



The Commonwealth of Massachusetts

OFFICE OF THE

DISTRICT ATTORNEY

BRISTOL DISTRICT

218 South Main Street
Fall River, MA 02721
(508) 997-0711

THOMAS M. QUINN III
DISTRICT ATTORNEY

DISTRICT ATTORNEY'S FINDINGS AND CONCLUSION REGARDING THE FATAL OFFICER-INVOLVED SHOOTING OF MARIANNE GRIFFITHS WHICH OCCURRED IN EASTON ON FEBRUARY 5, 2023

BACKGROUND

On February 5, 2023, at approximately 11:30 A.M., the Easton Police Department received a 911 call from a man asking for a well-being check on his mother, Marianne Griffiths. Ms. Griffiths lived at 32 Spooner Street in the Town of Easton. The son told the 911 dispatcher that his mother just called him and that she was incoherent. The son eventually understood Griffiths to be saying that she had taken twenty doses of insulin and that she wanted to die. The son immediately hung up the phone and called 911.

Based on the report of a possible overdose, Easton Police, Fire and EMT's responded to 32 Spooner Street located only a few hundred yards away from the combined Easton Police and Fire stations on Lothrop Street. The son called Griffiths after he called 911 and Griffiths told him that the police just arrived and that she was going to commit "suicide by cop." In the circumstances of this quickly developing situation, this information was not provided to 911 and therefore, not known to the responding officers.

Three police officers in their individual cruisers and four firefighters in a firetruck and ambulance arrived at 32 Spooner Street. Two of the responding police officers had been at the house for well-being checks on Griffiths in the past. Two police officers and two paramedic/firefighters went inside the house initially. When they entered, they saw an elderly man in the living room. The man seemed confused as to why the police and EMTs were there. An elderly woman was also located coming from the basement into the kitchen. The elderly couple were identified as Griffiths's parents. One of the police officers asked if Griffiths was downstairs. Griffiths's mother told the officers that she was in the basement and that she needed help.

Two police officers went down the stairs yelling "Marianne, what's going on today." A woman later identified as Marianne Griffiths responded, "I just want to [expletive deleted] die" and "I want to be with my son." The police later understood that one of Griffiths's sons had been killed in a car accident on December 31, 2022. As the two officers continued down the stairs into the basement, Griffiths yelled "I'm going to kill you and then myself." As one of the

officers reached the basement, he saw that Griffiths was holding what appeared to be a rifle in her hands and was moving it towards his direction. The officer immediately grabbed the officer behind him by the duty belt and shoved him upstairs while yelling “gun, gun gun.”

Both officers and one paramedic who was also on the staircase retreated up the stairs. All fire department personnel left the house. The fire personnel moved the firetruck and ambulance from the front of the residence to a staging position around the corner.

The two officers who were in the basement took positions at the basement door with their firearms drawn and at the low and ready position. When the officers heard Griffiths charging up the staircase from the basement, they exited the house and onto the front porch. Griffiths’s parents were on the porch prior to the officers leaving the house. The officers directed the parents to go to a neighbor’s house. The officers took defensive positions outside of the home.

While the officers were outside of the front door Griffiths emerged from the basement and entered the dining room. She moved towards the front door with the rifle in her hands. The front door was open, but the storm door was closed. Griffiths pointed the rifle at one of the officers. The officer fired one round from his firearm at Griffiths. The storm door shattered which prevented the officer from determining Griffiths’s condition and location inside of the house.

The officers called in the shooting and took defensive positions until they were relieved by a METRO-LEC SWAT team. After unsuccessful attempts to establish communications with Griffiths, the door to the home was battered down and a drone was flown into the house. The drone video showed that Griffiths was collapsed at the far side of the dining room table with a weapon by her hands. The SWAT team and a medic entered the house and found that Griffiths was obviously deceased with a single gunshot wound to the chest. The weapon found next to Griffiths’s body was determined to be a Daisy Powerline 901 air rifle.

THE INVESTIGATION

As required by law, the Massachusetts State Police and the District Attorney’s office were notified of Griffiths’s death. An investigation pursuant to the obligations of MGL ch. 38, sec. 4, followed. The purpose of this investigation is to determine whether, under the circumstances, the use of deadly force constituted a crime. During the investigation, the 911 call, radio communications, photographs, video, interviews of witnesses and Marianne Griffiths prior mental health history were examined. The facts derived from the investigation are summarized below.

911 CALL

At approximately 11:30 A.M., one of Marianne Griffiths’s sons called the Easton Emergency 911 system requesting an ambulance at 32 Spooner Street in North Easton. He told

the dispatcher that his mother was at the house and took “20 pens of insulin” trying to kill herself. The caller told the dispatcher that he was not at the house and that his mother had told him about the suicide attempt over the phone. The dispatcher asked the son if his mother was violent and if she had access to any weapons. The son responded no to both questions. The son stated that he could barely understand his mother when she called him approximately five minutes prior. However, he said that she was conscious and still breathing during the call. The son told the 911 dispatcher that his grandparents were in the house. He said that the paramedics should go to the front door and that his mother was in the basement.

INTERVIEW OF GRIFFITHS’S SON

On February 5, 2023, at 5:04 P.M., Marianne Griffiths’s son was interviewed at the Easton Police Department. The son told the police that he was in Ashland working on his truck when he received a call from his mother at approximately 11:15 A.M.. Griffiths was mumbling and saying that she was sorry. The son could barely understand her. He heard her say that she took twenty shots of insulin and that she just wanted to die. The son immediately hung up with Griffiths and called 911. After he communicated the information to the 911 dispatcher, he called his mother back. In the second phone call, Griffiths said that the police were at the house and that she was going to do a suicide by cop. Griffiths then hung up the phone. The son said he immediately knew that she was going to use her BB gun and pretend that it was a real gun. The son and his father drove to Easton and the son attempted to call Griffiths on her cell phone and the house phone. The calls either went unanswered or to voicemail.

The son arrived at 32 Spooner Street after the gunshot and was prevented from going inside by police officers. The son told the investigating officers that his middle brother died in a car accident a few months before and that his mother was still very upset by his passing. The son stated this was “the most selfish thing she could have done” and “she has two other kids.” When asked about his mother’s mental health, the son stated that his mother “has always been a mess.” The son then went on to detail that his mother has “every health problem on the books” both physical and mental and that she was on a lot of medication. The son stated that his mother’s prescription bag looked like a “duffle bag” and told the officers about a past suicide attempt. The son stated that his mother’s best friend passed away in September. His brother’s death in December put her over the edge.

The son said that his uncle removed all of the guns years ago but that two BB guns were in the house. However, the “blue and black one looked like a Winchester 30/30” rifle. At the scene he heard his grandfather told a responding police officer that his mother had a loaded .22 caliber rifle when she didn’t. The son said that he didn’t tell the 911 operator about the BB guns because he didn’t think of it at the time.

INTERVIEW WITH THE FIRST RESPONDING POLICE OFFICER

On February 17, 2023, the first responding police officer was interviewed at the Easton Police Department. The first responding police officer has been a police officer with the Town of Easton for approximately seven years and he is a patrol officer assigned to the day shift.

On February 5, 2023, the first responding police officer was assigned to the patrol division in Cruiser 3-9 to the North sector of the town. At approximately 11:30 A.M., he got a call for a possible suicide by intentional medication overdose at 32 Spooner Street. The first responding police officer was near the Wendy's on Washington Street at the time of the dispatch. The second responding police officer was in his own cruiser directly behind him. A third responding police officer was also dispatched to the call.

The first responding police officer was informed that the 911 caller was not on scene and that he was a son of the suicidal woman. He was directed to go into the front door and that the female who was overdosing was in the basement. When the first responding police officer arrived at 32 Spooner Street, he walked onto the porch and saw that the storm door to the home was closed but that the main door was open. He saw an elderly male identified as Griffiths's father inside the home. The man greeted him and waived him inside. The father asked the officer "how did you know?" The officer told him that they received a call from his grandson.

The officer remembered that he had been at the house several years ago under similar circumstances. He knew the layout of the home and how to get to the basement without directions. As he approached the basement, he saw an elderly woman identified as Griffiths's mother walking up the stairs. She was having trouble walking up the stairs and she was "hugging" soda cans which the first responding police officer took from her. The mother told the officer that "she needs help" and that she was down in the basement.

The officer started to walk down to the basement and called out "Marianne, what's going on today." Griffiths responded, "I want to [expletive deleted] die." The officer asked, "why would you want that." Griffiths said, "I want to be with my son." The officer told Griffiths that "we're here to help you." When he got to the bottom stair, Griffiths said "I'm going to [expletive deleted] kill you and I'm going to kill myself."

The first responding police officer turned and saw Griffiths's hands and forearms, but he could not see her face. At the time, she was holding a rifle and was turning the barrel towards the officer. The officer turned and grabbed the second responding police officer by his right backside and lifted him up the stairs. The first responding police officer called out "gun, gun, gun."

The second responding police officer didn't seem to hear the first responding police officer. He appeared upset that the first responding police officer was manhandling him up the stairs. The first responding police officer saw at least one paramedic as he got to the top of the

stairs and told him to “get the [expletive deleted] out of there.” The first responding police officer drew his firearm and took a position between the kitchen and living room.

The officer saw that Griffiths’s parents were now in the living room and he asked them if there were firearms in the basement. Griffiths’s father replied, “yeah, but they should be locked up.” The officer asked, “do you have any rifles” and the father stated “yeah, I have a .22.” The first responding police officer told the father that Griffiths was holding a rifle and asked if there was ammunition in the basement. Griffiths’s father told the officer, “Yeah, and its loaded.” The officer told Griffiths’s parents to leave the house and go to a neighbor’s house.

The two officers remained in the house. The second officer said, “she’s coming up” and the first officer heard the sound of a person sprinting up the stairs of the basement. The basement door slammed shut and shook the house. The second officer and the first officer exited the house and saw that Griffiths’s parents were sitting on chairs on the front porch. The first officer told them to go to a house across the street and get into a neighbor’s house.

The officer initially took a position to the right side of the front door. He subsequently moved off the porch and used the porch as cover. Standing on the ground on the street-side of the porch, the officer could see through the storm door. From that position he monitored the threshold of the doorway of the kitchen to the dining room. Other officers took positions around the house and a request was made for a SWAT team response.

While the first officer was in his position by the porch, he saw Griffiths come through the threshold into the dining room. The officer described Griffiths as walking with purpose. Griffiths locked eyes with him and started to lift the barrel of the rifle towards him. The officer screamed something to try to deter Griffiths, but she looked right at him and kept coming towards his direction. Griffiths did not say anything, but she had a look in her eyes that was either terror or hatred. The officer said that he could not believe what was happening and that he was scared and concerned for his safety. He remembered saying to himself that they couldn’t let her get outside. It was a nice day, and many people were outside walking dogs and pushing strollers. At that time, the officer was concerned for the other police officers and for the public.

Griffiths continued to move through the dining room with the rifle now pointed at the officer. The officer fired one round from his service weapon. The officer believed that the round struck Griffiths and that she fell. However, the bullet shattered the storm door and it was impossible to see inside. The officer tried to look through the door and the glass in the storm door became worse. The third responding police officer came to the front of the house and together they tried to look into the house to see Griffiths’s condition, so that they could render aid. The first officer opened the door and neither the second responding police officer, nor the third responding police officer could see anyone inside. The officers retreated and took up a perimeter until they were relieved by the METRO-LEC SWAT team.

At some point a young male ran through the perimeter and it was apparent that he was one of Griffiths's sons. The officer grabbed the son and pulled him to cover. The son was saying that he could talk her out of the house. The son asked the officers, "did she point a firearm at you guys" and the second responding police officer said "yes." The son was later brought to the Easton Police Department for an interview. Once the first responding police officer was relieved at the scene, he made his way down Columbus Avenue and his firearm was secured by other Easton Police officers.

INTERVIEW WITH THE SECOND RESPONDING POLICE OFFICER

On February 7, 2023, the second responding police officer was interviewed at the Easton Police Department. The officer has been a police officer for the Easton police department for almost seven years. He is a patrol officer assigned to the day shift. He also works at the Plymouth Police Academy as a physical training instructor.

The second responding police officer related that on February 5, 2023, he worked an overtime shift from midnight to eight and then started his eight to four shift. At the time of the call, the second responding police officer was directly behind the first responding police officer's cruiser. When officers were dispatched to 32 Spooner Street, he radioed to the third responding police officer that he would respond to the call. The third responding police officer replied that he would also respond. The call came into the second officer as a "Q5" or suicidal person. The call specifically advised that the person was a female and that the means of suicide was by medication.

The first responding police officer and the second responding police officer arrived at 32 Spooner Street at the same time. The third responding police officer was a short distance behind. The second officer and the first officer walked into the house and into a living room where they encountered an elderly male later identified as Griffiths's father on the couch. Both officers went into the kitchen where an elderly female later identified as Griffiths's mother was in a doorway leading to the basement. The first officer asked where Griffiths was and the mother seemed confused as to why the officers were there.

The first officer started down to the basement with the second officer behind him. The officer heard the first officer call out "Marianne, Easton Police" as he got to the bottom of the basement stairs. In the basement, the first officer suddenly turned and grabbed the second officer by the buttocks and started pushing him up the stairs. The second officer asked what he was doing, and the first officer responded "gun, gun, get out." The officers moved back up the stairs and took positions outside of the basement door.

The officer had some training in crisis communications, and he attempted to start a dialogue with Marianne. He called to Griffiths, "what can I do for you." Griffiths replied "[expletive deleted] you, if you come down here I'm [expletive deleted]ing shooting you and you're [expletive deleted]ing shooting me." The police officer asked, "what can I do to help

you?” Griffiths responded, “do not come downstairs, I have a gun.” The officer told Griffiths that he wouldn’t go downstairs. He promised that he would stay upstairs the whole time.

The officer asked Marianne if she wanted the fire department.¹ He told her that he would leave. Griffiths said that she just wanted to be with her son. The officer did not know that Griffiths’s son had recently passed away and he asked, “how can I make that happen?” Griffiths swore and said that she had taken “twenty-five insulin.” The officer again asked if she needed medical help. Griffiths said that she just wanted to die.

Both officers were positioned at the top of the basement stairs. Griffiths began rushing up the stairs. The second officer informed the first officer, and they withdrew from their position, moving into the living room. The officer compared what was happening to a horror movie. The officers told Griffiths’s parents to leave the house. One of the officers asked if there were any firearms downstairs and they were told that there was a loaded .22 rifle in the basement.

Griffiths slammed the basement door shut in a violent manner and the whole house shook. When the basement door was shut, the officers determined that they now had a “barricaded suspect,” and they exited the house.

The three responding officers were joined by a Sergeant, who was the patrol officer in charge (POIC). Each of them took up a position around the perimeter of the house. The second officer checked on the other officers to make sure they had cover and he saw that the POIC was on the phone with either the Chief or Metro (SWAT Team).

As he continued to observe, the officer heard the first responding police officer yell something and then he heard a gunshot fired. Along with the first officer, he went onto the porch and attempted to look through the storm door into the house. However, neither officer could see inside. When the first responding police officer opened the door, he attempted to look inside but he couldn’t see anything. The third responding police officer also attempted to look into the house and he also couldn’t see anything. The officers then reestablished a perimeter around the house and waited until the METRO-LEC SWAT team relieved them.

INTERVIEW WITH THE THIRD RESPONDING POLICE OFFICER

On February 7, 2023, the third responding police officer was interviewed at the Easton Police Department. The third responding police officer has been a police officer for more than sixteen years. He was working as a patrol officer assigned to the day shift at the time of the

¹ The officer does not remember any fire department personnel being in the house. He thought they were positioned away from the house. His memory was that he first saw them when he and the first responding police officer left the residence.

shooting. He had previously served in the detective bureau as well as the patrol division for the Easton police department. On the day of the shooting, he was the roving patrol officer.

The officer's first call for service that day was the 32 Spooner Street call. The call was for a female attempting to overdose on insulin. He and the first responding police officer responded to the call. He heard the second officer radio that he was behind the first officer and would also respond. While he was heading to the house, dispatch advised the officers to enter through the front door and that the female was in the basement.

When the officer arrived, the first two officers and two firefighters were already on scene. He notified dispatch that he was at the house. He then walked into the house with two additional firefighters. Inside the house he saw an elderly male, later identified as Griffiths's father, in the living room. An elderly female, later identified as Griffiths's mother, was in the kitchen with the first two officers.

While he was in the living room, one of the firefighters told him, "She's got a gun." All the firefighters left the residence. The officer and the other two officers inside the house, drew their weapons and maintained them in the low, ready position. He heard one of the officers ask Griffiths's father if there was a firearm in the basement and the father made a statement that there was a loaded firearm in the basement.

The father said he would go down into the basement, but the officers prevented him from doing so. He asked the father if there was another way out of the basement and the father said yes. The officer then left the residence and covered the rear of the house from the tree line between 30 and 32 Spooner Street. While he was outside, he heard the POIC tell the officers to evacuate the house. Griffiths's parents were removed from the home. The POIC called the METRO-LEC SWAT team for a barricaded suspect.

While the officer was covering the back door, he heard the first officer yell something in a "police command" and then he heard one gunshot. He ran to the front of the house, and he heard the first officer radio "shots fired" and "down." After unsuccessful attempts were made to see inside of the home, the officers re-established a perimeter until they were relieved by members of the METRO-LEC SWAT team.

INTERVIEW WITH THE PATROL OFFICER IN CHARGE

On February 7, 2023, the POIC was interviewed at the Easton Police Department. The POIC has twenty-four years of police experience. She was the patrol supervisor on February 5, 2023. She described that February 5, 2023 was a quiet morning. A medical call came into dispatch reporting a suicidal female. Two officers were dispatched to respond, but a third officer was in the area so three police officers responded to the call.

A separate call came into the Easton police department for people walking on an icy pond. That caller thought the situation was dangerous. The POIC responded to the pond incident. While the POIC was driving towards the pond, officers at 32 Spooner Street reported that the suicidal female had a gun. The POIC left her call and drove directly to Spooner Street. The POIC radioed the officers and asked how they knew that the female had a gun. One of the officers responded that he saw it. The POIC asked where the officers were located. When she learned that they were still in the house, she told them to evacuate the residence.

When she arrived at Spooner Street, the POIC saw one officer positioned at the back of the house and two officers at the front of the house. The firefighters had left the scene, but she saw two elderly people walking from 32 Spooner Street towards a neighbor's house. She asked the elderly male, later identified as Griffiths's father, if there were any weapons inside of the house. He told her that there was a loaded .22 caliber rifle in the house.

The other officers told the POIC to stay clear of the basement windows and she took a position at the side of the home. She then called to speak with the METRO-LEC SWAT team. While she was on the phone, she heard yelling and a gunshot. She heard a call for "shots fired." Officers attempted to see if they could see if the female had been hit. They could not see anyone inside of the home. She and the other officers maintained a perimeter until the METRO-LEC SWAT team arrived.

INTERVIEW OF THE FIRST RESPONDING FIREFIGHTER

On February 17, 2023, the first responding firefighter was interviewed at the Easton Police Department. The first responding firefighter has been employed with the Easton Fire Department for five years and is currently a firefighter/paramedic.

On February 5, 2023, the firefighter was at the station when a call came into the department for a suicidal woman overdosing on insulin. He was informed the call was non-violent. He and his assigned partner got into the rescue ambulance and drove to Spooner Street. When they arrived, two police officers were already there and were inside.

The firefighter followed into the house and saw an elderly man, later identified as Griffiths's father in the living room. The father told the first responding firefighter that "she was in the basement."

He saw that both police officers were in the kitchen talking to an elderly woman later identified as Griffiths's mother. He followed the two officers down the stairs into the basement and he heard a voice say, "you don't want to come down here, I'm going to hurt you." One of the officers said, "no you don't want to hurt us" and then the first responding firefighter heard a voice say, "yes I do want to hurt you, suicide by cop."

The firefighter said two seconds later he heard the police officer at the bottom of the stairs say “hey, she has a gun.” Once he heard that the woman had a gun, he spun around and went back upstairs. He met his Captain in the kitchen and told the Captain that the woman had a gun. He communicated to two other firefighters that the woman had a gun, and all the firefighters left the residence.

The elderly couple were still in the house when the firefighters left. Based on the report of a firearm, he believed it was the police officers’ responsibility to remove the parents from the scene. The fire engine and ambulance were both moved from in front of the house to around the corner.

He estimated that he heard a gunshot fifteen minutes after he left the house. He said that based on the call that came into the fire station of a suicidal female by insulin overdose, it was normal for a joint fire and police response. If there had been any hint of violence or a suicide attempt by knife or weapon, the firefighters and ambulance would have positioned themselves away from the scene first.

INTERVIEW OF THE SECOND RESPONDING FIREFIGHTER

On February 17, 2023, the second responding firefighter was interviewed at the Easton Police Department. The second responding firefighter has been an Easton Firefighter for approximately five years. He is a firefighter/paramedic.

On February 5, 2023, the second responding firefighter was assigned to the ambulance crew at the fire station on Lothrop Street. A call came in before noon and it was for a psychiatric related incident. He described that he showed up with the police and that he went into the house thinking that the woman was in crisis. His understanding was that the call came in through a third party and that it was an intentional overdose.

The first responding firefighter was in front of him as they went through the living room to the stairs leading to the basement. A police officer was already down the stairs in the basement when it was relayed to him by his partner that the woman had a gun. The firefighters then reversed direction and walked out of the house.

He initially used the ambulance as cover until they moved the ambulance from the scene. They positioned themselves a block away. He said that the woman’s parents, an elderly couple, were in the living room watching television when he entered the house. He believed that from the time they moved the ambulance until the time he heard a gunshot was about fifteen minutes. He said that based on the nature of the overdose report, it was a normal response for Easton Police and Fire to respond to the incident together.

INTERVIEW OF THE THIRD RESPONDING FIREFIGHTER

On February 17, 2023, the third responding firefighter was interviewed at the Easton Police Department. The third responding firefighter has been with the Easton Fire Department for twelve years. He is a firefighter/paramedic.

On February 5, 2023, the third responding firefighter was assigned to Engine One. A call came into the fire department for a suicidal female who had taken twenty units of her own insulin. He said the ambulance crew arrived with the police officers and they entered the residence before him.

When he entered the residence, he saw an elderly man in the living room. As he walked into the kitchen, the ambulance crew was walking back up the basement stairs. The first firefighter told him that there was a gun present.

All the firefighters left the residence in response. He went back to his fire engine and moved the fire engine around the corner where he staged. He never heard a gunshot.

He said that since this was a medical call, it was a normal response for the police and fire departments to respond together. He stated that once he became aware that a gun was present, it would have been the police officers' job to evacuate the elderly couple from the home.

REVIEW OF METRO LEC SWAT TEAM DRONE FOOTAGE

The METRO-LEC SWAT team responded to 32 Spooner Street after the shot was fired. They relieved the Easton Police Officers who were in a perimeter around the house.

After unsuccessful attempts to contact Marianne Griffiths by telephone, they used a battering ram to knock down the front storm door. Once the door was removed, they flew a drone into the living room. The drone sent a live video feed of the scene to officers outside. The drone's camera showed Marianne Griffiths in the back of the dining room towards the kitchen. Griffiths was lying on her side. A rifle weapon was next to her body. Several spots of red brown stains, believed to be blood, were in the area. Griffiths was unresponsive and not moving. The SWAT team officers and medics entered the house and determined that Ms. Griffiths was deceased.

THE WEAPON NEXT TO MARIANNE GRIFFITHS

The weapon was a Daisy Powerline 901 Air Rifle. According to the manufacturer, the weapon has a tough black composite stock and forearm. It has rear and front sights. It is a multi-pump action air rifle, capable of discharging either .117 caliber BB's or pellet ammunition up to 800 feet per second, and the manufacturer says that it "packs a real punch."² The air rifle is recommended for adults and children over the age of sixteen under adult supervision. The air rifle has the general appearance of a working and operable firearm with no orange tip or other visual indicator that the weapon is an air rifle. When it was found with Griffiths, the forearm pump action mechanism was open.



Figure 1 (Stock Image)

POSSIBLE EFFECTS OF INTENTIONAL INSULIN OVERDOSE

An insulin overdose may result in hypoglycemia or low blood-sugar. Mild hypoglycemia side-effects include anxiety, confusion, fatigue, and irritability.³ Severe hypoglycemia, can lead to seizures, unconsciousness, and death.⁴ Consequently, insulin overdose could be a method to commit suicide. Investigating officers located a blue tote bag with numerous boxes of pre-loaded insulin pens. In addition, investigators located several open containers of alcohol including beer, Twisted Tea and hard liquor in the basement of 32 Spooner Street. Numerous bottles of prescription medication were also located in the basement in the name of Marianne Griffiths.

² <https://www.daisy.com/product/daisy-powerline-model-901-multi-pump-pneumatic/>.

³ <https://www.webmd.com/diabetes/insulin-overdose>.

⁴ <https://www.healthline.com/health/diabetes/insulin-overdose#od-symptoms>

THE BASEMENT OF 32 SPOONER STREET

According to Griffiths's family, Griffiths lived in the basement of the house. The basement has several rooms, sectioned off by curtains, and a laundry room. Coming down the staircase, the right side of the first room is blocked from view by a cabinet. Consequently, no observations of the inside of the room can be made from the stairs. The first room contains beds and a sectional couch. Beyond this room is a bedroom. It is separated from the first room by a curtain. The basement was cluttered and disorganized with a large amount of opened and unopened alcoholic beverages. In addition, numerous bottles of prescription medication in the name of Marianne Griffiths were in every room in the basement.



PRIOR MENTAL HEALTH HISTORY OF MARIANNE GRIFFITHS

According to the Easton Police Department, Griffiths had several prior mental health incidents at 32 Spooner Street over the years.

On April 8, 2010, Easton Police and EMTs responded to 32 Spooner Street for the report of a suicidal female. Officers met with Griffiths's brother and sister who indicated that Griffiths was in an upstairs bedroom. When officers went upstairs, they saw Griffiths with superficial cuts to both wrists. She was transported to Good Samaritan Hospital for treatment and a psychological evaluation.⁵ Griffiths's siblings also told the Easton Police and EMTs about a prior suicide attempt in Bourne, the year prior.

On October 5, 2015, Easton Police and EMTs responded to 32 Spooner Street for the report of a suicidal female. On scene, officers met with Griffiths's father who said that Griffiths was making threats to kill herself.

The father led the officers to the basement where Griffiths was located. When police and EMT's questioned Griffiths, she told the officers that she wanted to kill herself but would never actually go through with it. Griffiths refused to go to the hospital, and she was involuntarily taken to the Good Samaritan Hospital for a mental health evaluation. She told the officers that she would kill herself as soon as she was released from the hospital.

⁵ Under Massachusetts law "a police officer who believes that failure to hospitalize a person would create a likelihood of serious harm by reason of mental illness may restrain such person and apply for the hospitalization of such person for a 3-day period at a...facility...." MGL ch. 123, 12. The determination whether to involuntarily commit such person is then made by designated medical professionals at the hospital.

On May 27, 2017, officers from the Easton Police Department responded to 32 Spooner Street for a well-being check on Marianne Griffiths. A 911 caller reported to the Easton Police that she had received text messages from Griffiths. She said that Griffiths took an unknown number of pills.

Responding officers found Griffiths. They did not feel she was intoxicated at that time. Approximately two hours later, the Easton Police and EMTs were again called to 32 Spooner Street. They arrived to find Griffiths extremely intoxicated and “out of it.” It appeared that Griffiths mixed alcohol with sleeping medication. Griffiths made statements that she wanted to die. She was again brought to the Good Samaritan Hospital for examination and treatment.

On June 30, 2018, Easton Police and EMTs responded to 32 Spooner Street for the report of a female making suicidal statements. When officers arrived, they found Marianne Griffiths passed out on a couch in the basement. After she was roused by the officers, Griffiths allowed them to look at her phone. They found a text conversation where Griffiths stated, “I swear I want to kill myself, I hate my life, my kids suck, I just want this life over.” The police brought Griffiths to the Good Samaritan Hospital for a mental health evaluation. As she was being transported, Griffiths asked the officers if they had a gun that she could use to kill herself.

THE DEATH OF GRIFFITHS’S SON ON DECEMBER 31, 2022

According to Griffiths’s family, Griffiths was very affected by the recent death of one of her sons. The son was killed in a car accident on December 31, 2022. In addition to the statements that she wanted to kill herself to be with her deceased son, investigators found memorabilia of her deceased son while investigating the shooting. The police located a large photograph of the deceased son which appeared to have been taken off a wall and placed on the dining room table as well as a laminated copy of the deceased son’s obituary and funeral service card.

OFFICER UNIFORMS AND WEAPONS

All three of the Easton police officers who responded to the incident at 32 Spooner Street were wearing full Easton Police uniforms with markings that identified them as police officers. The First Responding Police Officer was armed with a department issued 9 mm Glock semi-automatic handgun containing 15 rounds of ammunition. When the firearm was secured by Easton police officers after the shooting, it contained 14 rounds of ammunition. This is consistent with the discharge of one round during the shooting. According to the Easton Police Department records, the First Responding Officer completed firearms qualification training on May 26, 2022 and October 11, 2022. During the May 26, 2022 qualification, the First Responding Police Officer received a perfect score with the Glock 19 semi-automatic service weapon. During the October 11, 2022 firearms qualification, the First Responding Police officer also scored a perfect score with his issued Glock 19.

AUTOPSY

On February 6, 2023, Dr. Barbara Vidal from the Office of the Chief Medical Examiner performed an autopsy on Ms. Griffiths. During the autopsy, Dr. Vidal noted a gunshot wound to the right side of Griffiths's chest. The path of the bullet wound traveled from front to back and left to right with a slightly upward angle. The bullet penetrated the body fracturing the fourth and fifth right ribs, the pericardial sac, right ventricle and right atrium of the heart and the right lung before exiting out of Griffiths's back. Dr. Vidal determined that the cause of death was a gunshot wound of the chest and that the manner of death was homicide (shot by other). The Chief Medical Examiner's definition of homicide is a death due to action(s) of another.⁶ Not all homicides are murders. Some homicides are lawful, including those justified by self-defense or defense of another.

A toxicology screen was also conducted on Griffiths from a blood sample taken during the autopsy and from a sample of vitreous humor (fluid of the eye). The results of the toxicology screen showed that Griffiths's was positive for Benzodiazepines and Alprazolam consistent with her prescription medication. Neither level appears to be consistent with an overdose, nor was there evidence of an Insulin overdose. The toxicology screen also showed that Ms. Griffiths had a blood alcohol content of .15 g% in her blood and a .18 g% in her vitreous humor⁷.

SELF DEFENSE/DEFENSE OF OTHERS

A person may use force in self-defense or defense of another.⁸ Self-defense and defense of another, if warranted by the circumstances and carried out properly, constitute a complete defense.⁹ The level of force used by a person acting in self-defense or defense of another must be commensurate to the level of the threat. Deadly force may be used to combat deadly force. However, deadly force may not be used to combat non-deadly force. Our laws, define deadly force as force intended or likely to cause death or great bodily harm and define non-deadly force as any force less than deadly force.¹⁰

⁶ OCME's manner of death is a medical determination, not a legal determination concerning the use of force.

⁷ The Postmortem Toxicology Report lists "None Detected" for Methanol, Isopropanol, Acetone, Amphetamine screen, Buprenorphine screen, Cocaine screen, Fentanyl screen, Methamphetamine screen, Opiates screen, Cannabinoid screen and Organic Acids and Neutrals.

⁸ "An actor is justified in using force against another to protect a third person when (a) a reasonable person in the actor's position would believe his intervention to be necessary for the protection of the third person, and (b) in the circumstances as that reasonable person would believe them to be, the third person would be justified in using such force to protect himself." *Commonwealth v. Young*, 461 Mass. 198, 208 (2012), quoting *Commonwealth v. Martin*, 369 Mass. 640, 649 (1976). "The reasonableness of the belief may depend in part on the relationships among the persons involved." *Martin*, 369 Mass. at 649. "(T)he circumstances must be viewed from the perspective of the intervening [person], not of the third party." *Young*, 461 Mass. at 209.

⁹ See *Commonwealth v. Mejia*, 407 Mass. 493, 496 (1990) (self-defense). See also *Commonwealth v. Johnson*, 412 Mass. at 370-373 (1992) (defense of another).

¹⁰ "The proper standard for determining whether particular actions were justifiably undertaken in self-defense depends on the level of force he used on his victim and the circumstances that prompted those actions."

EASTON POLICE USE OF FORCE POLICY

The Easton Police Department has a written Use of Force Policy [2000-09E]. This Use of Force Policy was issued on June 4, 2013, and was reviewed on November 30, 2022. The Use of Force policy exists “because of their law enforcement and peacekeeping role, police officers will be required at times to resort to the use of physical force to enable them to fully carry out their responsibilities. Police officers are confronted continually with situations requiring or resulting in the use of various degrees of force to effect a lawful arrest, to ensure public safety or to protect themselves or others from harm. The degree of force is dependent upon the facts surrounding the situation the officers face. Only a reasonable and necessary amount of force may be used. The degree of force the officer is forced to use often depends upon the amount of resistance or threat to safety that the situation produces.”

Different situations allow for greater uses of force. However, the use of deadly force requires special conditions. According to the Easton Police Use of Force Policy, the use of deadly force is limited.

“1. A sworn member of this [Easton Police] Department shall not use deadly force upon a person unless de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances, and such force is necessary to prevent imminent harm to a person and the amount of force used is proportionate to the threat of imminent harm. This may include situations in which there are no viable alternatives available and lethal force is necessary for the officer to:

- a. Defend himself/herself or another from unlawful attack which he/she reasonably perceives as an imminent threat of death or serious bodily injury; or
- b. To effect an arrest when:
 - i. The arrest is for a felony; and
 - ii. The officer reasonably believes that:
 - a. The force employed creates no substantial risk of injury to innocent persons; and
 - b. The crime for which the arrest is made involved the use or attempted use, or threatened use of lethal force; and
 - c. There is substantial risk that the person to be arrested will cause death or serious physical injury if his/her apprehension is delayed.”

CONCLUSION

Based on the facts and circumstances described above, the following determinations can be made:

Commonwealth v. Pike, 428 Mass. 393, (1998). If deadly force were used, then the deadly force standard should be applied. See *Commonwealth v. Houston*, 332 Mass. 687, 690 (1955).

On February 5, 2023, the Easton Police were responding to a reported serious medical incident made to 911. The report described a potential suicide committed by an intentional insulin overdose. The dispatcher asked the 911 caller whether there was a potential for violence and whether there were accessible weapons and was told no.

As a result, the Easton Police responded with Easton Firefighters/Paramedics to render aid and provide potentially lifesaving assistance. No information that Griffiths subsequently said that she would commit “suicide by cop” was conveyed to 911 or the first responders. The first indication that the situation was turning violent came when Griffiths turned at the officer in the basement with what appeared to be a rifle. The sudden appearance of Griffiths with that weapon in the confined space, along with Griffiths saying that she would hurt herself and the police officers, caused the officers reasonable fear for their safety.

Consistent with the Easton Police Department’s Use of Force Policy, the first responders tried to deescalate the incident by retreating up the basement stairs and into the dining room and kitchen. After leaving the basement they tried to use verbal de-escalation techniques while speaking with Griffiths. The officers also tried to determine what kind of weapon they were faced with by asking Griffiths’s father if Griffiths had access to working, operable and loaded firearms in the basement. The father told the officers that Griffiths had a loaded .22 caliber rifle in the basement. The description of the rifle was consistent with the observations of the first responding police officer.

As a result, the police officers had a reasonable fear for their own safety as well as for the safety of Griffiths’s parents. Again, consistent with their duties, the responding police officers continued attempts at deescalating by removing Griffiths’s parents from the house as well as retreating from the home.

Once outside, the officers set up a perimeter and waited for back up from the METRO-LEC SWAT team. However, when Griffiths charged up the basement stairs and toward the front door holding what he believed was a loaded .22 caliber rifle, the first responding police officer had a reasonable fear for his own safety, the safety of the other police officers on scene and for the general public.

The area surrounding 32 Spooner Street is a busy residential neighborhood. The Oliver Ames High School, Easton Middle School, Richardson-Olmstead Grade School and the Blanche Ames Elementary school are in close proximity to 32 Spooner Street as is the Frothingham Park and playground¹¹

¹¹See Figure 2. 32 Spooner Street is located at the red dot in the diagram.

Figure 2. 32 Spooner Street and surrounding area



The Easton first responding police officer’s use of force was commensurate with the severity of the situation and with the Easton Police Department’s internal policy regarding the use of force. It was also consistent with the law of self-defense and/or the defense of others. Due to Griffiths unprovoked actions, the deadly force used in this incident was reasonable based on all the circumstances. The use of force was not excessive because one shot was reasonable under the circumstances to prevent the police officer from suffering seriously bodily injury and/or death and for the safety of everyone in the area.

Based on a review of all the facts and circumstances related to this incident, there is no basis to conclude that the Easton first responding police officer committed a crime. The fatal shooting of Marianne Griffiths by an Easton Police Officer was justified and was the result of Griffiths’s actions on February 5, 2023.