

AG: Deadly force justified in Rochester police- - New Hampshire Union Leader / New Hampshire Sunday News (Manchester, NH) - October 5, 2018 - page 3

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Findings: Officials presented results of investigation into the August incident that led to the death of Douglas Heath.

ROCHESTER -- Officials at the Attorney General's Office have concluded police used reasonable force when they shot and killed a man after a high-speed chase in Rochester this summer.

Douglas Heath, 38, was shot up to 15 times after he pulled a stolen semiautomatic pistol on police and began firing the afternoon of Aug. 20. On Thursday afternoon, Senior Assistant Attorney General Peter Hinckley went through an hour-long presentation detailing the results of their investigation during a press briefing at Rochester City Hall. He was joined by Attorney General Gordon MacDonald, State Police Col. Christopher Wagner, Rochester Police Chief Paul Toussaint and state troopers. Hinckley released the 43-page report he compiled and shared three videos which captured the incident. Two were from Rochester police vehicle cameras and one was taken by a private citizen. The report says Rochester police initially learned about Heath and the two warrants out for his arrest on Aug. 15. Detective Geoff Moore wrote an officer safety briefing form to notify fellow officers. The form said Heath may be in possession of three firearms and "he has no intention of going to jail." On Aug. 18, Moore spotted Heath get into a white Cadillac SUV in Rochester and police officers tried to stop him, but according to the report, he sped away. Moore passed Heath driving the same SUV two days later on Aug. 20 just before 3 p.m. Moore radioed for assistance from Rochester police and state police. Officers were warned Heath may be armed. Trooper Haden Wilber was one of the state police officers who responded to Moore's call for backup. Wilber was familiar with Heath's name and had reason to believe he frequently was at the Riviera Motel located on Route 125 in Rochester, the report says. When Wilber pulled into the parking lot of the motel Heath was there in his vehicle. Heath took off and a police pursuit began. Heath crashed two miles north at the Oak Street intersection. Hinckley said they determined he was traveling about 70 miles an hour seconds before he lost control of the SUV. "The posted speed limit for this area is 35 miles per hour," Hinckley said Thursday as he showed media and members of the public in attendance of the briefing an aerial photo taken by state police after the shooting. Hinckley said Wilber, Rochester Police Officer Michael Lambert and Trooper Nathaniel Goodwin arrived at the crash scene seconds after the crash. There were several private citizens who were stopped at the intersection. "Mr. Heath left the SUV through the front passenger door and he fell to the ground. Mr. Heath held in his left hand a loaded semiautomatic pistol. Within seconds of Mr. Heath getting out of that crashed SUV, and despite commands from Officer Lambert to drop his weapon, Mr. Heath pulled back on the slide of the pistol that he held," Hinckley said. Heath fired a shot. When Heath fired a second time two seconds later, his pistol was pointed in the direction of Lambert, Goodwin and at least one private citizen, which can be seen on two of the videos. When a third shot hit the roof of a pickup truck being driven by a bystander,

Lambert, Goodwin and Wilber fired their weapons at Heath. Moore also fired at Heath after seeing him shooting in his direction when he arrived on scene. A total of 30 shots were fired, according to the report. Heath was struck at close range when he shot himself in the face while rolling on the ground. It took seconds to minutes for him to die, Hinckley said. At the time of his death, Heath had fentanyl, amphetamine and methamphetamine in his system, Hinckley said. While watching the police and cellphone videos, 20-year-old Skyeann Sullivan of Rochester began to cry. She said after the briefing Heath took care of her and her siblings before he got involved in drugs and she considered him her father. "I just want everybody to realize that's what drugs do to you. He wasn't like that beforehand. And even on drugs, he was still a nice person. He just didn't know what to do with himself anymore," Sullivan said. Sullivan said she appeared at the briefing because she wanted to stand up for Heath and her family while getting closure through hearing from officials. Wagner and Toussaint both offered Sullivan their condolences before the briefing ended. "On behalf of the Rochester Police Department, we offer our sincere condolences," Toussaint said. "In particular, we admire your strength."

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