

Mayor Ruthanne Fuller, City of Newton
1000 Commonwealth Ave
Newton MA 02459

May 18, 2022

Dear Mayor Fuller,

Your recently released summary of the inquest and report of the Conlon shooting paints a misleading picture of the facts and conclusions in the report from the judge. In addition, we were most disheartened to read the out-of-context salacious findings about blood toxicology, mentioned but not emphasized in the report, which seemed to only serve to smear a victim in crisis, at a low moment in his life that does not fully represent his humanity. The lack of empathy for the victim and his family is stunning, but it is also a troubling message to send to other families and individuals struggling with mental health and addiction challenges.

The District Attorney's press release elides or glosses over key contextual details. Both press releases do not fairly represent the full context of the report's overall conclusions. During a period in our history when trust between our community, our elected officials, and those charged with protecting and serving the public is fragile and being rebuilt – to misrepresent the report's findings seems a poor choice at best and destructive to the community trust we are working to re-build.

The inquest report's narrative strongly suggests (and the report actually outright says twice) that non-violent de-escalation was working, despite a seemingly frightening environment for the victim, until he was provoked by a misfired beanbag shotgun, deployed opportunistically when the victim had put down the knife. "The on-scene commander...issued the order to abandon efforts at de-escalation and engage Conlon with the less-than-lethal, an effort that was unsuccessful and resulted in Conlon's death." He only picked up the knife again and began charging in response to unsuccessfully being fired on by the beanbag shotgun. The original plan was to wait him out until a professional negotiator could arrive. This approach had been working until then.

The inquest report does not actually exonerate the shooting, but rather simply finds that it was lawful and "reasonable" within the extremely generous bounds of the law in the exact moment it occurred, isolated from the decisions leading to that moment. It notes the unsuccessful escalation (instead of two other scenarios: continuing to wait or an inherently risky but instead successful beanbag shot) led to the fatality. The report only determines that the exact moment of lethal force was legally permissible – but makes a strong case that that moment only happened because of other decisions leading directly to that during the incident.

We the undersigned have compassion and sympathy for all involved in this tragic event in our beloved city. Compassion can exist simultaneously with the acknowledgement that better choices could have been made which could have prevented the death of Mr. Conlon. It is not necessary to exonerate all involved and disparage the victim for the city to move forward. What is necessary to move forward is the truth, as complex and as unsettling as it may be. This report was not an exoneration. It was a legal finding. The public relations spin is an injustice to the victim, and the political insistence on "unequivocal" "support" for personnel who made an avoidable bad call in the field with deadly consequences, per the report, does not improve public trust, healing, or future responses to similar crisis situations.

Sincerely,

Brenda Noel, Ward 6 Councilor

Bill Humphrey, Ward 5 Councilor

Alicia Bowman, Ward 6 Councilor-at-Large

Holly Ryan, Ward 8 Councilor