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*The Commonwealth of Massachusetts*

DISTRICT ATTORNEY OF SUFFOLK COUNTY  
DANIEL F. CONLEY

January 20, 2015

Hand delivered

William B. Evans  
Commissioner  
Boston Police Department  
One Schroeder Plaza  
Boston, Massachusetts 02120-2014

**Re: December 7, 2013, Shooting Death of Darryl Dookhran on Westville Street in  
Dorchester, City of Boston**

Dear Commissioner Evans:

The Suffolk County District Attorney's Office has concluded its investigation of the December 7, 2013, death of Darryl Dookhran on Westville Street – just off of Geneva Avenue – in Dorchester. The investigation revealed that Boston Police Officer Ryan Lenane and Sergeant Thomas Teahan fired their service weapons in the proper exercise of self-defense and the defense of others. Sergeant Teahan and Officer Lenane fired on Mr. Dookhran only after he shot Officer Lenane in the left arm. Mr. Dookhran then engaged Sergeant Teahan and Officers Lenane and William Traft (who did not fire his weapon) in an exchange of gunfire in a thickly-settled residential and commercial neighborhood. Under the circumstances, Sergeant Teahan and Officer Lenane acted reasonably and lawfully when they discharged their service weapons. Therefore, based on a thorough investigation into the facts and circumstances surrounding Mr. Dookhran's death, I conclude that there is no evidence of criminal conduct by the officers involved.

As you know, the Suffolk County District Attorney has the statutory duty and authority to direct and control all death investigations in the City of Boston. The purpose of my office's investigation was to determine whether any person bears criminal responsibility in connection with Mr. Dookhran's death. As you also know, my conclusions reflect my analysis – in consultation with senior prosecutors in this office – of the facts uncovered in the investigation and the governing law. My Chief of Homicide, Edmond Zabin, responded to the scene that afternoon, as did my Senior Counsel, David Deakin. I assigned Assistant District Attorney Deakin to direct the investigation in consultation with other senior prosecutors.

Our investigation included a review of all evidence gathered by the Boston Police Department's Firearm Discharge Investigation Team led by Boston Police Sergeant Detective

Richard Lewis. This includes: surveillance video evidence from local businesses that captured much of the encounter; taped statements provided by the three officers involved; recorded statements of six civilian witnesses; reports of field interviews with more than one hundred civilians; the autopsy report; fingerprint evidence; reports and conclusions of firearm identification experts; physical evidence; and cellular telephone records. The final report of the Boston Police Firearms Discharge Investigation Team was delivered to my office on December 4, 2014.

### **FACTUAL BACKGROUND**

In the early afternoon of Saturday, December 7, 2013, Sergeant Teahan and Officers Lenane and Traft, members of the Youth Violence Strike Force, were patrolling in Dorchester in an unmarked police cruiser. They were all dressed in plain clothes and wearing badges and/or other insignia identifying them as Boston Police officers. Officer Lenane was driving. The officers had been assigned to go to Ridgewood Street to search for a gun that police believed might have been discarded in that area after a shooting the night before.

As the officers drove northwest on Geneva Avenue in the vicinity of Topliff and Westville Streets, Officer Traft spotted two men walking on the sidewalk in the opposite direction. Officer Traft recognized Mr. Dookhran as someone known to have been involved with firearms and whose name and photograph had recently appeared in a bulletin in the Boston Regional Intelligence Center (the BRIC), the Metro Boston Homeland Security Region's information sharing network. Among other things, the bulletin indicated that Mr. Dookhran was believed to carry a firearm. In light of the bulletin – and at least one officer's familiarity with Mr. Dookhran's background – the officers decided to speak with him.

Officer Lenane turned the cruiser around and passed Mr. Dookhran and his companion, Christopher Murrain. He then angled the cruiser to the curb so that the officers could approach the two young men. Officer Lenane spoke to the pair, asking them "what's up," or something to that effect. Officer Lenane and Sergeant Teahan, who was sitting in the rear of the cruiser on the driver's side, opened their doors to get out of the car. Officer Lenane was wearing a hooded sweatshirt with the words "Youth Violence Strike Force" on the back. Over that, he had on a tactical vest with the words "Boston Police" on the right chest and in large letters across the back. Sergeant Teahan wore plain clothes and believes that he was displaying his Boston Police badge on his hip as he customarily does. Both officers' guns were in their holsters. Initially, Officer Traft remained in the passenger seat to use the cruiser's computer.

As Sergeant Teahan and Officer Lenane got out of the cruiser, Mr. Dookhran began to run back up Geneva Avenue in the direction from which he and Mr. Murrain had just come. Officer Lenane set off in pursuit, as did Sergeant Teahan. Officer Lenane made his way to the sidewalk as Sergeant Teahan remained in the street. When Officer Traft saw that Mr. Dookhran had begun to run, he, too, got out of the cruiser. Officer Traft's Boston Police badge was displayed on a chain hanging around his neck.

As Officer Lenane set off in pursuit of Mr. Dookhran, Mr. Murrain stepped into his path and threw his shoulder into the officer, deliberately impeding him from pursuing Mr. Dookhran.

As Officer Lenane yelled at Mr. Murrain, the officer heard a gunshot and simultaneously felt something strike him in his left arm. Officer Lenane yelled that he had been shot and unholstered his gun. When Sergeant Teahan heard the shot, he, too, unholstered his gun and prepared to return fire. Images from a surveillance camera mounted outside the Sobrino Meat Market at 416 Geneva Avenue depict Mr. Dookhran running in a northwesterly direction on Geneva Avenue and turning back to point a gun at Officer Lenane, who was pursuing him and whose gun was still holstered.

After Mr. Dookhran shot Officer Lenane, he turned right and began running up the middle of Westville Street. Both Sergeant Teahan and Officer Lenane pursued Mr. Dookhran up Westville Street. Mr. Dookhran fired a second shot at the pursuing officers, and they returned fire. Officer Traft, who was behind the other two officers, also pursued Mr. Dookhran but did not fire.

As he ran up Westville Street, Mr. Dookhran fired a second shot back in the direction of the pursuing officers. Surveillance video from a second camera mounted on the Westville Street side of the Sobrino Meat Market depicts Mr. Dookhran pointing his gun back in the direction of the officers. During the course of the brief foot chase on Westville Street, Officer Lenane fired twice at Mr. Dookhran, and Sergeant Teahan fired either two or three times. One of the shots struck Mr. Dookhran in the side of his left arm, near the top and toward the front. Another shot struck Mr. Dookhran in the right side of his head, above and slightly in front of his ear. The bullet exited on the left of Mr. Dookhran's head, and the trajectory was "slightly front to back and upward." Mr. Dookhran fell on the sidewalk on the southern side of Westville Street. Officer Lenane approached the fallen Mr. Dookhran and disarmed him. Police later recovered Mr. Dookhran's .380 semi-automatic Ruger pistol a few feet away from where he had fallen.

Police called immediately for an ambulance. Emergency medical technicians and paramedics arrived within minutes. Paramedics pronounced Mr. Dookhran dead at the scene.

### **LEGAL ANALYSIS**

Our legal analysis as to whether the actions of the involved officers could constitute a criminal act was guided by applicable case law and legal precedent on the use of force by law enforcement. To be lawful, an officer's use of deadly force must be objectively reasonable in light of all of the facts and circumstances confronting the officer. Whether such actions were reasonable is evaluated from the perspective of a reasonable officer at the scene rather than the 20/20 vision of hindsight. As the United States Supreme Court has explained, "[T]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation."

After a careful consideration of the facts and the law, I conclude that Officer Ryan Lenane and Sergeant Thomas Teahan acted reasonably and lawfully. The facts establish that Officers Lenane and Traft and Sergeant Teahan, in the lawful discharge of their duties, found themselves confronted by an armed gunman who had shot Officer Lenane without provocation and continued to fire as he fled down a thickly settled residential street. Fearing that Mr.

Dookhran would continue to fire at the officers – and possibly hit an innocent bystander – Officer Lenane and Sergeant Teahan fired at him.

The officers' decisions to open fire under these circumstances constitute a lawful and reasonable exercise of self-defense and the defense of others. Accordingly, I have determined that criminal charges are not warranted.

Sincerely,

Daniel F. Conley  
Suffolk County District Attorney