

## ESTRELLA FINDINGS OF FACT

### Introduction

The Berkshire District Attorney's Office, with the investigative assistance of the Massachusetts State Police (MSP), has compiled this factual narrative of the sequence of events on March 25, 2022, the night that Pittsfield Police Department (PPD) Officer Nicholas Sondrini shot Miguel Estrella, age twenty-two. This narrative is primarily based on the interviews of individuals who were involved.<sup>1</sup> Supporting documents include PPD 911 emergency calls and dispatch transcripts,<sup>2</sup>

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<sup>1</sup> Interview transcripts are identified by the name as it appears in the title of contents and are referred to as follows: 1) D.F., Estrella's girlfriend: DF [page number]; 2) T.H., Girlfriend's sister: TH [page number]; 3) Officer Nicholas Sondrini: NS [page number]; 4) Officer Christopher Coffey: CC [page number]; 5) S.S., EMT: EMT1 [page number]; 6) S.S, EMT, Second Interview: EMT1 2I [page number]; 7) B.P., EMT: EMT2 [page number]; 8) S.H., Dog walker: SH [page number]; 9) J.S., Neighbor: JS [page number]; 10) K.M., EMT: EMT3 [page number]; 11) J.S., EMT: EMT4 [page number], and; 12) E.E., Estrella's sister: EE [page number].

<sup>2</sup> The transcripts of the PPD 911 emergency calls and PPD dispatches cited here are identified by the title as it appears in the Table of Contents. They are referred to as follows: 1) A.V. Emergency 911 Call, AV/RJ [page number]; 2) R.J. Emergency 911 Call, AV/JS [page number]; 3) PPD First Dispatch: Officers, D1O [page number]; 4) PPD First Dispatch: EMS, D1EMS [page number]; 5) A.V. Second Emergency 911 Call, AV2 [page number]; 6) PPD Second Dispatch: Officers, D2O [page number], and; 7) PPD Second Dispatch: EMS, D2EMS [page number]. Note: The second ambulance that was dispatched here was superseded by another ambulance that reached the scene first.

as well as a range of investigative reports.<sup>3</sup> Photographic evidence from the scene was provided by the PPD.<sup>4</sup> Physical evidence was gathered from the scene, and forensically examined.<sup>5</sup> Partial surveillance footage of the scene was also recovered from a neighboring business, and this video provides another source of corroborating information.<sup>6</sup>

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<sup>3</sup> The investigative reports cited here are referred to as follows, by the title as it appears in the Table of Contents: 1) MSP Case Master Report (MSP CM Report) 2022-103-75/[number of report] at [page number]; 2) MSP Crime Lab Reports at [page number]; 3) MSP CARS 3D Scene Mapping Report at [page number]; 4) PPD Incident Report at [page number]; 5) PPD Taser Analysis Report at [page number]; 6) ShotSpotter Report at [page number], and; 7) PPD Crime Scene Personnel Log at [page number]. PPD Officer Narrative Reports for the first responders to the scene and the PPD Dispatch Log for the relevant time period were reviewed, but are not provided here in full. Berkshire Medical Center records, the MSP toxicology report, and the autopsy report from the Office of the Chief Medical Examiner are referenced, but cannot be provided under privacy law.

<sup>4</sup> The photographs can be found on the DVD provided with the binder, PPD Crime Scene Photos.

<sup>5</sup> The MSP lab analysis reports are all found under Investigative Reports: MSP Crime Lab Reports.

<sup>6</sup> The PPD cruisers do not have cameras, and the officers do not wear body cameras. (CC 72; NS 95). However, security cameras from an adjacent business captured partial video of Woodbine Avenue in front of the Bartlett School building and the intersection of Woodbine with Onota Street. (MSP CM Report 2022-103-75/11 at 26). Due to the extreme angle, distance and darkness, this video has limitations, but provides some corroborating information.

As explained in the MSP report, the timestamp on this footage was found to be thirty-six minutes faster than the actual time, and all time references take this into consideration. (MSP CM Report 2022-103-75/3 at 4).

## Investigative Process

Investigators canvased the neighborhood twice for witnesses, (MSP CM Report 2022-103-75/18; 2022-103-75/23) and for sources of video evidence. (MSP CM Report 2022-103-75/3). Two sources of video were found in the vicinity of the scene, only one of which had footage of the events. (MSP CM Report 2022-103-75/3 at 4-8). Investigators went door to door and attempted to contact the residents in the twenty or so apartments in the Bartlett School building, in addition to over a dozen other residences in the area. They spoke with eight witnesses, and three provided additional information. The two 911 callers were contacted and one was willing to share information, while the other declined to be interviewed.<sup>7</sup> The investigators arranged video and audio recorded interviews with the individuals directly involved. These individuals include: Estrella's girlfriend, Estrella's girlfriend's sister, Officer Nicholas Sondrini, Officer Christopher Coffey, and four EMTs. Two civilian eye-witnesses were also interviewed. The civilian witnesses are referred to by their initials only, in order to protect their privacy.

The purpose of this narrative is: (1) to provide a clear and independent account of the shooting that provides a factual basis for Berkshire County District Attorney's

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<sup>7</sup> One 911 caller, A.V., declined to be interviewed. The information here is based only on recordings of her 911 calls. (MSP CM Report 2022-103-75/11 at 16).

legal conclusions regarding the officers criminal culpability for the shooting, and (2) to inform the community discussions to improve outcomes for people experiencing mental health crisis.

One witness expressed, “I mean, it’s not my family, but I do feel like if it happened to me, I would like to have some type of closure, to figure out what had happened, you know, because there’s nothing you can do to bring him back. The least you can do is tell the truth.” (JS 31-32).

### Summary of Narrative

#### First Call (Approximately Fifteen minutes)

On March 25, 2022, at about 10:00 p.m., Officers Sondrini and Coffey were dispatched to the Bartlett School apartments on the corner of Woodbine Avenue (Woodbine) and Onota Street (Onota) in Pittsfield. This was based on a 911 caller’s information that Estrella was cutting himself, and had mental health issues. During this first encounter, which occurred in the parking lot, Estrella was accompanied by his girlfriend, D.F., and her sister, T.H.

The officers observed that Estrella was intoxicated and that he had a cut on his cheek, which he said he got at work. He was lethargic, but spoke coherently, and he understood his right to refuse to speak with them. They convinced him to let EMS assess the cut, and offered assistance. EMS arrived, and found that the cut was minor,

and did not require hospitalization. Estrella refused all medical care. Coffey spoke separately with D.F. and T.H., and D.F. said that she would stay with him. The officers determined that they did not have enough evidence, based on the cut alone, to restrain Estrella under Section 12, and left the scene.

Second Call (Approximately Two minutes and 15 seconds)

After this, Estrella took a large kitchen knife from his apartment and returned outside. Another 911 call was placed and the officers returned for a second call encounter approximately fifteen minutes after the first call. On arrival, the officers found Estrella and D.F. in the middle of Woodbine, and she was arguing and pleading with him to drop the knife. Estrella was pacing and agitated, and periodically yelling. Coffey drew his taser. Sondrini drew his firearm to cover Coffey. They repeatedly told Estrella to drop the knife, without success. Coffey attempted to tase Estrella in order to secure the knife. Sondrini also transitioned to his taser and attempted a follow-up deployment. Neither was effective, and both officers drew their firearms.

After the taser attempts, Estrella became even more agitated. D.F. tried to place herself between Estrella and the officers. Estrella slowly approached them, still holding the knife. Backing up together, Coffey and Sondrini continued to talk to Estrella, told him that he did not want to do this, and offered to get him help. Coffey

pulled D.F. back with them toward the intersection of Onota, until they were at the middle line, almost in the northbound lane. A car passed behind them.

Estrella paused at the edge of the road, then charged Sondrini with the knife. Sondrini fired two shots, and Estrella fell to the ground. Sondrini immediately administered first aid from supplies on his belt. Other officers arrived and continued to provide care until the ambulance arrived. Estrella was transported to the hospital where, later that night, he died of a gunshot wound.

### Fact Narrative

#### D.F and T.H: Beginning of Incident and Background

D.F., age nineteen, had been in a dating relationship with Miguel Estrella for about four years. (DF 4). She described him as a “motivating person” and a “good person,” and that he “showed her how to live.” (DF 49). She mentioned his workplace and his work for Habitat with Humanity, helping to build houses and being “good to the community.” (DF 49). D.F. said that he would “talk to half the police at the gym in the morning,” and that he was “cool with them.” (DF 49-50). She said that she did not understand how this happened. (DF 50).

From the beginning, D.F. was aware that “he would go through depression stages,” and she knew that he had tried to hurt himself before. (DF 4-5). The self-harm was “always when he drank,” but “not all the time, though.” (DF 5). She did

not think that there was a specific trigger this time, but that it was “everything in his life . . . he’s been through a lot.” (DF 5).

On the evening of March 25, 2022, D.F. became aware that Estrella had been drinking when he picked her up from her workplace around 9:00 p.m. (DF 6, 63). They returned to their apartment where D.F.’s sister, T.H., was also present. (DF 6; TH 3-4). T.H. said that she knows Estrella “like the back of [her] hand,” because he had been with her sister for years. (TH 44). T.H. had been napping, and did not notice that Estrella had been drinking. (TH 4). T.H., D.F. and D.F.’s friend, A.V., were planning to go out that night. (DF 6; TH 4). T.H. and D.F. were talking in the bathroom, when D.F. walked into the next room, and saw that Estrella was cutting his face with a box cutter. (DF 6; also TH 4). T.H. said that he had cut himself on his cheek above his beard. (TH 16).

D.F. recognized the box cutter as one that Estrella used at work, a folding type with a retractable blade. (DF 8; TH 6). She said that he cut his face “multiple times.” (DF 7). T.H. said that he “had cuts all over his face,” that it was “just all bloody,” with “little cuts,” that seemed like he was “scraping.” (TH 16-17).<sup>8</sup> Both women said

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<sup>8</sup> The autopsy report from the Office of the Chief Medical Examiner described the cuts as “[m]ultiple dragging superficial incisional wounds” on the right cheek above the beard line. These cuts measure “in aggregate 3 x 3/4 inches.” He stated that, “[t]he deepest wound measures approximately 3/16 of an inch.” The medical examiner did not note any other cuts on the rest of Estrella’s face, or on his neck. (See also MSP CM Report 2022-103-75/30 at 1).

that he was bleeding and dripping all over. (DF 7, 13; TH 10, 21-22). T.H. said that this was because he was “moving so much,” but that she did not “see him cutting himself anywhere else on his body.” (TH 20, 22).

Both women tried to tell him to stop, relax and calm down, “but he just couldn’t.” (TH 4). D.F. asked him to talk to her, and told him that she was there for him. (DF 6). She asked him to give her the box cutter. (DF 6). She tried to “calm him down through the whole process,” and “would not leave his side.” (DF 14).

#### T.H. Describes Prior Incident

T.H. explained that she has anxiety, and could not be helpful in this situation. (TH 4). She left to take a drive, and her sister remained to help Estrella. (TH 4). She described “an incident like this before,” about a month and a half earlier, where Estrella was also drinking and harming himself. (TH 4; 48-50). In the prior incident, he “broke a bottle off his head,” and he was cutting himself, but not as much and not as deep as this time. (TH 8, 49). Because of T.H.’s history, her first instinct when

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A photograph of the side of Estrella’s face, taken by one of the EMTs during the first call, shows one deeper cut surrounded by several scratches. (MSP CM Report 2022-103-75/24 at 1; see also Photographs: Estrella Facial Cuts by EMT). Estrella’s injury is referred to both as multiple “cuts,” and a “cut.” Both are accurate, depending on whether the scratches are considered cuts.



she feels unsafe is to call the police, but she will not do it if she knows “it’s going to end bad, and especially if it’s something that [she] and [her] sister can do.” (TH 49).

The time before, she had told Estrella that she was about to call the police. (TH 4-5, 7, 49). Estrella had made similar threats as he did this time, that “if the police came basically like they’re gonna have to kill him,” or they are “gonna die.” (TH 5, 7). Eventually, D.F. was able to calm him down, and he ultimately went to a friend’s for the night. (TH 4, 49). T.H. apologized to Estrella for saying she would call the police. (TH 49). This time, to try to avoid the impulse, she took a drive to remove herself from the situation. (TH 7-8; 50).

She said that after the last incident, they said “no more drinking, especially like dark liquor,” and that he had had a New Year’s resolution to stop drinking. (TH 45, 50). She said that when Estrella drinks hard liquor, “it turns him into a whole different person.” (TH 45). The women said that during both of these incidents Estrella was drinking a fifth of dark liquor. (DF 7; TH 48). T.H. said that the last time, by the end, he had drunk half of the bottle, and her sister had dumped out the other half. (TH 51). This time, after the fact, the bottle was almost empty. (DF 7; TH 45, 51-54).

At some point after T.H. left to take a drive, Estrella “started screaming,” because he “tried to cut himself.” (DF 6). D.F. called A.V. and asked her to call 911

because “he needs someone, a crisis team, someone.” (DF 6, 9-10, 12). D.F. said that she asked A.V. to call “specifically” for an ambulance. (DF 10, 30).

#### First 911 Emergency Call: A.V.

At approximately 9:35 p.m. the PPD dispatch received a 911 call from a female caller requesting an ambulance.<sup>9</sup> (AV/RJ 2). This female caller was later identified as A.V. (MSP CM Report 2022-103-75/11 at 16). A.V. asked for the ambulance to be sent to an address on Onota Street. (AV/RJ 2). Before the dispatcher could clarify the exact address, A.V. told him that she was sorry, but that she did not need an ambulance after all, because her friend had already “got a ride.” (*Id.*). A.V. said, “my friend, she just asked me to call you guys.” (*Id.*). The dispatcher asked if she was there at the scene, and A.V. confirmed that she was not. (*Id.*). A.V. said, “But she has a ride already. She said it’s fine, I guess? That’s what she just texted me. She said she got a ride. I’m sorry to bother you.” (*Id.*). The dispatcher said that it was okay, and to just let them know if she needed them. (*Id.*). A.V. apologized again and they hung up. (*Id.*).

#### Second 911 Emergency Call: R.J.

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<sup>9</sup> The audio recordings appear to place this and the next call back to back in time. The two 911 calls were approximately 10 minutes apart.

At approximately 9:46 p.m., dispatch received a second call from a male caller, who asked for an ambulance to be sent to 279 Onota Street for his nephew. (AV/RJ 3). This male caller was later identified as R.J. (MSP CM Report 2022-103-75/11 at 11-12). R.J. said he had “just got a call and they say he’s cutting himself, his face is cut, his neck is cut . . . and he just cut himself deep.” (AV/RJ 3). R.J. identified the person as Miguel Estrella, and said that he was “right outside the building.” (*Id.*). He added that Estrella had mental health issues, just as a “heads up.” (*Id.*). R.J. said that he did not know what was going on, but he was “too far away to get to him.” (*Id.*). The dispatcher said that they would send someone, R.J. thanked him, and they hung up. (*Id.*). R.J.’s 911 call resulted in the dispatch of the officers.

R.J. later confirmed that the person who called him was D.F., using Estrella’s phone. (MSP CM Report 2022-103-75/11 at 12). He said that she asked him to come over and help her with Estrella because “he was acting wild and would not listen to her.” (*Id.*). He told D.F. that he was out of town, but that he was going to call the police. (*Id.*).

#### Before the Officers Arrived for the First Call

D.F. calmed Estrella down, and he said he wanted to go to a friend’s house. (DF 11). Estrella “let [her] grab” the box cutter from him, but before they left the apartment, he got another small kitchen knife. (DF 12-13, 17-18). D.F. described

this as a steak or tomato knife. (DF 18). D.F. said Estrella was “trying still” to cut himself with this knife. (DF 59-60). Estrella said that he did not want to live, and D.F. believed that “he was ready to take himself.” (DF 15). The couple left the apartment and were in the car, ready to leave for the friend’s house, when the officers arrived. (DF 11-12).

### First Call Encounter Between Officers and Estrella

#### Officer Experience and Training

Officer Christopher Coffey has been with the PPD for around four years and primarily works in the patrol division. (CC 3). He also performs assignments as part of the anti-crime unit, and is a candidate with the Berkshire County Special Response Team (BCSRT). (CC 3, 7-8). Prior employment includes eight years the United States Marine Corps as an infantryman, with special weapons and tactics. (CC 3-4). He received training at a full-time police academy in defensive tactics, de-escalation, medical treatment and Massachusetts law. (CC 4-5). He is up to date with additional ongoing training through the PPD, required at a minimum on a yearly basis. (CC 6). This includes use of force policies and procedures, and training in less lethal uses of force. (CC 5-7).

Officer Nicholas Sondrini has been with PPD for about the last nine years, and a K-9 handler for the last four. (NS 3). He was employed by the United States

Marine Corps from 2002 to 2006, and as a deputy sheriff at the Berkshire County House of Correction, from 2007 to 2010. (NS 3-4). There, he served as a correctional officer, and was a member of their emergency response team, which required additional, advanced training in use of force. (NS 3). He is a member of the BCSRT, also requiring advanced training in various emergency situations and less lethal options. (NS 3, 5-7). In BCSRT, he served as an officer down instructor, and is currently training to be a firearms instructor, including less lethal weapons. (NS 5-7). Over his career, has attended various educational programs, including a week-long seminar in options for crisis intervention, and a national tactical officer bridging school. (NS 5, 9). He trains and recertifies in use of force and less lethal weapon training on a yearly basis as part of his employment with the PPD. (NS 7-8).

#### Officers' Dispatch: First Call Encounter

At approximately 9:48 p.m., Officers Sondrini and Coffey were dispatched to a call for a “wellbeing check” at 279 Onota, the Bartlett School apartments, on the corner of Onota and Woodbine. (NS 15-17). The dispatcher informed them that a 911 caller said that a Hispanic male named Miguel was “walking around the building cutting himself.” (NS 16, 20). Officer Coffey recalled that the 911 caller had said that the individual was “making statements.” (CC 13). This is shorthand for Section 12 statements, or threats of suicide, which would give an officer a legal basis to “take [an individual] into custody, restrict them of their rights and force them [to get]

medical treatment.” (CC 77).<sup>10</sup> Officer Coffey understood the dispatch to mean that the individual was having “some type of mental health issue,” and needed assistance. (CC 13-14).

The PPD dispatcher told the officers that “[o]utside the building you’re going to be looking for a Miguel Estrella, apparently having some mental health issues,” and who, “according to the caller, may be cutting himself.” (D1O 2). The dispatcher informed them that the caller was not on the scene and that it was unknown if Estrella still had “a weapon in his hand.” (*Id.*) She followed up with a basic description of Estrella’s height, age, and coloring. (*Id.*)

There was no other follow-up information from dispatch on this call. (CC 14; NS 16). Neither officer knew Estrella or recollected having any prior interaction with him. (CC 15, 18-19; NS 18, 34-35).

The officers described Estrella as a Hispanic male in his early to mid-twenties. (CC 17; NS 22). He was about six feet or a little taller, 230 to 255 pounds, with a muscular build. (CC 17-18; NS 22). He was wearing a black or grey t-shirt. (CC 17; NS 22). They described D.F. as a Hispanic female, a little over five feet, wearing medical scrubs. (CC 17; NS 20).

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<sup>10</sup> The officers also refer to a Section 12 as the form or document that they would need to fill out in order to admit an individual to a hospital. (CC 32, 76-77).

### Officer Sondrini Arrives First

Both officers drove to the call “code one” –no lights, no sirens, and normal driving. (NS 26). As is standard, they responded two officers to a call, but drove in separate cruisers. (CC 10; NS 10). Within minutes of the dispatch, at 9:51 p.m., Sondrini arrived first at the Bartlett School. (NS 16-18; MSP CM Report 2022-103-75/3 at 4). As he drove up, he checked around the building, but did not initially see anyone outside. (NS 19). It was dark out, but there was some lighting in the parking lot. (NS 28-29). Sondrini saw someone in the lot, in the back, or west side of the building, and he walked toward them. (NS 19). The person had gotten into a car on its passenger side, but as Sondrini approached, this person opened the door, and stepped out. (NS 19-20). Sondrini asked if he was “Miguel,” and he said yes. (NS 20). Sondrini asked if he could talk with him, and Estrella stood by the car on the passenger side, while Sondrini stayed back toward the rear of the car. (NS 20-22). D.F. got out of the driver’s side of the car, stood by the trunk, and identified herself as Estrella’s girlfriend. (NS 20-21; also DF 11, 16).

Sondrini described Estrella as being “originally apprehensive.” (NS 21). Estrella, who was holding a bottle of liquor, said that he was not driving, and was not doing anything wrong. (NS 21). Sondrini told him that he was there to make sure that he was okay, and to see if he needed help. (NS 21). Sondrini recalled that D.F. told him that “everything was fine,” and that Estrella was “just being dramatic.” (NS

22). Sondrini told Estrella that he was not there to arrest him and that he was not in trouble, and Estrella became “a little more relaxed.” (NS 21, 23). Estrella said, “he didn’t really want to talk to [Sondrini] and that he didn’t like the police.” (NS 23; also CC 18). Sondrini told him again that he was only there to make sure that he was okay. (NS 23). Estrella said that he was okay, that he had just gotten out of work, and was drinking. (NS 24). Estrella continued to drink from the bottle of liquor during this first call. (NS 24; also CC 18).

#### Officer Coffey Arrives Second

Officer Coffey arrived a minute after Sondrini, at 9:52 p.m. (MSP CM Report 2022-103-75/3 at 4). He saw Sondrini, Estrella and D.F. in the middle of the parking lot. (CC 18-19; NS 23; MSP CM Report 2022-103-75/3 at 4). He parked his cruiser on the curb, and walked up to them. (CC 18-19; NS 23). Sondrini described Coffey’s approach as making Estrella “kind of nervous again because now, he says, well when two officers come up something bad is gonna happen.” (NS 23). Estrella yelled at D.F., “Did you call the cops on me, like why would you do that, you know I hate the police.” (NS 25; also CC 21-22). D.F. denied making the call. (CC 22; NS 25). At about this time, T.H., who was returning from her drive, parked in the lot, walked over, and Estrella made the same accusation of her. (CC 22; NS 25-26). T.H. denied calling the police, and said that they did not know who called the police. (TH 22; also CC 22; NS 26).



Sondrini asked Estrella about the cut on his face. (NS 26; also CC 19-20; DF 24). Estrella said that it was nothing and that he got it at work. (CC 20). Sondrini shone a flashlight on it. (NS 27). There was blood on the right side of his cheek, at the edge of his beard line. (NS 28). At the distance he was maintaining, and under the parking lot lights, the cut was just visible. (NS 26-28). It did not appear to be actively bleeding. (NS 26-28). Coffey saw blood on Estrella's face, but was too far away to see the cut. (CC 25). Sondrini asked more questions, but Estrella would not answer. (NS 27). Sondrini recalled that D.F. intervened, "he's fine, he got that cut at work." (NS 27).

Estrella asked if he was being detained, and if he had committed any crimes, to which the officers said, no. (CC 20). Estrella said that "he knew his rights and that if there's no crime committed that there's no reason for him to have to continue talking to" the officers. (CC 20). He said that he wanted to go back upstairs. (CC 20).

Sondrini's impression was that Estrella was "really intoxicated." (NS 24). He was using the car to lean on, was slow to move and seemed unsteady on his feet. (NS 24, 101). To Coffey, Estrella appeared intoxicated, "but not to the point where he was incapable of taking care of himself." (CC 28). He was "very coherent." (CC 74). Estrella "knew who he was, where he was, he was able to walk on his own, talk on his own . . . assess the situation, assess his rights and determine what he wanted

and what he didn't want." (CC 74). In particular, the assertion of his right not to talk to the officers seemed to show that "he had full mental ability to know like what was going on and have that conversation." (CC 28).

In an attempt to get Estrella to stay and not go into his apartment, Coffey told him that, on noticing the blood on his face, he had called EMS, and that EMS would need to evaluate him. (CC 20). He asked Estrella to meet them "in the middle," and said that if EMS could evaluate him, Estrella could choose to get treatment or not, and then they could reassess. (CC 20). While it was clear to Coffey that Estrella "wanted nothing to do" with the officers, he was willing to make a deal. (CC 20-21). Estrella asked, "so you're telling me if I get checked out by EMS and I'm good, then we're good." (CC 21). Coffey believed that "it was very clear that word meant everything to him and that . . . any lie or anything like that could escalate the situation." (CC 21). Coffey believed that this arrangement would deescalate the situation, and requested EMS to come to the scene. (CC 21). The officers asked Estrella if he was okay, if he needed any help, and did he want to talk to them about anything. (CC 24). Estrella said that he was fine, did not want to talk, and that he would wait for EMS. (CC 24-25).

Before the EMTs arrived a third officer did a slow "drive by" on Woodbine Avenue, checking the scene, which is a common practice when two officers are on a call for a period of time. (CC 22-23; NS 29-30). According to Coffey, this drive

by “spiked [Estrella’s] irritation,” and Sondrini said that he “got really agitated.” (CC 22; NS 29). Estrella yelled at the officers that “three officers is a problem, two officers is okay, three means there’s a problem.” (CC 23). Coffey told Estrella that there was no problem, radioed the third officer in the cruiser, and told him that they were okay, and to move on. (CC 23). Sondrini affirmed that they were not there to get Estrella in trouble, but to help. (NS 29-30). Estrella calmed down once the third officer drove away. (CC 23; NS 30).

#### EMS Encounter with Estrella

At 9:54 p.m., S.S., County Ambulance’s paramedic supervisor, and EMT B.P. were dispatched to the scene and arrived at 10:00 p.m. (EMT1 2, 5; EMT2 2; MSP CM Report 2022-103-75/3 at 4). The dispatcher informed them that they were to “assist PPD on scene out with a male party with facial lacerations.” (D1EMS 2; EMT1 2; EMT2 2-3). Seeing the EMTs, Estrella said that he did not want medical attention, and he just wanted to go to bed. (NS 31). Sondrini recalled that D.F. said that if they “just let him go to bed, everything’s going to be fine, he just needs to go to sleep, he’s being dramatic and he’s drunk.” (NS 31). The officers talked to Estrella again, and asked him to let the EMTs look at him. (NS 31). Estrella ultimately agreed. (NS 31).

When the EMTs arrived, the officers asked them to check out the cut on Estrella's face, which they saw was on his right cheek just above his beard line. (EMT1 3; EMT2 3-4). The EMTs noted that Estrella was standing by the back of his car, and that he was openly drinking from a bottle of liquor sitting on the trunk. (EMT1 3; EMT2 3, 5-6). S.S. looked at the cut, which "appeared to be superficial." (EMT1 3). B.P. described the cut as "pretty minor," and not "very deep at all." (EMT2 3-5). He also noted that the bleeding was "controlled." (EMT2 3-5.)

S.S. asked Estrella how he got cut, and Estrella said that he did it at work. (EMT1 3; EMT2 5). S.S. took this "at face value," as no one in the group contradicted him. (EMT1 3). S.S. asked him if he wanted to go down to the hospital to get checked out. (EMT1 3). Estrella said no. (EMT1 3). One of the officers asked him if he was sure, that "it looks like it might need stitches." (EMT1 3). S.S. examined the cut, using the flashlight on his cell phone, and confirmed that it was a "superficial scratch." (EMT1 3). S.S. also took a picture of the cut. (TH 10, 17-18; EMT1 2I 5, 18; MSP CM Report 2022-103-75/24 at 1; see Photo: Estrella Facial Cuts by EMT). T.H. said that the EMTs determined that the cut did not need stitches because "it wasn't that open." (TH 10, 17). Estrella was cooperative during this examination, but when asked again if he wanted to go to the hospital, said no, again. (EMT1 3-4; also CC 29-30).

As S.S. was examining Estrella, Sondrini noticed that Estrella had a knife in his pocket. (NS 31). He caught Estrella's eye, who saw him noticing it, and Sondrini reached over and removed the knife. (NS 31). Estrella was "cooperative," and raised his hand to let him take it. (NS 31-32). Sondrini described this knife as a short kitchen knife, black or silver, about three or four inches long. (NS 32; also CC 33). He later gave the knife to Coffey, who disposed of it in a dumpster before they left the scene. (NS 32; CC 32-33).

While S.S. examined Estrella, Coffey pulled B.P. aside and asked him to check Estrella out, talk to him, and to let the officers "know where [they] stand." (CC 26). Coffey also said that Estrella would be likely to refuse treatment. (CC 26). B.P. reported that one of the officers indicated that they believed that the cut may have been self-inflicted, but he and S.S. did not know for sure. (EMT2 5, 8).

S.S. clarified in a second interview that he did not know prior to assessing Estrella's cut that there may also have been an issue with "suicidal thoughts." (EMT1 2I 7-8; 17-18). He said that the EMT's "can't listen to the police dispatches and communications, so we had no idea that that's what we were responding to." (EMT1 2I 17-18). He said that B.P. mentioned this to him in the ambulance after they started to drive away. (EMT1 2I 7-8). S.S. also stated that only the officers have the power to section twelve someone. (EMT1 2I 8).

B.P. thought that Estrella “may have been a little intoxicated.” (EMT2 7). But he “seemed calm,” and “like he just wanted to get this over with.” (EMT2 7). In his second interview, S.S. said that Estrella “managed to stand on his feet,” and “wasn’t swaying.” (EMT1 2I 7). Estrella’s “speech was clear,” and he was “calm and cooperative.” (EMT1 2I 7). S.S. said that he often has to ask people to slow down in order to spell their names, and that when he was taking his information, Estrella “spelled his name three times for [him] and did not get frustrated once with [him].” (EMT1 2I 7).

#### D.F. and T.H.’s Accounts

T.H. was driving nearby when she saw Officer Sondrini turn onto Woodbine Avenue, and she followed, pulling into the Bartlett School lot. (TH 8). She saw the officers arrive and approach Estrella and D.F. (TH 5, 13-14). She was there for the officers’ conversation with Estrella and heard the police say that “he’s not in trouble, they’re not going to take him.” (TH 8). They told Estrella they were going to call EMS and ask them to “take a look” at him, and if he did not want their help, he did not have to take it. (TH 5, 8).

As to the tenor of the conversation, T.H. said that Estrella “got a little bit of attitude a few times,” but he was not yelling, being disrespectful or arguing. (TH 14). Estrella told them that he “respects the law and he respects that they’re just

trying to do their job” but he did not want any help and that “he’s good.” (TH 8, 14-15). When they asked him what happened to his face, he said that “something happened at work and he didn’t want to talk about it.” (TH 15-16). T.H. said that Estrella was “fully drunk,” and “still drinking in front of them.” (TH 9, 5-6, 52; also DF 7).

T.H.’s account is consistent with the officers’, but she disagreed with them giving Estrella “a choice” to get help from the EMTs or not. (TH 5, 51-53). She has worked in a hospital, in both a psych unit as a sitter and on a cardio/neuro floor where they cared for people detoxing from alcohol. (TH 51). She expected that, based on the cuts and his intoxication, the officers would “section him and take him” while he was being cooperative. (TH 9, 52-53).<sup>11</sup>

D.F.’s account does not include any conversation she may have heard between Estrella and the officers or EMTs, and she does not describe anything that she may have said. She consistently described what she heard the officers ultimately tell her, which was that they were not going to take Estrella, and were going to leave him in her care, with her sister. (DF 22, 24, 58). They were “supposed to personally take him.” (DF 22, 24, 58). D.F. felt that the EMTs did not look at the cut, and did

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<sup>11</sup> Although T.H. disagreed with their tactics, later, she contrasted the first call with the second call and said that the officers in the first call “were actually working really well with [Estrella]” and “cooperating with him.” (TH 11).

“nothing.” (DF 19-20, 22, 57-58, 61). Like her sister, she also believed that the officers should have taken Estrella into custody, based on the cuts and the intoxication. (DF 7). The purpose of the 911 call for an ambulance was to take him to the hospital for crisis care. (DF 61).

Both D.F. and T.H. recognized that the EMTs suggested that Estrella go with them to the hospital, but that he refused medical care. (DF 61-62; TH 17, 22). T.H. “didn’t really say anything,” or suggest that Estrella go to the hospital. (TH 22). She did not remember if her sister had said he should go to the hospital. (TH 22). T.H. thought that “she might have suggested it, but he still would’ve said no.” (TH 22).

#### Officer Coffey Talks with D.F. and T.H.

When the EMTs arrived and were attending to Estrella, Coffey approached D.F. and T.H. to get “their opinion because they know him better than we do.” (CC 26-27, 34).<sup>12</sup> The three were standing toward the back of the ambulance, with the diesel engine running. (CC 27, 34). Coffey thought that with Estrella distracted by the EMTs, they could have a more private conversation. (CC 26-27, 34). Up to that point, Estrella was “controlling the conversation,” and “they couldn’t really speak freely. . . .” (CC 34).

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<sup>12</sup> Both officers misunderstood that T.H. was D.F.’s sister and not Estrella’s, but consistently referred to her as “the sister.” (NS 24; CC 22).



Officer Coffey asked them what was going on with Estrella. (CC 27). He recalled that D.F. said that he was drunk, and having a hard time, but that he was fine. (CC 27). Coffey said that they were concerned about the cut on his face. (CC 27). Coffey recalled that she confirmed that they lived together, and said that she would take care of him. (CC 27). Coffey wanted to make sure that Estrella would not be alone, that he stopped drinking and did not drive. (CC 27; also TH 9, 53). He told them, “if anything happens, like just give us a call, and we’ll come back and we’ll reassess and we’ll help you from there.” (CC 27-28; also TH 9). He recalled that D.F. repeated that they were fine, and said something like “this is really going to set him straight.” (CC 28, 31).

#### First Call Completed

At the end of the assessment, S.S. instructed Estrella on how to care for his cut, took his information, and asked again if he would like to go to the hospital. (EMT1 4-5). Estrella said no, again. (EMT1 5; EMT2 4-5, 8). S.S. confirmed with the officers that Estrella refused hospital treatment, and the EMTs left the scene at 10:04 p.m., about five minutes after arriving. (EMT1 5; MSP CM Report 2022-103-75/3 at 4).

Neither officer remembered having a conversation with the EMTs about whether a Section 12 was warranted. (CC 29, 33; NS 34). Coffey’s understanding

was that they did not “find any reason that would force [Estrella] to go to the hospital.” (CC 29-30). Sondrini affirmed that at some point during this call, he and Coffey had offered a mental health evaluation, (NS 36-37) Estrella had refused, and said that he just wanted to go to bed. (NS 36-37).

After the EMTs left, Estrella got his bottle and returned to the house with D.F. and T.H. (CC 31; NS 33, 40; TH 18). Coffey stopped to talk with D.F. and T.H. (NS 33, 38; TH 18). He told them again to make sure someone was with Estrella, and that if anything changed, to call them right back. (NS 33, 38; TH 18). Sondrini thought that D.F. and T.H. appeared “comfortable with the plan.” (NS 39-40). He recalled that D.F. said that there would be no more drinking, that Estrella would go to bed and that it would be fine. (NS 39-40).

After the three had gone inside, Sondrini and Coffey had a discussion, and “determined that what was presented to [them] specifically by [Estrella] did not warrant a Section 12.” (CC 32).<sup>13</sup> Estrella did not mention any statements of wanting

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<sup>13</sup> Section 12 reads, “[i]n an emergency situation, if a physician, qualified psychologist, qualified advanced practice registered nurse or licensed independent clinical social worker is not available, **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 public facility or a private facility authorized for such purpose by the department.” G.L. c. 123, § 12

“**Likelihood of serious harm**” is defined as “(1) **a substantial risk of physical harm to the person himself as manifested by evidence of, threats of, or attempts**

to hurt himself, and said just that he had been drinking and wanted to go to bed. (CC 35; NS 37). Estrella said that the cut had happened at work. (NS 37). The officers did not see any other injuries, or blood anywhere else on Estrella's body or clothes. (CC 25, 34; NS 37-38). Based on what D.F. and T.H. had said to Coffey, the officers did not think that Estrella was "making any outward statements." (NS 38). Both of the women had denied making the 911 call, so to the officers' knowledge they did not have a named caller. (NS 38-39).

Although Estrella seemed "defensive," he did not threaten anyone during the call. (CC 18, 24). In particular, when Sondrini took the knife from his pocket, there were "no comments," or "gestures towards the knife." (CC 32; NS 31-32).

Sondrini and Coffey left the scene at 10:06 p.m. (MSP CM Report 2022-103-75/3 at 4). The officers accurately estimated the amount of time this call took from dispatch until the time they left as about fifteen minutes. (CC 36; NS 41 MSP CM Report 2022-103-75/3 at 4).

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**at, suicide or serious bodily harm;** (2) a substantial risk of physical harm to other persons as manifested by evidence of homicidal or other violent behavior or evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them; or (3) a very substantial risk of physical impairment or injury to the person himself as manifested by evidence that such person's judgment is so affected that he is unable to protect himself in the community and that reasonable provision for his protection is not available in the community."

G.L. c. 123, § 1

## D.F. and T.H.: After the First Call

After the officers left, Estrella, D.F. and T.H. went back to the apartment, where T.H. packed a bag and prepared to leave for the night. (TH 10). Estrella went into the kitchen and got another, larger, kitchen knife. (TH 18; DF 26). D.F. described the knife as “red and it was a big one.” (DF 31; MSP CM Report 2022-103-75/11 at 22; see also Photographs: PPD Crime Scene Photos). He stood there, leaning on the stove, unsteady. (TH 21, 23). T.H. recalled that D.F. looked at her and said, “I’m not doing this again,” and “I don’t know what to do.” (TH 18). She asked T.H., “should I go get them?” (TH 18). T.H. said, “I don’t know.” (TH 18).

T.H. “thought that he was going to calm down because he was quiet, and her sister is “really good at deescalating him and bringing him down.” (TH 10). D.F. herself said that she was “usually able to calm him down” but this time she was not able to. (DF 43). T.H. told D.F. to call if she needed her, and left the apartment. (TH 10).

D.F. said that “he started stabbing into his stomach saying, I can’t be here no more, I don’t want to be here no more, I don’t want to live.” (DF 27). She could not tell if he actually stabbed himself. (DF 27). After this, T.H. and the officers also

described Estrella at different times raising the knife and seeming to stab himself in the stomach or the thighs. (CC 53, 60, 62; NS 72-73, 78, 103; TH 21).<sup>14</sup>

D.F. said that they had been inside for less than five minutes since everyone had left. (DF 26). D.F. called A.V. and asked her to call 911 again. (DF 27).

### Third 911 Emergency Call: A.V.

At approximately 10:09 p.m., PPD dispatch received a second 911 call from A.V. (AV2 2). A.V. said that she was D.F.'s friend, and that "you guys" were just there with her at 279 Onota. (AV2 2). A.V. said that D.F. wanted them to go back, and that "[s]he just didn't want to like upset him in front of you guys . . . but he's acting crazy again." (*Id.*). A.V. said that "she told me to definitely call you guys because he needs to be taken to a hospital." (*Id.*).

When asked how long ago she had spoken with D.F., A.V. said that she just got off the phone with her. (*Id.*). A.V. said that "she was just, yeah, just call them," and that she had been "trying to avoid him, but he definitely needs to be seen by a doctor." (*Id.*). The dispatcher said that they would get the officers back over there, A.V. thanked him, and they hung up. (*Id.*).

### Second Call Encounter Between Officers and Estrella

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<sup>14</sup> The medical examiner observed five small circular abrasions on Estrella's right thigh. (MSP CM Report 2022-103-75/30 at 1).

T.H. was in her car, about to pull out when she saw Estrella and her sister come out of the apartment building. (TH 24). He was holding the knife, and walking toward the middle of the street. (TH 24-25; 28). D.F. was walking behind him, telling him to give her the knife and come back in the house, but he was not listening. (TH 24, 28-29). T.H. jumped out of her car, ran to them, and also tried to get Estrella to give them the knife. (TH 10-11).

Less than a minute later, the police returned. (TH 23, 25).<sup>15</sup> When the officers drove up, D.F. said that she went to them and said, “he’s under the influence,” “please don’t hurt him,” and “he needs help.” (DF 28, 29).

#### Officers Second Call Dispatch

After leaving the scene from the first call, Officer Coffey immediately performed a traffic stop. (CC 36; NS 41-42). Officer Sondrini was his back-up officer on that call. (CC 36; NS 42). After finishing this stop, which they estimated as taking about ten or fifteen minutes, they received a second dispatch to return to the Bartlett School. (CC 36-37; NS 43-44). The dispatcher told them that “as soon

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<sup>15</sup> T.H. did not recognize that the two officers who arrived for the second call were the same officers as the first call. She thought that there was “one light skinned cop” who came both times, and that there was “a different one who came back” the second time. (TH 11). Even though her identification of the officers is sometimes unclear, in general, her account of their actions is consistent with the officers’ and the two other witnesses.

as you left, [Estrella] started to make statements and, in crisis, apparently, according to the caller.” (D2O 2). Coffey described the dispatch as being “almost identical” to the first one, “that someone had called back and that statements were being made again.” (CC 37; also NS 43-44). Like the first call, the officers responded to the call “code one, which is no lights, no sirens” because, based on the dispatch, it did not seem to be an emergency call. (NS 44-45).

On his way, Officer Coffey specifically asked dispatch if there were any EMS units available. (CC 41, 74-76, 78-79X; NS 100). The PPD dispatcher stated that she would give EMS a call to find out. (D2O 2). Coffey believed that if a Section 12 was warranted, “to avoid escalation,” it would be better to transport Estrella in an ambulance, rather than in a police cruiser in handcuffs. (CC 41-42; also NS 100-101). This assessment was based on his demeanor from the first call, the “little bit of trust and rapport we had with him,” as well as the conversation that Coffey had had with D.F. (CC 41; also NS 44).

Officer Coffey arrived first, at 10:17 p.m. (CC 38; MSP CM Report 2022-103-75/3 at 5). As he parked on the curb in front of the Bartlett School, he saw Estrella and D.F. in the street. (CC 39-40). They were on the far side of Woodbine,

on the left side of the road.<sup>16</sup> (CC 39-40). To Coffey, it looked like Estrella was in a “pushing match” with D.F. (CC 39). He did not actually see him push her or create distance, but it seemed like they were “pushing each other back and forth.” (CC 40). He could also see “what appeared to be a large knife in his right hand along his forearm.” (CC 39).

Coffey radioed Sondrini and told him to “step it up.” (CC 41). Sondrini understood “step it up” as a direction “to go lights and sirens because something bad was happening.” (NS 46). Sondrini was not far away, and arrived less than twenty seconds after Coffey. (NS 46; MSP CM Report 2022-103-75/3 at 5). Just before he arrived, he heard Coffey radio that Estrella had a knife. (NS 49).

#### Neighbor and Dog Walker: Officers’ Arrival

S. H., a resident in the neighborhood, was walking her dogs, going north on the west side of Onota around 10:00 p.m. (SH 3-5). As she crossed Woodbine, it seemed to her that “there were people milling around” the Bartlett School and a few people were out in the street. (SH 5-8). She became aware of a police cruiser arriving as she continued north, and a second police car came “pretty quick” after the first. (SH 6-7, 8-9). At View Street, she crossed to the east side of Onota and walked back

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<sup>16</sup> The officers described the parties’ positioning as if a person were standing with their back to Onota, looking down Woodbine. (NS 5). The right side of Woodbine is closer to the Bartlett School building. The left side of the street is the far side.



south, toward Woodbine again. (SH 7; MSP CM Report 2022-103-75/3 at 5). Although it was dark, she had a view of the intersection of Onota and Woodbine. (SH 8).

J.S., a resident of the Bartlett School apartments, was getting ready for work at around 10:00 p.m. when he heard loud arguing outside. (JS 2-3, 7). Someone was yelling, “fuck you, leave me alone.” (JS 7-8, 15). He looked out of the window of his basement floor apartment, which faced Woodbine, and saw Estrella, D.F. and police officers. (JS 8-9). J.S. put his shoes on, went outside, and watched the events from the steps of the building. (JS 3, 8-10). J.S. is tall, and from the steps, he had “a clear view.” (JS 10).

#### Officer’s Arrive: Second Call

As soon as Coffey arrived, Estrella engaged eye contact with him. (CC 40-41). Coffey stepped out of his cruiser, immediately drew his taser, turned it on and pointed it at Estrella. (CC 41, 44).<sup>17</sup> He started “giving commands” to Estrella to

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<sup>17</sup> The officers were asked to explain the levels of force within a taser and the level of force required for a taser deployment. (CC 44-46; NS 59-61, 64). The first level of taser force is a “dry stun,” in which the taser cartridge containing probes and wires is removed, and the current “just arcs.” (CC 45-46; NS 59-60). This type of deployment can be used for “pain compliance,” when an officer is attempting to get someone to comply with a command. (CC 45-46; NS 60).

The second level of force, which was used here, is a probe deployment, which can be used when someone has “assaultive behavior.” (CC 46; NS 60-61, 64). The taser

drop the knife. (CC 41). He “tried to build that rapport back,” and asked Estrella what happened. (CC 41). Coffey said, “let me help you, just drop the knife, we’ll talk this out.” (CC 41, 46).

Coffey explained that a taser probe deployment was actually a lower level of force than what he could have appropriately used, according to the “use of force diagram,” a police training tool. (CC 45-46). This is because a knife, as a lethal force, “would be met with lethal force, which means that a firearm would be the most acceptable . . . answer to this situation.” (CC 45). But he felt that tactically, a taser probe deployment was better, considering his capabilities, the prior rapport, and the fact that Sondrini would arrive very soon. (CC 45).

Sondrini turned onto Woodbine and pulled up behind Coffey’s cruiser in front of the Bartlett School building. (NS 48). He saw Coffey, standing near his cruiser, pointing his taser at Estrella. (NS 48-53). Estrella was holding a long, thin, kitchen knife in his right hand. (NS 49). This was a different knife from the one Sondrini

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fires two electric probes that pierce the skin and are connected to guide wires in the unit. (NS 60). If both probes connect, the unit will automatically apply a five second cycle of electricity. (NS 60). This is designed to cause what the officers call a “full body lock up,” allowing an opportunity to move in. (NS 60). Once the cycle is over, if the connection is adequate, another five second cycle can be initiated by pulling the trigger again. (CC 49; NS 60-61). It is also possible to hold a trigger continuously, and the taser will continue to run until the trigger is released. (CC 49; NS 60). Finally, a taser can be reloaded for a second deployment. (CC 49).

had seen earlier, and had a “much, much bigger blade.” (NS 49-50; MSP CM Report 2022-103-75/11 at 22; see also Photographs: PPD Crime Scene Photos).<sup>18</sup> He also saw D.F., who was “yelling” at Estrella “to stop and put the knife down.” (NS 50). Coffey was also telling him to drop the knife. (NS 52-53). Sondrini got out of his cruiser, drew his handgun, and approached. (NS 50, 55-56).

Sondrini explained that he drew his handgun because he saw that Estrella had a knife, which is a deadly weapon, and Coffey had his taser drawn, which is a “less lethal” weapon. (NS 55-56). As he was trained to do, Sondrini was providing what officers call “lethal coverage” as a back-up to Coffey, “in case the less lethal option fails.” (NS 56).

#### Neighbor’s Description of Estrella’s Posture

J.S. said that both of Estrella’s hands were “clenched” as he held the knife. (JS 17). He said that Estrella “had his hands up,” and that “he was constantly like intimidating the officers, like saying hey, you know, I’m a threat. Leave me alone.”

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<sup>18</sup> Sondrini said the knife looked about eight inches long. (NS 49). Coffey described it as having a brown handle and a silver blade, about “eight to twelve inches long . . . almost the length of his forearm . . .” (CC 55). In the lights from the police cruisers and the tasers, J.S. saw a silver object in Estrella’s hand that looked like a long butcher knife, approximately twelve inches long. (JS 16-17).

(JS 17). He said that Estrella appeared to be indicating, “like come on . . . come at me, like that type of situation.” (JS 18).<sup>19</sup>

#### Officers’ Description of Estrella’s Posture

Both officers described him as having a boxing stance – hands up in fists, palms down, with the handle of the knife in his hand, and the blade of the knife pointing down. (CC 42; NS 49, 54). From the way that Estrella held the knife, with the blade along his forearm, it appeared that he knew what he was doing, and that he was proficient. (NS 68). Coffey said that, like a boxer, he was “bobbing and weaving and moving his head.” (CC 42).<sup>20</sup> Sondrini said, based on Estrella’s footwork and stance, that he “looked like a fighter,” and that he “did not appear like the lethargic intoxicated person” he had left ten minutes prior. (NS 53-54; 101). Sondrini said that Estrella was yelling, but that he could not understand him. (NS 53, 54).<sup>21</sup>

#### D.F. and T.H.’s Descriptions of Estrella’s Posture

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<sup>19</sup> J.S.’s description of Estrella’s posture and demeanor is generally consistent with the video surveillance footage.

<sup>20</sup> The officers’ description of Estrella’s posture and demeanor is generally consistent with the video surveillance footage.

<sup>21</sup> Officer Sondrini acknowledged that at this point in time his senses were being affected by adrenaline, and that he was experiencing a certain amount of audio exclusion and tunnel vision. (NS 53). Sondrini described his sense of time being altered, and that, “the entire thing” felt like “ten minutes, fifteen minutes, an eternity.” (SS 86). Coffey said that a time period that was probably twenty-five or thirty seconds “felt like forever.” (CC 59).

D.F. described Estrella as “unstable” and was only walking forward because he was drunk. (DF 38). T.H. said that he was “unsteady,” and that he was moving because “[h]e just kind of couldn’t stand still.” (TH 11, 26, 28, 35, 47). Estrella had “his hand up to his chest and the knife was pointing down and he was just like walking and stumbling.” (TH 27, 34, 47). She did not think that he was “trying to attack” or to feint an attack. (TH 11, 27). She “could tell he didn’t want to walk because if he wanted to walk, he would have been walking a lot quicker than he was. It was literally baby tiny steps of just stumbling from side to side and forward.” (TH 45-46). She was already afraid that the officers would get the “wrong idea,” and that they were going to shoot him. (TH 35-36; 43-46).

#### In Front of Bartlett School

When the officers arrived, Estrella was positioned in the street on Woodbine in front of the Bartlett School entrance. (NS 52). According to Sondrini, Coffey was standing almost in the middle of the road, but closer to the right side of Woodbine, and D.F. was standing on the left side. (NS 48, 51). Estrella was “kind of walking back and forth and yelling.” (NS 51, 54). He was walking “really quickly,” but he did not “really close a lot of distance.” (NS 54). Sondrini believed that Estrella and Coffey were approximately fifteen to twenty feet away from each other. (NS 51). Sondrini positioned himself about five feet to the right of Coffey, in front the cruisers. (NS 56).

## Note on Taser Deployments and Video Surveillance Evidence

Officer Nicole Gaynor of the PPD completed an analysis of the taser deployments, which the PPD shared with the MSP investigation. (MSP CM Report 2022-103-75/31; PPD Taser Analysis Report). Concerning the general area where the tasers were deployed, witness statements are consistent with the other evidence. Officer Gaynor states, “[w]ith all the evidence, photos and measurements and video review it appears most likely that the Taser deployments occurred in the area in front of the cruisers at an approximate distance of 10 ft.” (PPD Taser Analysis Report at 4). However, she could not determine the exact time of the deployments, due to “time drift” in the internal taser clocks. (*Id.* at 2-3).

This first part of the encounter between Estrella and the officers cannot be easily observed in the surveillance video, as the police cruisers block the view. When the tasers were deployed is not clear from the video. Although the MSP report initially described the flashing lights at the beginning as being a possible taser deployment, this is unlikely. (MSP CM Report 2022-103-75/3 at 5). Based on further consultation with Officer Gaynor and another expert on video images, these flashing lights are not related to the taser deployments, and are most likely related to a cell phone.

## Neighbor and Dog Walker: Taser Deployments

J.S. said that at the beginning, Estrella was arguing with the officers and was “intimidating them,” telling them, “stay away, fuck you, leave me alone.” (JS 2-3, 7-8, 20-21). The officers were telling him to “put the knife down,” trying to help calm him down, but Estrella “didn’t want to listen to them.” (JS 3, 21). J.S. said the first officer shot him with a taser, but he “slammed his fist down to the ground” and “ripped it off.” (JS 3, 21). Then another officer shot him again with a taser. (JS 3, 21). Estrella slammed down to the ground, and ripped that one off as well, this time dropping into a squat with his whole body. (JS 3, 21). The tasers seemed not to affect him. (JS 3-4; 22). Once he got them off, “[h]e got angrier,” and then he started to actually like yell.” (JS 3-4; 22).

J.S. saw that D.F. was on the other sidewalk, telling Estrella to calm down and relax, and to “stop doing this,” but that “[he] was not listening at all.” (JS 13-14, 22). J.S. did not think that Estrella “was in his own mind,” but had “tunnel vision onto these officers.” (JS 4, 13).

S.H., walking her dogs, heard a woman say, “stop” after the first police cruiser arrived. (SH 6, 8). Then the second cruiser arrived and she heard tasers. (SH 7). During this time she heard a woman say, “I love you, babe, put down the knife,” and the officers say several times, “put down the knife . . . put down the fucking knife.” (SH 9-11, 15). S.H. had the impression of a tall man in a dark t-shirt who had “a big knife because [she] saw just this flash, this bright flash where the blade would

be. . . .” (SH 9, 16-17). She thought that this was the person who had been tased. (SH 9).

### Officers: Taser Deployments

Estrella, as he moved, had been “closing the gap” and advancing on Coffey. (CC 42-43, 44). At some point he started “hurling” towards the center of the street, almost to the right side. (CC 44). D.F. got between them, but it seemed to Coffey that Estrella had “the thousand yard stare, right through her, straight at him.” (CC 42, 44). D.F. tried to stop him, but he was “walking right through her.” (CC 44). It seemed to Coffey that D.F. realized that she was not getting through to Estrella, and she changed tactics, yelling at him instead. (CC 42, 44).

D.F. was now positioned right in front of Coffey, and he kept pulling her back with him. (CC 47). D.F. made one more attempt to engage Estrella, but Coffey did not think that “he recognized her as his girlfriend anymore.” (CC 47; 55-56). Estrella “raised his posture and had the knife a little higher than before.” (CC 47). Coffey pulled D.F. back and immediately deployed his taser. (CC 47). He estimated his distance to Estrella as twelve to fifteen feet. (CC 47-48).

After firing, Coffey saw Sondrini for the first time, in his peripheral vision, on his right side. (CC 47). Sondrini estimated that he was approximately five or ten



feet away from Coffey. (NS 63-64). Estrella was positioned just left of the center of Woodbine. (NS 63-64).

Coffey's first taser deployment caused only "a little bit of tensing of the body, some shaking of the arms," but not a full muscle lock up. (CC 48, 54). Coffey was hoping that the taser might cause Estrella to fall to the ground, and possibly drop the knife. (CC 80). If he could close the distance and "get control of that knife," this would buy time for the other officers to arrive, and they "wouldn't have to go to the next level of force." (CC 54, 80).

Sondrini saw Coffey deploy his taser. (NS 57-58, 62). Estrella was "shaking but he was still standing." (NS 58). He wanted to try again in order to "get him to go down so we could move in on him." (NS 58, 62-63). As Estrella crouched down to pull one of the probes out, Sondrini holstered his handgun, drew his taser, and fired. (NS 58, 62, 65). His taser deployment had no effect, and he did not know if he had hit or missed. (NS 58, 63, 65).

When Coffey saw that Sondrini's taser deployment had no effect, he pulled the trigger on his taser for another five-second cycle, but also without effect. (CC 50).<sup>22</sup>

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<sup>22</sup> Officer Gaynor was able to determine that the tasers were "functioning properly," and that "[e]ach officer had a probe miss and one probe penetrate the body." (PPD

Sondrini was in the process of reloading his taser, when he saw D.F. run up to Estrella on the left side of the road. (NS 65). Estrella stood up, resumed his stance and started walking towards her. (NS 65). Sondrini's impression was that even as Estrella looked at D.F., "he wasn't there." (NS 65-66). He attempted to holster his taser and drew his firearm again. (NS 65-66). As D.F. got within five or six feet of Estrella, he raised the knife. (NS 66-67). Sondrini thought that he was about to strike her, and was ready to fire, and started yelling commands, "don't do it . . . just drop it." (NS 66-67). Then she backed up out of his view, and he did not know if she had retreated, or if Coffey had pulled her back. (NS 67).<sup>23</sup>

From this point forward, Sondrini continued to train his firearm, with its weapon light, on Estrella. A "weapon light" is a small, bright flashlight that mounts to a firearm, and can be used to illuminate the area where the firearm is pointing. This allowed Sondrini to see Estrella's movements really well. (NS 73, 79). Additionally, he hoped the bright light might distract or disorient him, and they were "trying everything." (NS 73, 79).

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Taser Analysis Report at 5). A probe miss meant that the probe landed in the road, which is "a non-conductive surface" and a taser would reduce charge. (*Id.* at 3-4).

<sup>23</sup> Both officers describe a point in time in which they were concerned that D.F. was about to be struck by Estrella. (CC 47; NS 66-67.) Either a similar action occurred twice, or the officers' recollections of the timing of the same incident are different.

## Neighbor and Dog Walker: Backing Up To Onota

S.H. saw the initial activity in front of the Bartlett building in the light of the headlights of the police cruisers. (SH 5-6, 11). The taser deployments happened in this area, west of the cruisers. (SH 11). Then she saw Estrella walk eastward toward Onota. (SH 11). S.H. could not see the officers, but based on the voices she heard, she thought that the officers had also moved east, and were backs to Onota, and Estrella was walking toward them. (SH 12).

J.S. said that at the beginning of the situation, Estrella was right in front of the doorway of the Bartlett School. (JS 4, 8). After the taser deployments, Estrella “started walking towards the cop,” down to the intersection of Woodbine and Onota. (JS 4; 8-9, 18). Estrella and the officers were “dispersed like a triangle,” with Estrella in the middle. (JS 11-12). Estrella “singled out one guy. I don’t know why, but he just walked towards him . . . .” (JS 12, 19). Estrella was “pretty much intimidating him to back up and he was backing up.” (JS 18). The officer “got into the intersection area and so he couldn’t back up anymore.” (JS 18). Although J.S. did not notice any cars driving by, this could have caused “harm to everybody, especially Miguel . . . if a car came out of nowhere.” (JS 18).<sup>24</sup>

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<sup>24</sup> Although J.S. did not notice it, Coffey’s account of a car passing right behind them on Onota can be seen in the surveillance video at 10:19:10 p.m. (MSP CM Report 2022-103-75/3 at 5.)

### T.H. and D.F.: Backing Up To Onota

T.H. said that after the officers tased Estrella twice, her sister begged the officers not to shoot Estrella. (TH 11, 26). T.H. heard Coffey telling Estrella to give him the knife, to put the knife down, and he repeatedly said “you don’t want to do this.” (TH 11-12, 26-27). T.H. thought that Coffey was trying hard “actually to talk to him and try to like get him to calm down.” (TH 11-12, 44). D.F. said that when the officers arrived they parked in front of the Bartlett building. (DF 36-37, 40). Estrella was “just standing” in the middle of Woodbine and did not approach the police. (DF 28, 36). After Estrella was tased twice, he stood still and “didn’t even react to it.” (DF 40, 42-43). D.F. thought that he was in a “manic mindset.” (DF 43). T.H. thought, based on her work experience, that he was “blackout drunk.” (TH 51, 53).

### Officers: Backing Up to Onota

After the taser deployments, Coffey also transitioned to his firearm, and the officers backed down Woodbine to Onota. (CC 51; NS 67).<sup>25</sup> The officers were

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<sup>25</sup> Coffey explained that he drew his firearm because, based on his training, lethal force is met with lethal force. (CC 54). He assessed that Estrella was still “advancing in an aggressive way with a knife . . . .” (CC 55). They had already “taken a chance” on trying to use the less lethal option of tasers. (CC 55). Under these circumstances, being presented with a lethal threat, he stated that he did not have another option on his belt, except for his firearm. (CC 81).

keeping approximately fifteen to twenty feet distance of space from Estrella. (CC 52; NS 67). They were backing up in a “tactical V,” and they estimated that they were about six to ten feet away from each other on a direct line. (CC 53; NS 69). Coffey estimated that Estrella was already within the “twenty-one foot rule,” a training guideline for maintaining a safe distance, but that they were limited in how much distance they could create before he would close it. (CC 56-57).

Sondrini said that Estrella was yelling and advancing, not fast, by zigzagging between him and Coffey. (NS 67, 69, 102-103). Estrella would walk, then stop and start yelling, “kind of like psyching himself up,” then appear to stab himself in the thigh. (NS 72-73, 78, 102-103). It looked like “he was going to really stab himself and he would slow down and just press it against his thigh.” (NS 72-73, 78, 102-103). Then he would move up on them again, yelling. (NS 103).<sup>26</sup> Coffey thought that Estrella’s demeanor, which was “suppressive and volatile” towards the officers when they arrived, had only increased. (CC 55-56).

D.F. was near Coffey, screaming at the officers, pleading with them not to shoot Estrella. (CC 51; NS 68; also DF 29). Coffey said that she was “constantly

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<sup>26</sup> Coffey also said that at some point as they were backing up, Estrella “yelled out loud,” and “attempted to stab himself in like the quad area with the knife. He couldn’t do it or he didn’t do it.” (CC 53).

engaging with [him] verbally and physically.” (CC 51-52). Sondrini saw that Coffey was “trying to hold [D.F.] back with one arm and he had his handgun out with the other arm.” (NS 75). Coffey kept telling her to “just please stay behind” him so that he could try to help Estrella. (CC 57). But she kept coming in front of him, and he had to keep pulling her backwards. (CC 57).

In this time, Coffey recalled placing radio communications. (CC 52, 66).<sup>27</sup> He radioed that they needed the crisis counselor, and “was just begging anybody with [her] to step it up and get there.” (CC 52).<sup>28</sup> He could hear sirens, so he thought that if they could create distance, they could wait it out until other officers arrived, and have other options. (CC 52-53, 66-67).<sup>29</sup>

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<sup>27</sup> Coffey radioed, “[a]nyone else with less lethal, step it up.” (PPD Second Dispatch: Officers at 3).

<sup>28</sup> The officers explained that the PPD has an arrangement with the Brien Center where co-responder clinicians are dispatched from the station to assist officers with mental health calls. (CC 11-12; NS 11-13). The officers can request assistance, or sometimes a co-responder will accompany an officer when “the nature of the call is possibly a person in crisis.” (NS 13). However, depending on the call, even if a clinician is dispatched on the call at the same time as the officers, they would not be allowed to enter the scene until the officers declare it safe. (CC 12; NS 11-12).

<sup>29</sup> As to the officers strategic options, Coffey explained that the only other less lethal weapon he had in his cruiser was a pepper ball gun, “but there wouldn’t have been any time and it doesn’t fit the perimeters of the circumstances.” (CC 73). Both officers also explained that Sondrini’s canine would not be an appropriate response to the lethal force of a knife. (CC 73; NS 92, 94).

Sondrini recalled that he attempted to radio, but heard only static, which would mean that someone else was on the radio. (NS 70).<sup>30</sup> He knew that as soon as other officers had heard Coffey radio, “step it up,” and “he’s got a knife,” they were already on their way. (NS 85-86). He wanted “desperately to have a less lethal shotgun there,” and for more officers and equipment, “anything to stop this.” (NS 70-71).<sup>31</sup>

Both officers continued to give verbal commands to Estrella, to please drop the knife, to let them help. (CC 53). Sondrini remembers saying, “please don’t make me do this, please don’t make me hurt you, I want to get you help.” (NS 67, 75). He was thinking, “just drop it, let’s fight it out, like I’m okay with that. Just put that away so we can get to you, I don’t want to shoot you, that’s all I can think of.” (NS 68).

#### Dog Walker and Neighbor: Onota Shooting

On Onota, S.H. could see Estrella, but could not see the officers. (SH 12, 17). She heard one of the officers said that “we just want to get you some help,” or

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<sup>30</sup> Sondrini’s radio request for immediate back-up, “Code 3, bring ‘em,” was recorded. (PPD Second Dispatch: Officers at 3).

<sup>31</sup> Sondrini said that they are “really lucky” to “have a ton of options in [their] department,” and “so much training and equipment that [they] get to bring on line,” he just wanted somebody to bring it to the scene. (NS 71).

“there’s help for you.” (SH 16). She heard Estrella say, “shoot me,” and one of the officers responded, “I’m not going to shoot you.” (SH 12, 15-16). Again, Estrella told the officer to shoot him, and the officer said he would not. (SH 12, 15-16). Then she heard two shots. (SH 12).<sup>32</sup> Right after this, four more police cruisers drove up really fast. (SH 13-14).<sup>33</sup> She was concerned that Estrella was really hurt, because it was two shots and she did not “think it was a very long range.” (SH 13).

J.S. said that when Estrella and the officers reached the intersection with Onota they were at “a standpoint,” with about twelve feet between them. (JS 15, 22). Estrella started “walking towards” Sondrini, and got “real close.” (JS 24). He heard Sondrini say, “don’t make me do this, I don’t want to hurt you, I’m trying to help you . . . .” (JS 16, 23). Then J.S. heard two shots, and “it was like one after another. It was like instant.” (JS 4, 23). Even though it was dark, he knew that they were almost “face to face,” and that Estrella was about “two steps” away when Sondrini fired. (JS 24).

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<sup>32</sup> All of the witnesses said that they heard two shots. (DF 44; JS 4, 23; TH 30). That two shots were fired is also confirmed by ShotSpotter technology. (ShotSpotter Report at 2). The shots were recorded at 10:18:15 and 10:18:16 p.m. (*Id.*). The interval between them was .273 seconds. (*Id.*).

<sup>33</sup> J.S. said that at the beginning there were two police cars and two officers. (JS 11, 14). But he also recalled that, before Estrella was shot, three additional marked units and multiple officers arrived. (JS 10-11). All other accounts consistently describe additional police units arriving just after Estrella was shot.



Estrella “just dropped down,” with his face forward. (JS 4, 23). Sondrini turned Estrella over, and quickly got something to “put it in his mouth to help him breathe” and told him “to stay with me.” (JS 23-24, 28). J.S. said that the officers helped Estrella in that position until the EMTs arrived, and then put him in an ambulance on a wheeled stretcher. (JS 28-29).

#### T.H. and D.F.: Backing Up to Onota and Shooting

T.H. said that after the officers tased Estrella, they pulled out their guns. (TH 47). D.F. “jumped in front of the police, and they kept pushing her back” and told her to walk away. (TH 12, 35, 47). T.H. said that she “actually was about to go in front of [Estrella],” too, but did not because she saw “how close he was getting.” (TH 11). The officers and her sister were moving backwards together. (TH 34-35). The officers were backing up, but Estrella “kept moving closer,” but not too fast. (TH 28). Coffey “was like really trying to work with [Estrella] but the next thing you know, the other cop, he just shoots him twice.” (TH 12, 26-27).<sup>34</sup>

D.F. does not describe herself moving backwards, although she said that the officers “were pushing [her] back.” (DF 45). She said that the only thing she heard

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<sup>34</sup> T.H. did not hear any of the conversation between Estrella and the officers. She acknowledged that this was “probably from [her] screaming” at the officers to “please don’t do this,” and trying to catch her breath. (TH 27-30, 36).

the officers say was “get back, get back.” (DF 35, 39). She did not think that they gave Estrella enough time or were “trying to calm him down or anything.” (DF 35, 40). She said that she was standing next to the officers when Estrella was shot. (DF 45). D.F. recalled that “right after the taser, it was a gunshot.” (DF 29, 40, 42, 44).

#### Officers: Onota Shooting

Estrella was on the edge of Onota, and the officers were in the middle of the street, right at the double yellow divider. (CC 53, 59; NS 71-72). Sondrini felt that they had backed up as far as they could go, and that any farther they would be in uneven terrain, at risk of falling. (NS 71, 105). From his training, Sondrini knew that if they could sweep right that they could use their parked cruisers as a barrier between them and Estrella, and he tried to convey this to Coffey. (NS 690. But D.F. kept trying to get past Coffey, to convince Estrella to drop the knife. (NS 71-72). Both officers understood that they needed to create space and were communicating, but D.F.’s involvement limited their options for coordinating their movement. (CC 53; 71-72).

Coffey said that as they were in the road, continuing to try to back up, “a car drove by us at a very high rate of speed,” going north in the right lane of Onota Street. (CC 59-61). He thought that all three of them almost got hit, as they were “on

the same line.” (CC 59-60).<sup>35</sup> D.F. was on Coffey’s left and Sondrini approximately five or ten feet to his right. (CC 61; NS 80, 99). Although at this point Sondrini could not see D.F., Coffey “had one hand out,” and from having trained with Coffey a lot, he knew that “he would have two hands on his weapon if he could.” (NS 81).

Estrella stopped on the side of Onota and started talking directly to Coffey. (NS 72; CC 58). Coffey thought that this was the first time he spoke to them as police officers. (CC 58). He “yelled something about being a minority” and “this is what we want.” (CC 58). Estrella said that officers “shoot people like him,” people who are brown. (NS 72). Coffey felt that Estrella addressed him specifically as “a minority and also a man of ethnic background.” (CC 58). Coffey tried to talk to him as a man with a similar background, who could understand how he feels and “where he was coming from . . . .” (CC 58). He tried to take the opportunity to tell him he wanted to help, and begged him to put the knife down. (CC 58). He told him that EMS was on its way any minute and that he could get the help he needed. (CC 58).

While Estrella was talking to Coffey, Sondrini saw that he was engaged and not moving, and he thought that he might be able to reload his taser and attempt

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<sup>35</sup> Sondrini did not see the passing car, but was told afterward that it had almost hit them. (NS 79, 104).

another deployment. (NS 75-78). When he reached for his taser, he realized it was not in its holder, and this was not an option. (NS 76; 98-99).<sup>36</sup>

Coffey said that at this point they were “not even giving him commands,” and that they were “just begging him to please drop the weapon, let us help you, please stop, drop the knife, please don’t make us do this.” (CC 62).

After Estrella talked directly to Coffey, he yelled and attempted to stab himself in the stomach again. (NS 72-73, 78). Coffey said that he raised the knife to forehead level, and he “bent over, did the whole motion and he stopped.” (CC 60, 62). Then Estrella “very quickly shot up,” returned to a fighting posture, faced Sondrini, and advanced on him. (CC 60, 62-64). He took quick steps, faster than before, and held the knife in his boxing stance, with the palm down grip. (CC 62; NS 78-79). Both officers likened his advance to a boxer moving to the center of the ring when the bell rings. (CC 62; NS 78).

Sondrini said that he thought that they were ten feet apart when Estrella started walking towards him. (NS 78-79). He thought, “this is it . . . he’s coming after me with the knife, here it comes.” (NS 78-79). Estrella “took a step towards [him] and then another step,” and that was when he started to fire. (NS 79). He fired twice and

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<sup>36</sup> Sondrini reasoned that he must have lost his taser when he thought that Estrella was about to strike D.F. (NS 65-66; 76-78). He had abruptly exchanged his taser for his firearm, and did not replace the taser securely in the holder. (NS 65-66; 76-78).

“was going to reassess to see if [he] had to do more . . . .” (NS 79). At the same time, he took a step backward, which may have put him in the northbound lane of Onota. (NS 79, 99). He thought that Estrella was about six feet away from him when he fired. (NS 79).<sup>37</sup>

As Estrella advanced on Sondrini, Coffey followed him with his firearm, drawn with one hand. (CC 62-63; NS 81). He estimated Estrella was about eight to ten feet away from Sondrini at the start. (CC 63). When the shots were fired, Sondrini was no “more than three feet away from [Estrella’s] hands . . . .” (CC 63). Coffey knew that he “was just about out of the fight,” because with his adrenalin, and how close they were, there was a good chance that he could accidentally hit Sondrini if he fired at Estrella. (CC 64). Sondrini fired two shots. (CC 62-63).

#### After Shooting: Medical Aid to Estrella

Sondrini said that when he shot him, Estrella was “really close” and fell “on the ground at [his] feet face down.” (NS 81). He was not moving, but he was still holding the knife. (NS 81). Sondrini holstered his gun, took two steps forward and kneeled down. (NS 81, 109). He rolled Estrella over, who was “kind of face down on his side.” (NS 890. He pulled up his shirt, and started administering first aid from

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<sup>37</sup> The MSP crime lab Criminalistics Report indicates that based on gunshot residue on Estrella’s shirt, there was up to eighty-four inches between Estrella and Officer Sondrini when he fired his gun. (MSP Crime Lab Reports at 3).

supplies he keeps on a pouch on his belt. (NS 81, 86-87, 89). He put a clotting agent on the visible gunshot wound and applied pressure. (NS 81-82, 86-87). He saw there was not a lot of blood, and he knew that “wasn’t a good thing.” (NS 83).

Coffey radioed in that shots were fired, holstered his firearm, and ran to Sondrini and Estrella. (CC 65). Coffey saw the knife, near Estrella’s hand. (CC 65, 69; NS 83). He picked it up and threw it behind him, toward the southwest corner of Woodbine and Onota. (CC 65, 69; NS 83). He wanted to make sure the scene was safe, and did not want “anyone to misinterpret anything . . . .” (CC 69).

Coffey saw that Estrella was lying on his back, almost directly in the middle of the street, but did not know if that was how he fell. (CC 65). He checked Estrella’s pulse, ran to his cruiser for a medical bag, returned and assisted with first aid. (CC 65; NS 84; also TH 31, 37). Estrella’s feet were toward Woodbine and his head was just about on the yellow line. (CC 66; NS 109).

The additional police units were arriving “just as the shots were fired,” or within seconds, right at the end. (NS 84, 86).<sup>38</sup> Sondrini administered aid until

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<sup>38</sup> PPD provided personnel narrative reports from the officers who responded to the scene. (MSP CM Report 2022-103-75/11 at 17). Sergeant James Parise stated in his report that he was the first additional officer to arrive on the scene. (*Id.*). On approach, he saw Estrella “laying supine and unconscious in the south bound lane of Onota St.” (*Id.*). Officer Sondrini was kneeling next to him, applying pressure to his chest with a quick clot bandage. (*Id.*). Parise radioed for an ambulance and the dispatcher informed him that they were en route. (*Id.*).

Lieutenant Jeffrey Bradford arrived on the scene, asked which officer had fired the shot, and directed that Sondrini be removed. (NS 82, 87-88). Sergeant Parise took his place in administering medical aid. (NS 87; CC 67-68). Parise and Coffey delivered aid to Estrella until EMS arrived at 10:22 p.m. (CC 68; MSP CM Report 2022-103-75/3 at 6). After EMS arrived, Coffey assisted the EMTs getting Estrella onto the stretcher. (CC 68).

D.F. says that when Sondrini shot Estrella, she threw up. (DF 36). D.F. and T.H. describe trying to reach Estrella's body and being pushed back by the officers. (DF 36; TH 30, 32). They yelled and screamed at the officers that they had killed Estrella. (TH 30; NS 95; also JS 28).

### EMS Arrives

EMTs K.M. and J.S. received a call for service at 10:17 p.m. (EMT3 X; EMT4 5). They were instructed to stand by "for a suicidal patient" who had a knife. (EMT3 3; EMT4 3). About a minute away, while on route, they were cleared to go on scene, and arrived at 10:19 p.m. (EMT3 3; EMT4 3, 5). Approaching, they saw two officers tending to Estrella, lying on the ground, and were informed that he had been shot. (EMT3 3-4; EMT4 3). They saw that he was unresponsive, but that he had some chest movement, suggesting that he was breathing. (EMT3 4; EMT4 3). Estrella had

two gunshot wounds to his upper right chest area, and the officers were holding pressure to those wounds. (EMT3 4). They moved him onto a stretcher, but while he was being loaded into the ambulance he stopped breathing. (EMT3 4). They performed CPR on Estrella while they were driving to the hospital. (EMT3 4; EMT4 3). Despite attempted emergency surgery at the hospital, Estrella died as a result of a gunshot wound at 11:20 p.m.<sup>39</sup>

#### After Shooting: Officers

As part of police policy, both officers were taken to the hospital from the scene for a full assessment. (CC 68; NS 88). Neither had any injuries. (CC 69; NS 94). Sondrini's firearm and duty belt were secured by another officer at the hospital. (NS

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<sup>39</sup> The Office of the Chief Medical Examiner's Report of Autopsy describes the trajectories of the gunshot wounds that Estrella received. (MSP CM 2022-103-75/30 at 1). One bullet created an entry wound on the front right chest, an exit wound on the side of the right chest, and a re-entry wound on the inner right arm at the bicep. (*Id.*). This gunshot "traveled through soft tissue and muscle and did not enter the chest cavity or hit vital organs." (*Id.*) A second bullet created an entry wound toward the back side of the left shoulder. This gunshot "traveled through the chest cavity, penetrating the left lung and into the heart in the area of the left ventricle." (*Id.*) This was the fatal gunshot wound. (*Id.*)

The Report of Autopsy also states that a urine screening for cocaine, fentanyl and opiates was negative. (*Id.*). A MSP crime lab Postmortem Toxicology Report for blood and vitreous humor, was also negative for a broad range of substances, and only identified the presence of ethanol.



88). Coffey's firearm and duty belt stayed in his possession until they were inspected by a trooper from ballistics later that evening. (CC 72).

Respectfully submitted,



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