

# The Commonwealth of Massachusetts

## OFFICE OF THE DISTRICT ATTORNEY FOR THE NORFOLK DISTRICT

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Commissioner William G. Gross  
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Colonel Christopher Mason  
Massachusetts State Police General Headquarters  
470 Worcester Road  
Framingham, MA 01702

March 9, 2020

*RE: February 7, 2020 use of deadly force in Brookline*

Dear Commissioner Gross and Colonel Mason:

This letter addresses my review, findings, and conclusions regarding the events on February 7, 2020, culminating in the fatal shooting of Mr. Juston Root in the vicinity of the intersection of Rte. 9 and Hammond Street in the town of Brookline, Norfolk County. This review was undertaken in keeping with MGL Chapter 38, Section 4.

Each of the six officers involved in the shooting gave a voluntary recorded statement. A list of documents, reports, statements, audio and video recordings reviewed is attached as Appendix A. Appendix B describes exhibits mentioned throughout.

### FACTS

On February 7, 2020, shortly after 9 a.m. Boston Police Officer Michael St. Peter was positioned in his marked cruiser in the area of the Brigham and Women's Hospital (BWH) parking garage when a member of BWH security approached him. The security officer relayed that a male had just flashed a gun at him when he asked that man to move his car<sup>1</sup>. At the same time, Boston Police Dispatch broadcast instructions to officers operating in the vicinity to respond to the hospital campus for a man with a gun. Officer David Godin and Officer Michael St. Peter responded.

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<sup>1</sup> The BWH security officer, later interviewed, stated that when he asked Root to move his car, Root answered by opening his coat, displaying what the security officer took to be a gun.

Officer Godin arrived at the intersection of Fenwood Road and Vining Street initially looking for a black Chevrolet Volt. The video evidence collected by BWH shows an armed Root chasing BWH security officers. (Exh. 2, 28)

Root can be seen attempting to misdirect Officers Godin and St. Peter in their vehicles when they first arrived on scene. (See Exh. 1-2) Officer Godin circled the hospital building and came back upon Root's Silver Chevrolet Volt stopped in the travel lane on Fenwood Road with its door ajar. He stopped, exited his cruiser, and approached the corner of Fenwood Road and Vining Street on foot. (See Exh. 1-3)

As Officer Godin approached the corner of Fenwood Road and Vining Street on foot, he immediately encountered Root, whom he still did not have reason to know was the subject of the call. Root was moving towards him and yelling "I'm law enforcement, I'm law enforcement." As Root came within a few feet of Officer Godin, Root reached into his waistband and pulled what appeared to be a handgun out and aimed it at Officer Godin. Officer Godin gave instructions to drop the gun, raised his own weapon, and began to retreat. Officer Godin fired his weapon and fell backwards on the sidewalk. Root began to struggle with Officer Godin on the ground. (Exh. 2-7)

Before he exited his vehicle, Officer St. Peter's view of the scene was initially blocked by a large Coca-Cola delivery truck that had stopped near the corner of Fenwood Road and Vining Street. As he moved toward the corner, he observed two men struggling on the ground, then one man holding what appeared to be a handgun standing over another person and pointing the handgun at that person on the ground. Officer St. Peter had heard shots fired and presumed the standing party was shooting at the man on the ground. Officer St. Peter did not yet know that the person on the ground was another Boston Police officer. Officer St. Peter fired his weapon at Root. The Boston Police ballistics review indicated that 15 shell casings were found at the scene.

Root can be seen on video limping back to his Chevrolet Volt following that confrontation, corroborating the officers' belief that bullets they fired struck Root. (Exh 1-3) An adult male, working as a parking valet in the area of the hospital, was struck by a bullet during the incident.

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Root successfully entered his vehicle and began to travel toward Huntington Avenue and Rte. 9, eventually entering that roadway and proceeding westbound on Rte. 9 toward Brookline.<sup>3</sup> Officers Godin and St. Peter got back in their cruisers and began pursuit. Officer Godin updated Boston Police Dispatch concerning the altercation and BPD Dispatch put out a "Code 303" which informed all area law enforcement of an officer-involved shots-fired incident.

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<sup>2</sup> These events are the subject of an investigation by Suffolk District Attorney Rachael Rollins.

<sup>3</sup> Google.com's mapping function estimates the distance from this point of departure to the place where the Volt crashed and stopped to be 3.2 miles.

Subsequent transmissions from Boston Police Department Dispatch informed officers that an individual had been shot in the area of BWH and that the hospital campus was in full lockdown.

Reports from witnesses were being given to security personnel and police at the hospital and were conveyed to the Boston Police Communications Center regarding the armed assailant on the hospital campus. A number of early calls and reports provided to police indicated that the assailant had shot the valet. (Exh. 8)<sup>4</sup>

Additional police units joined the pursuit as it progressed. Near the beginning of the pursuit, a BPD cruiser struck the suspect's vehicle in an unsuccessful attempt to disable or stop it. As the chase continued, the Volt began to accelerate and weave through traffic, causing pursuing officers to lose sight of the vehicle near the intersection of Rte. 9 and Chestnut Hill Ave. Having lost visual contact, several officers, Officer Godin among them, kept going west on Rte. 9 while Officer St. Peter, among others, detoured down side streets which might have provided another route of escape for the fleeing suspect.

The speed at which Root's vehicle was traveling accelerated considerably from Boston to Brookline, traveling at speeds estimated in excess of 70 and 80 miles per hour.

The Volt struck multiple vehicles at the signalized intersection of Rte. 9 and Hammond Street, within sight of a Star Market supermarket with an attached parking lot. The event is captured on a Brookline traffic camera. (Exh. 9-16) The event data recorder (black box) from the Volt was downloaded and revealed that the Volt was traveling at 90 MPH three seconds before the crash.

Officers came upon a chaotic scene, with multiple heavily damaged vehicles and pieces of vehicles strewn about the roadway. Massachusetts State Police Trooper Paul Conneely had been patrolling west of that location and proceeded eastbound on Rte. 9 with the intention of deploying so-called "stop sticks" in the path of the fleeing vehicle to end the chase. Trooper Conneely traveled through the intersection of Hammond Street and Rte. 9 eastbound when he saw a streaking vehicle to his left heading westbound towards the intersection. He realized it was the suspect's vehicle. Trooper Conneely made a U-Turn and headed westbound on Rte. 9 and came upon the scene of the collisions at the intersection.

The initial officers on the scene involved in the shooting were Boston Police Officers David Godin, Brenda Figueroa, Corey Thomas, Joseph McMenemy, Leroy Fernandes, and Massachusetts State Police Trooper Paul Conneely. All officers were dressed in full uniform and operating marked cruisers. Officer St. Peter's route brought him to the vicinity of the Star Market parking lot on the opposite side of the lot from the crash along Rte. 9. Officer St. Peter, arriving after the police officers fired, readied his K-9 partner in case the dog was needed. He did not discharge his firearm at any time in Brookline.

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<sup>4</sup> Background transmissions heard in Exh. 8 also indicated a victim, a valet, was shot in the head.

Root's heavily damaged vehicle had come to rest just west of the intersection.<sup>5</sup> (Exh. 17-19) He exited his car and began to flee on foot in the direction of a mulched area at the Star Market plaza roadway entrance. (Exh. 20-23) A female patron of the shopping area was aware of the crash and saw Root exit his car and fall down. The woman began to approach as if to render assistance. Root regained his feet and continued toward the berm area covered with landscape mulch. (Exh. 9)

Simultaneously, Officers Godin, Figueroa, Thomas, McMenemy, and Fernandes were exiting their vehicles. Trooper Conneely pulled ahead and close to the Boston officers, exited his cruiser, and joined the loose line that the police officers had formed facing Root.<sup>6</sup>

Police commanded the woman to get away from Root. Officers also began shouting numerous commands to Root to show his hands and get on the ground. Those commands are clearly audible in the body-worn camera footage from Officer Figueroa as well as the recordings of Boston and Brookline Police radio transmissions. (Exh. 24) Bystanders in the area also confirm hearing numerous commands being given by the police.

Trooper Conneely was preparing to tackle the suspect in order to subdue him, but was warned by a Boston officer that the suspect had a gun and that the gun was in the area of his chest. Trooper Conneely stopped and drew his firearm. Trooper Conneely, Boston officers, and bystanders reported that Root did not comply with any police commands.

As officers continued to shout commands for Root to show his hands and get on the ground, Root instead moved his hands inside his jacket, consistent with reaching for a handgun with the type of shoulder holster he was wearing. (Exh. 29) Multiple officers observed the handgun. More than one officer yelled "gun." Simultaneously, six officers opened fire to stop the threat.

The entire shooting incident lasted less than 3.5 seconds. The Office of the Chief Medical Examiner has, as part of its preliminary investigation, informed the Norfolk District Attorney's Office that there was evidence of 26 entry wounds on Root's body at autopsy.<sup>7</sup> A Massachusetts State Police preliminary ballistics review found that a total of 31 shell casings from 6 officers were found at the scene. All shell casings have been matched to identified weapons.

Root was on the ground near a cluster of bushes in the mulched area. (Exh. 20-25)<sup>8</sup> Trooper Conneely, in keeping with police training, began to command several other officers to holster their weapons while others kept their weapons out. (Exh. 25) He and Officer Figueroa approached the suspect. Some officers reported Root's hands were moving. The two officers took control of his hands, and repositioned him on his back. In doing so, they observed a shoulder holster and what appeared to be a black semi-automatic handgun. (Exh. 25-26) The

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<sup>5</sup> Blood was subsequently observed both inside and outside the Chevrolet Volt.

<sup>6</sup> The officers were not shoulder to shoulder, but spaced in a rough line.

<sup>7</sup> It is not certain which wounds occurred in Boston and which in Brookline.

<sup>8</sup> The body of Mr. Root and some faces have been blurred.

handgun was subsequently determined by State Police to be a black Crosman C11, 4.5 mm, CO2-powered semi-automatic BB pistol.

EMS arrived on scene to render medical assistance to Root within moments. He was transported to the Beth Israel Deaconess Medical Center but did not survive. The Medical Examiner informed Boston and State Police that her preliminary findings are that Justin Root's cause and manner of death are expected to be "homicide by multiple gunshots from law enforcement weapons."

#### STANDARD OF REVIEW

Graham v. Connor, 490 U.S. 386 (1989) established the "objective reasonableness" standard for officers' use of force. The case provides that officers' use of force is judged based upon the totality of the circumstances, from the perspective of the officer, on the scene, at the moment force was used, without the benefit of hindsight, in circumstances that are tense, uncertain and rapidly evolving. The so-called "Graham factors" used to determine reasonableness as set forth in the case: 1) the severity of the crime; 2) whether the subject was an immediate threat to the officers or others; 3) how the subject was actively resisting arrest or how the subject was attempting to evade arrest by flight. Graham, 490 U.S. at 396.

#### NORFOLK DISTRICT ATTORNEY FINDINGS

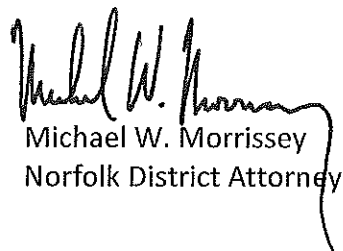
1. Justin Root was in and around the campus of Brigham and Women's Hospital on the morning of February 7, 2020, shortly after 9 a.m.
2. Root threatened and pursued BWH security officers, including brandishing and displaying what would be perceived to be a deadly weapon, a handgun.
3. BWH security personnel were put in fear, communicated their perceived threat to Boston Police, and placed the hospital in lockdown.
4. Boston Police transmitted over open radio channels the report of a party with a gun on the BWH campus and dispatched units. Root is identified as misdirecting police officers who responded to the hospital campus. Two officers believed they were being fired upon, and one physically struggled with Root on the ground before Root fled the scene.
5. Following the altercation at Brigham and Women's Hospital involving Boston Police officers' gunfire (under investigation by Suffolk District Attorney Rachael Rollins and the Boston Police Department) Root fled the scene in his Chevrolet Volt, with multiple officers joining the pursuit as it progressed down Rte. 9 into Brookline.
6. During the pursuit, Boston Police Dispatch broadcast the fact of the officer-involved shooting, the wounding of an individual at the BWH location, and information relative to the chase.
7. Those transmissions led all involved officers to believe that they were pursuing an individual who had just shot someone and was still armed.
8. Officer Godin had become separated from his portable radio during the initial altercation with Root. Officer Godin heard radio transmissions in the cruiser and had

- obviously made his own observations relative to the present dangers when he arrived in his cruiser in Brookline.
9. Officers arrived at the site of the high-speed collision at Hammond Street to see a chaotic scene and heavily damaged vehicles.
  10. Officers observed Root fleeing the area of his disabled vehicle on Rte. 9.
  11. Boston and State Police officers loudly and repeatedly issued appropriate commands that Root should show his hands and get on the ground.
  12. Officer Fernandes observed Justin Root ignore commands to “show your hands” and instead reach into his jacket in a motion consistent with drawing a firearm. Officer Fernandes fired his service weapon based on the suspect reaching into his coat and the fear that he could be shot or killed, or that another person at the scene could be shot or killed.
  13. Officer Corey Thomas observed Justin Root not complying with police commands, instead with his arms along his body at his chest. From his vantage point, he could clearly see the subject’s arms but not his hands. He observed his arms moving, heard a round fired and thought it was Root firing at his fellow officers. He stated that he discharged his firearm to protect other officers.
  14. Officer Brenda Figueroa observed Justin Root not complying with police commands and, from her vantage point, observed what she perceived to be a smirk as he reached into his coat as if to pull out an object. She saw what she perceived to be the handle of a gun where he was reaching. She was in fear that she or another person present was going to be shot and discharged her weapon.
  15. Massachusetts State Police Trooper Paul Conneely observed Root exiting his car, initially fall to the ground, regain his feet and begin to move again. As he was moving to tackle Root, he heard a Boston officer say that the subject had a handgun and that the handgun was on his chest. Trooper Conneely drew his weapon rather than execute a take down. He observed Justin Root not complying with police commands to get on the ground and show his hands and instead reach into his coat as if to retrieve a weapon. He was in fear for his life and discharged his weapon.
  16. Officer Joseph McMenemy first approached the disabled Chevrolet Volt and found it empty. He then saw a male running, and ordered the woman who was approaching him to get away. When she withdrew, he pointed his firearm at the suspect and ordered him to the ground and to show his hands. He observed Root begin grabbing at his jacket, revealing what he believed to be the back side and handle of a handgun housed in a shoulder holster in the area of his chest. When he observed the subject reach for what he believed to be a handgun, he became afraid that if the subject accessed that handgun he would be shot; at that time, he discharged his own weapon.
  17. When Officer David Godin first encountered Root at BWH, he saw what he perceived to be a firearm tucked into his waistband. He heard Root yell “I am law enforcement” before reaching into his waistband, retrieving the perceived handgun, and pointing it at him. Officer Godin fired his handgun, fell backward, and thought that if he did not get

- up, the subject was going to kill him. He regained his feet and attempted to resume firing but his gun jammed. He participated in the vehicle pursuit and, once at the scene in Brookline, he was among the officers shouting commands for Root to show his hands and get down on the ground. He observed Root reach into his jacket, heard someone shout "gun" and fired his weapon. He believed, based on the interaction at BWH and his actions in Brookline, that it was the subject's intention to kill responding officers.
18. In addition to the realistic looking handgun found on his person, (Exh. 26) an inventory of Root's vehicle revealed two identical paint ball type handguns, (Exh. 27) one of which had been damaged.
  19. A civilian witness, a physician driving to work at a Boston hospital, was traveling eastbound on Rte. 9 but stopped at the Hammond Street intersection due to a red light. His attention was drawn to the westbound roadway by the sound of a loud crash. He observed Root limping away from the road and eventually up the berm that separates the road from the parking lot. He states in his recorded interview: *"And as he reaches the top of that area, the police cars had already arrived and the police officers were already on foot with their guns drawn, running after him and he came to a stop so they did so too. Now they are all facing, pointing their guns at him. Cannot hear exactly what they are screaming because everybody was screaming...And at the time, they actually said probably three, four times while pointing their guns at him. And he turned around facing the officers and as he did that he, with his right hand, he took his right hand under his coat and at the time that happened, um, the police officers discharged their firearms on him."*
  20. In light of the consistent narrative of events emerging from law enforcement interviews, video footage, audio recordings, and civilian witnesses, for each of these six police officers, I find that the use of force by police in Brookline was objectively reasonable and justified according to the factors delineated in Graham v. Connor.
  21. In light of these findings, the Norfolk District Attorney's Office will take no further action relative to these six officers as to the performance and execution of their duties on February 7, 2020 in the town of Brookline.

Please do not hesitate to contact me on this or any other matter.

Respectfully,

  
Michael W. Morrissey  
Norfolk District Attorney

CC: Chief Andrew Lipson, Brookline Police Department  
Suffolk District Attorney Rachael Rollins

## Appendix A

### List of documents, reports, statements, audio and video recordings reviewed

#### Massachusetts State Police

- Massachusetts State Police Reports
  - 7 Police Officer Involved Interviews (6 BPD and 1 MSP)
  - State Police Reports of Witness Statements and Investigative Reports
- Preliminary Ballistics Review
- Crime Scene Services Video, Photos, and Reports
  - Suspect's Vehicle Search
  - Crime Scene
  - Autopsy
  - Suspect's Weapons
    - Black handgun (Crosmen C11 Pellet Gun)
    - CO2-powered paintball handgun (JT Paintball ER2 Gun)
    - Broken CO2-powered paintball handgun (JT Paintball ER2 Gun)
- Drone Videos
- Special Emergency Response Team (SERT) Ballistics Search Report
- Cellphone Extractions Reports
- Surveillance Videos through Brookline Traffic Camera and at Crime Scene
- Cellphone Videos
- LEICA 3D Scan (True View) of Brookline Crime Scene
- State Crime Lab Criminalistics Collection Reports from Chemist
  - Blood Collected from Scene and Vehicle

#### Boston Police Department

- Boston Police Reports
  - Form 26 Reports
  - Witness Interview Reports
- Crime Scene Photos and Reports
  - Brigham and Women's Hospital
  - Suspect's Residence
  - Suspect's clothing and holster
- Brigham and Women's Hospital Surveillance Cameras
- Boston Police Body Worn Camera Videos (BWC)
- Cellphone Videos
- Evidence Submissions
- 911 Calls
- Radio Transmissions, Boston PD



- Radio Transmissions, Brigham and Women's Security
- Boston Police Supplemental Crash Report and Data Recorder from Suspect's Vehicle
- Preliminary Ballistics Review

#### Brookline Police Department

- Brookline Police Reports
- Brookline Police Department preliminary crash report
- 911 Calls
- Radio Transmissions
- Traffic Cameras along Rte. 9/Boylston Street

#### Brookline Fire Department

- Run Report for Crash/EMS Response

## **APPENDIX B:**

### **Brief description of referenced exhibits**

**EXHIBIT 1:** *BWH, BBF Exterior Fenwood Road Middle Camera* - The video depicts Root's arrival and stopping in the middle of Fenwood Road with his flashers on. Root is seen running up Vining Street. Root misdirects Officers Godin and St. Peter. Both of the officers subsequently return to the intersection of Vining Street and Fenwood Road after looking for the suspect. The altercation between Officer Godin and Root. Root can be seen limping away, getting in his vehicle, and the pursuit begins.

**EXHIBIT 2:** *Magnified BWH Armory Front Camera* - The video depicts the Coca-Cola truck parking and Root running up Vining Street chasing two security guards. Officer Godin comes on scene and is misdirected by Root. Shortly thereafter, another car driven by Officer St. Peter is also misdirected by Root who is pointing up the street. A security guard from Brigham Women's Hospital can be seen pointing down the street at Root. Officer St. Peter makes a U-turn and travels to the intersection of Vining Street and Fenwood Road and parks his vehicle in front of the Coca-Cola truck. Root again is seen on the sidewalk next to the Coca-Cola truck and the building chasing a security guard up the street with a gun drawn. Officer Godin comes around the corner of the building and sees Root who quickly draws his gun and aims at Officer Godin. Officer Godin falls to the ground, as he attempts to retreat. The video depicts the altercation on the crosswalk between Root and Officer Godin. Root limps away and heads towards his car (which is out of view). Root is seen driving off in a Chevrolet Volt and the pursuit begins.

**EXHIBIT 3:** *BWH Shapiro Rear Door Camera* - The camera depicts the intersection and crosswalk area of Vining Street and Fenwood Road where the incident took place. The camera

view is aimed up Vining Street and depicts the area where you can initially see Root's head in the middle of the bottom of the frames. Root can be seen running up Vining Street, when the Coca-Cola truck pulls up, chasing a security officer. [The security footage of the officers retreating can be seen in Exhibit 1] Officer Godin drives by in his cruiser. Root can be seen heading back towards where his vehicle was parked. Root can be seen pointing and misdirecting police. Officer Saint Peter's blue lights are visible as he is turning around behind the Coca-Cola truck. Root goes running up the sidewalk in front of a passerby to chase another security officer when Officer Godin arrives at the entrance of the Shapiro building. Officer Godin is facing an oncoming Root. Guns are drawn and Officer Godin retreats. One can see a portion of the altercation just to the side frames of the video. Root can be seen limping away. Officer Godin can be seen climbing into his vehicle to begin the pursuit.

**EXHIBIT 4:** (STILL) Root aiming a gun at Officer Godin, and Officer Godin drawing his gun at Root on Vining Street.

**EXHIBIT 5:** (STILL) Root pointing a gun towards Officer Godin, and Officer Godin pointing his gun at Root on Vining Street.

**EXHIBIT 6:** (STILL) Root pointing his gun at Officer Godin, and Officer Godin pointing the weapon near the intersection of Vining Street and Fenwood Road.

**EXHIBIT 7:** (STILL) The parties pointing weapons at each other. Officer Godin is retreating and crouching.

**EXHIBIT 8:** *Witness Statement BWH<sup>1</sup>*- A woman employee of Brigham and Women's Hospital who was interviewed at or near the location where the valet was shot saying the suspect, Root, was seen with a handgun. She says in the interview that Root shot the valet.

**EXHIBIT 9:** Traffic camera in the Town of Brookline captures the moments of the crash at Hammond Street and Rte. 9. The camera pans the area and follows Root's vehicle to its resting place near the mulched area at the entrance to the mall lot. The video also shows Root exiting his vehicle and trying to get away. Root falls down and a bystander can be seen coming over to render assistance. Root gets up. The police arrive, and the woman is seen moving away.

**EXHIBIT 10:** (STILL) Root's vehicle at the initial crash at Route 9 and Hammond Street.

**EXHIBIT 11:** (STILL) Root's vehicle at the intersection of Route 9 and Hammond Street.

**EXHIBIT 12:** (STILL) Root's vehicle at the crash site at Hammond and Route 9.

**EXHIBIT 13:** (STILL) The initial location where Root's vehicle came to rest after the crash.

**EXHIBIT 14:** (STILL) Root opening the door of his vehicle after the crash.

**EXHIBIT 15:** (STILL) Root out of the vehicle at the area on Rte. 9.

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<sup>1</sup> Body worn camera footage timestamp corresponds to Coordinated Universal Time, not Eastern Standard Time.

**EXHIBIT 16:** (STILL) Root getting away from his damaged vehicle heading towards the mall parking lot.

**EXHIBIT 17:** (PHOTO) The damaged right side of Root's vehicle at the accident scene.

**EXHIBIT 18:** (PHOTO) A front view of Root's damaged vehicle.

**EXHIBIT 19:** (PHOTO) The damaged left side of Root's vehicle.

**EXHIBIT 20:** (PHOTO) A photograph of the mulched area where the shooting took place with a view towards the Chase Bank ATM.

**EXHIBIT 21:** (PHOTO) A close-up view of the mulched area similar to Exhibit 21.

**EXHIBIT 22:** Drone No. 1 provides an eastbound view of the area on Route 9 including the mulched area and the intersection of Hammond Street and Route 9.

**EXHIBIT 23:** Drone No. 2 provides a westbound view of Route 9 and hovers over the mulched area where the shooting took place.

**EXHIBIT 24:** *Body Camera 1*<sup>2</sup>- The body camera worn by Officer Figueroa depicting her arrival, officer commands, and weapons being discharged. It also depicts some of the period after the shooting. (The City of Boston has an audio delay when body cameras are turned on for

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<sup>2</sup> Body worn camera footage timestamp corresponds to Coordinated Universal Time, not Eastern Standard Time.

30 seconds before audio can be heard.) This exhibit has been edited, including blocking out the body of Mr. Root at the scene. A portion of the video is almost completely blacked out by Officer Figueroa's arms when she draws her weapon.

**EXHIBIT 25:** *Body Camera 2*<sup>3</sup> - Is the camera worn by Officer Corey Thomas and depicts the police officers lined up in the area where the police discharged their weapons. It depicts some of the steps and commands that were given after the incident by a State Trooper Paul Conneely, including orders to holster weapons and the commands necessary to approach Root and take him into custody. Officers are heard being concerned that Root's hand was still moving as Trooper Conneely and Officer Figueroa approached. One officer announces that there is a gun near Root's chest area.

**EXHIBIT 26:** (PHOTO) The black handgun recovered under Justin Root at the mulched area Rte. 9, Brookline.

**EXHIBIT 27:** (PHOTO) The paintball gun found in Root's vehicle during the search.

**EXHIBIT 28:** (STILL) Root on the Brigham and Women's Hospital Campus with handgun drawn running past a bystander.

**EXHIBIT 29:** (PHOTO) The holster worn by Root at the time of the shooting on Rte. 9 in Brookline, Massachusetts.

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<sup>3</sup> Body worn camera footage timestamp corresponds to Coordinated Universal Time, not Eastern Standard Time.