the vehicle.

I informed ██████████ that our investigation was due to the incident that occurred in Rutland. ██████████ stated he was aware of the subject and had seen Facebook news related posts about the incident. It was at this time, ██████████ stated the vehicle that was involved in the accident in Rutland City was the same vehicle that was in his driveway.

It should be noted, the surveillance video footage ██████████ reference had already been sent to Tpr. Malmgren prior to my arrival and interview.

Nothing Further  
Det. Sgt. Tyson Kinney

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
24 Kinney, Tyson	08:35:13 08/31/21	

PI: [REDACTED] by Det. Sgt. Tyson Kinney on August 25, 2021

Detective Tyson Kinney

Case# 21B403506

[REDACTED] DOB: [REDACTED]  
Rutland City, Vermont 05701  
Telephone #: [REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 1744 hours.

- List of Exhibits: 1- Audio recording of interview  
1- Sworn Audio Statement Form  
2- Video Recordings taken by [REDACTED]

Narrative:

On the above date and time I conducted an interview with [REDACTED] at the Rutland City Police Department in Rutland City, Vermont regarding a report of an Officer Involved Shooting inside a McDonald's bathroom. It had been reported that [REDACTED] was working inside the McDonald's when the shooting occurred. This interview was to obtain information from [REDACTED] about what he observed while working.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the digital audio recording. It should be noted this interview was completed by Det. Sgt. Tyson Kinney of the Vermont State Police. This interview was conducted inside my police department vehicle. [REDACTED] was made aware I was recording the interview and did not object. During the interview we learned the following;

[REDACTED] stated on August 25, 2021, he was employed by McDonalds and was workin as a [REDACTED]. At the time of the incident [REDACTED] stated he was taking orders at the drive-thru at the establishment.

While working, he was informed by another employee, [REDACTED] that a male subject had crashed his car in front of the building and had ran into the bathroom.

[REDACTED] state he looked out the window and noticed the vehicles involved in the accident and that there were a number of police vehicles on-scene as well.



As [REDACTED] walked back to the register (furthest on the left near the ice machine), he heard what appeared to be 3-4 gunshots. After hearing the gunshots, [REDACTED] stated he waited for instructions and was later moved to a back room.

[REDACTED] stated he never saw the male subject or the police enter the establishment.

It should be noted, I later contacted [REDACTED] and inquired if he had video recordings of the incident. He advised he did and that he took two video recordings of the accident scene, prior to the shots being fired. [REDACTED] later emailed these video recordings and they have been included in the case file for reference.

Nothing Further  
Det. Sgt. Tyson Kinney

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
25 Kinney, Tyson	08:37:30 08/31/21	

PI: [REDACTED] and [REDACTED] by Det. Sgt. Tyson Kinney on August 26, 2021

Detective Tyson Kinney

Case# 21B403506

[REDACTED] DOB: [REDACTED]  
[REDACTED] DOB: [REDACTED]  
Wallingford, Vermont  
Telephone #: [REDACTED]

Date and Time of Interview: August 26, 2021 at approximately 0833 hours.

List of Exhibits: N/A

Narrative:

On the above date and time, I conducted an interview with [REDACTED] and [REDACTED] via telephone regarding a report of an Officer Involved Shooting inside a McDonald's bathroom. It had been reported that the male who was shot, later identified as [REDACTED] was staying with the [REDACTED] in Wallingford, Vermont. This interview was to obtain information from the [REDACTED] about what they could regarding [REDACTED] and his behavior prior to the incident.

The following is a synopsis of the interview. This interview was conducted in my police vehicle. During the interview I learned the following;

[REDACTED] began speaking and advised he was [REDACTED]. Prior to the week of the incident, [REDACTED] had not seen [REDACTED] in nine years, or since the [REDACTED]. He had not spoken to [REDACTED] during the previous two years and advised he was not close with [REDACTED].

[REDACTED] advised he was contacted via text message by [REDACTED] on the Monday prior to the incident (August 23, 2021). Initially [REDACTED] did not know who the text message was from, but figured out it was from [REDACTED] when [REDACTED] referenced a childhood memory of theirs. [REDACTED] provided the cell phone number [REDACTED] texted from as [REDACTED].

[REDACTED] indicated [REDACTED] told him he was leaving Connecticut and was going to drive to Florida to be with other family members. [REDACTED] asked [REDACTED] if he could come and stay with him for a few days prior to leaving and driving south.

█████ indicated the request was odd, but he obliged and invited ██████ to come to his residence. At the time of the request, ██████ was traveling back from being down south on ██████ duty.

█████ identified himself as a ██████ and stated he was sent south in response to the most recent ██████

On the morning of the incident, ██████ stated he went to work. He then put his ██████ ██████ on the line to explain what occurred prior to the incident.

█████ explained ██████ told him he was traveling to Town Fair Tire to purchase new tires for his car before he left for Florida. ██████ left the residence at approximately 1300 hours. A short time later, ██████ returned home and seemed erratic.

When ██████ asked ██████ how it went and that it seemed like a quick trip, ██████ informed her he had been involved in a motor vehicle collision and that he had left without calling the authorities. ██████ ensured ██████ that the other vehicle was not damaged as much as his and not to worry about it.

█████ noticed ██████ was acting erratically and asked him what he was going to do. ██████ changed his clothes and told her he was going back into town to purchase tires. ██████ told ██████ he didn't seem right and that he probably should not be driving. ██████ left the residence anyway. The second time ██████ left the residence was approximately a little after 1400 hours. This was the last time the ██████ had any contact with ██████

During his stay with ██████ and ██████ ██████ stated ██████ spoke of many topics. Although he did not seem any more manic than usual.

Prior to ending my conversation with the ██████ I was informed ██████ had left a backpack at his residence. ██████ advised he did not want it and asked what he should do with it. I informed him that I would pass the information along and either I or someone else would follow up with him. ██████ agreed.

This ended my conversation with ██████

Nothing Further  
Det. Sgt. Tyson Kinney

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
26 Truex, S	15:43:51 08/31/21	
PI: [REDACTED]	on 08/25/21	by Det. Sgt. Sam Truex

Detective Sergeant Samuel Truex

Case# 21B403506

[REDACTED] DOB: [REDACTED]  
[REDACTED]  
Rutland, Vermont 05701  
Tel: [REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 1752 hours.

- List of Exhibits:
- 1- Digital audio recording of interview with James Bennick.
  - 2- One Sworn Recorded Audio Statement Form signed by James Bennick.

Narrative:

On the above date and time, I conducted an interview with Lt. James Bennick of the Rutland County Sheriff's Department. The interview was regarding the officer involved shooting that occurred earlier in the day in Rutland. It had been reported that a Rutland City Police officer shot and killed a man while inside McDonald's located at the corner of Allen Street and US RT 7 in Rutland after being pursued by law enforcement. This interview was to obtain information from Bennick about his involvement in the pursuit and the shooting incident inside McDonald's.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the digital audio recording. It should be noted this interview was completed by Det. Sgt. Samuel Truex of the Vermont State Police inside an office at the Rutland City Police Department. During the interview I learned the following:

Bennick advised that his work shift today was from 0800 hours to 1600 hours. He assigned himself to Mendon patrol today. At approximately 1400 hours he drove to the Shell station on RT 4 in Rutland Town to get food, then started back towards Mendon. Bennick said he heard Lt. Kevin Geno of the Rutland County Sheriff's Department say over the radio that he was just flagged down about a black Chevy Cobalt the person believed was involved in a hit and run earlier in the day in Rutland City.

Bennick advised Lt. Geno attempted to catch up to the black Chevy Cobalt and was able to get it stopped on US RT 7 north in the area of the Clarendon rest area. Bennick said Lt. Geno confirmed the license plate matched the BOL from the Rutland City hit and run. Bennick said moments later Lt. Geno said the vehicle took off. Bennick said a few minutes after, Lt. Geno advised he was in pursuit of the vehicle at speeds of 95 mph. Lt. Geno said the vehicle failed to stop for the traffic light at US RT 7 and VT RT 103. Bennick said the vehicle pulled away from Lt. Geno and was getting out of sight as they got closer to Rutland City. Bennick advised he told Lt. Geno to terminate the pursuit over the radio.

Bennick said to his knowledge, Lt. Geno terminated the pursuit. He said when Lt. Geno got to the intersection of US RT 7 and North Shrewsbury Rd, he was flagged down again and told the vehicle went east up the North Shrewsbury Rd.

Bennick advised he started heading in the general direction to where the car may come out after eluding Lt. Geno. He said he traveled down US RT 4 to Stratton Rd and then onto Cold River Rd. Bennick said Cpl. Shawn Reilly and Dep. Avery Schneider also responded to the same area to look for the vehicle.

Bennick advised while traveling on Cold River Rd, he took a right turn onto a road that is now a one way road, which leads to the intersection of North Shrewsbury Rd. Bennick said he knew he was looking for a black Chevy Cobalt with a Florida license plate. Bennick advised that while at the stop sign, he looked to his right and saw the [REDACTED] residence which is located at [REDACTED]. Bennick said he observed a vehicle that matched the description of the above described Chevy Cobalt backed in close to the garage. He said it appeared that someone was changing the left front tire. Bennick said he overheard Lt. Geno say earlier that the left front tire of the vehicle was going flat during the pursuit.

Bennick said as he pulled into the driveway, he was facing the car. He said as he stepped out of his cruiser, a man stood up with a scared look, as if he had been caught. Bennick said the trunk of the vehicle was open at the time. He said the male ran to the open trunk in which he drew his firearm and screamed at the male to show his hands. Bennick said the male returned to the driver's side of the vehicle, then went back to the trunk of the vehicle. Bennick said he could see the fight or flight look on the male's face. He said the male jumped in his vehicle and accelerated off the vehicle jack stand. Bennick said the vehicle drove across the lawn of the residence and he told officers over the radio that the vehicle was headed toward Cold River Rd.

Bennick said Dep. Schneider happened to be on Cold River Rd. He said she advised over the radio that she was in pursuit of the vehicle southbound on Cold River Rd. Bennick said he and Cpl. Reilly joined the pursuit traveling south on Cold River Rd. He said Dep. Schneider advised over the radio that the vehicle went through a yard and is now traveling north on Cold River Rd. Bennick said at that point he was in front of Cpl. Reilly and could see the pursuit approaching them. Bennick said he could see the vehicle was encroaching into his lane of traffic head on and almost pushed them off the road. He said it looked like the operator was having a hard time holding the road as there was no left front tire and pieces of tire in the road.

Bennick said he and Cpl Reilly turned around in driveways. He said Cpl. Reilly was not the primary pursuit vehicle however, he was calling out the pursuit over the radio. Bennick said he was behind Cpl. Reilly.

Bennick advised that as the pursuit continued onto Stratton Rd, they approached what he believed was the Horton Ave intersection, just before the hospital. At that point Bennick said the vehicle was out in front of the deputies and was driving erratically into oncoming traffic. Bennick said he terminated the

pursuit again because they were in Rutland City and the way the vehicle was operating. Bennick advised he may have said over the radio that he is going to kill somebody.

Bennick said the black Chevy Cobalt continued down Allen Street past the hospital. He said that all three deputies continued down Allen Street because he thought the vehicle would crash the way it was being operated. Bennick said he was third in line and didn't see the vehicle crash. He said Dep. Schneider may have said over the radio the vehicle crashed but doesn't believe she saw the

crash occur.

Bennick said as they approached the railroad tracks by McDonald's, he could see a UPS truck, a vehicle, and two Rutland City Police cruisers. Bennick said he heard someone say he ran towards McDonald's. Bennick said he, Cpl. Reilly, and Dep. Schneider ran into McDonald's.

Bennick advised as they entered the door on the north side of McDonald's, he doesn't recall if he drew his weapon or not. He advised Cpl. Reilly and Dep. Schneider had their guns drawn at that point. Bennick remembers a mass of people in the play area which included women and children. He heard them screaming and saw them running toward an exit door.

Bennick advised he heard someone call out "bathroom". Bennick said as he looked left and headed toward the front counter near the bathrooms, he saw the same male he encountered at [REDACTED] was facedown with a sizeable pool of blood near his head. He said the male appeared to try and get up and was moving his arms and making some sounds. He said the male didn't speak any words. Bennick said what stuck in head was the smell of gun powder. Bennick said he did not hear any gun shots.

Bennick advised that Cpl. Rose of the Rutland City Police Department was standing behind the male with his back against the bathroom door. He said the male was facing the southside of the store. He said Cpl. Rose had a look of terror on his face and wasn't saying much. Bennick said he learned shots were fired and called that in on his radio. He also said it did not involve his deputies.

Bennick said Cpl. Rose then handcuffed the male. Bennick said they moved trash cans out of the way so they could start rendering first aid. He said the pool of blood was now "huge". He said there was massive blood loss and through his training and experience didn't think the male would live due to the amount of blood on the ground.

Bennick said he rolled the male over and took out his pocketknife. He said Dep. Schneider tried to tear the male's blood-soaked shirt off but couldn't. Bennick said he cut the male's shirt off to find the bullet holes. He advised Dep. Schneider observed two entry wounds to the male's chest and applied pressure to the two holes. He said Cpl. Reilly was there and provided gauze and chest seals. Bennick said the male was taking his last breaths. He said he felt for a pulse and didn't feel one. Bennick advised a few minutes later Regional Ambulance arrived and could not do anything for the male due to the amount of blood loss. Bennick said he handed his knife to Officer Dumas of the Rutland City Police Department because he didn't know if would need to hold the chest seals. Bennick said Regional Ambulance called it and didn't provide any medical aid to the male.

Bennick said they asked Cpl. Rose if he was ok and got him out of there. He advised Cpl. Rose didn't say anything to him. He said additional officers arrived on scene. Bennick said he cleared McDonald's at that point and held scene security outside until people showed up.

Bennick said he spoke with VSP Sgts. Norton and Cushing about being usure if the male left anything at [REDACTED]. Bennick said he took Trp. Malmgren back to that location and met [REDACTED] and [REDACTED]. He said the [REDACTED] encountered the male at the residence and asked if he needed help.

Bennick said there was home surveillance video available. He said [REDACTED] was going to email the video to Trp. Malmgren. Bennick said the jack and spare tire to the male's vehicle were still at the residence. Bennick advised that [REDACTED] picked up the items from his driveway and moved them off to the side. Bennick advised that was his involvement and he didn't fire any shots.

Bennick said he didn't hear the initial BOL for the male's vehicle after it was involved in a hit and run in Rutland City. He said he only caught the tail end of it and heard that the vehicle may possibly have broken taillights.

Bennick advised that Dep. Schneider was assigned to patrol Clarendon and Wallingford today. He said Cpl. Reilly was assigned to patrol Proctor and West Rutland today. Bennick said when Cpl. Reilly heard the pursuit with Lt. Geno, he headed toward US RT 4 in case the vehicle traveled in that direction. He said after the pursuit was called off, he continued toward the area to try and locate the vehicle.

Bennick said he observed a black cell phone on the ground that was in pieces. He said the phone was located on the west side of the male's body inside McDonald's.

At the conclusion of the interview, Bennick signed a Sworn Recorded Audio Statement Form acknowledging that everything he said was true and accurate to the best of his ability.

08/31/2021  
SPT

Law Supplemental Narrative:

Supplemental Narratives

Seq Name	Date	Narrative
27 Truex, S	09:25:18 09/01/21	
PI: [REDACTED] [REDACTED]	on 08/25/21 by Det. Sgt. Sam Truex	

Detective Sergeant Samuel Truex

Case# 21B403506

[REDACTED] DOB: [REDACTED]  
Rutland, Vermont 05701  
Tel: [REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 2036 hours.

List of Exhibits: 1- Digital audio recording of interview with [REDACTED] [REDACTED]  
2- One Sworn Recorded Audio Statement Form signed by [REDACTED] [REDACTED]

Narrative:

On the above date and time, I conducted an interview with [REDACTED] [REDACTED]. The interview was regarding a hit and run accident in Rutland City that he was involved in on this date. He was also the witness who flagged down Lt. Kevin Geno in Wallingford and advised the vehicle that struck his truck during the hit and run just traveled north on US RT 7 through Wallingford. This interview was to obtain information from [REDACTED] about his involvement in the hit and run and to find out what happened prior to Lt. Geno's pursuit.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the digital audio recording. It should be noted this interview was completed by Det. Sgt. Samuel Truex of the Vermont State Police inside a cruiser parked outside the Rutland State Police Barracks. During the interview I learned the following:

[REDACTED] advised he works for [REDACTED] in Pittsford. He said he drove his work truck into the Goodwill parking lot today to use the ATM at the Heritage Family Credit Union. The parking lot is located on North Main Street in Rutland City.

[REDACTED] advised all of the sudden his truck got rocked. He said he looked back and realized another vehicle hit him. [REDACTED] said he stopped and got out his truck. He said the male operator of the other vehicle got out of his car and



tried to quickly fix his bumper and got back into his car. [REDACTED] advised he told the male they need to exchange some information. He said the male backed the car around him like he was trying to get away.

[REDACTED] said he ran up to the car and the male said, "oh ya ya ya, so you need my insurance or something". [REDACTED] responded "yes, I need your insurance". [REDACTED] said the male looked shaky. He said the male reached over to his glovebox, pulled out papers and was shaking. [REDACTED] thought the male was going to run, so he pulled his cell phone out and started taking pictures of the vehicle. [REDACTED] said sure enough the male left the parking lot "hot" squealing his tires as he turned north on US RT 7. He said the male was gone. [REDACTED] said he called E911 and reported the accident. He was told to stay there, and a police officer would respond. He said Rutland City Police Officer Rose responded and he reported what occurred. [REDACTED] advised the vehicle struck his right rear tire, bumper and quarter panel of his truck. He said the vehicle hit him hard enough that his truck went up into the air. [REDACTED] advised the male operator had a red bushy beard and was alone in the vehicle. [REDACTED] said there was a witness at Goodwill who stayed and spoke to Officer Rose.

[REDACTED] advised that later in the day he and his friend, [REDACTED] were driving to Manchester to play golf. While on US RT 7 in Wallingford, [REDACTED] said he saw a police truck with lights activated on the north side of the VT RT 140 intersection. He thought to himself, what if this was the guy that hit him earlier. He said it wasn't. [REDACTED] advised that less than one minute later, as they were leaving Wallingford on the south end of the village, he observed the vehicle that hit his truck traveling north on US RT 7 at the bridge. [REDACTED] said as the vehicle past them, he saw the Florida license plate on the vehicle and knew it was definitely the vehicle that hit him.

[REDACTED] said they turned around and traveled north into Wallingford Village where the police officer in the truck had a vehicle stopped. He said [REDACTED] yelled to the officer and said his buddy was in a hit and run and that was the vehicle that just went by. [REDACTED] told the officer the vehicle was a black Chevrolet Cobalt with a Florida license plate and asked him to go get the vehicle. [REDACTED] advised the officer agreed and told them to go ahead, he would pass them.

[REDACTED] advised they traveled north on US RT 7 and the officer caught up to the Chevy Cobalt. The officer pulled the Cobalt over on the two lane portion of US RT 7. [REDACTED] said he pulled his vehicle over in front of the Cobalt. He said as soon as they did that, the Cobalt took off again and the black police truck followed it. [REDACTED] said at that point there was nothing more he could do, so he and [REDACTED] went golfing in Manchester.

At the conclusion of the interview, [REDACTED] signed a Sworn Recorded Audio Statement Form indicating everything he told me was true and accurate to the best of his ability.

After turning my recorder off, [REDACTED] said he took 4 pictures of the black Chevy Cobalt with the Florida license plate using his cell phone, as the vehicle left the accident scene. He asked if I wanted those pictures and I said yes. [REDACTED] sent the 4 pictures to my phone and told me he took the photos at 1311 hours today. He said he gave those photos to Officer Rose too. On 08/30/21 I saved the 4 photos to the Shared Drive so Det. Sgt. Richardson could add them to his case file.

09/1/2021  
SPT

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
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28 Vooris, J	20:50:04 09/08/21	
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PI: [REDACTED] and [REDACTED] by Det. Sgt.

James Vooris

Case#: 21B403506

Officer: Vooris

Person(s) Interviewed/of Interest:

[REDACTED] DOB [REDACTED]

Rocky Hill CT

[REDACTED]

Wethersfield CT

[REDACTED]

Wethersfield CT

[REDACTED] DOB [REDACTED]

Rocky Hill CT

Evidence/Exhibits:

1. 1 audio recorded interview with [REDACTED] and [REDACTED]

Narrative:

Sean Coffey DOB 4-27-1980

1. On August 26, 2021 I spoke with [REDACTED] DOB [REDACTED] on the phone. I learned that [REDACTED] was currently in Vermont at his parent's residence but resides full time in CT with his family. [REDACTED] advised that he was at McDonalds in Rutland City Vermont the previous day with [REDACTED], [REDACTED], and their three children, [REDACTED] (2 years old), [REDACTED] (7 years old), and their oldest son, [REDACTED]. [REDACTED] advised their friends [REDACTED] and [REDACTED] as well as their two daughters, [REDACTED] and [REDACTED] were also

present.

2. [REDACTED] stated that they had ordered their food and were sitting waiting for it to be made. [REDACTED] advised they were all seated together at 4 small tables close to the counter.

3. [REDACTED] advised he observed a male run quickly into the store. The male ran behind [REDACTED] and did not see exactly where he went but thought that [REDACTED] did. Within a few seconds of the male running in, [REDACTED] observed a police officer running in and toward the direction the male went.

4. [REDACTED] advised around this time McDonalds employees told them to go to the back near the play area in McDonalds. He advised he didn't hear much noise but within seconds he did hear "a couple pops" later advised it was obvious it was gun shots.

5. [REDACTED] advised he and his family ran out the back of McDonalds at which time they observed the crash. They continued to run toward the cars and directly across the street and remained in the parking lot. [REDACTED] advised after a short period of time, maybe two minutes, things seemed like they could return to their vehicles which they did.

6. I asked [REDACTED] if he could observe the police officer or the male that ran into the McDonalds and he advised he thought he may have observed a police officer bending down near bathrooms but couldn't see much. He advised he could only see the police officer's back. [REDACTED] advised he did not hear the male or the police officer say anything.

7. While speaking with [REDACTED] I learned that he was currently with [REDACTED] and their friends [REDACTED] and [REDACTED]. I spoke with each on their phone to document their observations.

8. Nothing further from [REDACTED]

Derek Bylina 3/11/1982

1. In speaking with [REDACTED], he advised that he was at McDonalds sitting and had begun to eat. He advised a male entered behind him and described him as moving at a fast jog toward the bathroom. [REDACTED] advised that the male looked back like someone may be following him. [REDACTED] advised he started to get up and an employee directed everyone to the play area of the restaurant.

2. [REDACTED] advised that once inside the entrance to the play area he heard "a couple of pops" and then they all "hit the door running." [REDACTED] was unable to see the male or the police officer at the time of the "pops" and advised they must have been in the hallway.

3. [REDACTED] was unable to hear the police or the male say anything and advised once everything started, it was a fast situation. [REDACTED] stated that they had the kids, so they just tried to leave.

4. [REDACTED] advised they all left through an emergency door in the play area and went to the opposite side of the crashed car.

5. Nothing further from [REDACTED].

[REDACTED] [REDACTED]

1. In speaking with [REDACTED] I learned that when she arrived at McDonalds she went and used the bathroom before ordering food. [REDACTED] advised a few minutes later while sitting down to eat, a male came in. [REDACTED] advised her

back was turned toward the door he came in.

2. [REDACTED] watched male go around corner toward the bathroom. She explained that it looked suspicious the way he came in, and they were going to get up and leave. [REDACTED] advised the police officer came in almost right behind the male.

3. [REDACTED] stated she went into area where the playscape is and while in that room heard gunshots. They all exited through the play scape area.

4. [REDACTED] advised she could not see the police officer or male at the time and did not hear anything except for the gunshots. She explained it was very

quiet in the play scape room and wondered if it may be sound proofed.

5. [REDACTED] explained that after leaving the building they passed by the accident that had occurred. [REDACTED] advised they all walked to the Town Fair Tire parking lot. [REDACTED] advised that [REDACTED] and [REDACTED] returned to McDonalds to pick up the vehicle and returned to pick up the rest of their families at Town Fair.

6. Nothing further from [REDACTED]

[REDACTED] DOB [REDACTED]

1. While speaking with [REDACTED] I learned that her family had just placed an order and sat down at a table. She explained that she used the bathroom and returned to the table. [REDACTED] estimated 5 minutes later a young male entered the store running from her left side. She explained the male was jogging toward bathroom area and she observed a police officer behind him. [REDACTED] explained that she and her family then went to the play scape area of the restaurant.

2. Once in the play scape area with the kids. [REDACTED] heard 3 "pop noises" and sat with the kids then maybe heard one or two more, as they left the emergency door. She explained that after leaving the restaurant they were in the drive through area before they walked across the road past the UPS truck/driver. [REDACTED] explained they were waited near Goodyear Tire before leaving.

3. [REDACTED] advised she was unable to hear any conversation or commands between the police officer and male. [REDACTED] advised it was very quiet until they heard the pops and advised she could not see the male or the police officer when they heard the pops.

4. Nothing further from [REDACTED]

5. For additional statements made and actual dialog please refer to the audio recording.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
29 LaBombard, F	13:53:37 09/09/21	Investigative actions taken by Det. Sgt. Francis LaBombard on August 25-26, 2021

Case#: 21B403506

Officer: Det. Sgt. Francis LaBombard

Person(s) Interviewed:

[REDACTED] DOB: [REDACTED]  
[REDACTED]  
Rutland VT  
[REDACTED]

[REDACTED] DOB: [REDACTED]  
[REDACTED]  
Rutland VT  
[REDACTED]

Kevin Geno DOB: [REDACTED]  
[REDACTED]  
Rutland City VT  
[REDACTED]

[REDACTED] DOB: [REDACTED]  
[REDACTED]  
Rutland VT  
[REDACTED]

[REDACTED] DOB: [REDACTED]  
[REDACTED]  
Rutland City VT  
[REDACTED]

[REDACTED] DOB: [REDACTED]  
[REDACTED],  
North Clarendon, Vermont  
[REDACTED]

[REDACTED] DOB: [REDACTED]

[REDACTED].  
West Haven CT  
[REDACTED].

List of Exhibits:

- 1- Audio recording of interview ([REDACTED])
- 1-Sworn audio statement form ([REDACTED])
- 1-Audio recording of interview ([REDACTED])
- 1-Sworn audio statement form ([REDACTED])
- 1-Audio recording of interview ([REDACTED])
- 1-Sworn audio statement form ([REDACTED])
- 1-Audio recording of interview ([REDACTED])
- 1-Sworn audio statement form ([REDACTED])

Narrative:

On August 25, 2021 at approximately 15:12 hours, Det. Lt. John-Paul Schmidt contacted me and advised me to respond to the Rutland City Police Department to assist with an Officer Involved Shooting incident.

When I arrived at Rutland City Police Department, I attended a briefing held in the conference room at the police department. Det. Lt. Schmidt provided information during the briefing of the OIS incident and then assigned detectives with various tasks.

On 8-25-21 Det. Sgt. James Vooris and I conducted interviewed Lt. Kevin Geno DOB: [REDACTED] at the PD. The interview was digitally audio recorded. At the end of the interview Lt. Geno signed a sworn audio recorded statement form. Please see the interview report of Lt. Geno for further details of that interview.

On 8-25-21 I conducted interviewed with [REDACTED] DOB: [REDACTED] at the PD. The interview was digitally audio recorded. At the end of the interview [REDACTED] signed a sworn audio recorded statement form. Please see the interview report of [REDACTED] for further details of that interview.

On 8-25-21 I conducted interviewed with [REDACTED] DOB: [REDACTED] at the PD. The interview was digitally audio recorded. At the end of the interview [REDACTED] signed a sworn audio recorded statement form. Please see the interview report of [REDACTED] for further details of that interview.

On 8-25-21 Det. Sgt. Sam Truex and I went to the Rutland State Police Barracks Impound lot to conduct a cursory search of the vehicle's trunk that the male subject was operating prior to the incident. The vehicle was being held at the barracks impound. The trunk area of the vehicle was checked to make sure there was no one locked in the truck. The vehicle keys were still in the ignition, however they would not come out. The power supply was also cut, and I was not able to access the button to open the trunk. Det. Sgt. Truex and I used our flashlights to see through the back seat, which was folded down into the trunk area. It was clear that there was no one in the trunk of the vehicle. Nothing further was searched at that time.

On 8-25-21 I was assigned by Lt. Todd Baxter to respond to the scene in order to obtain the subject's cellular phone from CSST Det. Sgt. Aimee Nolan. I responded to the scene and took custody of the cell phone. When I returned to Rutland PD, I transferred the cell phone to Det. Sgt. Jeffrey Stephenson.

8-26-21 I emailed Lt. Jonathan Bixby that I was assigned to gather any cruiser/body camera media related to the incident that may have been recorded by Kevin Geno, James Bennick, Avery Snyder and Brendan Reilly. I also requested any

radio traffic recorded by RCSD Dispatch to include radio logs and also officer reports related to the incident. I was later advised by Det. Seth. Richardson that the items requested were provided to him.

On 8-26-21 I conducted interviewed with [REDACTED] DOB: [REDACTED] via telephone. The interview was digitally audio recorded. At the end of the interview [REDACTED] signed a sworn audio recorded statement form. Please see the interview report of [REDACTED] for further details of that interview.

On 8-26-21 I contacted [REDACTED] DOB: [REDACTED] via telephone. The purpose of the call to [REDACTED] was to verify the time on her surveillance camera was accurate and was consistent with actual times of [REDACTED] stated the camera time on her

video is accurate and I confirmed the time indicated matched my Smartphone. [REDACTED] also had [REDACTED], [REDACTED] double check the time and he confirmed it was correct.

On 8-27-21 I conducted an interview with [REDACTED] DOB: [REDACTED] via telephone. The interview was digitally audio recorded. At the end of the interview [REDACTED] signed a sworn audio recorded statement form. Please see the interview report of [REDACTED] for further details of that interview.

On 8-27-21 I spoke briefly with [REDACTED] via telephone. [REDACTED] stated that [REDACTED] is [REDACTED] and wanted an update on the investigation. I advised [REDACTED] that I would provide her information to our victims advocate in order to have any questions she had addressed. I relayed [REDACTED] information to [REDACTED] in order for her to contact [REDACTED]

On 8-27-21 I contacted Westminster's PSAP Supervisor, [REDACTED], to request a copy of any recorded audio made from Rutland City Dispatch to VSP PSAP and also a copy of the BOL that was issued on August 25, 2021 for an LSA incident. The call Rutland Dispatch received for the LSA came in around 1300 hours and was relayed to Westminster PSAP around 13:11 hours. A copy of the call and BOL was provided to me and I forwarded the information to Det. Sgt. Seth Richardson.

Nothing Further  
Det. Sgt. F. LaBombard

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
30 LaBombard, F	14:06:07 09/09/21	
PI [REDACTED]		by Detective Sergeant Francis LaBombard

Case#: 21B403506

[REDACTED] DOB: [REDACTED]  
Rutland VT  
[REDACTED]

Date and Time of Interview: August 27, 2021 at approximately 11:17 hours.

List of Exhibits:

- 1- Audio recording of interview ([REDACTED])
- 1-Sworn audio statement form ([REDACTED])

Narrative:

On the above date and time, I spoke on the telephone with [REDACTED] DOB: [REDACTED] regarding the officer involved shooting that occurred in Rutland City. The following is a synopsis of the interview, for further detail refer to the audio recording.

[REDACTED] stated that he observed the male subject who was involved in the incident frequenting a house every day for the last two weeks. He stated the house is a peach-colored house on [REDACTED] where a lot of traffic occurs for drugs. He did not have any information related to the OIS case. He stated the house on [REDACTED] is on ongoing issue with traffic in and out all day long. He described the car he thought was involved in the OIS there numerous times, however he thought the vehicle was a 4-door Kia, dark grey or silver. He did not recognize the license plate on the vehicle and thought it was MA or CT, because it was white with blue letters. He did not see who the operator was or any passengers in the vehicle.

Nothing further.

Det. Sgt. Francis LaBombard



Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
31 LaBombard, F	14:31:38 09/09/21	
PI [REDACTED]		by Detective Sergeant Francis LaBombard

Case#: 21B403506

[REDACTED] DOB: [REDACTED]  
[REDACTED]  
Rutland VT  
[REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 18:27 hours.

List of Exhibits:

- 1- Audio recording of interview
- 1-Sworn audio statement form

Narrative:

On the above date and time, I interviewed [REDACTED] DOB: [REDACTED] at the Rutland Police Department regarding the officer involved shooting that occurred in Rutland City. The following is a synopsis of the interview, for further detail refer to the audio recording.

[REDACTED] stated she was working at McDonalds restaurant on the day of the incident. While at work she observed a male subject run into the restaurant and then heard gunshots. She did not know the exact time when this occurred, she thought it occurred later in the afternoon. At the time this occurred, [REDACTED] stated she was working out back in the kitchen on the "line." From her location she could see the front area where everyone is seated. [REDACTED] observed a male subject run into the restaurant from the door on the right side of the building, which is on the drive through side. She stated the male was tall, looked black and was wearing baggy clothing. She could not see his hands because it looked like he was wearing a baggy sweater. [REDACTED] stated the male subject ran in and went directly into the bathroom. A few seconds after the guy ran in [REDACTED] observed a few police officers run in. She stated when they came in, she heard three gunshots go off. She then heard the officers talking/yelling to each other, but she couldn't understand them because they were taking in codes. I asked if any police officer announced police, stop, don't move or freeze and she said no. [REDACTED] stated right after the policeman came in the first shot was fired then three to five seconds after she heard another two shots. She did not see or hear anything after that

because she was directed to the back of the kitchen until they were safely escorted out of the restaurant. [REDACTED] did not know or recognize the male subject or the officers that came in the restaurant. At the end of the interview [REDACTED] signed a sworn audio recorded statement form.

Nothing further.

Det. Sgt. Francis LaBombard

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
32 LaBombard, F	15:12:06 09/09/21	
PI [REDACTED]		by Detective Sergeant Francis LaBombard

Case#: 21B403506

[REDACTED] DOB: [REDACTED]  
Rutland VT  
[REDACTED]

Date and Time of Interview: August 26, 2021 at approximately 14:06 hours.

List of Exhibits:

- 1- Audio recording of interview
- 1-Sworn audio statement form

Narrative:

On the above date and time, I interviewed [REDACTED] DOB: [REDACTED] via telephone regarding the officer involved shooting that occurred in Rutland City. The following is a synopsis of the interview, for further detail refer to the audio recording.

[REDACTED] stated he was at the T-intersection of Muzzy St. and Allen St. making a left turn when he observed a small vehicle traveling down the middle of the road at a high rate of speed. As the vehicle went by him it was being followed by a Rutland City Police vehicle. The Rutland PD car had blue lights on, but he did not know if the siren was on. When [REDACTED] turned left, he observed three other Rutland Sheriff vehicles behind him with no lights on. As he approached McDonalds, he observed the vehicle had wrecked into the back of a UPS truck. He observed several police vehicles pulling up and then a lot of officers running into McDonalds. [REDACTED] stated he assisted the UPS driver to see if he needed any help. While [REDACTED] was with at the scene, he observed an officer come out of [REDACTED]. He stated he observed the officer talking to the EMTs and then the officer was pointing to where the man was shot on his body. He stated EMTs then went inside McDonalds. At that point, [REDACTED] left the area.

[REDACTED] stated he did not see the male subject exit the vehicle. By the time [REDACTED] pulled up to the scene the male subject was already inside McDonalds. [REDACTED] did not hear anything going on inside McDonalds or the gunshots.

██████████ stated he heard an officer talking to EMTs say "two gunshot wounds he was shot here and here" and the officer was pointing on his body to two points on his upper body. ██████████ stated the officer that said this was heavily armed and had a long gun.

Nothing further.

Det. Sgt. Francis LaBombard

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
33 Johnson, Jason	15:40:43 09/09/21	
PI: Ted Washburn on 08/25/2021 at 1805 hours by Det. Sgt. Jason Johnson		

Det. Sgt. Jason Johnson

Case # 21B403506

Ted Washburn

██████████  
Center Rutland, VT 05763

List of Exhibits:

- A. (1) Digital audio recording of interview of Ted Washburn Interview
- B. (1) Sworn Audio Recorded Statement form signed by Ted Washburn
- C. (1) Digital recording from Rutland Town PD body camera (Washburn)

1. On Wednesday August 25, 2021 I was notified of an officer involved shooting at the McDonald's restaurant on South Main Street in Rutland, Vermont. I learned that the shooting involved a Rutland City Police officer and occurred following a motor vehicle pursuit and crash involving the suspect vehicle.

2. At approximately 1805 hours I interviewed the Deputy Chief of Police for Rutland Town Police Department. This interview was conducted at the Rutland Town Police Department in Center Rutland, Vermont. [Prior to the interview, Deputy Chief Washburn provided me with a written report and DVD from his body camera. I later turned these items over to Det. Sgt. Seth Richardson.]

3. This interview was to obtain information from Washburn about his involvement in the officer involved shooting incident inside McDonald's on South Main Street in Rutland.

4. The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the audio recording. During the interview I learned the following: Washburn stated that he was on duty for the Rutland Town Police Department and began his shift at approximately 0700 hours on this date and was assigned to the dayshift in the town of Rutland. Washburn stated that he was at his office and believed it was around 1400 hours when he heard Lt. Kevin Geno [Rutland County Sheriff's Department] advise via radio that

there was something involving an LSA [leaving the scene of an accident] vehicle headed northbound out of Wallingford on Route 7. [Washburn had no knowledge of an LSA in Wallingford but later heard from another Rutland Town Officer that Rutland City PD had an LSA that morning involving a black vehicle, but Washburn did not know if it involved the same vehicle being pursued by Lt. Geno.] Washburn said he heard Lt. Geno advise that he was pursuing a black vehicle northbound on Route 7 out of Wallingford. Washburn said he continued to monitor the radio from his office and a short time later he heard Lt. Geno had lost sight of the vehicle and county dispatch advised him to discontinue. Washburn said he then heard Lt. Geno advise that the vehicle had turned up North Shrewsbury Road in Clarendon off Route 7 and other county units were out looking for the vehicle. Washburn said he then heard Lt. Bennick [Rutland County Sheriff's Department] say that he was out with the vehicle at the top of North Shrewsbury Road and heard county dispatch request units in the area respond to Lt. Bennick's location. Washburn said he heard Lt. Bennick say the male was back in the vehicle and had taken off. Washburn said county units started chasing the vehicle and Washburn initially thought they were headed south but heard Deputy Reilly advise that the vehicle had almost hit him head-on as it traveled northbound on Cold River Road toward the town at speeds of 85mph. Washburn heard Deputy Reilly transmit over the radio that the vehicle was going by Hubbard's and the suspect vehicle was in the lane for oncoming traffic.

5. Washburn said at this point he left his office and responded to the area. Washburn said he responded normally and initially did not respond code [no emergency lights or siren] when responding. Washburn said he heard Reilly advise that the vehicle was approaching the city on Stratton Road and that the vehicle had forced at least one other vehicle off the road and was still in the oncoming lane of traffic. Washburn said moments later he heard Deputy Reilly advise that the vehicle had passed the Perkins Road intersection on Stratton Road and the vehicle had forced three vehicles off the road. Washburn heard Lt. Bennick tell other units to back it down and stop because the operator of the vehicle was going to kill someone if they didn't stop. Washburn said he heard units acknowledge to discontinue but heard who he thought was Deputy Reilly advise that he was discontinuing but was keeping a safe distance to watch him because the vehicle was still driving erratically. Washburn said he continued responding and heard Deputy Reilly advise that the vehicle had crashed on Allen Street. At this point Washburn said he began responding code 2 [lights and siren] but not at a fast speed.

6. Washburn said as he was turning off Strongs Avenue onto South Main Street he heard Lt. Bennick advise via radio that there had been shots fired. Washburn said he was on scene less than thirty seconds later. Washburn said he activated his body camera and grabbed his patrol rifle because he didn't know if there was still an active shooter. Washburn said he saw Sgt. Dickerson and Det. Ashe [Rutland City Police] standing on Allen Street outside of their cruisers. Washburn said he spoke with Det. Ashe about the status of the suspect and learned the subject was down. Washburn said he and Sgt. Dickerson entered the McDonald's via the north entrance. Washburn said they could see Deputy Schneider, Deputy Reilly, and Lt. Bennick in the corner of the restaurant back near the bathrooms. Washburn observed a male face down on the ground with blood around his head on the floor and it was pooling on the floor around him. Washburn said he saw Corporal Chris Rose [Rutland City Police] standing over the suspect and believed he was handcuffing him.

7. Washburn said he still didn't know exactly what had happened. Washburn said he and Deputy Reilly checked Corporal Rose for injuries. After that, Washburn said Sgt. Dickerson asked Corporal Rose what had happened. Washburn provided his recollection of Rose's statements to Sgt. Dickerson.

8. Washburn said Deputy Schneider was, "plugging a hole" in the suspect.

While administering first aid they located two bullet wounds in the chest area of the suspect. They packed both wounds and chest sealed them both. Washburn said it was at this point he notified VSP dispatch that he was on scene. Washburn said he then went and washed his hands because he was not wearing gloves and had the suspects blood on his hands. Washburn said he left the restaurant, walked back to his vehicle where he secured his rifle and washed his hands. Washburn said it was at that point he turned off his body camera. Washburn said he did go back inside and helped secure the scene. He notified his boss of the situation and eventually returned to his office where Chief Ed Dumas instructed him to write a report and download his body camera.

9. Deputy Chief Washburn signed a sworn audio recorded statement form

swearing and affirming that the information he provided during his verbal statement was true and accurate to the best of his knowledge, belief, and ability. The interview was concluded at approximately 1824 hours.

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Detective Sgt. Jason Johnson  
Vermont State Police  
Vermont Drug Task Force

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
34 Dambrackas, J	11:42:59 09/10/21	
PI: REILLY, BRENDAN by (Det. Tpr. Jesse Dambrackas) on (8/25/2021)		

Case#: 21B403506

Officer: Dambrackas

Person Interviewed: REILLY, BRENDAN  
DOB: [REDACTED]  
Address: [REDACTED], Rutland, VT 05701  
Tel. #: [REDACTED]

List of Exhibits:

1. One Digital file of interview w/ (REILLY, BRENDAN) on 8/25/2021
2. One written statement taken from (REILLY, BRENDAN) on 8/25/2021

Narrative:

1. For the full statement from REILLY, please refer to the digital file included of her verbal statement. The following is a brief synopsis only.
2. On 8/25/2021 I was assigned to assist with witness interviews regarding an officer involved shooting that had occurred on this date in the McDonald's restaurant located at 182 S Main Street in Rutland, VT. I spoke with Rutland County Sheriff's Deputy Brendan REILLY DOB: [REDACTED], who was an officer involved with the incident.
3. REILLY advised that on this date he was assigned to routine patrol in the West Rutland / Proctor town areas. REILLY advised that it was his understanding that Lt. Geno was patrolling Wallingford and had been flagged down by a civilian and advised that a vehicle in the area was one that had been involved in a LSA (leaving the scene of an accident) complaint from earlier in the day. Lt. Geno initiated a motor vehicle stop on the vehicle. Shortly thereafter, Lt. Geno advised via radio he was in a 10/80 (motor vehicle pursuit) northbound on Route 7 from Wallingford. REILLY advised he began heading towards their location.
4. REILLY advised that the vehicle had taken North Shrewsbury Road in

Clarendon from Route 7, and Lt. Geno had lost sight of the vehicle and discontinued the pursuit. REILLY advised several Sherriff's Deputies were in the general area looking for the vehicle. REILLY advised that Lt. Bennick located the vehicle near the intersection of Cold River Road and North Shrewsbury Road changing a flat tire, and that the vehicle had again fled when he approached it and was out of his sight northbound on Cold River Road.

5. REILLY advised that Deputy Snyder located the vehicle and began pursuing it northbound on Cold River Road. REILLY advised he was southbound on Cold River Road, and the car appeared to veer into his lane of travel as he approached it. REILLY advised he was unsure if this was intentional or not. REILLY advised that as he passed the vehicle, he noted what he believed to be a lone white male operator. REILLY advised he went by the car and Deputy Snyder and turned around, so he was the second cruiser in pursuit. REILLY advised he took over radio transmissions at this time.

6. REILLY advised that he could not remember exact speeds, but they were high and should be noted in his radio logs. REILLY advised that the vehicle almost caused multiple crashes with uninvolved vehicles. REILLY advised that Lt. Bennick caught up and was behind him and advised to discontinue the pursuit as they approached Rutland Regional Medical Center hospital. REILLY advised he turned off his lights and sirens and reduced his speed.

7. REILLY advised that shortly thereafter he heard a radio transmission from Cpl. Chris Rose of Rutland City Police Department advising he just saw the vehicle from the pursuit 10/50 (crash) on Allen Street near South Main Street in Rutland City.

8. REILLY advised he drove to the area, got out of his cruiser, and was approaching the vehicle with his service weapon drawn. REILLY advised he could not see Cpl. Rose or the driver of the vehicle in the pursuit. REILLY advised that as he was approaching a civilian passerby yelled to him that they had run into the McDonald's restaurant adjacent to the crash scene.

9. REILLY advised that he and Deputy Snyder went into the McDonald's through the north side of the building's western door, and that Lt. Bennick was somewhere behind them. REILLY advised that the manager of the McDonald's appeared to be evacuating patrons and yelled to him that they were at the bathrooms. REILLY advised he could smell spent rounds of ammunition at this point and told Lt. Bennick shots had been fired.

10. REILLY advised that he saw a male on the ground on the southern side of the hallway near the bathrooms, and Cpl. Rose standing towards the man's feet. REILLY advised he believed he saw the man moving slightly, so he provided lethal cover while Cpl. Rose and Deputy Snyder put handcuffs on the male. REILLY advised that while they were doing so, he could see blood starting to pool from under the male's body. REILLY went to his cruiser to get a trauma medical kit and instructed Deputy Snyder to remove the male's shirt as he began preparing two chest seals to be applied. REILLY advised he also inquired on the status of Regional EMT response at this time. REILLY advised that Regional Ambulance arrived and took over the medical aspect of the scene and pronounced the male deceased shortly after.

11. REILLY advised that he believed his cruiser Watchguard, and body camera were active through the pursuit and response into McDonald's.

12. \*To note, I do not believe REILLY had reviewed any body cam / Watchguard footage prior to this statement.

END OF STATEMENT.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives
35 Dambrackas, J	11:43:57 09/10/21	Narrative

PI: [REDACTED] by (Det. Tpr. Jesse Dambrackas) on (8/25/2021)

Case#: 21B403506

Officer: Dambrackas

Person Interviewed:

[REDACTED]  
DOB: [REDACTED]  
Address: [REDACTED] Florence, VT 05744  
Tel. #: [REDACTED]

List of Exhibits:

1. One Digital file of interview w/ ([REDACTED]) on 8/25/2021
2. One written statement taken from ([REDACTED]) on 8/25/2021

Narrative:

1. For the full statement from [REDACTED] please refer to the digital file included of her verbal statement. The following is a brief synopsis only.

2. On 8/25/2021 I was assigned to assist with witness interviews regarding an officer involved shooting that had occurred on this date in the McDonald's restaurant located at 182 S Main Street in Rutland, VT. I spoke with [REDACTED] DOB: [REDACTED], who is an employee of McDonald's.

3. [REDACTED] advised me that she was just finishing her work shift at the time of the incident. [REDACTED] advised she was in an employee break room and heard what she thought was a loud car crash. [REDACTED] advised she looked out of the window and saw a black car that had rear ended a UPS vehicle. [REDACTED] advised she saw the black car attempt to keep driving forward but she advised it looked like it could not anymore as the front end fell off the vehicle. [REDACTED] advised she saw a male get out of the car and run towards the McDonald's.

4. [REDACTED] advised at this time she went towards the front counter of the store to try to alert her supervisor about what she had seen. [REDACTED] advised that while doing so, she witnessed the male from the crash run through the lobby of



the restaurant towards the bathrooms, and a police officer running behind him.

5. [REDACTED] advised that shortly after she heard 3 gun shots. [REDACTED] advised at this time she and several other employees ran to the back room as per their company emergency plan. [REDACTED] advised she did not remember seeing the police officer or the male from the crash with a weapon out, and she only saw one police officer chasing the male.

END OF STATEMENT.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
36 Dambrackas, J	11:46:44 09/10/21	
Investigative Actions Det. Tpr. Jesse Dambrackas		

Case#: 21B403506 OIS

Officer: Dambrackas

8/25/2021

Investigative actions for incident 21B403506, Officer Involved Shooting, involving Rutland City Police Department / Rutland County Sheriffs Department at 182 S. Main Street, Rutland City, VT.

1. Took statement interview from Deputy Brendan Reilly, audio recorded, and written report summary completed.
2. Took statement interview from McDonald's employee [REDACTED], audio recorded, and written report summary completed.
3. Spoke with New Haven CT Police Department Assistant Chief Karl Jacobsen - (203) 726-2894, who put me in touch with New Haven CT PD Detective Ryan Macuirzynski. Macuirzynski provided the following information about [REDACTED]
  - a. On 8/4/2021 [REDACTED] was arrested in CT, could not see what for at this time, possibly a domestic violence type incident in a [REDACTED] but cannot confirm.
  - b. [REDACTED], New Haven CT 05611 address from criminal history is a homeless shelter. [REDACTED] is a halfway house.
  - c. Appears to have an active arrest warrant, something to do with his status as a sex offender, could not see why.
  - d. Appears [REDACTED] was generally a transient and stayed at several homeless shelters in their area.
  - e. [REDACTED] has an active firearm registration on a HNK 12-gauge shotgun from 1/3/2010, still showing as current, Detective Macuirzynski advised that was

odd due to [REDACTED] sex offender status.

f. Emailed me [REDACTED] sex offender registry information, (forwarded to Detective Sgt. Richardson). Emailed me link to news article about [REDACTED] original sex offender conviction, (forwarded to Detective Sgt. Richardson).

g. Found [REDACTED] probation officer to be [REDACTED] [REDACTED].

h. Found some next of kin contacts for [REDACTED] [REDACTED]  
[REDACTED], [REDACTED] (unk name) ([REDACTED]).

i. Did more searching and advised he believed the arrest warrant was for violation of probation due to probation officer Belin finding [REDACTED] on [REDACTED] cell phone.

j. Put me into contact with Detective Leonardo Soto of New Haven CT PD, Special Victims Unit / Sex Offender Registry Unit / TFO Homeland Security Investigations.

4. Spoke with Detective Soto who advised the following:

a. Det. Soto had an open Federal Human Trafficking case on [REDACTED]

b. Det. Soto advised that Probation Officer Belin had alerted them to the child porn on [REDACTED] phone and seized it. They dumped [REDACTED] phone and found [REDACTED]  
[REDACTED]

c. Det. Soto advised he would like to follow up with VSP in regard to [REDACTED] current phone, to track if there are more victims that he needs to follow up with / if he was in VT for reasons of meeting with underage girls. Forwarded Det. Soto's emails / contact info to Det. Sgt. Richardson and Lt. Studin. Det. Soto advised he could be reached at cell [REDACTED].

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
37 Vooris, J	15:39:02 09/10/21	

PI: Christopher Rose by Det. Sgt. James Vooris and Det. Sgt. Tyson Kinney  
Case#: 21B403506  
Officer: Vooris

Person(s) Interviewed/of Interest:

Christopher Rose DOB [REDACTED]  
Rutland City Police Department  
108 whale street  
Rutland City VT  
[REDACTED]

Evidence/Exhibits:

1. 1 signed sworn audio recorded statement form
2. 1 Audio/Video recording
3. 3 audio recording files
4. 1 drawing of the McDonalds Bathroom by Rose
5. 1 drawing of the exterior of McDonalds by Rose

Narrative:

1. On September 8, 2021 Detective Sergeant Tyson Kinney and I interviewed Rutland City Police Officer Christopher Rose at the Vermont State Police Rutland Barracks. Rose's attorney, Sue Edwards was also present. The interview was audio and video recorded by the barracks recording system. A secondary audio recorder was also activated however approximately 26 minutes and 3 seconds into the interview, the secondary audio recording device failed and for a period of about 26 minutes only the barracks audio/video system captured the interview. After about 26 minutes it was discovered the secondary audio recorder failed and a replacement was provided.

2. The entire interview with Rose is captured on the barracks audio/video system however it was discovered after reviewing the audio/video recording there are pieces of the conversation that are difficult to hear. The portions of the interview captured with the secondary audio device were sent to Speakwrite Transcription Service and transcribed. The original Speakwrite Transcription Service transcriptions (3) are provided with this report and have been edited

for accuracy and incorporated into the complete transcription below.

3. I reviewed and transcribed the approximate 26-minute section of the interview which was only captured on the barracks audio/video system. \*\*\*\* denotes an area of the recording that is inaudible.

4. Please refer to the audio and audio/video recordings.

Transcript:

Det. Sgt. James Vooris: All righty. So, uh, my name is James Vooris. I'm a detective with the state police. This is Tyson Kinney. He's a detective with the state police as well. Um, probably fair to say we all have a pretty good understanding of what we're here to talk about. Um, I just wanna go over a few things before we get started, um, go through some basic contact info, that kinda thing. So, it's Christopher Rose?

Officer Christopher Rose: Yes.

Det. Sgt. James Vooris: Is that common spelling for Christopher?

Officer Christopher Rose: C-H-R-I-S-T-O-P-H-E-R.

Det. Sgt. James Vooris: And your date of birth?

Officer Christopher Rose: [REDACTED].

Det. Sgt. James Vooris: All right. Um, you know, and so, just so it's crystal clear. Um, obviously, we're here to talk and collect information, um, about the shooting incident that took place at the McDonald's in Rutland City on August 25th, uh, 2021. Um, before I kinda turn it over to you, what I like to do is just kind of, um, explain how these interviews, or how I like to interview. Um, I'm going to turn it over to you at some point and just let you talk and explain in as much detail, um, the events of that day. Um, I may repeat back to you some of the things you tell me. If I get it wrong, just correct me, uh, and that's just, that's just so I make sure that I understand -

Det. Sgt. Tyson Kinney: I don't know where it went.

Det. Sgt. James Vooris: It went under the chair. I think you got it.

Det. Sgt. Tyson Kinney: No, I didn't. there it is.

Attorney Sue Edwards: \*\*\*\* That's a stinger too.

Det. Sgt. Tyson Kinney: its gone now, were good, Sorry about that.

Det. Sgt. James Vooris: No worries. Um, so I was just sayin'. Like if I repeat back to you what you said, it's just so I make sure I understand it, so if I, if I have it wrong, if I repeat it back to you, um, please correct me. Um, if I ask you a question and, and you don't know the answer, totally fine. Just say I don't know, um, and, you know, as we get started here, I just wanted to make sure that you understand you're not in custody. You're here with your attorney. You're free to leave at any point. You don't have to talk to us. If at some point during the conversation, you wanna take a break or you wanna have a conversation with your attorney, totally fine. Just let us know. We can step out. Um, the room is audio and video recorded as well as this, so maybe we'll find a, a place for you guys to go with some privacy.

Attorney Sue Edwards: Yes.

Det. Sgt. James Vooris: I think that's what we did last time as well.

Attorney Sue Edwards: I think that is what we did.

Det. Sgt. James Vooris: Um -

Attorney Sue Edwards: I feel more comfortable -

Det. Sgt. James Vooris: Yeah, absolutely.

Attorney Sue Edwards: - if we do that.

Det. Sgt. James Vooris: Absolutely. Um, obviously, your attorney's here with

you. Um, just want to make sure you've had an opportunity to talk to her prior to coming in or you can have the opportunity now. Um, totally your choice. Um, also want to explain to you that the difference, or just to make sure you understand that this is a criminal investigation, not the, any, any internal investigation that may occur at your department. Does that make sense?

Officer Christopher Rose: Yes.

Det. Sgt. James Vooris: All right. Um, so as we get started here, can you just, uh, explain, um, kinda your current assignment, how long you've been with your current employer, that kind of thing?

Officer Christopher Rose: Okay. So, I'm currently workin' for the Rutland City Police Department as a corporal. I've been with the department since 2016. May of 2016.

Det. Sgt. James Vooris: Okay. Um, do you have any prior law enforcement experience?

Officer Christopher Rose: No, I do not.

Det. Sgt. James Vooris: Okay. All right. Um, so aside from your attorney, your, your, maybe a union rep, like family, have you talked with anyone about what you're here to talk to us about today?

Officer Christopher Rose: No.

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: Not in detail. No.

Det. Sgt. James Vooris: All right. And, have you, um, had an opportunity prior to coming in today to watch any videos?

Officer Christopher Rose: I watched my WatchGuard -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - and, um, just one of the sheriff's, two of the sheriff's -

Det. Sgt. James Vooris: Okay. Um -

Officer Christopher Rose: - camera.

Det. Sgt. James Vooris: - so, your personal, or not personal, but your WatchGuard video -

Officer Christopher Rose: And also, Sergeant John Dickinson's.

Det. Sgt. James Vooris: So, Sergeant, is Dickinson or Dickerson?

Officer Christopher Rose: Dickinson.

Det. Sgt. James Vooris: Dickinson.

Officer Christopher Rose: The first one.

Det. Sgt. James Vooris: Okay. And, is he with -

Officer Christopher Rose: Rutland City.

Det. Sgt. James Vooris: - Rutland City?

Officer Christopher Rose: Yes.

Attorney Sue Edwards: The one video we haven't seen, which I think may be quite crucial, is the McDonald's video, so my expectation today is the, the agreement that we generally have, is that obviously you're going to take a statement, and then we're going to take a break to look at - well, we really only need to look at the McDonald's, I think -

Det. Sgt. James Vooris: Yep.

Attorney Sue Edwards: - unless there's something else I haven't seen. We've seen the sheriff's, and we've seen everything that Rutland PD has. I haven't seen the town, but I don't think that that's goin' to add very much.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: The, the McDonald's private video, I think, may.

Det. Sgt. James Vooris: Yeah, and I think that, that's my understanding -

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: - of the plan as well is -

Attorney Sue Edwards: Yes.

Det. Sgt. James Vooris: - to talk and then, um, we can watch the video, and then we can have another conversation if we need to -

Attorney Sue Edwards: Right.

Det. Sgt. James Vooris: - so perfect.

Attorney Sue Edwards: Yeah, that sounds good. Thank you.

Det. Sgt. James Vooris: Um, so there was a Rutland City Police Department. Do you know which videos from the sheriff's department you've watched?

Officer Christopher Rose: It's, uh, Deputy Riley.

Det. Sgt. James Vooris: Was it just that one?

Officer Christopher Rose: And, um, Sch, Schneider.

Det. Sgt. James Vooris: Okay. And, were those, um, what type of videos were those?

Officer Christopher Rose: I watched a video of the incident, uh, once they

arrived at the, on scene at McDonald's.

Det. Sgt. James Vooris: Do you know were, were they recorded from like the in-cruiser video or -

Officer Christopher Rose: Body camera.

Det. Sgt. James Vooris: Body-worn camera? Okay. Okay. All right. All right. So, um, I appreciate kind of that information. It kinda get us all on the same page, um, so I'm going to ask you to tell us everything that happened related to the shooting incident that took place at 182 South Main Street in Rutland, Vermont, which is the McDonald's on August 25th, 2021 and -

Officer Christopher Rose: Yeah.

Det. Sgt. James Vooris: - turn it over to you.

Officer Christopher Rose: Okay. So, that day, I went in regular patrol shift, 'cause my assigned patrol shift, it was the first day back. Um, I was off the day before. At around 1:15, sometimes after 1, I was assigned a crash in a parking lot -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - at Good Will. The crash involved a vehicle leaving the scene without exchanging insurance information. Dispatch had the information for the vehicle that was involved that had left the scene and the plate, Florida plate, and issued a be on the lookout for the vehicle. I responded to the parking lot and met with the complainant. Uh, the complainant showed me the damage to his truck and advised me that the person of the other vehicle had pulled into the handicapped parking spot and had backed out into his truck. They exchanged words asking for insurance, said something about insurance, and then the person left. He also showed me, in the parking lot, broken taillights and said that that was from the vehicle that had backed into him, showed me a photo, as well, of the vehicle on his phone. I took his information. Before clearing the call, I advised dispatch to update the be on the lookout to the vehicle had broken taillights, and I cleared the call. I went back to regular patrolling, patrolling the city. Uh, sometime at around 2 p.m., uh, dispatch called me on the radio, over the radio, and advised that the sheriff's department was involved in a pursuit with the vehicle that was involved in the crash that I was investigating earlier. I advised dispatch that if the pursuit was only as a result of the vehicle or the operator leavin' the

scene of the crash, that the sheriff's department could let the vehicle go, because obviously, I don't wanna have put the public in unnecessary danger just for insurance. Dispatch advised that they had other violations. I started scanning, um, to listen to the, what, to listen to the pursuit. As I'm scanning, I drove to a vacant parking lot on Allen Street by, next to the train line that's behind McDonald's and was listening to radio transmission. I could hear that the vehicle was actively eluding, um, law enforcement. I could hear that the vehicle was driving into onco, into oncoming traffic, and I heard one of the deputies stated as if, they stated something that the vehicle attempted to collide head on with him at some point. I also heard that the vehicle now was in the vicinity of Stratton Road heading towards the hospital. At this time, I exited the parking lot in my cruiser. There's traffic ahead of me, behind me, and coming, um, westbound on Allen Street. I'm traveling east towards, um, Stratton Road, traveling at the regular patrol speed. I get on the

radio. I reach out to the shift sergeant, who's Sergeant John Dickinson that, that day. I advised him of the pursuit, that it was in city limits and inquire as to what he would like for us to do. A few seconds, minutes goin' by im at the \*\*\*\* still on Stratton Road, and Allen Street. I'm in the vicinity of Moses Street, and I see the vehicle. He's coming towards my cruiser. It's, it's going westbound, and it's, it's traveling at a high rate of speed. The vehicle changes, starts changing lane, coming over into the eastbound lane, which is the lane that I'm going in and almost collides with my cruiser. I pull, I swerve to avoid hit, gettin' into a crash with the vehicle. You can see that the vehicle is still traveling in the - this is all happenin' not, real fast as well. This is like me just lookin' in the mirror, seein' that they're still traveling westbound, going, traveling westbound but in the eastbound lane, and he's running vehicles off the road. They're, they're actively avoiding crashing into him. My light goes on. I make a, a, a safe U-turn, and now I'm traveling westbound on Allen Street. As I'm going, my windows are rolled down. I can see smoke, and I hear as if there's been a crash, so I get a, first and foremost, I get on the radio, and I advise dispatch of what, what I'm observing, what's going on at this point in time, on Allen Street, the vehicle driving into oncoming traffic. I could hear that there was a crash. My siren goes on. I get to the crest of the hill where the train line is, like in that vicinity, and I can see that there is a crash and that the UPS truck and the other vehicle had stopped prior to entering the intersection at South Main Street. I see the driver exit the vehicle. The driver reaches back into the vehicle and grabs something. I can't see what it is that he grab. I don't know if it's a weapon. Um, I can't see what he grabbed, but he reaches back in, grabs something, and he takes off running. My siren is still on. My lights are on. I leave my siren on, so he knows that law enforcement is on scene. I drive down to the car. I stop. I get out. I get into a foot pursuit with him. He's running across the parking lot towards the McDonald's building. I get out. I'm, I'm on the sidewalk. I'm running towards the building as well. He gets close to the door. He looks back. Stop. I yell stop, city police. He goes inside the McDonald's. He uses the Allen Street entrance to go into McDonald's. I follow, I, I follow the same entrance. I go into the same entrance. I get in there. He's making his way across the McDonald's goin' over, to the, this would be to the south side -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - into the restroom section. I follow as well. I see that he goes into the men's bathroom. I get to the men's bathroom door. I push on it. I can feel resistance as if something or someone is blocking the door. The door isn't locked. It's not a door that uses a key or anything to



lock it. Um, so you, you can feel something as if someone is there behind the door. I take my radio out, because I was in the uh, the cruiser. My radio's is, uh, is either all the way down or off, so I take my radio out. I have to turn my radio on, which \*\*\*\*, um, come back on the working transmit to dispatch. The radio is on. I notify dispatch. We're in the, he's in the restroom, men's restroom at McDonald's. My radio goes back in. He's inside, he has gone into this restroom. It's a public restroom. It's open to the general public, no keys required to go inside the restroom. I don't know if there's someone else inside the restroom at this time that's in danger. I don't know what's his location in the restroom. I don't know if he has a weapon. As, as I said, he grabbed back for something, but I, I didn't see exactly what he reached back into his vehicle to grab. I don't know the suspect location. I don't know if he has a weapon. I don't know if it's going to be a hostage situation if someone is in there that's in danger. I have to go into the

restroom to make sure there's no one else inside the restroom. It's a high risk situation to clear a room with lots of unknowns. I pull my service weapon. I to, uh, press on the door. There is no resistance. I push the door open. It opens against the, it opens against the wall, the, opens against the wall. Okay. In my training, I'm not trained to stop in the doorway or stay in the doorway, 'cause obviously that's a target area for, while law enforcement is making entry, so I stepped into the restroom a few feet to make sure there's no one else inside of the restroom who is in danger. When I get into the restroom, I do a quick scan. I can see that there is, the suspect is behind this bathroom stall. The door is closed. I can see his feet, and I can hear as if someone is coming from behind, uh, the, the door as well, like he's moving, doing something with his hands, so it happened real fast. I say city police, show me your hands, and when I say city police, the suspect shouts something. I do not hear what he shouts, and then he exits the restroom like immediately, and he's coming at me. He's coming at me with a weapon gripped in his hand. I do not know if it's a, if it's a gun, if it's a knife. I don't know what the weapon is, but he's coming at me. The weapon is gripped. It's about shoulder height, and he's running towards me to assault me with the weapon and cause me serious bodily injury or, or death. He poses an immediate threat to my life. Uh, it's a split-second decision that I have to make. I fear for my life. He has the ability. He, the opportunity lies there, and he's, he's now placed my life into jeopardy. I have no other choice. There's no time for me to exit the restroom at this point in time or do anything else. Um, my life is danger. I have no other choice but to use my firearm to attempt to incapacitate this person before he takes my life. I fire once. I fire twice. He's still running directly at me gripping that, uh, the, the weapon, coming towards on me, cause me serious bodily injury or death. I fire a third time, but by then, he is, and this is all happening real fast, and in a split second, it went from, we call it tense and uncertain and rapidly evolving, forcing me to use, uh, to use force to incapacitate a person, so I fire the first shot. I fire the second. Press the trigger the second time, and by the third shot, he has made within arm's reach to me. He's still coming, gripping that weapon to assault me, and my left hand goes up in a defensive posi, position as to, to protect my face and neck area, and my right hand has my fire arm, and it's retracted closer to me. I fire a third time. I see his body jerk backwards. And now he is, he's turning to leave the restroom, and when he came out the restroom, he wasn't, I standing a few feet, you know, as I said, and he didn't come out the restroom as if he's running. He came out to assault me, gripping that weapon, running towards me to assault me, but, uh, after the fire, after the third shot, um, when I notice his incapacitation, he's now leaving the restroom, and I'm turning right to step out of the restroom as well, and I hear as if something smashed, and I can see debris flying. I can see him falling, so I, I can see him falling. He falls.

I look up, and I see a uniform. I observe that there's a uniform there, and there's a firearm, and they're coming towards us. I put my weapon back into my gun, my gun into my holster. I take my radio, and I get on the radio to notify dispatch. I advise I need a supervisor, shots fired, and send a regional ambulance, RAS. I put my radio back and take my gloves, I take my phone out of my right pocket, 'cause that's where I keep an extra pair of gloves. I take the phone out of the right pocket. I take the gloves out. I start putting on my gloves to render aid. I walk over to the suspect. Someone says something. I do a quick scan, looking for weapon. I go back to the restroom, scan the, do a complete scan, and I'm back out. I do not observe any weapons when I'm scanning. I do not observe anyone else inside the restroom at that point in time as well. When I go back in there. I get back out. Someone says cuff him. I go. I cuff, pla, place the cuffs back on, uh, onto the suspect, and I reach down to turn him over to start rendering aid, and I'm told that I need to

step away. Um, I, I step away. I'm checked for weapons, and they're asking me if I was hit, and I'm like, I'm saying no, 'cause all I can recall is like the hair standing up on my hand and feelin' as if something brushed against it, but I was in danger. The sergeant gets on the scene. The sergeant asks, uh, what happened? I go over, givin' him the rundown that the suspect went in. He came out charging me with something in his hand, a weapon in his hand, and then I'm brought outside. I'm placed in the cruiser where I stayed for a few minutes, and im not sure how long I was in the cruiser. The sergeant comes back in. They ask as few pe, comes, comes back in a few times, I believe, and one of the times when he came back into the cruiser, uh, he, he asked me if I had fired twice, and I said no, three times, 'cause I can recall pressing the trigger three times when he's running towards me to assault me, and then I'm transported to the emergency room for an eval, and that was my involvement in the, in the incident.

Det. Sgt. James Vooris: Well, thank you for telling me all that. Um, what I'd like to do is -

Officer Christopher Rose: Mm hmm.

Det. Sgt. James Vooris: - kind of go back through what you've told me to make sure I have, have it correct -

Officer Christopher Rose: Okay.

Det. Sgt. James Vooris: - and we'll go from there. Is that fair?

Officer Christopher Rose: That is fair.

Det. Sgt. James Vooris: Um, so I had asked you to tell me as much information as possible about the shooting incident that took place at 182 South Main Street in Rutland on August 25th, 2001, and you advised that you were working a regular patrol shift. You had the previous day off.

Attorney Sue Edwards: Did you say 2001? You mean 2021?

Det. Sgt. James Vooris: 2000, 2021. I'm sorry.

Attorney Sue Edwards: I don't think anyone would be confused, but just so -

Det. Sgt. James Vooris: Yeah, I apologize. Yes.

Officer Christopher Rose: Could you start over again?

Det. Sgt. James Vooris: Yeah.

Officer Christopher Rose: Sorry.

Det. Sgt. James Vooris: So, you were working a regular patrol shift. Uh, you had the, the previous day off.

Officer Christopher Rose: Yes.

Det. Sgt. James Vooris: Um, it was around 1:50.

Officer Christopher Rose: 1:15.

Det. Sgt. James Vooris: 1:15. Perfect.

Officer Christopher Rose: Yes.

Det. Sgt. James Vooris: Thanks for making that. Around 1:15, uh, you were assigned a call. It was an LSA, um, in a parking lot. What was the store?

Officer Christopher Rose: Good Will.

Det. Sgt. James Vooris: In the Good Will parking lot?

Officer Christopher Rose: Parking lot.

Det. Sgt. James Vooris: Um, you responded to the area. You met with the complainant, and while you were there, you learned it was a Florida plate. Dispatch had issued a BOL. Um, you learned that there were some words exchanged, um, between the complainant and the individual that left.

Officer Christopher Rose: About insurance.

Det. Sgt. James Vooris: About insurance?

Officer Christopher Rose: Yes.

Det. Sgt. James Vooris: Okay. Um, you, the individual you met with showed you a photo about a broken taillight?

Officer Christopher Rose: No, the individual showed me a photo of the vehicle that was involved -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - and he showed me debris from the broken taillight -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - in the parking lot.

Det. Sgt. James Vooris: All right. Thank you for clarifying that. So, he showed you a photo of the vehicle, and you observed the debris from the broken

taillight. Um, you advised dispatch of that info, and you cleared -

Officer Christopher Rose: To up -

Det. Sgt. James Vooris: - the call?

Officer Christopher Rose: - to update the be on the lookout -

Det. Sgt. James Vooris: To update the BOL.

Officer Christopher Rose: - that the vehicle had a broken taillight -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - and cleared the call.

Det. Sgt. James Vooris: Um, a short time later, you are advised by dispatch that the sheriff's department was in a pursuit with this vehicle, and you tell dispatch if it's, you know, simply for the BOL to have them stop, because, uh, your words were something to the effect of, you know, you don't need to pursue -

Officer Christopher Rose: \*\*\*\*.

Det. Sgt. James Vooris: - people for insurance.

Officer Christopher Rose: Yes.

Det. Sgt. James Vooris: Um -

Officer Christopher Rose: So, if it, I, I, I advised dispatch that if the pursuit was only as a result of the vehicle, the operator leaving the scene of a crash, they could let the vehicle, the sheriff's department could let the vehicle go, because, uh, there's no point in having a pursuit puttin' the general public into danger only to get insurance from someone, insurance information. That's the only cause.

Det. Sgt. James Vooris: Okay. Um, at that point, you started scanning, um, the sheriff's department channel?

Officer Christopher Rose: So, the scan button, um, whoever is on apart from the city, the city's primary on it, and whoever, if, if state or sheriff's department, whoever does the transmission, I'll hear it as well, so not, I didn't turn it to the sheriff's department radio. I just did the scan option, which allows you to hear if, if the radio hasn't been used by the primary, which is Rutland City -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - you'll hear transmission from -

Det. Sgt. James Vooris: You can hear?

Officer Christopher Rose: - troopers, sheriff's -

Det. Sgt. James Vooris: Yeah.

Officer Christopher Rose: - whoever's in the vicinity.

Det. Sgt. James Vooris: Got it. Um, you traveled to a vacant parking lot next to the train tracks.

Officer Christopher Rose: On Allen Street.

Det. Sgt. James Vooris: On Allen Street, uh, where you hear, uh, some more radio transmissions.

Officer Christopher Rose: From the sheriff's department.

Det. Sgt. James Vooris: Uh, you learn that this individual is eluding the police, driving, uh, head on in traffic. Um, at one point, you leave the vacant

parking lot, and you give your location to a sergeant. Is that -

Officer Christopher Rose: So, I hear the vehicle that's being pursued. It's in the vicinity of Stratton Road, which is the city limit, and it's headed towards hospital. So I exit the parking lot roughly around then, and I merge with traffic. I am patrolling at a regular speed. There's a vehicle in front of me, behind me, and coming towards me. I get on the radio with the shift supervisor, who's the sergeant, Sergeant John Dickinson to advise him that the pursuit is now within the city limits. What does he want for us to do?

Det. Sgt. James Vooris: Okay. Um, you, you explain a few seconds go by, and you observe the vehicle traveling westbound at a high rate of speed. Uh, it comes into oncoming traffic, and you have to swerve.

Officer Christopher Rose: Yeah, it comes right at me, and I have to swerve to avoid it, and it's going, it's traveling, and I look in the mirror, and it's traveling in the eastbound lane, but it's going west -

Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: - and all the cars that are using the east -

(End of audio from audio recorder 1 - first recording - the next portion of the transcript was transcribed by me while listening to the audio/Video file. \*\*\*\* denotes statements that are not audible)

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: Okay, uhm, you turn on the vehicle and you explained that you hear a crash?

Officer Christopher Rose: My windows were down and uhm, I believe there was smoke coming up as well, and I heard the crash, so I notified dispatch, I notified dispatch \*\*\*\* crash on Allen Street \*\*\*\* as I get to the train line, which is at the crest of the hill \*\*\*\*.

Det. Sgt. James Vooris: So you crest the hill, you observe the UPS truck and the vehicle stopped just prior to the intersection. As you arrive, you observe, you explained you observed.

Officer Christopher Rose: I haven't arrived yet, \*\*\*\* I observe the suspect reach back in and grab something, \*\*\*\*

Det. Sgt. James Vooris: Uhm, so you, just to be clear you kind of reiterated a little bit ahead of where I was but I'm tracking, so I'm just going to continue here. So, you used the Allen street entrance, you follow the subject into McDonalds using the Allen street entrance. And you observe, at this point you have given him commands to stop.

Officer Christopher Rose: As he was entering the building, \*\*\*\* City police stop, city police \*\*\*\*

Det. Sgt. James Vooris: you enter McDonald's you observe the subject run into the men's room, you follow him to that area of the restaurant, and you explain how there is no locking mechanism on the door, so you could feel resistance on the door, like he is on the other side, or someone is on the other side.

Officer Christopher Rose: Something is blocking the door.

Det. Sgt. James Vooris: Right. You explained that it was a public restroom, it was unknown, it was unknown if there was someone else in the rest room, you said it was unknown if anyone was in danger, and you were unsure, or it was unknown if there was a weapon involved.

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: Uhm, you explained that you felt it was a high-risk situation because you had to clear a room with all these unknowns.

Officer Christopher Rose: yes

Det. Sgt. James Vooris: Uhm, you, when you do open the door to the bathroom, you step into the restroom because you don't want to be in the doorway because you describe it as a target area. You see the suspect that is behind another door in the restroom, and you can hear him doing something with his hands. You said you yell city police,

Officer Christopher Rose: Show me your hands

Det. Sgt. James Vooris: Show me your hands, and at this point the subject came at you with a weapon, but you were unsure what it was, if it was a knife or a gun. you explained that you feared for your life and felt he could cause serious bodily injury or take your life, you explained the course of fire, I'm not going to go into the details I think your words speak for themselves, but how you fired twice, he continued at you, and you fired a third time. Uhm, you said on the third shot he was within arm's reach, you explained and kind of showed how your hand went up and your right hand that held your firearm kind of retreats to you in a defensive position which is when you fired the third shot. You again explained that he came out gripping a weapon, trying to assault you. You explained that he was incapacitated as he left the restroom. You heard a crash,

Officer Christopher Rose: \*\*\*\* something hit \*\*\*\* shattering, as he left the rest room. \*\*\*\*shattered, \*\*\*\* debris. I heard something, like something fell \*\*\*\* hitting the ground. \*\*\*\* and I saw debris. \*\*\*\*

Det. Sgt. James Vooris: Okay, heard the crash and saw debris. Uhm, you explained that after the incident you got on the radio, you notified your supervisor and I think you asked for regional, which is the,

Officer Christopher Rose: yeah, I radioed dispatch and I requested a supervisor, I advised shots fired. I requested regional ambulance service \*\*\*\*

Det. Sgt. James Vooris: And then to just wrap this up, the summary back to you, is that you cleared the bathroom, other officers arrived, you cleared the bathroom. And didn't observe,

Officer Christopher Rose: I got out there, as soon as I got done with dispatch \*\*\*\* I cuffed him \*\*\*\*

Det. Sgt. James Vooris: Uhm, so when you step away, you asked what happened, you explained to the sergeant that the suspect came out charging you, \*\*\*\* with a weapon in his hand. And you explained that at one point you went to a cruiser

and during that time,

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: and while you were in the sergeant's cruiser

Attorney Sue Edwards: \*\*\*\* Not in the rest room,

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: When you had that conversation

Attorney Sue Edwards: Yeah,

Det. Sgt. James Vooris: And then there was another conversation at the cruiser about how many shots were fired

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: Alright, well I appreciate all that information. What I think would be helpful, I do have a few questions. I'm going to try to do it chronologically, just, I think that would make sense. So I am going to try to focus on before the shooting incident, the shooting incident, after the shooting incident. And after each timeframe I'll ask Tyson if he has questions as well so we can kind of make sense of it if that works.

Det. Sgt. James Vooris: So, kind of prior to the shooting incident, you explained you're on regular shift. So explain to me, what you were wearing, what is regular shift for you, that kind of thing.

Officer Christopher Rose: Regular shift, \*\*\*\* external vest, shirt and logo, a badge, name tag, \*\*\*\* on my belt \*\*\*\*.

Det. Sgt. James Vooris: That's good, can you explain, you said everything that was on your belt. Can you just walk me through everything that was on your belt?

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: Radio, magazine, handcuffs, pepper spray, and then tourniquet, did I miss anything there?

Officer Christopher Rose: Radio, magazine, handcuffs, Pepper spray, firearm,

tourniquet

Det. Sgt. James Vooris: Alright, and what is regular shift. Like what were your hours?

Officer Christopher Rose: I'm assigned to work a 3-day week and then a 4-day week and its 6 to 6 \*\*\*\* rotate three days on \*\*\*\*.

Det. Sgt. James Vooris: its 6 AM to 6 PM?

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: Uhm, do you, so the, to kind of fast forward to this LSA that happens prior to the incident. Can we just go through it with a little bit

more detail? Like what information did the complainant, so you arrive at the Goodwill, what information did they provide to you?

Officer Christopher Rose: \*\*\*\* parking lot \*\*\*\* the person came in \*\*\*\* the parking spot \*\*\*\* then the person shouts something about insurance \*\*\*\*.

Det. Sgt. James Vooris: Alright, and that is the information that you pass on for the BOL.

Officer Christopher Rose: the information that I pass on is the broken taillight.

Det. Sgt. James Vooris: Broken taillight

Officer Christopher Rose: \*\*\*\*.

Det. Sgt. James Vooris: So, uhm, during your narrative of events you told me that you began to monitor radio traffic. So, can you tell me everything you learned from the time of the LSA call that you had, like did you learn, like what information did you learn from the sheriff's department, through radio transmissions.

Officer Christopher Rose: After clearing the call some time passed \*\*\*\* what I heard, I heard deputy's giving a location, \*\*\*\*.

Det. Sgt. James Vooris: was the, was the radio, and just to be crystal clear, I mean police radio in your cruiser, was that the only source of information, was that the only source you were learning of information or where you talking to anyone else?

Officer Christopher Rose: I wasn't talking to anyone else. \*\*\*\*

Det. Sgt. James Vooris: Okay, alright. Uhm, pre incident with this individual, and I guess just so were clear I'm thinking prior to you coming across him on Allen street, I don't think I have any other questions.

Det. Sgt. Tyson Kinney: Do you remember the name of the complainant of the LSA?

Officer Christopher Rose: I do not recall the name.

Det. Sgt. Tyson Kinney: Did you do anything while investigating that to try to figure out who the person was,



Officer Christopher Rose: Dispatch had run the information and typed it into the call, I looked at it and I can recall calling dispatch to confirm that they had  
\*\*\*\*

Det. Sgt. Tyson Kinney: okay. Do you remember obtaining the photos \*\*\*\*

Officer Christopher Rose: \*\*\*\* texted the photos to me. \*\*\*\*

Det. Sgt. Tyson Kinney: Okay, approximately what time do you recall receiving those photos.

Officer Christopher Rose: \*\*\*\*\*

Det. Sgt. Tyson Kinney: So, while you were there, \*\*\*\*.

Officer Christopher Rose: \*\*\*\*.

Det. Sgt. James Vooris: So, I think that's all that I had for kind of, the pre-incident. So, too fast forward to when you observed this vehicle on Allen Street. Uhm, refer to my notes here real quick. So, you explained that after, you observed this vehicle on Allen Street, it goes by and crosses into oncoming traffic, I guess my question is how did you, were you aware it was the same vehicle that the Sheriffs were chasing? How did you make that connection?

Officer Christopher Rose: how did I make that connection? It was a black \*\*\*\*

Det. Sgt. James Vooris: Uhm, can you explain that as, you,

Officer Christopher Rose: I turned around, \*\*\*\*

Det. Sgt. James Vooris: but as you explained as you were pulling up on the crash you observed the subject reaching into the vehicle. Tell me everything you observed of the subject, what was he wearing, what was his location that kind of thing?

Officer Christopher Rose: \*\*\*\* beard \*\*\*\* shirt, jeans, he was approximately 5'8, approximately \*\*\*\* What was \*\*\*\*

Det. Sgt. James Vooris: so I asked you to describe, what you observed, what he looked like and what was he doing?

Officer Christopher Rose: I saw him open the door, or leave the door open, \*\*\*\* reach back into the car to grab something \*\*\*\*

Det. Sgt. James Vooris: Alright uhm, and you explained that, as you pursued him toward McDonalds, prior to entering, he turned around and that's when you gave commands?

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: so can you, okay. what was his, where was he what that occurred.

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: would it be possible to draw a picture, would that help, or would that not help?

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: kind of his location to where your location was before you entered, when you give commands. Would that help or no?

Officer Christopher Rose: I can try to,

Attorney Sue Edwards: \*\*\*\*

Det. Sgt. James Vooris: \*\*\*\*

Attorney Sue Edwards: and this is not to scale

Officer Christopher Rose: \*\*\*\* running down the sidewalk \*\*\*\*

Det. Sgt. James Vooris: would you, just for future reference, maybe write your name where you are, and you know, if you don't know his name right subject, so if we have to reference this at any point down the road, we will know what we are talking about.

Attorney Sue Edwards: I think we know his name now, \*\*\*\*.

Det. Sgt. James Vooris: and then just to be crystal clear, this is your location when you give him the commands?

Officer Christopher Rose: Somewhere in this vicinity \*\*\*\* this is not to scale \*\*\*\*.

Det. Sgt. James Vooris: How far, what do you think the distance is?

Officer Christopher Rose: \*\*\*\* not far enough where I can see, \*\*\*\* he had a few seconds \*\*\*\* where the train line runs \*\*\*\*.

Det. Sgt. James Vooris: Alright, uhm. I thought you had a question.

Attorney Sue Edwards: \*\*\*\*

Det. Sgt. James Vooris: So, to continue kind of chronologically, you guys both,

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: You enter McDonalds, you enter McDonalds, can you tell me everything you observe when you enter McDonalds?

Officer Christopher Rose: \*\*\*\* I recall seeing that there were customers inside the store \*\*\*\* I don't recall seeing anyone to my right \*\*\*\*.

Det. Sgt. James Vooris: You explained that once he was in the bathroom, and you entered the bathroom you, you said you could hear him doing something with his hands. Can you describe that with a little more detail for me?

Officer Christopher Rose: \*\*\*\* It sounds like he moved, like he is making movements with his hands \*\*\*\*

Det. Sgt. James Vooris: could you see him at all through any part of the door?

Officer Christopher Rose: I saw hit feet.

Det. Sgt. James Vooris: you could see his feet?

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: And while he, while the subject is in the bathroom, uhm, what, do you guys communicate in any way?

Officer Christopher Rose: I said City Police, show me your hands. He said something, \*\*\*\*

Det. Sgt. James Vooris: Do you know

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: Okay, so, you're not sure what he said?

Officer Christopher Rose: I'm not sure

Det. Sgt. James Vooris: okay, alright. And then when he exits the doorway that he was behind, and he comes at you, you describe, uhm, that he comes at you with a weapon. So, explain what you recall seeing, describe the weapon that you saw.

Officer Christopher Rose: \*\*\*\* there was something gripped in his hand. It had an edge. \*\*\*\* And he was running, \*\*\*\* He comes out, it was shoulder height and gripped and he's running. \*\*\*\*.

Det. Sgt. James Vooris: Do you recall what hand? Your kind of depicting it but I just want to be clear, so it was his right hand?

Officer Christopher Rose: His right hand and shoulder height.

Det. Sgt. James Vooris: okay, and as you depicted, your arm was kind of up?

Officer Christopher Rose: \*\*\*\*

Det. Sgt. James Vooris: was his arm up as your kind of showing?

Officer Christopher Rose: it was shoulder height. \*\*\*\*

Det. Sgt. James Vooris: Okay, do you recall what color this weapon was?

Officer Christopher Rose: Something dark, definitely dark,

Det. Sgt. James Vooris: Do you recall the size?

Officer Christopher Rose: I don't recall the exact size, something gripped in his hand \*\*\*\* it had an edge \*\*\*\*

Det. Sgt. James Vooris: uhm, I think for the actual incident, do you have any follow up \*\*\*\*

Det. Sgt. Tyson Kinney: I don't mean to jump back, uhm, you had advised the sheriff's department during the pursuit that if they were only pursuing them,

Officer Christopher Rose: I advised dispatch \*\*\*\*

Det. Sgt. Tyson Kinney: \*\*\*\* so you advised dispatch,

Officer Christopher Rose: \*\*\*\*

Det. Sgt. Tyson Kinney: \*\*\*\* You advised dispatch to let them know, that if,

Officer Christopher Rose: \*\*\*\*

Det. Sgt. Tyson Kinney: You were informed that there were other violations?

Officer Christopher Rose: \*\*\*\*

Det. Sgt. Tyson Kinney: Were you advised what other violations?

Officer Christopher Rose: \*\*\*\*

Attorney Sue Edwards: \*\*\*\*

Det. Sgt. James Vooris: \*\*\*\* no it turned off but we are recording,

Det. Tyson Kinney: so when he,

(Digital Recorder 1 turned back on (fails again after 4 minutes 19 seconds) and a second digital recorder obtained shortly after and is activated for the remainder of the interview.)

Det. Sgt. Tyson Kinney: I'm going to jump ahead again.

Officer Christopher Rose: Mm hmm.

Det. Sgt. Tyson Kinney: So, after the crash occurs, um, and you, um, well, did you see the crash?

Officer Christopher Rose: I did not see the crash.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: No. When I got there, he was exiting the vehicle -

Det. Sgt. Tyson Kinney: Okay. So, as your, oh -

Officer Christopher Rose: - and I, and I had visual on him and the vehicle. He was like exiting the vehicle, in the process of exiting.

Det. Sgt. Tyson Kinney: Where did you obtain the visual?

Officer Christopher Rose: At the crest, where the train line is.

Det. Sgt. Tyson Kinney: \*\*\*\* Okay.

Officer Christopher Rose: \*\*\*\*, but yes.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: yes, just in that vicinity of the train line.

Det. Sgt. Tyson Kinney: Okay. When he exits the vehicle, you mention him reaching back into the vehicle -

Officer Christopher Rose: Yes.

Det. Sgt. Tyson Kinney: - how did he, uh, or where did he reach back into the vehicle?

Officer Christopher Rose: on the driver side, front seat driver side.

Det. Sgt. Tyson Kinney: okay So, the same door.

Officer Christopher Rose: Same door. Yeah, the same door he had exited.

Det. Sgt. Tyson Kinney: He got out. He turned around and reached back in?

Officer Christopher Rose: Yes.

Det. Sgt. Tyson Kinney: - and correct me if I'm wrong, but you're still in your vehicle driving down?

Officer Christopher Rose: Driving towards.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: Yes, the vehicle is still moving, and I'm in the vicinity of the hill crest.

Det. Sgt. Tyson Kinney: Okay. Can you describe what he grabbed?

Officer Christopher Rose: I cannot.

Det. Sgt. Tyson Kinney: How do you know he grabbed something?

Officer Christopher Rose: Because he reached back and motioned as if to grab something.

Det. Sgt. Tyson Kinney: Okay.

(Second digital audio recorder enters the room)

Det. Lt Todd Baxter: Lt. Baxter, just making sure that we're -

Det. Sgt. James Vooris: Backing up,

Det. Lt. Todd Baxter: - getting it all.

Det. Lt James Vooris: We're on again, so -

Det. LT Todd Baxter: Okay, All right.

Det. Sgt. Tyson Kinney: So, you see him reaching in the car after exiting the vehicle, um, and then he runs across the parking lot, and as you're still arriving -

Officer Christopher Rose: Yes, he's in the process of running across the parking lot.

Det. Sgt. Tyson Kinney: Mm hmm.

Officer Christopher Rose: He gets out of the car while I'm driving down. He's running away from the car.

Det. Sgt. Tyson Kinney: Okay. Um, so then you, im going to jump ahead again, so

now, you're outside. You're entering the bathroom, and you described him as being in a stall.

Officer Christopher Rose: No, I said, when I get to the restroom when im outside, before I entered the bathroom -

Det. Sgt. Tyson Kinney: Yeah, I'm talking when you go into the bathroom.

Officer Christopher Rose: Okay. Yes, once I en, enter the bathroom, he goes into the bathroom. I can see his, that he's behind the stall, yes, and the stall door's closed, but I can see his feet.

Det. Sgt. Tyson Kinney: Okay. Um, can you describe the inside of the bathroom, 'cause I haven't been in the inside of the bathroom?

Officer Christopher Rose: So, it's, it's the, it's, the restroom, um, nothing in there.

Det. Sgt. Tyson Kinney: Well, maybe, we can draw that, too.

Det. Sgt James Vooris: Yeah. And, actually before you, if you don't mind just dating and signing that as well.

Officer Christopher Rose: What's today's date?

Det Sgt James Vooris: It's, uh, the 8th, September 8th of 2021, not '01. .

Officer Christopher Rose: Okay, so, the restroom, that's what you said you needed me to draw for you? \*\*\*\* was -

Det. Sgt. Tyson Kinney: The inside of the restroom.

Attorney Sue edwards: As best as you can.

Officer Christopher Rose: As best as I can obviously, Okay. So, this is where the door is, approximate door. This is the door, so this is where I end up standing, and this vicinity to right here. This is the stall, so it's somewhere in this vicinity, right there. This section has the urinal and the station to wash your hand. This is obviously not to scale as I said -

Det. Sgt. Tyson Kinney: Mm hmm.

Officer Christopher Rose: - but this is roughly the restroom.

Det. Sgt. Tyson Kinney: Okay. So, the door opens, it swings out? Swings in towards the X?

Officer Christopher Rose: Yes. So, this door, this is outside of the restroom. This is me when I go into the restroom. This is the west section of the restroom, and this is the east section of the restroom.

Det. Sgt. Tyson Kinney: Okay.

(Digital recorder 1 fails again, digital recorder 2 continues with audio. Transcript below was obtained from Speakwrite Transcription Services and edited for accuracy.)

Det. Sgt. Tyson Kinney: Um, how did you identify him in the bathroom if he's behind the stall?

Officer Christopher Rose: His feet section. The jeans.

Det. Sgt. Tyson Kinney: All right. Um, -

Officer Christopher Rose: Right, and he's behind the stall, as I said, and when I get in there. So all I can see is the feet, from knee downwards. This is why I announce city police show me your hand as well to make sure that he knows that law enforcement is there.

Det. Sgt. Tyson Kinney: Okay. Um, so you mention weapons several times, um, and you describe what you observe in his hand.

Officer Christopher Rose: Yes.

Det. Sgt. Tyson Kinney: Um, explain to us how, what, how that made you feel as though it was a weapon? What made it feel as though it was a weapon?

Officer Christopher Rose: Totality of the circumstance.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: Everything that was taking place. He was actively attempting to elude law enforcement. He reached back. He could've grabbed a weapon. It's an high-risk situation. Um, I don't know if he has a weapon. I, I don't know if he has a weapon going into the restroom. When I, when he exits that bathroom, he's coming to assault me, and he's gripping what I believe to be a weapon, coming directly at me to assault me with a weapon. I don't know if it's a gun or if it's a knife, but we're in a small restroom, approximately from where I'm standing to where the stalls begins, which is where I went once he runs out. That's where I'm snapping on this photo. I'm seeing him coming to assault me with a weapon in his hand. Whatever he has in hand, he's going to land a fatal blow, and he's going to cause me serious bodily injury or death.

Det. Sgt. Tyson Kinney: Okay. So what, um, actions did he take to make you believe you're being assaulted?

Officer Christopher Rose: His, the, the pos, his body language. The, his

running directly at me, gripping a weapon, and he's coming directly at me. not running, when he exits the restroom, he's not running as if he's running towards the door to flee. He's not running with his hands open or his hands to his side as if he's trying to get momentum to leave the restroom. He's coming in an assaultive manner. His hand is gripped, gripping something, and he's coming, charging at me to assault me \*\*\*\*.

Det. Sgt. Tyson Kinney: Okay.

Det. Sgt. James Vooris: All right.

Attorney Sue Edwards: Can I have a copy, I'm sorry.

Det. Sgt. James Vooris: Oh, go ahead.

Attorney Sue Edwards: No, finish, finish asking.

Det. Sgt. James Vooris: Okay. I was just gonna ask, I was just gonna ask if you could sign and date that as well.

Officer Christopher Rose: Sure.

Det. Sgt. James Vooris: Appreciate it. And -

Attorney Sue Edwards: I just have a couple of things.

Officer Christopher Rose: Yeah.

Attorney Sue Edwards: At one point, Chris, you said he exited the restroom to run at you, but you, -

Officer Christopher Rose: There's a stall on top.

Attorney Sue Edwards: - you're talking about a stall. I just wanna clarify that.

Officer Christopher Rose: Not the, not the overall restroom. I'm talking about -

Attorney Sue Edwards: Yeah.

Officer Christopher Rose: - from behind the stall, he's coming directly at me.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: And another one is, -

Officer Christopher Rose: Mm hmm.

Attorney Sue Edwards: - when you're seeing him in the stall, you describe seeing his feet.

Officer Christopher Rose: Yes.

Attorney Sue Edwards: Have you any way of knowing if there's anybody else in



the stall?

Officer Christopher Rose: At that point in time, I don't know. All I can see is the feet, but he, eh, someone could, there's a restroom section over there as well. Um, \*\*\*\* is over to the right side from facing me. I don't know if there's someone standing on top of it, I don't know if he has someone held up, and I can hear something, some movement with a hand. It sounds like sounds that you do with your hands.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: And then just, I think [REDACTED] pulled up a lot of this out.

Officer Christopher Rose: Mm hmm.

Attorney Sue Edwards: But you were talking about believing it was a weapon.

Officer Christopher Rose: Mm hmm.

Attorney Sue Edwards: And I, I think you answered this actually in the end, but what was it about the way he was holding the object that made you think it was a weapon?

Officer Christopher Rose: The way he was gripping it and the pre-attack cues as if he's using it as a weapon. This is how you grip a weapon, if you have it, and you're running towards someone to assault them with the weapon. If you, if it wasn't, if you're, if you're in the process of running out the restroom, you would be running with your hands down to your side or your hands would be open, and you'd be headed in the direction of the door, not in the direction of me standing to the side of the door. So it's all the pre-attack cues that he was giving off at that point in time.

Attorney Sue Edwards: Okay. And I, I think you've answered this as well, but you're describing the way he's running.

Officer Christopher Rose: Mm hmm.

Attorney Sue Edwards: If he was running to get away, would he have been running at the same angle?

Officer Christopher Rose: No. The door was to my right. If he was running to leave, he would be going towards the door, which is to my right.

Attorney Sue Edwards: Okay. I have nothing further.

Det. Sgt. James Vooris: Okay. Um, so then kind of post shooting incident, um, just going through here quick to see if I had any follow-up questions on that at the moment. Uh, I don't think I had marked down. Do you have any?

Det. Sgt. Tyson Kinney: From post?

Det. Sgt. James Vooris: Yeah.

Det. Sgt. Tyson Kinney: Um, no, I didn't have any from post.

Det. Sgt. James Vooris: Uh, actually I do have a question that we didn't cover. Um, I don't think we've covered yet. Uh, your firearm, what happened with your firearm after the incident?

Officer Christopher Rose: So, once I got out of the restroom and I observed the uniform that was to the west of the hallway, so I'm standing by the bathroom, I exit the bathroom, observe the uniform to the west, and I see the, that he has his gun as well out and he's closing in. I put my firearm into my holster, and I get on the radio. So it was in, in my holster, um, right up until we went to the emergency room when I took it off my waist and placed it in the trunk of Commander Sheldon's vehicle.

Det. Sgt. James Vooris: All right. So just to be crystal clear, you, -

Officer Christopher Rose: Yep.

Det. Sgt. James Vooris: - after the incident, you holster your firearm.

Officer Christopher Rose: As soon as I saw that there was more law enforcement. The suspect had gone out of the bathroom, fallen, and they were coming in the vicinity, or vicinity.

Det. Sgt. James Vooris: And you maintain custody of your firearm.

Officer Christopher Rose: I maintain custody of it, yes.

Det. Sgt. James Vooris: Until you travel to the emergency room where you place it in Commander -

Officer Christopher Rose: Sheldon.

Det. Sgt. James Vooris: - Sheldon's vehicle, and he takes it from there?

Officer Christopher Rose: And I, I, I mean from there, uh, whoever took it from there.

Det. Sgt. James Vooris: Okay, all right. That I think, um, is good to know. Anything else?

Det. Sgt. Tyson Kinney: No, so outside of him saying something in the bathroom stall, -

Officer Christopher Rose: Mm hmm.

Det. Sgt. Tyson Kinney: - did he say anything to you?

Officer Christopher Rose: That was the only, that was the only audio that I heard coming from the suspect.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: Was when he shouted something and exited the bathroom stall.

Det. Sgt. Tyson Kinney: Okay.

Det. Sgt. James Vooris: So why don't we take -

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: - a break. Um, I think just for ease of technology, -

Officer Christopher Rose: Mm hmm.

Det. Sgt. James Vooris: - I'm gonna leave the recorder here and not touch it. So you guys -

Attorney Sue Edwards: Yeah, we'll go outside.

Det. Sgt. James Vooris: - if you could go back out in the lobby or step outside,

and we'll come grab, I'll grab my computer when we come back. Are we, you guys good to do the, we'll watch the McDonald's video and go from there?

Attorney Sue Edwards: Yeah. Can I just check with you the, just to make sure I don't miss something. My understanding is they'll be the sheriffs' bodycams that you've seen and you also have seen some footage from Rutland PD, which would be a dash cam, and then there'll be the McDonald's video. Is there any other video that I don't know about?

Det. Sgt. James Vooris: I believe there was a Rutland Town may have arrived on scene afterwards as well, and they may have -

Attorney Sue Edwards: Yeah, but that was later, wasn't it?

Det. Sgt. James Vooris: Right.

Attorney Sue Edwards: Yeah, I mean I, I would like to see that if you have that, but I, I don't think that's gonna capture anything of the incident, is that?

Det. Sgt. James Vooris: My understanding of what captures the incident is only the McDonald's video.

Attorney Sue Edwards: Right, okay, and one of the sheriff's bodycam, I think.

Det. Sgt. James Vooris: I don't believe it captures the actual incident.

Attorney Sue Edwards: Not the actual incident, but it captures the, -

Det. Sgt. James Vooris: After the fact.

Attorney Sue Edwards: - the, the guy on the floor, doesn't it?

Det. Sgt. James Vooris: Correct.

Attorney Sue Edwards: It does, yeah. We've seen that, but I haven't seen the McDonald's 'cause no one has that but you.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: As far as I can tell.

Det. Sgt. James Vooris: So we'll step out. Again, this room is gonna stay recorded.

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: So if you guys just wanna, make sure that's super clear.

Attorney Sue Edwards: Yeah, absolutely.

Det. Sgt. James Vooris: And, uh, do you need a water or anything? You got something with ya?

Officer Christopher Rose: I'm good.

Det. Sgt. James Vooris: You're good? Okay. Uh, I'll walk out with you guys and,

Attorney Sue Edwards: Right,

Det. Sgt. Tyson Kinney: If you, if you don't wanna leave, that's fine too.

Attorney Sue edwards: Yeah, no, I was just sitting here thinking you were gonna go out for a minute and come back in, but no, we'll wait out.

Det. Sgt. James Vooris: I have to grab the computer and load the video and -

Attorney Sue Edwards: Yeah, so we're going into a, -

Det. Sgt. James Vooris: - take, maybe take -

Attorney Sue Edwards: - you're putting us when?

Det. Sgt. James Vooris: Five minutes?

Attorney Sue Edwards: I can leave that there?

Det. Sgt. James Vooris: Yeah, absolutely. Um, honestly probably the easiest and best place is back in that main lobby where you just were.

Det. Sgt. Tyson Kinney: I'm gonna close this door, just -

Attorney Sue Edwards: Okay.

Det. Sgt. Tyson Kinney: This is Detective Kinney. The current time of the break is at 1526 hours. Current time is 1547 hours. We are resuming the interview. Myself, Detective Sergeant Tyson Kinney. I just noted the time.

Det. Sgt. James Vooris: Thanks.

Attorney Sue Edwards: So what's our plan here? We would like to watch this just the two of us.

Det. Sgt. James Vooris: So, um, my understanding is we would watch it together.

Attorney Sue Edwards: That's not what's happened before.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: Previously, we've had, it's just been me and the client watching it.

Det. Sgt. James Vooris: Yeah, I think that, um, I mean I'm happy to, to ask my lieutenant, but my understanding is, um, the new process is we are all on this together, in the room together. We can watch the video, we can watch as much or as little of it as you want. Um, -

Attorney Sue Edwards: When did this new, what's this new process from? Are you talking about the new policy that comes in October 1?

Det. Sgt. James Vooris: Not, not policies, but just the process of how, you

know, we do these, um, I guess video reviews with, um, officers and their, their attorneys. Um, my understanding is we are to remain in the room. Um, obvious -

Attorney Sue Edwards: But my request is that you don't.

Det. Sgt. James Vooris: Obviously, uh, if you guys wanna talk privately, that's your right, but, um, -

Attorney Sue Edwards: But my request to you is it's just me and Chris that watch it -

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: - because this is obviously highly emotional thing.

Det. Sgt. James Vooris: Yeah, and that's understandable.

Attorney Sue Edwards: And I don't really want, um, onlookers watching us watch it as it were.

Det. Sgt. James Vooris: Right. Um, I'm, I'm happy to have that conversation, -

Attorney Sue Edwards: Yeah, if you would.

Det. Sgt. James Vooris: - but I'm not sure what the answer's gonna be.

Attorney Sue Edwards: No, of course you don't.

Det. Sgt. James Vooris: Um, -

Attorney Sue Edwards: And I'm ask, that's my request.

Det. Sgt. James Vooris: Yeah, I can, I can have that conversation quickly. Um, so it's, I think Tyson may have just said this, but 3:49. We're back in the room here. Um, obviously all the same stuff applies as before. You don't have to talk to us. Feel free to leave at any point. Um, if you do wanna take a break before we get to the video, after the video, um, we'll do that. I think we had a couple of quick questions we wanted to follow up on -

Attorney Sue Edwards: Oh, okay. Okay.

Det. Sgt. James Vooris: - before we get to the video.

Attorney Sue Edwards: Sure. Absolutely.

Det. Sgt. James Vooris: Uh, do you wanna touch on those?

Det. Sgt. Tyson Kinney: Sure. Um, earlier you had mentioned him reaching back in the car, um, as you were sort of cresting the hill, still in your vehicle, after the crash occurred. Um, my question to you is are you, did you know if he left anything in the car?

Officer Christopher Rose: No, I didn't check the car.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: I exited my cruiser and I went, um, towards the parking lot.

Det. Sgt. Tyson Kinney: Okay. Um, inside the bathroom, not the stall, but when you were inside the bathroom, you see him inside the stall.

Officer Christopher Rose: Yes, he's behind the stall.

Det. Sgt. Tyson Kinney: 'Kay.

Officer Christopher Rose: On the inside of it.

Det. Sgt. Tyson Kinney: Yeah. Um, explain to us what he did when he opened the door to the stall.

Officer Christopher Rose: What do you mean?

Det. Sgt. Tyson Kinney: So when he opened the door of the stall, what'd he do?

Officer Christopher Rose: As, as I said, um, he's behind the stall. Then he, uh, I city police police, show me your hands. He showed something and then he's outside the stall. I honestly don't see if the stall door, if the door flies out or if it goes in. He's inside, then he's outside.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: That's how fast that is.

Det. Sgt. Tyson Kinney: Okay. Um, inside the bathroom, -

Officer Christopher Rose: Yes.

Det. Sgt. Tyson Kinney: - where were you inside the bathroom?

Officer Christopher Rose: Close to few feet in 'cause I was still using my body and my left foot to hold the door open.

Det. Sgt. Tyson Kinney: Okay, so you're holding the door open in the bathroom.

Officer Christopher Rose: Yes.

Det. Sgt. Tyson Kinney: Okay. Did he touch you inside the bathroom?

Officer Christopher Rose: So, when I went up in a defensive manner, I, I could feel the hair in my hand stand up and as if something brushed against it when he was exiting the restroom.

Det. Sgt. Tyson Kinney: Okay. So that was when he was exiting, but prior, I guess -

Officer Christopher Rose: This all happened so fast.

Det. Sgt. Tyson Kinney: - while inside -

Officer Christopher Rose: Once he exited the bathroom, we're talking about less than a few seconds, we're talking about the incident.

Det. Sgt. Tyson Kinney: Mm hmm.

Officer Christopher Rose: Um, there was no pause or break. There was no time for me to do anything else or see anything. It was him exiting the bathroom, running directly at me with a weapon to assault me with the weapon causing serious bodily injury. That, that's how fast it's happening. It's a small, it's a small restroom.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: Um, little or no time to close the gap.

Det. Sgt. Tyson Kinney: Okay. Was there any place for you to go?

Officer Christopher Rose: There was up, what, when, when my hand went up, I could feel I was squished right against the, the door that was being stopped by the wall, that it opened against. There was nowhere for me to go. No time for me to exit the restroom in a safe manner.

Det. Sgt. Tyson Kinney: Okay. So you're standing in the door, holding the door open.

Officer Christopher Rose: So step in to get in, and I'm using my left, my left foot to keep the door opened.

Det. Sgt. Tyson Kinney: Mm hmm.

Officer Christopher Rose: Keep it open.

Det. Sgt. Tyson Kinney: So where's the door, I don't mean to cut you off. Where's the door?

Officer Christopher Rose: So the door is to my right. The, to exit the door, this door opens here. I'm gonna use this door as an example. This door opens here against this wall. So once the door, and it was, it would've been the opposite side.

Det. Sgt. Tyson Kinney: Right.

Officer Christopher Rose: So it would have opened up to this side, but once the door open, so we'll have to use this. Now don't, imagine this, this is

in front the door and this is open, and this is the end of the door after it opens, after it swings open, and I position like this. I'm positioned like this on the door. So the doorway, it would've opened from here, swinging from here to here.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: So the door ent, the entrance and exit is to my right.

Det. Sgt. Tyson Kinney: Okay. So the door swings, so was the door flat against the wall?

Officer Christopher Rose: The door, when, when, when I fired the final

shot, I could feel that the door was pressed against the wall, and I had nowhere else to go.

Det. Sgt. Tyson Kinney: Okay.

Officer Christopher Rose: So when I swung it open and I wasn't, it could've been right against it or it could've just had a little space with my foot holding it open -

Det. Sgt. Tyson Kinney: Right.

Officer Christopher Rose: - behind me.

Det. Sgt. Tyson Kinney: Right. But it would've laid against the door, against the wall.

Officer Christopher Rose: But during this it wouldn't press against, it was pressed against the wall during the incident. Once, after he ran out the bathroom coming towards me to assault me with the weapon, 'cause I could feel that, as I'm trying to go back I have nowhere else to go 'cause it's pressed against the wall at that point.

Det. Sgt. Tyson Kinney: Okay.

Det. Sgt. James Vooris: Can I ask a follow-up question?

Det. Sgt. Tyson Kinney: Okay.

Det. Sgt. James Vooris: Um, so when this is occurring, um, -

Officer Christopher Rose: Mm hmm.

Det. Sgt. James Vooris: - how close was the subject when you fired your first shot to?

Officer Christopher Rose: So the first shot, it's right after the suspect runs out of the restroom. The first shot, runs out the restroom, I observe that he's coming at me to assault me with, with a weapon, and I fire the first shot, and then the second shot while he's running towards me, and then the third one is when he's within arms reach at me when I'm backing up. And, uh, this is all happening pretty fast, not a, not a walkin', more of a more runnin' mode, clear in that small restroom.



Det. Sgt. James Vooris: Okay.

Officer Christopher Rose: In a rapid mode.

Det. Sgt. James Vooris: And just so I'm clear 'cause, um, -

Officer Christopher Rose: Okay.

Det. Sgt. James Vooris: - I don't believe I've been in the restroom.

Officer Christopher Rose: 'Kay.

Det. Sgt. James Vooris: So this is the, this is the picture you drew. This is

the stall.

Officer Christopher Rose: That's the stall.

Det. Sgt. James Vooris: So when you say the first shot -

Officer Christopher Rose: So the suspect is some side, somewhere outside the stall. He's no longer -

Det. Sgt. James Vooris: Do you, will you mark the approximate location with the No. 1 of the approximate location of where he was.

Officer Christopher Rose: As I said, this is not to scale.

Det. Sgt. James Vooris: Right, right.

Officer Christopher Rose: He's no longer in here, and he's somewhere out here.

Det. Sgt. James Vooris: Okay, and the second shot -

Officer Christopher Rose: Somewhere here.

Det. Sgt. James Vooris: Can you put maybe the No. 2 -

Officer Christopher Rose: Okay.

Det. Sgt. James Vooris: - just to differentiate. Okay. And the third shot?

Officer Christopher Rose: And the third shot he's right within arms' reach.

Det. Sgt. James Vooris: Okay. All right. I think that makes it a little more clear for me as to where they were located.

Officer Christopher Rose: Yeah.

Det. Sgt. James Vooris: That was one of the things that, uh, we wanted to just clarify.

Det. Sgt. Tyson Kinney: And was there, was there any other place he could've ran to?

Officer Christopher Rose: I'm sorry.

Det. Sgt. Tyson Kinney: Inside the, inside the bathroom, was there any other place he could've ran to? Was there another door, was there another window, was there another exit?

Officer Christopher Rose: No, if you're, there was no other doors or exit that I observed.

Det. Sgt. Tyson Kinney: Okay. The only exit was the exit you're standing.

Officer Christopher Rose: The one to the right.

Det. Sgt. Tyson Kinney: As you came in too. Okay. All right.

Det. Sgt. James Vooris: Anything else right now? I can go,

Det. Sgt. Tyson Kinney: I'm just trying to make it, I'm trying to picture this in my head, and that's why I'm trying to ask some of these detailed questions.

Other Speaker: Yeah.

Det. Sgt. Tyson Kinney: Um, and I apologize. I don't mean to keep -

Officer Christopher Rose: Mm hmm.

Det. Sgt. Tyson Kinney: - beatin' it, but, um, you had mentioned earlier he was running at you.

Officer Christopher Rose: Yes, he exited the restroom and he was running directly at me.

Det. Sgt. Tyson Kinney: Okay. Um, okay. Uh, I guess I'll leave it at that. He answered that question, so I'm good.

Det. Sgt. James Vooris: All right. I'm gonna go ask that question about the video.

Attorney Sue Edwards: Yes, So my request is, just to be clear, that it's just Chris and I that watch the videos that we haven't seen, um, and in a room that's not wired.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: So that we can have a free conversation as we're watching them.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: That, that's my request. Uh, I don't see why that's a problem. That's what we've done before. I have no problem if you wanna do something with the video that means I can't access anywhere else in that laptop, but -

Det. Sgt. James Vooris: So that's the, I think that, well, that is certainly a

dilemma. I don't have that ability, um, -

Attorney Sue Edwards: Well I don't have the ability to access anything else, but there we go.

Det. Sgt. James Vooris: So let's, uh, -

Attorney Sue Edwards: But that's my request.

Det. Sgt. James Vooris: Give me 1 minute.

Det. Sgt. Tyson Kinney: All right. I'm gonna step out here. Can I, uh, we'll leave everything runnin'?

Attorney Sue Edwards: Yeah, well I understand we're on tape. That's, we got it.

Det. Sgt. James Vooris: \*\*\*\* just grab that stuff just because \*\*\*\*.

Attorney Sue Edwards: You're not suggesting I've done something with one of the laptops in the past, are you?

Det. Sgt. James Vooris: Not at all.

Attorney Sue Edwards: Because I'll be impressed at my own technical ability.

Det. Sgt. James Vooris: We, we have to take security training,

Attorney Sue Edwards: Yeah, no, I get that.

Det. Sgt. James Vooris: rule one is don't leave it.

Attorney Sue Edwards: But you understand what I'm saying.

Det. Sgt. James Vooris: Just, uh, just, I think you might've just mentioned, but this still recording.

Attorney Sue Edwards: Yeah, no, I, I get that. I understand that. You see what the dilemma is. They don't want to leave the laptop with us. I, I can see why they might not, but I want just you and me to watch it, so we'll see.

Officer Christopher Rose: Okay.

Attorney Sue Edwards: [REDACTED] [REDACTED]?

Officer Christopher Rose: [REDACTED]  
[REDACTED]

Attorney Sue Edwards: [REDACTED]

Officer Christopher Rose: [REDACTED] [REDACTED]

Attorney Sue Edwards: [REDACTED]  
[REDACTED]

[REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]

Officer Christopher Rose: [REDACTED]

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Officer Christopher Rose: [REDACTED]

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[REDACTED]  
Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]  
[REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]  
[REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]  
[REDACTED]

Officer Christopher Rose: [REDACTED]

Attorney Sue Edwards: [REDACTED]  
[REDACTED]

Officer Christopher Rose: [REDACTED]

Det. LT Todd Baxter: Hi, guys.

Attorney Sue Edwards: Hi.

Det. LT Todd Baxter: Sue, Christopher, Todd Baxter, I'm a lieutenant with major crime.

Attorney Sue Edwards: Hi.

Det. LT Todd Baxter: Um, so I just called Captain Dunlap.

Attorney Sue Edwards: Right.

Det. LT Todd Baxter: About, about the video.

Attorney Sue Edwards: Yeah.

Det. LT Todd Baxter: And specifically at the beginning of the conversation we were talking about the McDonald's video.

Attorney Sue Edwards: Yeah.

Det. LT Todd Baxter: That you'd like to view.

Attorney Sue Edwards: Yeah.

Det. LT Todd Baxter: You did through FOIA were able to obtain city, sheriffs  
-

Attorney Sue Edwards: Sheriffs.

Det. Lt Todd Baxter: Not the town.

Attorney Sue Edwards: Not the town.

Det. LT Todd Baxter: Not McDonald's.

Attorney Sue Edwards: Not McDonald's.

Det. LT Todd Baxter: And I think that's it.

Attorney Sue Edwards: Yeah, it's the town and McDonald's that we haven't.

Det. LT Todd Baxter: So, do you recall a conversation, and I specifically want to straighten this out right now before we go, uh, now that's the captain. I'll talk to him after I say this, and then I'll be able to -

Attorney Sue Edwards: Yeah, sure.

Det. LT Todd Baxter: - repeat to him. Um, there was a conversation leading up to this with the captain. That the captain said there is no video for you to watch that is of your perspective, which is something that we would not provide unless it was your perspective, i.e. you have watched it with us when it was their perspective in other situations.

Attorney Sue Edwards: Mm hmm.

Det. LT Todd Baxter: Do you, do you recall that conversation?

Attorney Sue Edwards: I don't know if we had it this time, but I certainly have had that conversation at some point.

Det. LT Todd Baxter: Okay.

Attorney Sue Edwards: That is fair to say.

Det. LT Todd Baxter: All right. So my, my point is, for the integrity of, of all of this, -

Attorney Sue Edwards: Mm hmm.

Det. LT Todd Baxter: - we started out with you're here represented and we started out with yes, this, the parameters will be that you'll be able to watch, watch that video. That was, that was on me that I didn't understand the conversations about perspective that you had had with the captain.

Attorney Sue Edwards: I don't think I had those this time, but I have had those conversations.

Det. LT Todd Baxter: Okay.

Attorney Sue Edwards: That is fair to say.

Det. LT Todd Baxter: So I'm gonna, I'm gonna take this call and see if he's - all right, he's saying it was, uh, Thursday the 2nd when they had a conversation by phone, and it was -

Attorney Sue Edwards: I certainly have had conversations with him. I do not recall specifically saying that we would only see something that was from his perspective.

Det. LT Todd Baxter: Okay.

Attorney Sue Edwards: I do not recall saying that.

Det. LT Todd Baxter: So -

Attorney Sue Edwards: I'm not saying that that couldn't have happened though.

Det. LT Todd Baxter: Okay. So, what I, what I just need to understand is that it isn't our protocol to give somebody, uh, videos that we have in our possession that you haven't watched, um, that aren't of your perspective. In other words, we don't allow you to do that, and we're not gonna allow you to do that, and, because it's not of your perspective, and it's not something that you gained through FOIA. It's, it's part of the investigation. I know it's, um, sort of confusing, um, but what I really, I just need to clarify that that's not gonna happen. The captain said that you did have a conversation that, which, and, and I know this, and this is partly on, on me because I thought that we were going to do that today, and then he's like no, because of the perspective. I'm like -

Attorney Sue Edwards: All right. So I thought we were going to do it today.

Det. LT Todd Baxter: - you got it.

Attorney Sue Edwards: But I'm certainly not calling anybody a liar.

Det. LT Todd Baxter: Right.

Attorney Sue Edwards: And I'm saying that I have had that conversation about perspective.

Det. LT Todd Baxter: Yeah.

Attorney Sue Edwards: I do not recall having it in this specific case, but I certainly have had that conversation before. Yes, I did do a PRA for other stuff, and eventually I will get, my guess is, -

Det. LT Todd Baxter: Right.

Attorney Sue Edwards: - the stuff from the town as well.

Det. LT Todd Baxter: Yeah.

Attorney Sue Edwards: I haven't seen it. I'm not thinking it's huge in material. The McDonald's, of course I cannot do a PRA for.

Det. LT Todd Baxter: Right.

Attorney Sue Edwards: 'Cause you're the only guys that got it. Well I've done it, I have done a PRA, but you'll stick your heels in and try not to give it to me.

Det. LT Todd Baxter: Well not me, but.

Attorney Sue Edwards: No, not you. I mean your employers.

Det. LT Todd Baxter: Yeah, yeah, I mean it's, it's just the way.

Attorney Sue Edwards: But that's not \*\*\*\*.

Det. LT Todd Baxter: Right, but what's most important today is that you understand that there wasn't any trickery on our part to get you to talk by making a promise upfront.

Attorney Sue Edwards: No, I'm not making \*\*\*\*.

Det. LT Todd Baxter: That was my concern.

Attorney Sue Edwards: Yeah, I \*\*\*\*.

Det. LT Todd Baxter: And that's why I'm sitting here right now saying -

Other Speaker: Yeah, I understand.

Det. LT Todd Baxter: - whether this happened or not, this is our stance. You are familiar that we've had that stance -

Attorney Sue Edwards: Yes.

Det. LT Todd Baxter: - and have taken that stance.

Attorney Sue Edwards: That is fair.

Det. LT Todd Baxter: What I don't want is that to be like well, if that wasn't gonna happen, then I would've never talked today.

Attorney Sue Edwards: No. That was not the -

Det. LT Todd Baxter: Do you, uh.

Attorney Sue Edwards: - yeah, I understand your concern.

Det. LT Todd Baxter: You do understand that, Christopher, correct?

Attorney Sue Edwards: Do you understand what's being said?

Officer Christopher Rose: Yes, I understand.

Det. LT Todd Baxter: Okay.

Officer Christopher Rose: So are we reviewing it or not?



Det. LT Todd Baxter: You are not reviewing it.

Attorney Sue Edwards: Not the McDonalds.

Officer Christopher Rose: You and the detective in the room.

Det. Lt Todd Baxter: Correct.

Attorney Sue Edwards: Yeah.

Det. Lt Todd Baxter: Because it's not your perspective.

Officer Christopher Rose: Kay.

Det. Lt Todd Baxter: That's the only reason. If it was your perspective, and Sue can attest to this, then you would watch it.

Attorney Sue Edwards: Yeah, that's what we've done before. It's a body cam or so forth. I did, uh, come into this believing we were going to see the McDonalds, but I was not tricked.

Officer Christopher Rose: Okay.

Attorney Sue Edwards: I, I am not suggesting that.

Det. Lt Todd Baxter: But you can understand where I'm like sitting going like I have to go address this.

Attorney Sue Edwards: Yes.

Det. Lt Todd Baxter: On recording to make sure that we -

Attorney Sue Edwards: Yeah, we understand.

Det. LT Todd Baxter: - have this out in the open, that this is on me, that I thought we were going to be allowed to do that.

Attorney Sue Edwards: Yeah.

Det. LT Todd Baxter: We told you that.

Attorney Sue Edwards: Yeah.

Det. LT Todd Baxter: And then when we started talking about how we would, and I never thought we would do outside the presence, but that's on me, and then the captain's like no, and I said well, I'm gonna go in. on recording and make sure.

Attorney Sue Edwards: No, I, I think that this, I, I am not alleging any trickery from anybody, and if I thought there was trickery, I would allege it right now.

Det. Lt Todd Baxter: Right.

Attorney Sue Edwards: I am not saying that. My, um, I have had that conversation before. I did come into this believing I was seeing the McDonald's

video. Uh, it, it would not have changed our minds in terms of giving you this statement.

Det. Lt Todd Baxter: Okay. All right. So I'll bring, uh, the detectives will come back in, and, and you guys can finish up on if you have any more questions or anything.

Attorney Sue Edwards: Okay. Perfect.

Det. LT Todd Baxter: Are related to this.

Officer Christopher Rose: When will the videos be available? After investigation is closed or?

Det. Lt Todd Baxter: Well, that will, that will be up to, um, how Sue works with this and with our department. We, as a course of action, we don't do this on any, in any sort of criminal investigation of this nature.

Attorney Sue Edwards: Well, I, I mean there's a, there's a wider issue, and I don't know how much we want to get into it here, and that that's what the Public Records Act, and that's not peculiar to you or to you being law enforcement. There's a public, the Public Records Act permits anybody, in this case, it was me, to request certain information, and I, as I've said to you before, I've done that from the PD. I've done it from the town, um, and I've done it from the sheriff's office. I've got that stuff. They clearly do not hold the McDonald's video, only VSP does that.

Det. Lt Todd Baxter: Yeah.

Attorney Sue Edwards: I have also requested that. Um, there is a very regimented process whereby it comes, it doesn't come from these guys. It comes from, um, person, [REDACTED], is that her name?

Det. Lt Todd Baxter: Well, she, yeah. She's in charge of releasing it, but the legal, -

Attorney Sue Edwards: She's in charge of this.

Det. Lt Todd Baxter: - but the legal end of it is [REDACTED].

Attorney Sue Edwards: Yeah, yeah, yeah, that's right, but I'm just.

Det. LT Todd Baxter: Yeah.

Attorney Sue Edwards: That's right.

Det. LT Todd Baxter: Yeah.

Attorney Sue Edwards: I mean there's, there's a whole procedure around this. They've requested 10 days. Um, I think it's highly unlikely they're gonna release the McDonald's video to me, uh, but we'll see.

Det. LT Todd Baxter: Right.

Attorney Sue Edwards: Uh, but that, that's where we stand, but we've seen the other stuff apart from McDonald's.

Det. LT Todd Baxter: Yeah.

Attorney Sue Edwards: And I think we'll see the town, but I'm not terribly concerned about the town one because my understanding is that comes much later. What I cared about was the sheriff's most of all, um, your stuff.

Det. Lt Todd Baxter: Yeah.

Attorney Sue Edwards: And that we have seen. So I think that where we've got to, I think there has been a bit of a misunderstanding, but I'm not alleging ill intent.

Det. LT Todd Baxter: Okay.

Attorney Sue Edwards: On anybody.

Det. Lt Todd Baxter: Yeah, I mean I fully admit that. Well, we're here, like the, I had a misunderstanding so, uh, but I just wanted to clarify that.

Attorney Sue Edwards: Yeah.

Det. LT Todd Baxter: That doesn't in any way taint what you had to say today.

Attorney Sue Edwards: Yeah.

Det. LT Todd Baxter: Or, or change that. You know, in a, in a way that you as an individual sitting here being questioned with your attorney would feel like no, this was, this was wrong, and I would have never talked if you had had, you know, not said that in other words.

Officer Christopher Rose: What's next?

Det. Lt Todd Baxter: Okay. All right.

Attorney Sue Edwards: I mean we're going to come in and, and say what actually happened, and in all realty in this situation, the only person who knows now who's living who knows what happened actually in the bathroom is the person that sat in the room with us.

Det. Lt Todd Baxter: Right.

Attorney Sue Edwards: There is no video of that of course.

Det. Lt Todd Baxter: So.

Attorney Sue Edwards: Okay.

Det. LT Todd Baxter: I'll, uh, send James and Tyson back.

Attorney Sue Edwards: Sure.

Det. Lt Todd Baxter: And then that's whatever you have for them will be the end of the day.

Attorney Sue Edwards: Okay. Thank you very much.

Det. Lt Todd Baxter: Thank you.

Attorney Sue Edwards: Did you get that? I'm not, McDonald's is only going to show us what that body cam showed us.

Officer Christopher Rose: Yes, and this is part of their investigation

Attorney Sue Edwards: Yeah. Ultimately, all of it will get released.

Det. Sgt. James Vooris: All right, so I think there was some confusion there, but hopefully, I don't know what the conversation was but hopefully.

Attorney Sue Edwards: I think we're good.

Det. Sgt. James Vooris: Okay.

Other Speaker: I think we under, I think there was confusion, but I don't think there was trickery.

Det. Sgt. James Vooris: Okay. All right. Um, I don't think we have any more questions. Is there anything that you guys want to add?

Attorney Sue Edwards: I'd like to ask about process. I think I know the answer, but I'd like Chris to hear it -

Officer Christopher Rose: Yeah, I'd like to know.

Attorney Sue Edwards: - as well. How long it's gonna take to submit the report, and then how long is the piece of string as to when we're gonna get the actual result from the attorney generals?

Det. Sgt. James Vooris: So, um, speaking in extreme generalities because as I'm sure you can attest to, things are different in every case, um, the process for us is we put a case together. We gather all the information. Um, my understanding the case officer is, uh, Detective Sergeant, uh, Seth Richardson. When he has compiled the case, he will submit it to the attorney general's office, and I believe a county prosecutor. Um, I, I can't put a time on when that will be submitted. It's relatively, in my opinion relatively fast, but usually, the first submission is within a few weeks.

Det. Sgt. Tyson Kinney: I think, just in my experience, we, we try to like the 30 day mark is try to get it, everything gathered and done and submitted within the 30 days, um, and then it's on.

Det. Sgt. James Vooris: When it comes to the review, I wouldn't even venture to guess.

Det. Sgt. Tyson Kinney: It can go anywhere from 2 weeks to 10 months, you know, but we call every week and say what's the status, and at least with the county prosecutor, and in this case it's Bennington, she'll, she'll have the ability to look at everything and make her decision. I know with the attorney general's office, they have, uh, sort of a number of criminal prosecutors that each review it individually. It's not like they all sit down, and they look at it together. They all take their time looking at it, and then once everybody's reviewed it, then they come together, and they say what are the issues or no issues or

whatever. That's the process is because everybody has their own schedule, everybody's got their own court docket, so that's what takes a while is having everybody review it. It's not like they assign one attorney to do it. They have everybody look it, and I know, um, they've got a couple of new people, so I think they're gonna try to train some newer people to start to review these, um, so that could take long. I guess there's no real answer to that, but I've seen anywhere from 2 weeks to 10 months.

Attorney Sue Edwards: Right.

Officer Christopher Rose: Is there any more interviews that you guys have to do with witnesses or?

Det. Sgt. Tyson Kinney: I don't think so.

Det. Sgt. James Vooris: No.

Det. Sgt. Tyson Kinney: Um, we, we got pretty much everybody that night. Um, yeah, there was a, there was a lot of people that were inside McDonald's.

Attorney Sue Edwards: Mm hmm, for sure.

Det. Sgt. James Vooris: Do you know the address to the, the PD?

Officer Christopher Rose: 108 Will Street.

Det. Sgt. Tyson Kinney: Um, after the inci, after this is all set and done or whatever the outcome is, um, we'll be able to sit down with you and kind of go over everything we've learned.

Officer Christopher Rose: Okay.

Det. Sgt. Tyson Kinney: Um, and do like a debrief 'cause you didn't probably get that before, so there's obviously a lot of things that we've learned throughout these investigations that the officer who's involved doesn't hear or doesn't know.

Officer Christopher Rose: Okay.

Det. Sgt. Tyson Kinney: Um, so we'd be willing to share all of that with you too.

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: Um, what's a good phone number?

Officer Christopher Rose: [REDACTED]

Det. Sgt. James Vooris: Yep.

Officer Christopher Rose: [REDACTED]

Det. Sgt. James Vooris: [REDACTED] and [REDACTED] makes you 31.

Officer Christopher Rose: [REDACTED]

Det. Sgt. James Vooris: So this the last thing I have if there's no other kind of -

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: - other clarifications. It's just a sworn statement form, so it says On September 8th, 2021, I, Christopher Rose, provided a verbal and audio recorded statement to Detective Sergeant James Vooris of the Vermont State Police of my own free will without any threats or promises made to me. I am aware that it is a crime, a violation of Title 13, VSA 1754 to give false information to a police officer implicating another person or to deflect an investigation from a person or another person. The taped recorded statement is true and accurate to the best of my knowledge, belief, ability and is attached

to and incorporated into this sworn statement. So feel free to read that. Um, if you agree and understand, I'll just ask you to sign where it says affiant, um, and again, today's September 8th.

Det. Sgt. Tyson Kinney: Um, one thing that's sometimes helpful, is that we, we don't write reports for the, your interview.

Officer Christopher Rose: Okay.

Det. Sgt. Tyson Kinney: The shooter's interview. We send the recordings out to be transcribed. They're transcribed, and then we review it for corrections. So this interview will be transcribed and so your words are your words, and we're not trying to interpret anything that you say.

Officer Christopher Rose: Will I get a copy of that?

Det. Sgt. Tyson Kinney: Yeah.

Officer Christopher Rose: \*\*\*\* or.

Det. Sgt. Tyson Kinney: Yeah, once, once this is all, the investigation -

Officer Christopher Rose: Will I get a copy of the recording itself as well or is that afterwards?

Det. Sgt. James Vooris: Afterwards.

Det. Sgt. Tyson Kinney: That'd be after, yeah.

Det. Sgt. Tyson Kinney: Um, \*\*\*\*.

Officer Christopher Rose: Kay, well, that's cool.

Attorney Sue Edwards: Well, I know when we've discussed it before, you said that you would provide a trans, the transcript to us not this case but previous case, the transcript of the interview.

Det. Sgt. Tyson Kinney: yeah, yup. I know we, we've talked about that.

Attorney Sue Edwards: Mm.

Det. Sgt. Tyson Kinney: I don't have, it's not my case.

Other Speaker: Yeah, yeah.

Det. Sgt. Tyson Kinney: So, um, so if we can release it, we will.

Attorney Sue Edwards: Yeah, okay.

Det. Sgt. Tyson Kinney: Hopefully, the audio picked it up and there's not.

Det. Sgt. James Vooris: I'm not sure when the first recorder died. Obviously, this one has about the last hour, and we have the in room mic and camera so.

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: Um, that one's a little more challenging to send -

Attorney Sue Edwards: Oh, I'm sure.

Det. Sgt. James Vooris: - to transcription 'cause it has the video attached, but -

Attorney Sue Edwards: Yeah.

Attorney Sue Edwards: - we'll figure that out, uh.

Det. Sgt. James Vooris: Between it all, we should have it.

Det. Sgt. Tyson Kinney: There are ways to take it from video and put it on there.

Det. Sgt. James Vooris: Yeah, even if I let it play and record it.

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: So, um.

Det. Sgt. James Vooris: Notarize this. All right \*\*\*\*.

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: All right. I, so that's all we have. Um, if at any point, you know, something comes to mind and you want to continue our conversation, just reach out to your attorney, -

Attorney Sue Edwards: yeah come through me.

Det. Sgt. James Vooris: - and we can, you know, she'll reach out to probably the captain or lieutenant, and we can rearrange a time to meet, um, and then we kind of tell everybody that we talk to is, you know, obviously, don't, you don't want to talk to a bunch of people about this. You want to kind of keep it to, you know, your attorney and really maybe your union rep or whatever, but I'm sure you've had all those conversations so. All right, thanks for coming in.

Attorney Sue Edwards: I have one more point, and it doesn't need to be on tape. I don't care if it is or isn't.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: But I know that when I agreed to this in part of the email that I sent to captain, I asked that the next VSP release included that, uh, Corporal Rose had fully cooperated and met with you. Obviously those things are significant in the community.

Det. Sgt. James Vooris: Okay.

Attorney Sue Edwards: And so I would like to make sure that that, that's included in the next, um, press release that goes out.

Det. Sgt. James Vooris: All right. Um, maybe a theme here at the end of this interview is we don't do the press releases, but -

Attorney Sue Edwards: No.

Det. Sgt. James Vooris: - but we can certainly pass that information along.

Attorney Sue Edwards: Well, I'll pass it along again.

Det. Sgt. James Vooris: All right.

Attorney Sue Edwards: I'll write another email -

Det. Sgt. James Vooris: Perfect.

Attorney Sue Edwards: - saying -

Det. Sgt. James Vooris: That'd probably be best.

Attorney Sue Edwards: - I'm looking forward to the press release where it says that.

Det. Sgt. James Vooris: Perfect.

Attorney Sue Edwards: Yeah.

Det. Sgt. James Vooris: So awesome. Thank you guys.

Attorney Sue Edwards: Okay.

Det. Sgt. James Vooris: Appreciate it.

Other Speaker: \*\*\*\*.

Attorney Sue Edwards: Yeah, I do, but you're, you're good. Uh, do you want me to give you this?

Det. Sgt. Tyson Kinney: Uh, yeah, let me just kill the recorder.

Det. Sgt. James Vooris: So it's, uh, 4:20 p.m. That will conclude the audio recording.



Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
38 Stephenson, J	17:57:24 09/14/21	

PI: [REDACTED] by Detective Sergeant Jeffrey Stephenson and Detective Trooper Steven Gelder on August 25, 2021  
Case #: 21B403506  
Officer: Detective Sergeant Jeffrey W. Stephenson

Person(s) Interviewed/of Interest:

[REDACTED] DOB: [REDACTED]  
Miami, FL 33130  
[REDACTED]  
Social Media contact: n/a

Evidence/Exhibits:

1. One audio recording of interview with [REDACTED] by Detective Trooper Steven Gelder (copied to digital case file)

Narrative:

A. Introduction/Background

[REDACTED] (hereinafter, "[REDACTED]") was interviewed by telephone by Vermont State Police ("VSP") Detective Sergeant Jeffrey W. Stephenson and Detective Trooper Steven Gelder, on August 25, 2021, beginning at or about 6:56 PM. After being advised of the identity of the interviewing Detective and the nature of the interview, [REDACTED] provided the following information:

[The below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Communications by the parties to the interview were electronically audio recorded. The recording captures the actual words spoken. A digital copy of the interview recording has been saved to the VSP case file. All parties to the interview were made aware of the recording.]

For background, [REDACTED] was identified as the registered owner of a vehicle involved in a crash on August 25, 2021, in Rutland, Vermont. The vehicle's operator, [REDACTED] was later killed in a police-involved shooting in

Rutland, Vermont. It was determined [REDACTED] was a [REDACTED] of [REDACTED]

B. Death Notification of [REDACTED]

[REDACTED] was made aware of the death of [REDACTED] [REDACTED]. She was advised he died during a police-involved shooting. [REDACTED] reported his next of kin was [REDACTED] phone [REDACTED] who resides in Coral Gables, FL. [REDACTED] and [REDACTED] live in Arkansas.

C. Last Contact with [REDACTED]

[REDACTED] last saw [REDACTED] the week before the captioned interview in Florida. He was in Florida on vacation and told her he was trying to move. He had been in Florida for a week or more (possibly up to three weeks) before he contacted her. He was living "in the street." He did not stay with [REDACTED] in Florida. She met him at a Dollar Tree store. He was trying to move items and asked to borrow her vehicle. [REDACTED] owned a vehicle, a 90's 2-door car, black in color. She was not able to describe the vehicle further. She loaned [REDACTED] the vehicle after their meeting at the Dollar Tree.

About four days before the captioned interview, [REDACTED] sent [REDACTED] a text message saying he in was in New England. The message was sent from a "202" area code. [REDACTED] deleted the message and no longer had the number. She did not know why he traveled to Vermont.

D. [REDACTED] Background

[REDACTED] was born in Florida and traveled many places throughout his life. [REDACTED] did not know much about him. She believed he [REDACTED] but had [REDACTED] (or possibly just a [REDACTED]), [REDACTED] long ago. She was from Connecticut.

[REDACTED] and [REDACTED] had not had contact in a long time. He had been in jail or hospitalized in Connecticut.

[REDACTED] had [REDACTED] and may have been [REDACTED]. He was taking [REDACTED] since a young age. [REDACTED] had problems in Connecticut and was supposed to take [REDACTED] [REDACTED] did not know the details.

[REDACTED] did not know why [REDACTED] was in jail. She did not know information about his drug/alcohol use. He had been living at a half-way house in Connecticut. She did not know his friends. [REDACTED] and [REDACTED] might know more about him. He had problems with his [REDACTED] and [REDACTED]

[REDACTED] was generally a happy person and was not a bad guy. He was not aggressive but had bad days like anyone else. [REDACTED] never had problems with [REDACTED]

When [REDACTED] first moved to the U.S., she was close with [REDACTED] He moved away and they lost contact years ago. Something happened and [REDACTED] went to jail.

[REDACTED] was not sure why she allowed him to borrow her car. He did not leave anything behind with her when he left Florida.

[REDACTED] did not know if [REDACTED] worked or made money. He possibly received social security benefits.

E. Consent to search vehicle

[REDACTED] provided consent (audio recorded) for law enforcement to search her

vehicle.

-Nothing Further-

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
39 Stephenson, J	17:59:01 09/14/21	

PI: [REDACTED] by Detective Sergeant Jeffrey Stephenson on August 25, 2021  
Case #: 21B403506  
Officer: Detective Sergeant Jeffrey W. Stephenson

Person(s) Interviewed/of Interest:

[REDACTED], DOB: [REDACTED]  
[REDACTED] Rutland, Vermont 05701  
(cell)  
(mother cell)  
Social Media contact: n/a

Evidence/Exhibits:

1. One audio recording of interview with [REDACTED] by Detective Sergeant Stephenson (copied to digital case file)
2. One sworn audio statement form signed by [REDACTED] on August 25, 2021 (copied to digital case file -original given to Detective Sergeant Seth Richardson)

Narrative:

A. Introduction

[REDACTED] (hereinafter, "[REDACTED]") was interviewed at the Rutland City Police Department, Project Vision Office by Vermont State Police ("VSP") Detective Sergeant Jeffrey W. Stephenson, on August 25, 2021, beginning at or about 6:24 PM. After being advised of the identity of the interviewing Detective and the nature of the interview, [REDACTED] provided the following information:

[The below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Communications by the parties to the interview were electronically audio recorded. The recording captures the actual words spoken. A digital copy of the interview recording has been saved to the VSP case file. All parties to the interview were made aware of the recording. Following the interview, [REDACTED] signed a VSP Sworn Recorded Audio Statement Form.]

B. Free Narrative of [REDACTED]

[REDACTED] had been employed at McDonald's Restaurant for about [REDACTED] years. On August 25, 2021, she worked the 7:00 AM to 3:00 PM shift and was assigned on "table" assembling sandwiches behind the front counter.

While making sandwiches, [REDACTED] heard two gunshots from the lobby area of the restaurant. [REDACTED] saw [REDACTED], [REDACTED], run from the front counter area to the grill area. [REDACTED] was shaking and said she was getting out of there. [REDACTED] ran to [REDACTED] and hugged her.

C. [REDACTED] Workstation

[REDACTED] workstation at "table" was next to the front counter. She was facing the north wall inside the restaurant. She did not see anyone who did not appear to be a customer and did not see any police officers inside the restaurant [before the shooting].

D. Gunshot(s)

In the past, [REDACTED] has been target shooting, but she did not remember what a gunshot sounded like. [REDACTED] immediately thought the noises she heard inside the restaurant were gunshots. She was not sure how to explain the sound.

E. Other Information Learned

While meeting with all restaurant staff in the back area, [REDACTED] learned the following from the announcements of the [REDACTED], "[REDACTED] the person involved in the shooting was deceased, the restaurant had been declared safe, and there was no longer a threat.

-Nothing Further-

Law Supplemental Narrative:

Supplemental Narratives

Seq Name Date Narrative

40 Stephenson, J 17:59:41 09/14/21

PI: [REDACTED] " by Detective Sergeant Jeffrey Stephenson on August 25, 2021

Case #: 21B403506

Officer: Detective Sergeant Jeffrey W. Stephenson

Person(s) Interviewed/of Interest:

[REDACTED], " DOB: [REDACTED]  
[REDACTED], Pittsford, Vermont 05763  
(cell)

Social Media contact: n/a

Evidence/Exhibits:

1. One audio recording of interview with [REDACTED] " [REDACTED] by Detective Sergeant Stephenson (copied to digital case file)
2. One sworn audio statement form signed by [REDACTED] " [REDACTED] on August 25, 2021 (copied to digital case file -original given to Detective Sergeant Seth Richardson)
3. One hand-drawn sketch of incident/scene by [REDACTED] " [REDACTED] on August 25, 2021 (copied to digital case file -original given to Detective Sergeant Seth Richardson)
4. One copy of a note by [REDACTED] " [REDACTED] listing the employees who were present during the shooting, their address, and phone number(s) (copied to the digital case file)

Narrative:

A. Introduction

[REDACTED] " [REDACTED] (hereinafter, "[REDACTED]") was interviewed at the Rutland City Police Department, Project Vision Office by Vermont State Police ("VSP") Detective Sergeant Jeffrey W. Stephenson, on August 25, 2021, beginning at or about 6:56 PM. After being advised of the identity of the interviewing Detective and the nature of the interview, [REDACTED] provided the following information:

[The below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Communications by the parties to the interview were electronically audio recorded. The recording captures the actual words spoken. A digital copy of the interview recording has been saved to the VSP case file. All parties to the interview were made aware of the recording. Following the interview, [REDACTED] signed a VSP Sworn Recorded Audio Statement Form.]

B. Free Narrative of [REDACTED] " [REDACTED]

[REDACTED] is the [REDACTED] [REDACTED] McDonald's Restaurant's, including the one located on S. Main Street, Rutland, Vermont. She was working at the S. Main Street McDonald's on August 25, 2021. Around 2:00 PM she was meeting with [REDACTED] LNU (last name unknown), who was conducting on the job manager training, and [REDACTED] an [REDACTED], in the side lobby of the restaurant.

[REDACTED] was seated facing the front lobby with her back to the Allen Street entrance/exit door. [REDACTED] saw a male enter the restaurant through the Allen Street door. He was running towards the bathroom and took a left into the men's room. [REDACTED] assumed he needed to use the bathroom quickly.

The male was about 5'8" tall, wearing baggy clothing and jeans. He was carrying a backpack. He had a beard and mustache and was wearing a hood or hat on his head.

[REDACTED] then observed two-three (possibly four) police officers enter the restaurant and head towards the bathroom. She assumed they were there to arrest the male who just entered the men's room. There was a family of customers seated in the lobby area: a man, two women, and four-five children. Wanting to get them away from the expected police action, [REDACTED] helped them move their food and trays into the play place area at the front (S. Main Street) side of the restaurant.

As [REDACTED] was helping the family move into a new table, she heard a gunshot. The male with the family immediately took his family out the play place door and left the restaurant.

[REDACTED] saw [REDACTED] on the south (Symquest Business) side of the restaurant, he was locking the doors. [REDACTED] got the other employees into the back of the restaurant, behind the kitchen. [REDACTED] remained in the play place.

[REDACTED], [REDACTED], [REDACTED] and [REDACTED] both worked at the restaurant as well. They were working in the kitchen area. [REDACTED] another employee was working the drive-thru lane and positioned at the front counter taking orders. She later told [REDACTED] that she got a glimpse of the guy (that ran into the restaurant) before she ran out back.

[REDACTED] came to the back of the restaurant and caught up with [REDACTED] in the back room with other employees. They positioned themselves between shelving.

[REDACTED] did not immediately know who had been shot. She saw multiple police cars outside the restaurant and felt safe.

Later, [REDACTED] spoke with a State Police Detective, "Seth" (Detective Sergeant Seth Richardson), along with other law enforcement officers. She learned there had been a fatality. [REDACTED] did not see the decedent but saw some blood drops on the floor near the bathroom vestibule. [REDACTED] also spoke with [Rutland Police] Officer Dumas at the scene.

Following the shooting, law enforcement officers walked employees to use a restroom at the Comfort Inn, nearby. A reporter called the restaurant phone - [REDACTED] did not release any information. Customers in the drive-thru lane were sent away with no food.

[REDACTED] looked outside and saw a black car with a blown front tire -the car had been in a crash. The car was on Allen Street, in the left lane, near a crosswalk, facing the fairgrounds.

[REDACTED] also saw ambulance members come into the restaurant but noted they did not leave with anyone on the stretcher. She assumed the fatality was the man who ran into the bathroom.

[REDACTED] called the [REDACTED], "[REDACTED] along with the [REDACTED] [REDACTED], " to report the incident. "[REDACTED] later came to the restaurant and met with employees in the back room to check on them. [REDACTED]

also made a note of all employees present, including their phone numbers and addresses. She gave this list to a member of law enforcement at the scene but also kept a copy for herself. [Writer's note: This note was photocopied during the captioned interview. The copy was placed with the digital case file.]

#### C. [REDACTED] Scene Sketch

[REDACTED] created a hand-drawn sketch of the scene, incident, and layout. She was asked to narrate the incident as she created the sketch. During this time, she noted path of travel for the male who ran to the bathroom and the officers. She also noted the male who entered the restaurant running was not yelling but quiet. She did not see that he had any weapons, but he was carrying a backpack. He was also not carrying any other items that [REDACTED] saw. A copy of the sketch drawn by [REDACTED] was placed with the digital case file.

#### D. Police Officer Response

The first officer [REDACTED] saw enter the restaurant behind the running male was wearing blue or black colored uniform clothing. She clearly saw he was a police officer by his uniform. The officer was a male, about 5'11" tall, stocky, she was not sure of his race. Nothing distinctive stood out about him. She saw him moving past her and away from her for about five seconds. He was walking swiftly, or jogging. He was not moving as fast as the male she saw run to the bathroom.

Next, two other officers came in shortly after the first. She thought the first officer was there to arrest the male who ran into the bathroom. The time delay between the first officer and the second/third officers entering was five-ten seconds. One of these officers was male and about the same height as the other. They came in more "crouched" and aggressive than the first officer. They were running. One of them was wearing a white colored uniform shift. She did not get a good look at them and did not know their identities or race.

[REDACTED] did not see any of the officers holding their guns. She had a view of the first officer's side and back as he entered and passed by her.

#### E. Details/Timeline of Shooting

The male ran into the restaurant and towards the bathroom. He entered the men's

bathroom. The first officer entered shortly after. [REDACTED] realized the officer was probably there to arrest the man who ran into the men's bathroom. When she saw the next two officers run into the restaurant, she felt there the situation may be more dangerous than she first thought.

[REDACTED] and [REDACTED] began to move the family into the play place to protect them. [REDACTED] and [REDACTED] grabbed the trays of food and escorted the family into the play place. She found a table for them to sit at and as she put their tray of food on the table, she heard the first gunshot.

[REDACTED] got the family out of the play place exit door and returned to the restaurant lobby, then the front counter to get her employees securely out back. As she approached the front counter, she heard a second gunshot. Some employees later told her they heard four gunshots, however, [REDACTED] only heard two.

A fourth police officer entered just before she heard the second gunshot. The fourth officer may have told [REDACTED] to stay in the play place -that explained

[REDACTED] delay in getting to the back of the restaurant. While reviewing this information with [REDACTED] she was not sure whether there was a fourth officer who entered or possibly only three in total.

F. Motor Vehicle Crash

[REDACTED] did not see or hear a motor vehicle crash at or near the restaurant.

G. Customers

[REDACTED] was only aware of the one family of customers previously described. She did not think there were other customers in the restaurant at the time of the shooting.

-Nothing Further-



Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
41 Stephenson, J	18:00:09 09/14/21	

PI: [REDACTED] by Detective Sergeant Jeffrey Stephenson on August 25, 2021  
Case #: 21B403506  
Officer: Detective Sergeant Jeffrey W. Stephenson

Person(s) Interviewed/of Interest:

[REDACTED], DOB: [REDACTED]  
[REDACTED] N. Clarendon, Vermont 05759  
[REDACTED] (cell)  
Social Media contact: [REDACTED]

Evidence/Exhibits:

1. One audio recording of interview with [REDACTED] by Detective Sergeant Stephenson (copied to digital case file)
2. One sworn audio statement form signed by [REDACTED] on August 25, 2021 (copied to digital case file -original given to Detective Sergeant Seth Richardson)

Narrative:

A. Introduction

[REDACTED] (hereinafter, "[REDACTED]") was interviewed at the Rutland City Police Department, Project Vision Office by Vermont State Police ("VSP") Detective Sergeant Jeffrey W. Stephenson, on August 25, 2021, beginning at or about 6:06 PM. After being advised of the identity of the interviewing Detective and the nature of the interview, [REDACTED] provided the following information:

[The below is an interview summary. It is not intended to be a verbatim account and does not memorialize all statements made during the interview. Communications by the parties to the interview were electronically audio recorded. The recording captures the actual words spoken. A digital copy of the interview recording has been saved to the VSP case file. All parties to the interview were made aware of the recording. Following the interview, [REDACTED]

signed a VSP Sworn Recorded Audio Statement Form.]

B. Free Narrative of [REDACTED]

[REDACTED] has worked at McDonald's Restaurant for about [REDACTED] years. On August 25, 2021, she was working the 11:00 AM to 8:00 PM shift and was assigned to the front counter. [REDACTED] walked to the rear of the store to gather toys for a Happy Meal. While near the back of the store, an employee named "[REDACTED]" asked [REDACTED] if she heard gunshots. She did not.

[REDACTED] did not see anything, nor did she hear anything related to this incident. After gathering with other employees at the rear of the store, [REDACTED] and other employees discussed the incident. Other employees were stating that a guy hit a UPS truck, ran into the restaurant, an officer followed, and the guy must have shot at the officer [REDACTED] noted she did not know the guy shot at the officer -she assumed] and the officer fired back. Employees reported hearing multiple shots. [REDACTED], another employee, saw part of the incident.

-Nothing Further-

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
42 Stephenson, J	18:05:30 09/14/21	
IA: Preservation of Google account [REDACTED] by Detective Sergeant Jeffrey W. Stephenson on August 26, 2021		
Case #: 21B403506		
Officer: Detective Sergeant Jeffrey W. Stephenson		

Evidence/Exhibits:

1. One Email reply from Google with reference # 6484900 regarding preservation of [REDACTED]
2. One preservation request directing Google to preserve the account associated with [REDACTED].

Narrative:

On or about August 26, 2021, the Writer sent a preservation request to Google via their LERS portal requesting preservation of records associated with the account [REDACTED]. In response, Google provided reference number [REDACTED]

-Nothing Further-

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
43 Richardson, S	08:56:47 09/15/21	Investigative actions taken from August 25, 2021, to August 30, 2021 by Detective Sergeant Seth Richardson

Case#: 21B403506

Officer: Detective Sergeant Seth Richardson

Person(s) Interviewed:

[REDACTED]  
DOB: [REDACTED]  
[REDACTED]  
Rutland, VT. 05701  
[REDACTED] (cell)

[REDACTED]  
DOB: [REDACTED]  
[REDACTED]  
Pittsford, VT. 05763  
[REDACTED] (cell)

[REDACTED]  
DOB: [REDACTED]  
[REDACTED]  
Miami, FL. 33165  
[REDACTED]

[REDACTED]  
DOB: [REDACTED]  
[REDACTED]  
Miami, FL. 33165  
[REDACTED]

[REDACTED]

DOB: [REDACTED]  
[REDACTED]  
Hot Springs, AR. 71913  
[REDACTED]

DOB: [REDACTED]  
[REDACTED]  
Clarendon, VT. 05759  
[REDACTED] (cell)

List of Exhibits:

1. Vermont State Police, Consent to Search for McDonald's, signed by [REDACTED] on 08-25-2021 - 1 page.
2. Sworn Audio Recorded Statement form signed by [REDACTED] on 08-26-2021 - 1 page.
3. Audio recorded statement of [REDACTED] completed on 08-26-2021 by Det. Sgt. Seth Richardson.
4. (2) Digital files containing video from [REDACTED], Clarendon, VT.
5. Audio recorded statement of [REDACTED] and [REDACTED] completed on 08-26-2021.
6. (1) Disc containing Rutland City Police Department radio transmissions.
7. Office of the Chief Medical Examiner, Preliminary Report of Examination - 2 pages.
8. Vermont Forensic Laboratory, Request for Laboratory Examination (DPS-305) - 2 pages.
9. Vermont State Police, Technology Investigation Unit, Analysis Request for FileOnQ #: 9 (phone) - 4 pages.
10. Vermont State Police, Technology Investigation Unit, Analysis Request for FileOnQ #: 26A (phone) - 4 pages.
11. Vermont State Police, Technology Investigation Unit, Analysis Request for FileOnQ #: 27 (Garmin GPS) - 4 pages.

List of Evidence:

1. N/A

Narrative:

On August 25, 2021, at approximately 1455 hours, Detective Lieutenant John-Paul Schmidt contacted me and advised a member of the Rutland City Police Department was involved in an officer-involved shooting incident located in Rutland City, Vermont. Further, the person the officer fired upon was deceased. While speaking with Detective Lieutenant Schmidt, he was still gathering details about the incident. Detective Lieutenant directed me to respond to the Rutland City Police Department for a briefing.

After speaking with Detective Lieutenant Schmidt, I received a telephone call from Captain Scott Dunlap. Captain Dunlap requested I meet him at the scene located at McDonald's, 182 South Main Street, Rutland City, Vermont. Captain Dunlap instructed me to identify the restaurant owner and inquire with the restaurant owner if he/she would be willing to provide consent to search, including the use of an unmanned aerial system (UAS). Captain Dunlap also advised me to ensure the scene was secure and a log was started.

I arrived on the scene at approximately 1522 hours and parked in the CJ's Suds South parking lot. From there, I observed a United Parcel Service (UPS) vehicle at a position of uncontrolled rest pointing west on Allen Street. I observed a Chevrolet Cobalt at a place of uncontrolled rest pointing west within the eastbound travel lane of Allen Street. I observed the Chevrolet Cobalt had extensive frontend damage. I observed the UPS truck had moderate damage

primarily concentrated on the left rear of the vehicle. Positioned directly behind the Chevrolet Cobalt, I observed a marked Rutland City Police Department police vehicle in the eastbound lane of travel. Behind the said Rutland City Police Department vehicle, I observed multiple Rutland County Sheriff's Department police vehicles. I observed there to be yellow barrier tape encompassing the entire McDonald's complex and a portion of Allen Street, specifically where the vehicles involved were located.

At the scene, I spoke with Rutland City Police Department Detective Sergeant Charles Whitehead. Detective Sergeant Whitehead indicated the scene was secure by members of his department and the Rutland County Sheriff's Department and that a scene log was started. Detective Sergeant Whitehead indicated multiple McDonald's employees were still inside the building shutting the restaurant equipment down. The employees were concentrated within the kitchen area of the building and not in proximity of the Decedent. Officers were inside the facility, ensuring continuity of the scene. At this time, Detective Sergeant Whitehead provided me a handwritten list of employees and potential witnesses. Detective Sergeant Whitehead indicated that [REDACTED], who is employed by

[REDACTED], was archiving video from McDonald's. [REDACTED] owns the McDonald's franchise at this location. [REDACTED] owns [REDACTED].

I entered McDonald's, accompanied by Captain Dunlap, Lieutenant Casey Danielle, Rutland City Police Department Chief Brian Kilcullen, and Detective Sergeant Whitehead. Inside I observed there to be law enforcement personnel as well as McDonald's employees. The Decedent was located on the floor of a hallway just outside the doors of the restaurant's restrooms.

While inside McDonald's, I was directed to [REDACTED] [REDACTED] who at the time was the [REDACTED]. [REDACTED] and I spoke about logistics as far as coordinating remaining employee's departures and the reopening of the restaurant when we (police) were complete with processing the scene. During this conversation, I requested she contact [REDACTED] and have him respond to the restaurant. The purpose of my request was to request his consent as the owner to search the building.

[REDACTED] did respond to the restaurant. I confirmed [REDACTED] does own [REDACTED], and [REDACTED] is the parent company of the McDonald's franchise at this location. I read the Vermont State Police consent to search form in its entirety to [REDACTED]. [REDACTED] opted to provide written consent to search the building, parking lot, and drone usage. I provided my telephone number to [REDACTED] in the event he wished to revoke consent at any time. [REDACTED] communicated to me that he wanted to assist in any way and to let him know if we needed anything additional.

I then departed from the scene and traveled to the Rutland City Police Department. At the Rutland City Police Department, I attended the briefing conducted by Detective Lieutenant Schmidt. At the onset of the briefing, Detective Lieutenant Schmidt designated me as the lead for the investigation. During the briefing, I learned earlier in the day (08/25/2021) a Be-On-Lookout (BOL) was issued for a vehicle originating from the Rutland City Police Department. The vehicle subject to the BOL was reported to have been involved in a crash and fled the scene. After the original Bol was issued to local law enforcement entities, the Rutland County Sheriff Department (RCSD) deputies located the vehicle and attempted to stop it. The vehicle failed to stop, and a pursuit ensued. The pursuit was discontinued and reinitiated at least once.

The fleeing vehicle was involved in a motor vehicle crash on Allen Street near the South Main Street intersection. After the crash, the Decedent fled on foot out of the car. Rutland City Police Department Officer Chris Rose had responded to the pursuit or crash and pursued the Decedent on foot into McDonald's. Once inside McDonald's, Officer Rose discharged his firearm and subsequently struck and killed the Decedent.

After the briefing concluded, my primary duties consisted of maintaining and updating the electronic case file.

At approximately 1824 hours, I received an email from Trooper Ryan Malmgren, and a second email at approximately 1825 hours. Each email contained an mp4 video attachment. Trooper Malmgren obtained the video attachments from the homeowner residing at [REDACTED], Clarendon, Vermont. The videos depict the Decedent in the driveway, and the second video depicts the Decedent leaving the premises once a Deputy Sheriff arrives. Both videos were uploaded to the Vermont State Police electronic case file.

At approximately 2100 hours, I traveled back to McDonald's as members of the Crime Scene Search Team (CSST) and Assistant Medical Examiner (AME) were preparing to remove the body from the premises. There I spoke with Detective Sergeant Aimee Nolan and AME Wener. I was advised they located three shell casings and one projectile. Additionally, it appeared as though the Decedent had two penetrating gunshot wounds. During this conversation, I provided AME Wener a digital image of the Decedent's Florida Driver's License; this was purely for identification purposes. It should be noted that Captain Dunlap spoke with Bennington County State's Attorney Erica Marthage at approximately 2019 hours, at which time she authorized removal of the body.

At approximately 1130 hours, Detective Sergeant Tyson Kinney and [REDACTED] were in the process of making telephonic contact with the Decedent's [REDACTED]. I opted to sit in on this call to [REDACTED]. The purpose of this call was to notify [REDACTED] of [REDACTED] death and obtain information about the Decedent. Detective Segreant Kinney called, and the male who answered identified himself as [REDACTED]. During the conversation, [REDACTED] merged our call to his [REDACTED]. For a summary of this conversation, please refer to Detective Sergeant Kinney's person interviewed report.

#### Activity for August 26, 2021

On August 26, 2021, I received an email from Detective Lieutenant Schmidt. Detective Lieutenant Schmidt conveyed that SA Erica Marthage concurred with the consensual search of the vehicle the Decedent had been operating (Chevrolet Cobalt). Previous to this, it was determined through interviews, and motor vehicle records the vehicle's registered owner was [REDACTED]. Detective Stephenson obtained verbal recorded consent from [REDACTED] during an interview on August 25, 2021. SA Marthage also concurred no search warrant would be needed for the phone the Decedent had in his possession at the time of the incident based on the fact he was deceased, and there was no expectation of privacy.

On the morning of August 26, 2021, Detective Sergeant Tyson Kinney spoke with [REDACTED] and [REDACTED]. [REDACTED] identified himself as the Decedent's [REDACTED]. [REDACTED] stated the Decedent had been staying with him and [REDACTED] at their Wallingford, Vermont, home since Monday (08-23-2021). Additionally, the Decedent left a backpack at their home. Detective Sergeant Kinney relayed this information to me. At approximately 1054 hours, I spoke with SA Marthage and

apprised her of the backpack and inquired if permissible to search the backpack, as there was no expectation of privacy. SA Marthage concurred a search warrant was not needed to search the backpack. Detective Sergeant Kinney secured the backpack and searched it. During his search, he located a UMX cellular phone. For a summary of the search and synopsis of [REDACTED] interview, please see Detective Sergeant Kinney's report.

At approximately 0945 hours, I called [REDACTED]. This was in response to [REDACTED] calling earlier in the morning requesting someone call him back. The previous night (08-25-2021) [REDACTED] agreed to participate in an interview, and I would call him mid-morning on this date. I began a sworn audio-recorded statement exclusively with [REDACTED]. During the interview, [REDACTED], [REDACTED] who was with [REDACTED] interjected herself into our conversation. In essence, I conducted sworn audio-recorded statements telephonically with [REDACTED] and [REDACTED]. For a synopsis of the interview, please see the person interviewed report completed for [REDACTED] and [REDACTED].

At approximately 1120 hours, Rutland City Police Department Commander Sam Delpha

contacted me and advised he wanted to provide me with radio transmissions from his agency during the incident. Commander Delpha brought the recordings to the Rutland barracks, and I took possession. The radio transmissions were later uploaded to the electronic case file.

On this date, I prepared a Vermont State Police Technology Investigation Unit, Analysis Request for the UMX cellular device the Decedent had on his person (FileOnQ #: 9). After completing the form was electronically submitted Vermont State Police Technology Investigations Unit by electronic means.

At approximately 1239 hours, I telephonically spoke with [REDACTED]. [REDACTED] was the operator of the United Parcel Service truck at the time of the crash. I asked [REDACTED] if he was willing to meet with me and provide a sworn audio recorded statement, he advised he would. [REDACTED] proposed I meet him at his residence at 1330 hours.

At approximately 1413 hours, I received an email from Detective Lieutenant Schmidt advising he spoke with Chief Medical Examiner Dr. Steven Shapiro, who detailed the results of the autopsy. Detective Lieutenant Schmidt conveyed to me that the Decedent had been struck by two bullets, both of which were recovered inside him. One struck his [REDACTED], [REDACTED], and was recovered [REDACTED]. The other struck his [REDACTED]. Direction on both was front to back, left to right, and downward. There was an indication the second wound was a close proximity wound.

At approximately 1350 hours, I conducted a sworn audio-recorded statement of [REDACTED] at his residence located at [REDACTED], Clarendon, Vermont. For a synopsis of [REDACTED] interview, please see the person's interview report completed for [REDACTED].

At approximately 1500 hours, I participated in a conference call with Captain Dunlap, Detective Lieutenant Todd Baxter, Detective Lieutenant Schmidt, Bennington County State's Attorney Erica Marthage, and Deputy Attorney General Domenica Padula. The purpose of this call was to update State's Attorney Marthage, and Deputy Attorney General Padula on the case. During the conference, there was concern about why Decedent was in the area (his criminal

history had elements of child luring), and it was decided to push getting his phones (one found at the scene and a second found in a backpack, he left at the residence where he'd been staying) examined.

At approximately 1527 hours, I received an email from the Westminster public-safety answering point advising [REDACTED] called in requesting to speak with a detective. At approximately 1605 hours, I called and spoke with [REDACTED]. It should be noted this conversation was not recorded as I was uncertain what [REDACTED] wanted to talk about. [REDACTED] expressed her concern with the Vermont State Police potentially issuing a press release portraying her brother to be a criminal. I advised [REDACTED] I did not authorize the press release; however, I doubted the press release would contain any bias. [REDACTED] then demanded I tell her particular case facts that were not public. I explained to [REDACTED] telling her facts of the case could jeopardize the integrity of the investigation. [REDACTED] then became very upset with me and insinuated I was covering for the officer involved. Before I could respond to [REDACTED] comment, she hung up on me.

#### Activity for August 27, 2021

On August 27, 2021, at approximately I assisted Detective Sergeant McNeil with searching the vehicle the Decedent was operating. The vehicle is identified as a 2009 Chevrolet Cobalt bearing Florida registration [REDACTED]. The vehicle was secured at the Rutland barracks impound lot. Detective Sergeant Jeffrey Stephenson previously obtained consent from the vehicle's registered owner, [REDACTED]. Detective Sergeant McNeil entered the vehicle at approximately 0738 hours. Detective Sergeant McNeil seized a Garmin GPS unit (serial#: [REDACTED]). During the search Detective Sergeant McNeil removed several paper documents. Within these paper documents, I located the vehicle's registration and insurance information. I secured the vehicle's insurance and registration documents to provide to Trooper Jakubowski, who is completing the State of Vermont Uniform Crash Report for the crash that took place between the said vehicle and the United Parcel Service truck.

On August 27, 2021, at approximately 0930 hours, I received a telephone call from Rutland Probation and Parole, Probation Officer, [REDACTED]. [REDACTED] conveyed he recently spoke with [REDACTED], whom he supervises. [REDACTED] indicated [REDACTED] is employed at [REDACTED], located in Rutland City, Vermont. [REDACTED] learned from speaking with [REDACTED] that the Decedent had been at Town Fair Tire before the incident getting a quote on tires.

On this date, I prepared a DPS-305, request for laboratory examination for the following items. FileOnQ #: 3, Christopher Rose's duty weapon, FileOnQ #: 6, cartridge casing, FileOnQ # 7, projectile fragment, FileOnQ #: 8, cartridge casing, FileOnQ #: 12, cartridge casing. These items were transported to the Vermont Forensic Laboratory by Detective Sergeant Aron McNeil.

On this date, I prepared a Vermont State Police Technology Investigation Unit, Analysis Request for the UMX cellular device Detective Sergeant Tyson Kinney located in the Decedent's backpack (FileOnQ #: 26A). I also completed an analysis Request Form for the Garmin GPS unit Detective Sergeant Aron McNeil located in the vehicle the Decedent was operating (FileOnQ #: 27). Both forms were forwarded to the Vermont State Police Technology Investigations Unit by electronic means. Both items were transported to the Technology Investigations Unit by Detective Sergeant McNeil.



After the search of the vehicle was completed, the jack and spare tire (FileOnQ #: 2) that were secured from [REDACTED], Clarendon, VT., were placed back into the vehicle by Detective Sergeant McNeil. Detective Sergeant Tyson Kinney had the items in his possession and relinquished them to me for the purpose of placing the items back into the vehicle. Once the items were placed back into the vehicle, I created an entry in FileOnQ detailing the items were returned to the owner by placing them in the vehicle.

At approximately 1135 hours, The Rutland County State's Attorney Office emailed me the Decedent's preliminary autopsy report from the Office of the Chief Medical Examiner. The exam was conducted on August 26, 2021, by Chief Medical Examiner Doctor Steven Shapiro. Doctor Shapiro indicated in his report the immediate cause of death was [REDACTED]. Doctor Shapiro annotated under preliminary findings [REDACTED].

[REDACTED]

recovered. Lastly, Doctor Shapiro noted toxicology for the Decedent was submitted.

At approximately 1241 hours, Detective Lieutenant Schmidt forwarded an email he received from the Vermont State Police Technology Investigations Unit (TIU) pertaining to the Decedent's cellular devices. Both devices were previously submitted to TIU for extractions. TIU indicated for FileOnQ item number 9, without a passcode, they were not able to conduct an extraction from the actual device. They were successful in extracting the SIM card and the micro SD card that was located inside the phone. No evidence was located on the SIM card or the micro SD card. TIU indicated the second device, FileOnQ number 26A, did not contain a SIM card or micro SD card, and they had the same difficulties conducting an extraction on the actual device.

At approximately 1518 hours, I met with Rutland County Sheriff's Department Lieutenant James Bennick, and he provided me several discs containing the cruiser and body camera footage from his department. The Rutland County Sheriff's Department had previously provided these videos; however, the format did not contain necessary metadata. Therefore, I requested duplicates be made using the Watchguard player. During our conversation, Lieutenant Bennick informed me that Deputy Schneider's cruiser video does not have audio because the body camera does not synchronize correctly. This was a known issue prior to the incident.

This concludes my investigative actions taken from August 25, 2021, to August 30, 2021.

SAR.Wed Sep 15 08:59:22 EDT 2021

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
44 Alberico, H	14:58:24 09/15/21	

PI: Schneider, Avery by Detective Sergeant Henry Alberico on August 25, 2021

Case#: 21B403506

Officer: Detective Sergeant Henry Alberico

Person Interviewed: Avery Schneider (DOB: [REDACTED])  
Rutland County Sheriff's Department  
[REDACTED], Milton, VT  
Tel. #: [REDACTED]

List of Exhibits:

1. (1) - CD of interview w/ Avery Schneider August 25, 2021
2. (1) - Sworn audio recorded statement form
3. (1) - CD with 24 digital photographs of crash scene

Narrative:

On August 25, 2021, at approximately 1746 hours, I conducted an interview with Deputy Avery Schneider of the Rutland County Sheriff's Department. The interview was regarding an officer involved shooting that occurred in Rutland, VT earlier in the day. It was reported that Rutland City Police officer, Chris Rose had shot and killed a man while inside McDonald's located at the corner of Allen Street and US RT 7 in Rutland City. This incident occurred following a motor vehicle pursuit, followed by a motor vehicle crash and the suspect fleeing his vehicle and running into the restaurant. The purpose of the interview was to obtain information from Schneider about her involvement in the pursuit and the officer involved shooting that occurred inside McDonald's.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the digital audio recording. It should be noted

this interview was completed by Det. Sgt. Henry Alberico of the Vermont State Police inside a private room within the Rutland City Police Department. During the interview I learned the following:

Schneider advised that at approximately 1420-1430 hours, she was on School Street in Wallingford, VT. Lt. Geno had been flagged by a motorist on Route 7 in Wallingford and was advised that a black Chevy Cobalt had been involved in an "LSA" earlier in the day in Rutland City and that it was north bound on Route 7. Lt. Geno provided that information over the radio and stated he was going to be attempting to locate the vehicle. A short while later Lt. Geno radioed that he had located the vehicle and was going "75" with it and then advised that the vehicle had taken off and he was in pursuit of the vehicle. Deputy Schneider said that she was already headed towards Lt. Geno when he had called in the pursuit. Lt. Geno stated he was northbound on Route 7, passing Route 103, and that the vehicle had turned up North Shrewsbury Road and he had lost sight of it. Deputy Schneider said she decided to turn on to Route 103 and then onto East Clarendon Road. While searching the area, Lt. Bennick radioed that he was out with the described vehicle and a subject on North Shrewsbury Road and added that he had him at gunpoint. Deputy Schneider explained that she was attempting to turn around on Cold River Road when Lt. Bennick advised that the suspect had gone back into the vehicle and was again fleeing. Deputy Schneider then observed the vehicle driving on North Shrewsbury Road and onto Cold River Road. The suspect vehicle then again turned around on someone's lawn and began traveling northbound on Cold River Road towards Rutland City. Deputy Schneider indicated that the front tire on the driver's side was on the rim or flat. Deputy Schneider added that the suspect was not stopping, and his speed was steadily increasing. The suspect vehicle was swerving into on coming traffic and was described as almost hitting south bound vehicles and the oncoming vehicles had to move off from the road. Deputy Schneider said she backed off because of those actions. Once the traffic was clear, Deputy Schneider continued the pursuit and added that the suspect was swerving in and out of his lane of travel and at times would be in the wrong lane of travel. When approaching the four-way intersection of Cold River Road and Curtis Avenue, the suspect failed to stop at the posted stop sign and continued north into Rutland City on Stratton Road. Deputy Schneider stated that the suspect almost hit on coming vehicles near the hospital as well. Just prior to the Allen Street and Stratton Road intersection, Deputy Schneider believed she heard Lt. Bennick advising to discontinue the pursuit, so she confirmed his order and then deactivated her blue light and siren. The suspect vehicle turned onto Allen Street, driving towards Main Street in the oncoming lane of traffic. Deputy Schneider stated that she was trying to keep the vehicle within eyesight while driving on Allen Street. She added that there were a few cars between her and the suspect vehicle. Somewhere near the railroad tracks near McDonald's, she observed a Rutland City Police car pull out behind the suspect vehicle and observed rear blue deck lights activated. When crossing the railroad tracks and approaching the South Main Street intersection she observed the Rutland City Police Department cruiser in front of her and did not see an officer. She also observed the vehicle that she had been pursuing, the driver door was open and appeared that it had crashed with a UPS truck. Deputy Schneider explained that she did not see the officer or operator and that a motorist who was traveling north on Main Street stopped and yelled that they went into McDonalds.

Deputy Schneider explained that she exited her cruiser and ran into McDonalds on the north side of the building. Deputy Schneider observed people exiting from the building and she entered the building with her firearm drawn and Cpl. Reilly was right behind her. When she entered McDonalds, she observed that restaurant to be mostly empty and knew people were still exiting the building. She then heard someone yell, "bathrooms." As she approached the bathrooms, she observed a male subject on the floor and he was face down, his head was cocked to the side,

a cell phone was next to him, and there was a growing pool of blood around the subject's head. She observed Officer Rose with his back against the wall and his firearm was drawn. Deputy Schneider also observed a spent shell casing lying next to the male subject. Deputy Schneider added that Lt. Bennick had also arrived on scene. The male was described as having little movement and gasping. Deputy Schneider asked multiple times if she should handcuff the subject and then Officer Rose holstered his firearm and then handcuffed the male subject. Officer stated that the male had charged at him. Officers on scene then had Rose leave the immediate area, as he was clearly shaken up.

Lt. Bennick then rolled the male subject to his side and Deputy Schneider began assessing the trauma and located two [REDACTED] under the subject's shirt, so she ripped his shirt off and was unable to locate exit wounds. Schneider was given gauze from Cpt. Washburn (Rutland Town PD) and she started [REDACTED] with gauze and applied pressure. She was then given chest seals by Cpl. Reilly, so she the [REDACTED] the wounds, she also attempted talking to subject and he never responded. A short while later members of Regional Ambulance Service arrived on scene and pronounced the male subject deceased. Lt. Bennick then searched the male subject for an ID and was located a

Florida drivers license. Schneider explained that she then exited the building and was assigned to handle the crash investigation, that involved the suspect's vehicle. She explained that she took photographs of the vehicles involved and those have been included on a CD as an exhibit listed with this report.

Deputy Schneider explained that her cruiser is equipped with a front and rear camera, and she is also equipped with a body camera, however, the body camera does not activate when the blue lights are turned on. She did remember turning on her body camera but could not remember at which point in the incident. Deputy Schneider also explained that at no time did she hear gunshots or witness the shooting.

End of report.

Detective Sergeant Henry Alberico

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
45 Alberico, H	14:59:03 09/15/21	

PI: [REDACTED] by Detective Sergeant Henry Alberico on August 25, 2021

Case#: 21B403506

Officer: Detective Sergeant Henry Alberico

Person Interviewed: [REDACTED] (DOB: [REDACTED])

Rutland, VT

Tel. #: [REDACTED]

List of Exhibits:

1. (1) - CD of interview w/ [REDACTED] on August 25, 2021
2. (1) - Sworn audio recorded statement form

Narrative:

On August 25, 2021, at approximately 2038 hours, I conducted an interview with [REDACTED] (DOB [REDACTED]). The interview was regarding an officer involved shooting that occurred in Rutland, VT earlier in the day. It was reported that Rutland City Police officer, Chris Rose had shot and killed a man while inside McDonald's located at the corner of Allen Street and US RT 7 in Rutland City. This incident occurred following a motor vehicle pursuit, followed by a motor vehicle crash and the suspect fleeing his vehicle and running into the restaurant. The purpose of the interview was to obtain information from [REDACTED] about his involvement in the incident.

The following is a synopsis of the interview. For actual dialogue and statements made the reader should refer to the digital audio recording. It should be noted this interview was completed by Det. Sgt. Henry Alberico of the Vermont State

Police inside his unmarked police car, in the parking lot of the Vermont State Police barracks in Rutland, VT. During the interview I learned the following:

Earlier in the day [REDACTED] met with his friend [REDACTED] [REDACTED] to go play golf in Manchester, VT. They met at [REDACTED] house on [REDACTED] in Rutland and [REDACTED] said that someone had ran into his car in the Goodwill parking lot on North Main Street in Rutland. [REDACTED] said he walked up to the car and asked the operator for his information and described the guy as freaking out and not acting normal. [REDACTED] then reported the incident to the police.

[REDACTED] explained that they were driving south on Route 7 towards Manchester and as they were south of Wallingford, a black Chevy Cobalt with one Florida plate on the rear, drove north passed them and [REDACTED] said that it was the vehicle that had hit him earlier in the day. [REDACTED] was driving and said he turned around and there were a couple vehicles between his and the Cobalt. As they got into the Village of Wallingford, there was a sheriff (just north of the traffic light) that was on the side of the road, so they informed him of the vehicle that had hit [REDACTED] car earlier in the day. The sheriff directed them to head towards the vehicle and [REDACTED] advised that the Sheriff then went around them, near the ice cream trailer on the north side of town. The Sheriff then pulled the cobalt over and [REDACTED] stopped in front of the Cobalt. [REDACTED] rolled his window down and told the driver, "got ya bitch." [REDACTED] explained that as the Sheriff was approaching the Cobalt, the Cobalt took off. [REDACTED] then drove north until he could find a place to turn around, then they drove to Manchester to play golf.

[REDACTED] said that they were very curious with what was going on, so they downloaded a police scanner app. [REDACTED] said that they heard the police chase and the last they heard was that they were on Stratton and then onto Allen.

While on the golf course [REDACTED] received a phone call and was told that the suspect had run into the back of a UPS truck, pulled a gun out of his car, and then ended up getting shot and killed in or near McDonalds.

[REDACTED] added that [REDACTED] had been texting with a police officer and send pictures of their licenses and a picture of [REDACTED] license plate.

End of report.

Detective Sergeant Henry Alberico

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
46 Alberico, H	14:59:56 09/15/21	Investigative actions taken on August 25, 2021, by Detective Sergeant Henry Alberico

Case#: 21B403506

Officer: Detective Sergeant Henry Alberico

Person(s) interviewed: Avery Schneider (DOB: [REDACTED])  
Rutland County Sheriff's Department  
802-770-8756

[REDACTED] (DOB: [REDACTED])  
[REDACTED]  
Rutland, VT  
[REDACTED]

List of Exhibits:

1. N/A

Narrative:

On August 25, 2021, at approximately 1504, Detective Lieutenant JP Schmidt informed me of an officer involved shooting that occurred in Rutland City. Lt Schmidt requested that I respond to the Rutland Police Department and tasked me with assigning other detectives from BCI B West with assisting as well. I contacted Detective Steve Gelder and Detective Kipp Colburn and directed them to the Rutland City Police Department to assist with the investigation as well.

Once at the Rutland City Police Department, a briefing was held, and assignments

were given. I was assigned to interview Deputy Avery Schneider, which I conducted at the Rutland City Police Department and a separate person interviewed report was completed. I also interviewed [REDACTED] which was conducted in the parking lot of the Vermont State Police Rutland barracks and a separate person interviewed report was completed for that interview.

End of report.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
47 Alberico, H	15:00:09 09/15/21	Investigative actions taken on August 26, 2021, by Detective Sergeant Henry Alberico

Case#: 21B403506

Officer: Detective Sergeant Henry Alberico

List of Exhibits:

1. (1) Silver and black thumb drive

Narrative:

On August 26, 2021, at approximately 1515, I met with [REDACTED] at [REDACTED] [REDACTED] located at [REDACTED] in Rutland, VT. [REDACTED] provided me with one thumb drive, which was said to contain video from the officer involved shooting that occurred on August 25, 2021, at the McDonalds located at 182 South Main Street in Rutland, VT.

End of report.



Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
48 LaBombard, F	12:35:42 09/20/21	PI Ryan Ashe by Detective Sergeant Francis LaBombard

Case#: 21B403506

Ryan Ashe DOB: [REDACTED]

[REDACTED]  
Rutland City VT  
[REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 18:42 hours.

List of Exhibits:

- 1- Audio recording of interview
- 1-Sworn audio statement form

Narrative:

On the above date and time, I interviewed Ryan Ashe DOB: [REDACTED] at the Rutland City Police

Department regarding the officer involved shooting that occurred in Rutland City. Also present was his department Attorney, Susan Edwards. The following is a synopsis of the interview, for further detail refer to the audio recording.

Ryan Ashe stated he was working shift for the Rutland City Police Department during the day and signed around 07:30AM. Ashe is a plain clothes detective and while on shift was working in the BCI office during the day. Later in the day after 14:30PM, he left the office and went to get gas on South Main Street. During that time, he was listening to radio traffic and overheard a vehicle pursuit. When he finished getting gas, he overheard the pursuit was headed towards the direction he was going. Ashe then heard Officer Rose report the pursuit ended in a crash by Allen Street. Ashe activated his blue lights and

proceeded to the scene of the crash.

When he arrived on scene, he observed the vehicle that was being pursued crashed on Allen Street, but did not observe any officers around the crash scene. Ashe then observed several people standing in the McDonalds parking lot and then heard someone say there in McDonalds. At that point, Sheriff Deputies started to arrive on scene. Ashe then observed people running out of McDonalds, as he and the Deputies approached McDonalds to enter and assist inside.

When Ashe entered, he went through the dining area as the Deputies proceeded to the right side along the play area. Ashe then heard the manager yell to her staff to get into the kitchen. Ashe then observed a male subject laying on the floor by the bathroom area, with Officer Rose standing above the subject. Ashe stated there was a small pool of blood on the floor by the subject. Ashe stated the subject was alive and appeared to be trying to get up by pushing himself up off the ground, in a manner like he was trying to do a pushup. Ashe stated the subject did not say anything at that time. Rose was standing by the bathroom door, which he was holding open. Ashe stated Rose had his duty weapon holstered and had a calm demeanor on his face. Ashe stated it appeared Rose and the Officers on scene were calm and not freaking out. At that time Ashe did not realize the subject was shot and thought he may have injured himself in the crash. Ashe stated when he was inside McDonalds Rose did not say anything to him about shooting the subject. Ashe stated he did not observe any visible gunshot wounds on the subject. Ashe stated when he approached Rose, he was by himself. Ashe stated he thought everything was under control and left to go back outside in order to secure the crash scene. Shortly after about fifteen minutes he learned there was an officer involved shooting. Ashe then assisted by securing the outside are of the scene.

Nothing further.

Det. Sgt. Francis LaBombard

Law Supplemental Narrative:

Supplemental Narratives

Seq Name	Date	Narrative
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49 Richardson, S	08:35:00 09/23/21	
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Investigative actions taken between August 30, 2021 and September 14, 2021 by Detective Sergeant Seth Richardson

Case#: 21B403506

Officer: Detective Sergeant Seth Richardson

Person(s) Interviewed:

[REDACTED]

List of Exhibits:

1. Vermont Forensic Laboratory, Report V21-1273-1, 2 pages
2. United States Secret Service, Request for Digital Evidence Examination - 4 pages
3. (1) Disc containing pictures taken by Deputy Branden Reilly
4. Vermont Forensic Laboratory, DPS-305 submitted on 09-01-2021, 2 pages

List of Evidence:

- 1.

Narrative:

Activity for August 30, 2021

Detective Sergeant Tyson Kinney forwarded me a preservation request he prepared for [REDACTED], the phone number believed to be utilized by [REDACTED]

I attempted to fax the preservation request to Google Voice; however, the fax was not successful. I notified Detective Sergeant Kinney of this, and he ultimately submitted it through the Google portal.

At approximately 0915 hours, I received a telephone call from [REDACTED], calling on behalf of [REDACTED]. [REDACTED] advised [REDACTED] was planning on flying to Vermont on August 31, 2021, and wanted to set up a meeting with me to go over the case. I advised [REDACTED] customarily our victim services coordinator, [REDACTED] provided updates to the family, and I would have her call. Almost immediately after, I received a call from [REDACTED] (Decedent's [REDACTED] requesting information on how to claim [REDACTED] body. From previously speaking with [REDACTED] I knew there was some miscommunication within the family about the release of the Decedent's remains. Therefore, I advised [REDACTED] I would have [REDACTED] call her.

I then called Regional Ambulance Service and requested the run number associated with their response to the incident. The person I spoke with did not have access to the system; therefore, he took my number and told me someone would call me back.

I was forwarded an email originating from Detective Trooper Brandon Gallant of the Technology Investigation Unit. Detective Trooper Gallant indicated the United States Secret Service Electronic Crimes Task Force might facilitate the unlocking of the cellular phones. Detective Trooper Gallant provided me the contact information for the Secret Service.

Activity for August 31, 2021

I emailed the United States Secret Service (USSS) Electronic Crimes Task Force seeking assistance. Network Intrusion Forensic Analyst Zachary Greenwood contacted me telephonically and explained I would need to complete a Request for Digital Evidence Examination. Bennington County State's Attorney Erica Marthage and the Attorney General's Office were apprised of this request and concurred with sending the phones to the USSS.

I then traveled to Coughlin Incorporated, located at 60 Center Street, to validate the time stamps on the videos they previously provided capturing the shooting incident. There I met with [REDACTED]. [REDACTED] indicated their South Main Street McDonald's is covered by two separate video systems, Raven and Smart PSS. With [REDACTED] I was able to view live footage and was able to determine the videos she provided with the prefix "RAV" are exact time compared to my department-issued Apple iPhone. The other videos provided were captured on their Smart PSS system, and those videos are precisely two minutes behind when compared to my department-issued Apple iPhone.

Activity for September 1, 2021

I completed the Request for Digital Evidence Examination with the pertinent information and submitted the request through email to the United States Secret Service. I received an email from Network Intrusion Forensic Analyst Zachary Greenwood indicating my request was granted. The email provided specific instructions on how the phones were to be shipped. Later this day, I removed both phones, FileOnQ item 9, and 26A, from the Rutland evidence, packaged them, and sent them to the USSS by United Parcel Service, tracking number 1Z5AR2074294343194.

I prepared a Vermont Forensic Laboratory, Request for laboratory Examination (DPS-305) for FileOnQ item number 22, and FileOnQ items number 23. Both are projectiles recovered during autopsy.

Activity for September 7, 2021

I received an email from the United States Secret Service Special Agent [REDACTED]

██████████ indicating they received the UPS package I sent (tracking #: 1Z5AR2074294343194), and it would be secured in the New York Filed Office, Digital Evidence Forensic Lab.

Activity for September 8, 2021

I received a telephone from Detective Sergeant Tyson Kinney. Detective Sergeant Kinney indicated he was reviewing Deputy Branden Reilly's body-worn camera and noticed that Deputy Reilly took several pictures while inside McDonald's. I contacted Rutland County Sheriff's Department Lieutenant James Bennick and asked if he was aware of scene photos Deputy Reilly took. Lieutenant Bennick advised he was aware of them and he would see to it that I received a copy of them. Later this same day, Lieutenant Jonathan Bixby dropped off a disc containing the scene photos Deputy Reilly captured with his cellular phone.

Detective Sergeant Tyson Kinney forwarded me an email he received from Attorney Sue Edwards. Attorney Edwards requested the diagram Christopher Rose drew during his interview and the audio file of the interview. I responded directly to Attorney Edwards, providing her with PDF files of the diagrams. I conveyed to Attorney Edwards I would provide her the audio and video files once I received them from Detective Sergeant James Vooris. Once Detective Sergeant Vooris added the files to the electronic case file, I attempted to email

Attorney Edwards copies of the files; however, the file size exceeded the allowable amount. Due to such, I called Attorney Edwards and advised her the file sizes were too large, and I would burn them to disc and send them to her via USPS.

I remotely monitored Detective Sergeant Tyson Kinney and Detective Sergeant James Vooris interview with Christopher Rose that took place at the Rutland barracks.

Activity for September 9, 2021

I called and spoke with Deputy Branden Reilly regarding the photos he took while inside McDonald's. Deputy Reilly said that he observed a shell casing was inadvertently stepped on and moved. Deputy Reilly indicated he was concerned additional things may get moved and thought it would be beneficial to document the scene. Therefore Deputy Reilly said he took photos using his department-issued cellular phone.

At approximately 0900 hours, I took part in a Microsoft Teams meeting with Assistant Attorney General Ultan Doyle, Assistant Attorney General Robert Lees, Detective Lieutenant Todd Baxter, and Detective Lieutenant John-Paul Schmidt. The purpose of this meeting was to apprise AAG Doyle and AAG Lees of the progress of the investigation.

Activity for September 10, 2021

Captain Scott Dunlap forwarded me an email in which he received from ██████████. The original email indicated ██████████ called and wanted to make a comment about the shooting that occurred at McDonald's. At approximately 1518 hours, I called and spoke with ██████████. ██████████ indicated she had no direct knowledge of the shooting; in fact, she didn't live in Vermont. ██████████ conveyed to me that she had concerns about the police shooting unarmed people holding cellular phones. ██████████ requested I apprise my chain of command that policy needs to be established regarding the use of force, specifically to people

holding cellular phones.

Activity for September 14, 2021

I received Vermont Forensic Laboratory report number V21-1273-1. The following are listed as the results and conclusions of the examination. Item A1-1 (Rose's duty weapon) was examined, found to be in mechanical operating condition with the safety features functioning properly, and test-fired with the submitted magazine. Items A2-1, A4-1, and A6-1 (fired cartridge casings found at the scene) are consistent in class characteristics with the submitted pistol Item A1-1. Examination of Item A3-1 bullet fragment revealed it not to be suitable for identification with any firearm due to the lack of sufficient appropriate microscopic markings for comparison. Item A5-1 is consistent in class characteristics with the submitted pistol Item A1-1. Examination of the Item A5-1 (damaged fired bullet recovered at the scene) revealed it not to be suitable for identification with any firearm due to damage and the lack of sufficient appropriate microscopic markings for comparison. Item B1-1 is consistent in class characteristics with the submitted pistol Item A1-1. Items B1-1 and B2-1 (expanded fired bullets recovered during autopsy) are consistent in class characteristics with the submitted pistol Item A1-1. Items A2-1, A4-1, and A6-1 cartridge cases were compared microscopically and identified as having been fired in the Item A1-1 pistol. Item A1-1 (Rose's duty weapon) was compared

to items B1-1 and B2-1 (expanded fired bullets recovered during autopsy). Examination of items B1-1 and B2-1 bullets revealed them to exhibit the same general rifling class characteristics as those produced by the Item A1-1 pistol; however, because of the lack of sufficient suitable corresponding microscopic markings, it was not possible to identify or eliminate the Items B1-1 and B2-1 bullets as having been fired from the Item A1-1 pistol.

This concludes my investigative actions between August 30, 2021, and September 14, 2021.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
50 Richardson, S	08:35:59 09/23/21	
PI: [REDACTED] and [REDACTED]		by Det. Sergeant Seth Richardson on August 26, 2021.

Case#: 21B403506

Incident: Officer Involved Shooting

Investigator: Detective Sergeant Seth Richardson  
Person Interviewed:

[REDACTED]  
DOB: [REDACTED]  
[REDACTED]  
Miami, FL. 33165  
[REDACTED]

[REDACTED]  
DOB: [REDACTED]  
[REDACTED]  
Miami, FL. 33165  
[REDACTED]

Date and Time of Interview: August 26, 2021, at approximately 0945 hours

List of Exhibits:

1. The audio recorded statement of [REDACTED] and [REDACTED] taken on 08-26-2021

List of Evidence:

1. N/A

Narrative:

On August 26, 2021, at approximately 0945 hours, I called [REDACTED]. This was in response to [REDACTED] calling earlier in the morning requesting someone call him back. The previous night (08-25-2021), [REDACTED] agreed to participate in an interview, and it was collectively agreed upon that I would call him mid-morning on this date. I began a sworn audio-recorded statement exclusively with [REDACTED]. During the interview, [REDACTED] [REDACTED] [REDACTED] who was with [REDACTED] interjected herself into our conversation. In essence, I conducted a joint sworn audio-recorded statement telephonically with [REDACTED] and [REDACTED].

The ensuing interview summary is not inclusive. For actual dialogue and statements made, please refer to the digital audio recording. At the conclusion of the interview, both were read the sworn audio-recorded statement waiver, and both acknowledged they understood it.

[REDACTED] had a lot of [REDACTED] to include [REDACTED]. [REDACTED] was diagnosed with these ailments when he was between four and six years old. Furthermore, when [REDACTED] was younger, he couldn't [REDACTED] wasn't dealing with his ailments very well, according to [REDACTED] didn't feel [REDACTED] had the support he needed. [REDACTED] was seeking help from professionals, but nothing was helping.

[REDACTED] felt as though The police and government mistreated [REDACTED]. [REDACTED] explained [REDACTED] had [REDACTED], and in Connecticut, his lawyer persuaded him to plead guilty to something. During this point, [REDACTED] interjected herself into our conversation. [REDACTED] stated that they took advantage of the fact that [REDACTED] was [REDACTED]. After the fact, [REDACTED] was incarcerated for two to three years. During [REDACTED] incarceration, he was not receiving proper [REDACTED] needs. Nor was he placed in a [REDACTED] of the prison. According to [REDACTED] [REDACTED] was not receiving his [REDACTED] while incarcerated nor seeing a doctor [REDACTED]. I asked what [REDACTED] was imprisoned for. I was advised that [REDACTED] was living with [REDACTED] and she got him into a lot of illegal activities. [REDACTED] had inappropriate communication with a minor through a website.

According to [REDACTED] during [REDACTED] time incarcerated, he was not getting the [REDACTED] he needed. Through attorneys, they tried to get him help, but nothing ever came of it. [REDACTED] was released on bail due to Covid and did not have housing, nor was he provided the opportunity for programs. [REDACTED] communicated they made up some warrant, whereas [REDACTED] was re-incarcerated, where he spent an additional year in prison. [REDACTED] Stated none of this would have happened if [REDACTED] had gotten the proper help he needed from the start. [REDACTED] felt as though prison made [REDACTED] worse instead of better.

It was estimated [REDACTED] was initially incarcerated in 2014 for having inappropriate communication with a minor. [REDACTED] remained imprisoned in Connecticut for approximately three years. After approximately three years of incarceration, [REDACTED] was released (2018-2019) and assigned to probation. According to [REDACTED] while on probation, [REDACTED] [REDACTED] to [REDACTED]. While [REDACTED] [REDACTED], he was not able to attend meetings nor comply with his probation. Due to such, [REDACTED] probation officer violated his probation and issued a warrant for his arrest. [REDACTED] was re-incarcerated for the probation violation for approximately two



years, ultimately being released on or around September 2020.

██████████ and ██████████ were unaware of where ██████████ was living or his activities since being released in September of 2020. ██████████ had infrequent phone contact with ██████████ the last time they spoke was over a month ago. ██████████ spoke with ██████████ frequently when he was incarcerated, but they haven't had much communication since he was released.

I asked if ██████████ was involved in any risky behavior such as drugs and or alcohol. I was advised he may have used in the past, but they didn't think he was involved in anything recently.

In the past, ██████████ communicated with ██████████ about his ██████████ ██████████ told him that ██████████ didn't work. ██████████ was unsure if ██████████ was ██████████. ██████████ was ██████████.

Last month ██████████ told ██████████ that he should go to Mexico and come back illegally. The premise behind this is ██████████ would get more help coming back into the United States illegally. ██████████ felt people that come into the United States illegally get more help from the government than legal citizens. ██████████ commented about how ██████████ wanted to leave the country to get help for

himself. Perhaps get help from his family in Arkansas and Florida.

██████████ indicated they recently heard from one of their family members that ██████████ was visiting ██████████ in Vermont.

It should be noted that ██████████ and ██████████ spoke over each other during our conversation and gave conflicting information at times. Due to the conflicting information, some of the facts are hard to decipher.

Law Supplemental Narrative:

Supplemental Narratives

Seq Name	Date	Narrative
51 LaBombard, F	12:24:45 09/24/21	PI Kevin Geno by Detective Sergeant Francis LaBombard

Case#: 21B403506

Kevin Geno DOB: [REDACTED]

[REDACTED]  
Rutland City VT  
[REDACTED]

Date and Time of Interview: August 25, 2021 at approximately 17:27 hours.

List of Exhibits:

- 1- Audio recording of interview
- 1-Sworn audio statement form

Narrative:

On the above date and time, Det. Sgt. James Vooris and I interviewed Kevin Geno DOB: [REDACTED] at the Rutland City Police Department regarding the officer involved shooting that occurred in Rutland City. The following is a synopsis of the interview, for further detail refer to the audio recording.

Kevin Geno is a Lieutenant with the Rutland County Sheriff's Office. Geno stated he was working day shift when he learned of a hit-run accident that occurred in Rutland City. Geno did not receive a vehicle description or registration info for the vehicle involved.

Later that afternoon around 14:15 hours, while he was finishing a traffic stop another motorist flagged him down. The motorist and his passenger directed him

to the vehicle involved in the Rutland LSA. Geno was given the last location of the vehicle and proceed north on Route 7 after the vehicle. Geno located the vehicle and conducted a traffic stop. As Geno was approaching the stopped vehicle the motorist who provided him the information and his passenger pulled up in front of the stopped vehicle. The passenger then said something to the operator of the stopped vehicle. Geno was not sure what he said but it was something like, "Hey how does it feel now you've been caught." The stopped vehicle then accelerated and took off. Geno stated the stopped vehicle was a black Chevy Cobalt with Florida registration.

Geno returned to his unmarked police vehicle and proceeded after the vehicle. Geno stated he was traveling at a high rate of speed to catch up to the vehicle. Geno stating the vehicle was not slowing down and was operating in a dangerous manner through a red-light intersection. By the time Geno got past the on-ramp by 103 and Route 7 the vehicle was gone. As Geno continued, he lost sight of the vehicle. Geno then encountered another motorist pulled over along the road who directed him towards North Shrewsbury Road where the vehicle went. Geno proceeded down N. Shrewsbury Road and observed a vehicle pulling out of Bakers Distributing Company with blue lights in the back window. Geno stated it was a VT Liquor Inspector, who he did not know but thought his name was Jason. Geno stated the Inspector told him the vehicle had a flat, front tire on the right side. Geno proceeded to "Peirce Corner" operating at a slow pace checking the area for the vehicle. Geno lost sight of the vehicle and was not in pursuit at that point. As Geno returned to the area of N. Shrewsbury Road, he heard radio traffic of other Sheriff Deputies now in a pursuit with the vehicle northbound in the area of Cold River Road. Geno later learned that the subject changed his flat tire after he lost sight of him. As the Deputies were in pursuit of the vehicle, they were advised to discontinue the pursuit by Lt James Bennick once it got to Stratton Road and Allen Street. Geno stated this was done due to safety concerns where the subject was headed into the downtown area.

Geno continued listening to radio traffic and proceeded towards Allen Street once he learned the subject crashed his vehicle into another motorist. Once Geno arrived, he started hearing what occurred with the subject involved and that there was an OIS incident. Geno was not present to observe any actions the subject made or what occurred with the Rutland City officers. Geno stated he arrived approximately ten minutes after the incident occurred. Geno did not hear any radio transmission regarding the OIS incident. Once the scene was under control Geno left the scene and returned to his Department.

Nothing further.

Det. Sgt. Francis LaBombard

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
52 Roy, Chris	12:32:15 09/28/21	
PI: [REDACTED]	interviewed by Detective Roy on 08/25/2021	

Case#: 21B403506

Officer: Detective Christopher Roy

Person Interviewed: [REDACTED]

DOB: [REDACTED]  
Address: [REDACTED], Rutland City, VT  
Tel. #: [REDACTED]

List of Exhibits:

1. One Audio File of interview of [REDACTED] on 08/25/2021.
2. One Sworn Audio Recorded Statement Form Signed by [REDACTED] on 08/25/2021.

Narrative:

On August 25th, 2021, I was assigned to assist the Vermont State Police Major Crime Unit (MCU) with interviews following an Officer Involved Shooting incident at the McDonalds Restaurant located at 182 Main Street in Rutland City, Vermont. At approximately 6:20 pm I conducted an interview of [REDACTED] D.O.B. [REDACTED], regarding the incident listed above, the interview of [REDACTED] was conducted in the conference room located next to the lobby of the Rutland City Police Department.

[The below is a summary of the content of the interview of [REDACTED] It is not

intended to be a verbatim account and does not memorialize all statements made during the interview. The recordings capture the actual words spoken, see interview audio recording for full content].

1. [REDACTED] acknowledged she is an employee of McDonalds on South Main Street in Rutland City and has worked there for approximately [REDACTED] years.

2. [REDACTED] advised that day she was at the front counter taking orders for the drive through [REDACTED] later clarified she was standing at the register closest to the wall and men's room]. [REDACTED] advised while she was taking orders, she observed a man running towards her from the isle way. She described the male as approximately 5'8", dark colored beard [REDACTED] later clarified as a dark colored brown beard and kind of bushy], wearing a dark colored sweatshirt and dark jeans. [REDACTED] advised the male was running pretty fast, and the male looked right at her then veered off towards the bathroom. [REDACTED] advised she looked past him and observed an Officer running after him, and the Officer also ran in towards the bathroom area.

3. [REDACTED] advised [REDACTED] [REDACTED] was standing just past the counter where [REDACTED] was taking the orders. [REDACTED] asked [REDACTED] "are we ok? Are we safe here?", [REDACTED] looked at her then over at some customers that were seated in the restaurant to [REDACTED] right. [REDACTED] advised she then asked [REDACTED] "Are we ok here? are we safe?", [REDACTED] advised he didn't say anything to her. [REDACTED] advised she then heard a gunshot, she advised she knew what it was, but she didn't move. [REDACTED] advised she didn't think they were safe, but she didn't want to move because he

didn't move and didn't want to leave [REDACTED] just standing there. [REDACTED] advised she heard a second gunshot directly after, [REDACTED] decided it wasn't safe and went into the kitchen. [REDACTED] advised she was told to go into the back room, and eventually made her way into the back room.

4. [REDACTED] advised she first saw the male that ran towards her, as he entered the isle way. She did not observe him enter the building. [REDACTED] advised when the male went in towards the bathroom followed by the Officer, she lost visual sight of the both of them. [REDACTED] advised she was not familiar with the Officer but described the Officer wearing a blue uniform, dark colored hair and being a smaller gentleman. [REDACTED] advised that customers were getting ushered towards the play area. [REDACTED] advised that [REDACTED] was working in the kitchen and it scared her because she wondered if the gunshots were going through the wall and if [REDACTED] was ok and safe. [REDACTED] advised she heard two gun shots. [REDACTED] acknowledged that during this incident the only people she observed going towards the men's room was the male and Officer she described above. [REDACTED] advised [REDACTED] came and stood right by her counter so nobody else was going to enter that sector.

5. At the end of the interview, I read the Sworn Audio Recorded Statement form to [REDACTED] she then signed and dated the form. I also signed the form and the interview ended at approximately 6:38 pm.

End of Report

Detective Christopher Roy

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Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
53 Roy, Chris	13:03:55 09/28/21	
PI: [REDACTED]		interviewed by Detective Roy on 08/25/2021

Case#: 21B403506

Officer: Detective Christopher Roy

Person Interviewed: [REDACTED]

DOB: [REDACTED]  
Address: [REDACTED], Middletown Springs, VT  
Tel. #: [REDACTED]

List of Exhibits:

1. One Audio File of interview of [REDACTED] on 08/25/2021.
2. One Sworn Audio Recorded Statement Form Signed by [REDACTED] on 08/25/2021.

Narrative:

On August 25th, 2021, I was assigned to assist the Vermont State Police Major Crime Unit (MCU) with interviews following an Officer Involved Shooting incident at the McDonalds Restaurant located at 182 Main Street in Rutland City, Vermont. At approximately 5:56 pm I conducted an interview of [REDACTED] D.O.B. [REDACTED], regarding the incident listed above, the interview of [REDACTED] was conducted in the conference room located next to the lobby of the Rutland City Police Department.

[The below is a summary of the content of the interview of [REDACTED] It is not

intended to be a verbatim account and does not memorialize all statements made during the interview. The recordings capture the actual words spoken, see interview audio recording for full content].

1. [REDACTED] acknowledged that she is currently an employee of McDonalds located on South Main Street in Rutland City. [REDACTED] advised that she has been employed by McDonalds for approximately [REDACTED] years.
2. [REDACTED] advised she was presenting orders out the window as people drive up after they pay. [REDACTED] advised she observed a UPS truck, then all of a sudden, a bunch of cops and a dark car in the middle. [REDACTED] advised she didn't know what was going on.
3. [REDACTED] advised she gave someone their order and closed the window [REDACTED] later clarified that she was located at the second drive-through window handing out orders], she advised she can see the butcher shop from that location. She advised she then heard "the guys in the bathroom". [REDACTED] advised at that point she still wasn't understanding what was going on. [REDACTED] advised she then heard noises, and it didn't sound like what everybody was saying it was. [REDACTED] advised it sounded like something dropped, then everyone was yelling to get in the back. [REDACTED] advised they all had to go in the back and then the police were inside she observed a taser gun out while she was going out back. [REDACTED] advised she went to the storage room in the back of the building. [REDACTED] advised she didn't really see anything or understand what was going on.
4. At the end of the interview, I read the Sworn Audio Recorded Statement form to [REDACTED] she acknowledged she understood what I read to her and she signed and dated the form. I also signed the form and the interview ended at approximately 6:06 pm.

End of Report

Detective Christopher Roy

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
55 Sullivan, J.	11:55:12 10/11/21	Response and Crime Scene log by Trp Sullivan 21B403506

On the above date and time I responded to the area of 182 South Main street in the City of Rutland. Upon arrival I was directed by the Chief of RCPD to assist with traffic control at the intersection of Park Street and South Main street. I maintained this post for approximately 25 minutes. Upon the completion of this duty, I was informed of what occurred inside the Mc Donald's. I was told by Sgt. Cushing to walk with Det. Sgt. Richardson and assist him with whatever he needed.

After walking inside with Det. Sgt. Richardson, I was asked to escort a group of employees across the street to a hotel, so the employees could use the bathroom. After that I was assigned to hold the log sheet and monitor who comes in and out. I did this for approximately 2 hours. At that point, Sgt. Neary and Sgt. Rider arrived on scene. Sgt. Rider relieved me of the log duty. I remained on scene for the duration of the night while Crime Scene Search Team worked inside. I sat in my fully marked cruiser at the South Main Street entrance to the McDonalds unit I was advised the scene was being released.

This concludes my involvement in this matter.

NFA  
Trooper Sullivan, 425  
Mon Oct 11 12:01:03 EDT 2021



Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
56 Richardson, S	12:49:11 10/11/21	Investigative actions taken on October 7, 2021, by Detective Sergeant Seth Richardson

Case#: 21B403506

Officer: Detective Sergeant Seth Richardson

Person(s) Interviewed:

List of Exhibits:

1. N/A

List of Evidence:

1. N/A

Narrative:

On October 7, 2021, I hand-delivered a USB drive containing submission "A" of the electronic case file to Assistant Attorney General Robert Lees.

Submission "A" of the electronic case file was also forwarded electronically to Bennington County States Attorney Erica Marthage.

Nothing further on this date.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
57 Richardson, S	13:07:08 10/11/21	Investigative actions taken on October 11, 2021, by Detective Sergeant Seth Richardson

Case#: 21B403506

Officer: Detective Sergeant Seth Richardson

Person(s) Interviewed:

List of Exhibits:

1. Florida Automobile Insurance Identification Card
2. Florida Vehicle Registration (██████████)
3. State of Florida, Certificate of Title, 2009 Chevy Cobalt

List of Evidence:

1. N/A

Narrative:

On October 11, 2021, I mailed the following documents to the vehicle owner ██████████ ██████████ at ██████████ Little Havana, FL. 33130. These documents were removed from the vehicle by me on August 27, 2021, during a consensual search to facilitate the crash investigation.

Florida Automobile Insurance Identification Card  
Florida Vehicle Registration (██████████)  
State of Florida, Certificate of Title, 2009 Chevy Cobalt

Nothing further on this date.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
58 Rider, R	13:44:35 10/11/21	

Response and crime scene log by Sgt Rider  
21B403506

On 08/25/21, at approximately 1700 hours, I was dispatched to the McDonalds Restaurant located at 182 South Main Street, in the City of Rutland, to assist with an officer involved shooting.

Upon arrival I was directed to go inside the restaurant and escort employees to the Comfort Inn so they could use the restrooms. Upon my arrival back to McDonalds I met with Trooper Sullivan and I took over the scene security log.

I was stationed at the north entrance and continued to maintain the scene security log until the Crime Scene Search Team was finished processing the scene at which time I turned the scene security log over to them.

No further action.

Sgt. RAR  
Mon Oct 11 13:50:31 EDT 2021

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
59 Richardson, S	09:00:57 10/14/21	Investigative actions taken on October 7, 2021, by Detective Sergeant Seth Richardson

Case#: 21B403506

Officer: Detective Sergeant Seth Richardson

Person(s) Interviewed:

List of Exhibits:

1. Officer of the Chief Medical Examiner, Final Report of Autopsy - [REDACTED] - 5 pages
2. NMS Labs, Toxicology Report, [REDACTED] - 4 pages

List of Evidence:

1. N/A

Narrative:

On October 7, 2021, Assistant Attorney General Ultan Doyle provided me with a copy of the decedent's final autopsy report and toxicology results.

On August 26, 2021, Steven Shapiro MD, Chief Medical Examiner, conducted the autopsy. Doctor Shapiro annotated in his report under final diagnoses the following:

- I. Gunshot Wounds of [REDACTED]
  - A. Gunshot [REDACTED].

1. [REDACTED].
2. [REDACTED].
3. [REDACTED].
4. [REDACTED].
5. [REDACTED]).
6. Bullet recovered.

B. Gunshot wound [REDACTED].

1. [REDACTED].
2. [REDACTED].
3. Bullet recovered.

II. Toxicology Submitted.

Doctor Shapiro's report indicates the cause of death was [REDACTED]. Doctor Shapiro ruled the manner of death as homicide (shot by other person [law enforcement]).

NMS Labs completed the toxicology report. The report annotates [REDACTED]. For detailed findings, please refer to the NMS Labs Toxicology Report.

Nothing further.

Law Supplemental Narrative:

Seq Name	Date	Supplemental Narratives Narrative
60 Truex, S	17:26:38 11/18/21	Investigative actions taken on 11/18/2021 by Det. Sgt. Samuel Truex

Case#: 21B403506

Officer: Det. Sgt. Samuel Truex

Narrative:

On July 17, 2021 Det. Lt. John-Paul Schmidt advised me a press release was coming out today from the Attorney General's office regarding the review of the Rutland City Police officer involved shooting on August 25, 2021. He advised that after the press release goes out, he would like me to return Officer Christopher Rose's firearm and provide a copy of the electronic case file to the police department. Det. Lt. Schmidt left a USB on my desk in an envelope containing a copy of the electronic case file.

On July 18, 2021 Capt. Scott Dunlap called and told me Officer Rose's firearm appears to be at the lab according to FileOnQ. I contacted Scott McGivern at the Vermont Forensic Lab and he confirmed the firearm was there ready to be released. I contacted Lt. Thomas Mozzer who was already at Headquarters and asked him if he could relay the firearm to Rutland. He said he could. Capt. Dunlap called back, and I advised him of the above facts. Capt. Dunlap sent the VFL an email authorizing release of the firearm to Lt. Mozzer. Lt. Mozzer walked down to the lab and asked me to update FileOnQ to show he took possession of the firearm at approximately 1110 hours. I then made the update to FileOnQ. I asked Lt. Mozzer if he could relay the firearm directly to Det. Sgt. Charles

Whitehead of the Rutland City Police Department. He told me he would call Sgt. Whitehead and set up a time to meet him later today. I told Lt. Mozzer to let me know when he transfers the gun to Sgt. Whitehead, and I would update FileOnQ for him.

I contacted Det. Sgt. Whitehead and told him I had a copy of the electronic case file to give him. He said he would meet me at the Rutland Barracks in 15 minutes. I then met him outside in the parking lot and provided him with the envelope containing the USB with the electronic case file. I told Det. Sgt. Whitehead that I was making arraignments to have the firearm relayed to him later today. He said that was perfect.

I then looked through FileOnQ and determined the Glock magazines and cartridges from the firearm were currently in temporary evidence at the Rutland Barracks. I spoke with Det. Lt. Christopher Barber who opened Temp Evidence locker #23 at the Rutland Barracks where FileOnQ Item #4 (a plastic evidence bag containing 11 cartridges) and Item #5 (a plastic evidence bag containing 2 Glock magazines and 26 cartridges) were stored. I transferred the items to RTO (returned to owner) and brought the 2 items to Det. Sgt. Whitehead at the Rutland City Police Department. Det. Sgt. Whitehead took possession of the two items at approximately 1140 hours.

Lt. Thomas Mozzer advised me that he transferred Officer Rose's duty weapon to Det. Sgt. Charles Whitehead at approximately 1703 hours. I updated FileOnQ to reflect same.

No further action taken.  
11/18/2021  
SPT