

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT  
 CIVIL ACTION NO.

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 ALICE STUART and JASON FOLEY, )  
 Individually and together as the Administrators )  
 of the Estate of Eli T. Stuart and together as )  
 next friends for GARETH STUART-FOLEY, and )  
 ALICE STUART as next friend for VICTORIA )  
 CLARK )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 BRANDEIS UNIVERSITY, KIMBERLY )  
 CARTER, THOMAS ESPADA, )  
 and DANA KELLEY )  
 )  
 Defendants. )  
 )

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RECEIVED 10/31/2024 MG

**COMPLAINT AND JURY DEMAND**

**INTRODUCTION**

1. This case arises from Defendants’ gross negligence in failing to protect the life of Eli T. Stuart (“Eli”), one of Defendant Brandeis University’s (“Brandeis”) own students. Eli was a proud member of the Brandeis LGBTQ+ community. Eli is referred to herein using gender neutral pronouns (e.g., they/them) because that is how they preferred to be addressed.

2. During the late evening of December 4, 2023 and into the early morning hours of December 5, 2023, Eli was actively suicidal. After taking pills, Eli lay down near a campus building and path where they were visible to bypassers. In the early morning hours of December 5<sup>th</sup>, a Brandeis Professor exiting a campus building saw Eli lying on the ground

moving. The Professor promptly called and reported what he was seeing to the Brandeis campus police and safety office. More specifically, in a recorded call the Professor reported to Defendant Brandeis Police Officer Kimberly Carter (“Defendant Carter”) that the person he was seeing was conscious and moving their hands. He provided the location of the person. As the weather was frigid, the report made clear to any reasonable person, let alone a trained police and campus safety officer, that this was an emergency situation.

3. Defendant Carter was not the person who was supposed to be answering calls made to the security office that morning. Instead, she was briefly substituting for another officer, Defendant Brandeis Police Officer Thomas Espada (“Defendant Espada”) who was elsewhere moving furniture. In direct contravention of proper training, if indeed she had received proper training, and the duty she and Brandeis owed Eli, Defendant Carter failed to take the Professor’s report seriously. Instead, she responded to him dismissively stating that the person he was observing was likely a homeless person, as though the life of a homeless person somehow did not matter.

4. Incredibly and inexplicably, and again in direct contravention of proper training if she had received proper training, Officer Carter did not react quickly or in a timely or effective manner in response to the report she had received from the Professor. She delayed responding at all. When she finally decided to act, she got in her Brandeis patrol car and made a loop around campus. In doing so, she failed to go to the location where the Professor told her he had seen Eli, failed to stop her car, failed to get out of her car, and failed even to look for the person lying on the ground.

5. Also in direct contravention of proper training, if she had received it, and common sense, Defendant Carter chose not to enter the call from the Professor into the

available Brandeis reporting system used specifically for the purpose of memorializing reports to the campus police so that they are available to all officers on a real time basis. As a result, when Eli's mother subsequently called the Brandeis security office that morning to report that Eli was unaccounted for and possibly suicidal, the Brandeis officers and employees whose job it was to locate a student as to whom such a report has been received had no ability to learn that there had been an earlier report of a person lying on the ground moving and instead they reacted to the report from Eli's mother as though it were routine.

6. Defendant Brandeis and its officers named as Defendants herein left Eli to die alone and in agony for hours while crying out for help and making clear they did not want to die. Eli's cries for help were captured by their phone which recorded what was happening. If Defendants had timely acted, Eli would have lived.

7. Beginning early the morning after Eli's death, Brandeis learned of and internally admitted its horrific failures in causing Eli's death. Despite knowing the truth about how Eli had been left to die, Brandeis nevertheless proceeded intentionally to conceal for a material period of time critical information from Eli's family about what had happened, making the tragedy which took place even more devastating for them.

8. This lawsuit seeks to hold Brandeis and the individual Defendants named herein accountable for their actions. According to Brandeis internal documents, Officer Carter has already admitted that she "fucked up" and Brandeis' internal investigation has already determined that there was "*a serious dereliction of duty and a failure to act with the*

*prudence that a reasonable person would exercise under the same conditions.*”<sup>1</sup> Eli’s death was entirely preventable and would not have happened absent Defendants’ gross negligence.

### PARTIES

9. Eli Stuart was a college sophomore at Brandeis at the time of their death and lived on campus in the Rosenthal North dormitory.

10. Plaintiff Alice Stuart is Eli’s mother and a co-administrator of the Estate of Eli T. Stuart (the “Estate”). Alice resides in Austin, Texas. She was appointed administrator of Eli’s Estate on October 9, 2024, Middlesex Probate Court Docket No. MI24P5552EA.

11. Plaintiff Jason Foley is Eli’s father and a co-administrator of the Estate of Eli T. Stuart. Jason resides in Austin, Texas. He was appointed administrator of Eli’s Estate on October 9, 2024, Middlesex Probate Court Docket No. MI24P5552EA.

12. Plaintiff Victoria Clark is Eli’s minor sister who resides in Austin, Texas, with her mother and step-father, Alice and Jason.

13. Plaintiff Gareth Stuart-Foley is Eli’s minor brother who resides in Austin, Texas with his mother and father, Alice and Jason.

14. Defendant Brandeis University is a private university with a principal location of 415 South Street, Waltham, Middlesex County, Massachusetts.

15. Defendant Officer Kimberly Carter was a Brandeis Police Officer as of December 5, 2023 but has since resigned as a result of her role in Eli’s death. Upon information and belief, Officer Carter resides in Brockton, Plymouth County, Massachusetts.

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<sup>1</sup> Plaintiff obtained the investigation materials quoted from and attached to the public version of this Complaint from the Middlesex District Attorney’s Office pursuant to the Public Records Law, G.L. c. 66, § 10 et seq.

16. Defendant Officer Thomas Espada is a Brandeis Police Officer. Upon information and belief, Officer Espada resides in Revere, Suffolk County, Massachusetts.

17. Defendant Lieutenant Detective Dana Kelley (“Lt. Det. Kelley”) is a Brandeis Police lieutenant detective. Upon information and belief, Lt. Det. Kelley resides in Massachusetts.

### **JURISDICTION AND VENUE**

18. This Court has jurisdiction over Defendants under G.L. c. 223A, §§ 2 and 3 because they either reside in Massachusetts, have a principal place of business in Massachusetts, and/or their actions and inactions that caused Eli’s death took place in Massachusetts.

19. Venue is proper in this Court pursuant to G.L. c. 223, § 1 because Defendants either have a principal place of business in Middlesex County or did so at the time of the events leading to this Complaint and because the events from which this action arose took place in Middlesex County.

### **FACTS**

#### **A. About Eli**

20. In December 2023, Eli was a 20-year-old sophomore at Brandeis. Eli was originally from Austin, Texas, where they lived with their mother Alice, their father Jason, and their younger sister and brother, Victoria and Gareth. While Jason had initially been Eli’s stepfather, he legally adopted Eli in January 2023, formally embracing the role of Eli’s father that he had held for years. Eli was beloved and was extremely close to their family, and even in college, continued to talk to their mother every day.

21. While living in Texas, Eli was an active member in their community. Eli was a member of their local summer youth theatre, where they played roles in numerous

productions and even acted in a play that they co-wrote. They served on the Board of their synagogue's youth group and were described as instrumental in keeping the youth group active throughout the Covid lockdown.

22. Despite their young age, Eli was also actively involved in advocating for equal rights and battling against discrimination. Eli was passionate about issues effecting the LGBTQ+ community, to which Eli belonged. Brave and charismatic, in 2020 Eli spoke at the Texas State Capitol, voicing their opposition to the Texas Behavioral Health Executive Council's rule change that allowed social workers to turn down clients on the basis of their disability, sexual orientation, or gender identity. Eli's voice, along with those of others who rallied against the rule change, resulted in the Council's decision to restore protections to LGBTQ+ and disabled clients.

23. Eli, who themselves had learning disabilities and chronic health issues, also advocated for those with disabilities. During Covid, Eli brought awareness to the thousands of students whose school districts had failed to perform federally mandated assessments for individualized education plans. As a result, those students were not able to receive accommodations and learning plans that would allow them to excel in school and were denied their right to a free and appropriate public education. Eli served as a named plaintiff in a Texas Education Agency complaint filed by the group Disability Rights Texas, both prompting the state to take action in Eli's case and shedding light on the serious, ongoing issue in the Austin School District and elsewhere. The Washington Post covered Eli's lawsuit in December 2020.

24. Eli also founded a disability education nonprofit group called Actively Tired. On its website, [www.activelytired.com](http://www.activelytired.com), Actively Tired provided education regarding

numerous types of disabilities, from learning disabilities to physical disabilities and mental health issues. Its website included, among other things, posts by Eli and other disabled authors and resources for those with disabilities and their families and friends. In their posts, Eli provided information regarding their own disabilities and how they coped with those disabilities.

25. At times during their high school years, Eli struggled with anxiety and depression and experienced suicidal thoughts. Eli, with the help of their parents, worked with counselors to address their mental health issues. Ultimately, Eli persevered and remained a bright, compassionate, and driven person.

26. Eli worked hard in school and, despite their learning disabilities, earned impressive grades. Eli applied for and was accepted to Brandeis, where they eagerly enrolled. Eli was excited for the next chapter of their life, which would allow them to progress toward their aspiration of working in the field of neuroscience, specifically to conduct research into the neurological connections between physical and emotional pain.

27. Thinking Eli would be safe at Brandeis, which touts itself not only as a bastion of education but also as an institution whose **“mission is to ensure that the Brandeis campus is safe and enjoyable for all who choose to live, study and work here[,]”**<sup>2</sup> Eli’s parents happily agreed to Eli’s enrollment, confident both that Eli could continue their education at Brandeis and that they would be safe living and studying there.

28. Eli began studying at Brandeis in January 2023, where they were a Neuroscience major. Eli excelled at Brandeis, earning a 3.750 GPA and a place on the Dean’s list in Spring 2023. Accommodations were put in place in light of Eli’s learning disabilities

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<sup>2</sup> <https://www.brandeis.edu/publicsafety/police/index.html> (emphasis supplied).

and Eli checked in frequently with Brandeis' Student Accessibility Support for assistance in how best to approach and complete their classwork. Eli made a close group of friends and was described by classmates as intelligent, passionate, and as someone who lit up a room.

29. Despite their studies and social life, Eli still made time for their family. Eli texted with their mom every day and spoke to their mom, dad, siblings, and other family members on a regular basis.

**B. Eli's Death**

30. In the Fall of 2023, Eli began to experience increasing anxiety. As Eli would reflect in their journal, they began to feel increasing pressure from school and were feeling "overly anxious" and "drowning in school." Eli became distressed and found themselves distracted in classes and unable to focus due to their depression.

31. On December 4, 2023, after believing they had failed a test, Eli made the decision to attempt to end their life. They left their dorm around 4:03 am on December 5, 2023 and, either before or after doing so, took various prescription and over the counter medications. Eli walked to the tree line next to the three chapels on the Brandeis campus. Eli wrote a series of texts to their loved ones and, at 5:29 am, began to audio record what they intended to be the period of time prior to their death. While they explain in their recording that they did not intend to record their actual death, ultimately Eli's phone recorded for the next 11 hours and 24 minutes, until approximately 4:53 pm. As a result, the recording captured Eli's last conscious hours as well as recorded their breath sounds even after they had stopped speaking.

32. Eli's recording is horrific in reflecting the fact that they changed their mind about wanting to die and desperately called out for help in order to live. In the beginning of the recording, Eli focuses on explaining why they have decided to end their life, their love for



their family and friends, and the symptoms they are experiencing. Three hours into the recording, however, it becomes abundantly clear that Eli has changed their mind and does not want to die. At approximately 8:31 am, realizing that they are in trouble, Eli begins to shout for help. They repeatedly yell that they are in trouble and cannot move. They plead for help from “BEMCo,” the Brandeis Emergency Medical Corp., Brandeis’ student-run volunteer emergency medical service. Eli cries out many times for approximately the next 48 minutes.

33. Their last plea for help took place at approximately 9:17 am. Excerpts from the transcript of Eli’s recording during this time period are attached at **Tab 1**. Eli’s recording records Eli’s breathing until approximately 4:19 pm when the tape ends but Eli lived for many hours after that into the evening.

### **C. The Gross Negligence of Defendants Carter and Espada**

34. As of December 5, 2023, Officer Carter had been a Brandeis police officer for twenty-two years and Officer Espada had been a Brandeis police officer for almost twenty years.

35. Both Officer Carter and Officer Espada were working at the Brandeis Police Dispatch Center on the morning of December 5, 2023. See Internal Affairs Investigation Report, attached at **Tab 2**, at 1. While Officer Espada had been handling dispatch responsibilities that morning, at approximately 9:00 am Officer Carter took over dispatch responsibilities so that Officer Espada could assist someone in moving a desk from one room to another.

36. While covering dispatch duties, Officer Carter answered a call from a Brandeis Professor (the “Professor”), at approximately 9:08 am. The call was recorded. In it, the Professor reported that he had been walking in the area of the three chapels on the Brandeis campus and that he saw a “a human being lying in the woods.” The Professor further reported

that the individual was moving their hands, was dressed in black, and was lying down on the ground. The Professor provided detailed information regarding the location of the individual and reiterated that it was “kind of a strange area to be lying in.” This was particularly true given that this was a cold December morning. Officer Carter openly dismissed the Professor’s concerns. She told the Professor that the human being lying on the ground moving “could be one of our homeless people, we have had several of them around there.” Officer Carter said that they would take a look and ended the call. The entire call lasted two minutes and twenty seconds.

37. Officer Carter failed to make any note of the Professor’s report in the Brandeis Police dispatch log, as she was required to do by G.L. c. 41, § 98F. She told Officer Espada about the call, who likewise failed to log the call. Officer Carter then failed to timely respond to the report she had received. Had she done so, she literally would have heard Eli’s cries for help, which continued from time to time until 9:17 am. Instead, Officer Carter waited over an hour before taking any action to respond to the call at all.

38. Even when Officer Carter did act, what she did was grossly and utterly negligent. According to Brandeis’ internal investigation, video shows that at approximately 10:16 am, Officer Carter drove a police car down a road that failed even to pass the location that the Professor described Eli being located in during his telephone report. See Tab 2, at 2. In fact, during her call with the Professor, Officer Carter had asked if the road she later drove down was the location where he had seen a person lying on the ground and the Professor had clarified that *it was not that road* and again gave detailed directions as to where he saw the person. Worse, Officer Carter never got out of or even stopped her car, instead merely driving down the road and then driving away. Id. at 2.

39. The Brandeis Police have established that Officer Carter drove to the wrong location. As its' internal investigation report reflects, ***“Officer Carter is on video driving on the rear library service road between 10:16:04 and 10:17:06. This roadway is adjacent to the Chapel's Field wood line, but on the opposite side of where Eli's body was located.”*** Espada Supplement Case Report, attached at **Tab 3**, at 1.

40. If Officer Carter had gotten out of her car and walked to the area that the Professor had described to her in detail, she would have seen Eli laying on the ground, precisely where the Professor had reported seeing Eli and where Eli's body would later be found.

41. At that time, Eli was still alive and would have lived had Officer Carter responded appropriately to the Professor's report. Officer Carter failed to do so, however, instead simply driving down a road on the opposite side of the woods from where Eli lay and then reporting to Officer Espada that there was no one lying in the woods. As with the Professor's report, thereafter neither Officer Carter nor Officer Espada made any note of Officer Carter's drive down the library service road in the log system as they were required to do.

42. The Professor's call and Officer Carter's drive down the road are precisely the type of events that Brandeis Police must include in the log so they are available to others. As the log itself reflects, everything from routine patrols to noise complaints are documented in the log. See Dispatch Log, a true and accurate copy of which is attached at **Tab 4**. Their failure to log the events they had been a part of was inexplicably negligent and proved deadly for Eli.

43. Less than two hours after Officer Carter is seen on video driving down the wrong road, Eli's mom, Alice, placed a frantic call to the very same Brandeis Police to report that Eli was missing. This call took place at 11:59 am. See Tab 2, at 2. As the recording of the call reflects, Officer Espada answered that call, sounding bored and bothered to be receiving the phone call.

44. Alice reported to Officer Espada that Eli's roommate had contacted her and thought that Eli might have harmed himself. Alice also relayed that Eli's roommate said Eli had been struggling with their mental health lately. Alice told Officer Espada that Eli had texted her early that morning with messages that were very sweet but potentially concerning, that Eli had turned off their location tracker, and that Eli had attempted suicide in the past, including one attempt that resulted in Eli being admitted to the intensive care unit.

45. Officer Espada somehow failed to link the prior report of which he was aware with the call from Eli's mother. Instead, he treated the matter as routine. He told Alice that he would look into where Eli had swiped their pass card. Officer Espada told Officer Carter, who was the Patrol Officer in charge of the day shift, about his call with Alice. Shockingly, she too failed to connect Alice's report with the earlier report of a person lying on the ground along the tree line.

46. Officer Espada then initiated a routine check, calling the Department of Community Living Area Coordinator to pull Eli's card swipe history at 12:15 pm. According to his subsequent recorded call with the Department of Community Living, Officer Espada was told that swipe history was not helpful and showed only that Eli had swiped into their dorm room the night before. Office Espada replied that "I just wish the mother would have called sooner you know so that we could have . . ." to which the Brandeis employee replied

“Yea, especially last night, she was clearly in the building.” Officer Espada then callously remarked, “Yea, I think the mother, she is kinda used to dealing with this[.]”

47. During this call, Officer Espada never mentioned the Professor’s report of a human being lying on the ground at the tree line earlier that day. Further, because neither Officer Espada nor Officer Carter had logged the 9:08 am call with the Professor, no one searching for Eli knew of that earlier call. Based on the police reports, it does not appear that Officer Espada took any further steps to investigate Eli’s disappearance. Officer Espada left work at 3:10 pm. See Tab 3, at 2.

48. Around 1:40 pm, Brandeis Police began searching for Eli using Eli’s cell phone pings. See Brandeis Police Incident Report, attached at **Tab 5**, at 1. At 4:53 pm, Brandeis Police located Eli’s bag and slippers in the vicinity of where the Professor had reported seeing someone lying on the ground. Id. Eli’s recording ended at approximately the same time their shoes and bag were found.

49. At 5:00 pm, Brandeis Police called the Waltham Police requesting K-9 assistance, who then reached out to the Massachusetts State Police. The State Police also sent a police helicopter to assist in the search. At 8:00 pm, State Trooper Murphy discovered Eli’s body, lying in the marshy, wooded area near the Harlan Chapel “a few feet from the tree line,” precisely where the Professor had reported seeing a human being lying on the ground at 9:08 that morning. See Massachusetts State Trooper Investigation Report, attached at **Tab 6**.

50. Medics arrived at 8:26 pm and initiated life saving measures due to the absence of rigor mortis and lividity. Eli was transported by ambulance to Newton Wellesley Hospital, where they arrived at 8:45 pm. Emergency room staff continued to administer life saving measures until 10:13 pm, when Eli was declared deceased.

51. Following autopsy, the Office of the Chief Medical Examiner determined that Eli had died as a result of drowning and acute intoxication due to the combined effects of various medications.

52. Brandeis and its employees left Eli to die an agonizing death for nearly 12 hours after the report by the Professor.

**D. Internal Investigation**

53. According to an internal investigation, Officer Espada and Officer Carter failed to connect the Professor's call to Eli's death until the next day, December 6, 2023. Officer Espada first made this connection when he saw an email from the Brandeis Student Affairs Vice President announcing Eli's death and when he learned the location of Eli's body.

54. Officer Espada then called Officer Carter to alert her to the news. Officer Carter's response to that news prompted the Brandeis Police to conduct an internal investigation into its handling of the investigation into Eli's disappearance. See Tab 2.

55. Specifically, after Officer Espada informed Officer Carter that Eli's body had been found where the Professor had reported seeing a person lying on the ground, Officer Carter immediately called Lt. Det. Kelley, at 5:42 am. Id., at 2. Officer Carter asked Lt. Det. Kelley if he was at work and whether she was in trouble. When Lt. Det. Kelley asked her "what the hell are you talking about[,]" Officer Carter "explained that she had taken a call from a guy that shared the location of a person on the ground in the woods." Id. When Lt. Det. Kelley paused, Officer Carter said she would talk to him when he got to work and hung up the telephone. Id.

56. When he arrived at the station that morning, around 7:30 a.m., Lt. Det. Kelley immediately listened to the Professor's recorded telephone call with Officer Carter. Id. Lt. Det. Kelley was shocked by what he heard.

57. Shortly afterwards, Officer Carter arrived in Lt. Det. Kelley's office "anxious and unannounced" and told him that "she felt awful that the body had been discovered in the woods by the chapels." Id.

58. When Lt. Det. Kelley asked Officer Carter if she had followed up on the Professor's report, she replied that "she'd just driven down the road behind the library and looked at the wood line from her moving cruiser and didn't see anyone in the woods." Id. She admitted that she had not gotten out of the cruiser. Id. Officer Carter then told Lt. Det. Kelley that she "knew she fucked up..." Id. at 2-3.

59. After talking to Lt. Det. Kelley, Officer Carter composed a voluntary statement. Officer Carter's voluntary statement is attached at **Tab 7**.

60. In her voluntary statement, Officer Carter wrote that the previous morning, she had "received a call from [the Professor] stating that he had walked through the pathway near the Library and believe[d] he saw [sic] someone laying in the woods because he thinks he saw a hand moving." Officer Carter writes in her statement that she had driven down Library Road to check the area (this is not where the Professor had reported seeing Eli), that she had a clear view of the pond (she could not have, as the area was wooded), and that she had "looked down the pathway" (the portion where Eli lay would not have been visible from the road) but did not see anyone lying on the ground around the pathway.

61. The Professor's recorded call, as well as Officer Carter's description of how she had "checked the area," makes clear that Officer Carter vastly minimized the Professor's report to her and augmented her "investigation" into his report.

62. After talking to Officer Carter, Lt. Det. Kelley texted Chief of Public Safety Rushton at 8:02 a.m. and again shortly afterwards, requesting to talk by telephone. When they

spoke, Lt. Det. Kelley played the recording of Officer Carter's telephone call with the Professor for Chief Rushton. Lt. Det. Kelley describes Chief Rushton's reaction to the recording in the Internal Affairs Investigation Report: "***I played the [Professor]-Carter audio recording for the chief as he was driving to work. Chief Rushton was in as much shock as I was. We could not believe that Officer Carter had handled this call for help in such a callous and unprofessional manner.***" Tab 2, at 3 (emphasis added). Officer Carter was placed on administrative leave several hours later.

63. That same morning, Lt. Det. Kelley met with Alice and her sister, who had arrived that morning after flying to Boston from out of state. Despite Lt. Det. Kelley's knowledge of the already-instituted investigation into Officer Carter's dereliction of duty and both Officer Carter's and Officer Espada's grossly negligent failures to act in response to either the Professor's or Alice's reports, Lt. Det. Kelley chose to conceal the circumstances surrounding Eli's death from Alice and her sister during the time they spent together at Brandeis. At no point did he, or anyone else from Brandeis, alert Eli's family that the Professor had reported a person lying on the ground, of Officer Carter's and Officer Espada's lack of response to that report, or of Officer Carter's and Officer Espada's failure to connect the report of a person lying on the ground in distress to Alice's report of her suicidal, missing child.

64. Alice and Jason did not learn any of the information about Officer Carter's and Officer Espada's failures until approximately a month later, through the Middlesex District Attorney's Office. It took many months after that to learn that Lt. Det. Kelley had already known of the botched reaction to the Professor's report and had already started an internal



investigation into Officer Carter's and Officer Espada's actions when he met with Alice at Brandeis the morning after Eli's death.

65. Although Lt. Det. Kelley chose not to tell Alice about the already progressing investigation, Brandeis Police continued the internal investigation in the following days. On December 8, Lt. Det. Kelley interviewed the Professor. The Professor's Supplement Case Report is attached at **Tab 8**. The Professor explained that while walking across Chapels Field and alongside the Chapels Pond and the tree line, he was drawn to the movement of two Caucasian hands tucked in close to the abdomen moving only at the hands and wrists—almost as if the person was wringing their hands. He explained that Eli's black clothing and white hands stood out against the browns and grays of the bushes and leaves. The Professor did not feel comfortable approaching the person on the ground so called the police and reported the person that he had seen laying on the ground. Id. at 1.

66. The Professor, Lt. Det. Kelley, and another officer, Lieutenant Dustin Botelho, then retraced the Professor's steps from the morning of December 5, 2023. Id. Lt. Det. Kelley reported that “[the Professor] pointed out with good accuracy the location where he saw the individual in the woods[,]” and that “[h]is description of the location coincides very well with where Eli's body was found later that evening.” Id.

67. Lt. Det. Kelley also interviewed Officer Espada on December 8, 2023, along with Brandeis Director of Human Resources Elizabeth Tierney. See Tab 3, at 1. Officer Espada brought along a witness to his interview, Police Dispatcher Timothy Lima.

68. When asked what happened on December 5, Officer Espada reported that he had left dispatch between approximately 9:00 and 9:10 or 9:15 that morning and that Officer Carter had taken his place. When he returned, Officer Carter told him that she had just taken a

call from an individual who was reporting “seeing someone laying in the woods and their hands might have been moving.” Id. Officer Carter also told him that she was going to check out the report of the person lying in the woods, and later reported to him that she had not seen anyone lying in the woods. Id. When asked why there was there no time entry for the call, Officer Espada replied “I just didn’t do it.” Id.

69. Officer Espada then answered questions regarding his call from Alice. He admitted to Lt. Det. Kelley that he had failed to connect the dots between the report of a person lying in the woods with Alice’s report of her missing and potentially suicidal child. Id.

70. In concluding the interview, Lt. Det. Kelley asked Officer Espada what he thought would happen to Officer Carter. In response, Officer Espada pointed the finger at the Professor—the very person that called the Brandeis Police seeking help for the person lying on the ground—and stated that the Professor “should have been more involved.” Id. at 2. Dispatcher Lima then echoed that sentiment, telling Lt. Det. Kelley “that you can’t leave somebody injured if you have reason to believe someone is hurt.” Id.

71. As a result of the internal affairs investigation, Brandeis Police determined that there had been a “*a serious dereliction of duty and a failure to act with the prudence that a reasonable person would exercise under the same conditions.*” Tab 2, at 1 (emphasis added).

E. [REDACTED]

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[REDACTED] Officer Carter and Officer Espada had an obligation to respond to the Professor's call directly and timely but failed to do so. Specifically, upon Officer Carter disclosing the events of December 5, 2023 to Lt. Det. Kelley, Lt. Det. Kelley reports in his Internal Affairs Investigation Report that "[w]e had a conversation that centered on her choices, she could have sent an officer to meet [the Professor] or asked him to wait there and she would be there shortly." Tab 2, at 2. Both of these proposed courses of action anticipated a rapid response and one that would have allowed the Professor to lead the officer to the precise location where Eli lay, still conscious and crying for help.

83. Instead, Officer Carter waited over an hour to take any action. Officer Espada, who Officer Carter had informed of the call, was aware of her failure to act but nonetheless did not take action himself or urge her to respond to the call. When Officer Carter finally did respond, over an hour later, she drove to a location that she had asked the Professor to confirm he had seen a person lying on the ground—*and which he had said was not the correct location*. Despite the Professor having clarified in detail where he had seen the human being lying on the ground, Officer Carter did not go to that location. Instead, she drove down the wrong road, never stopped let alone got out of her vehicle, and drove away. In doing so, she failed utterly to make a meaningful response to a report of a person in distress.

84. As of December 5, 2023, officers were required to log calls that came into the station, both by G.L. c. 41, § 98F and, based on the internal investigation, by Brandeis Police. Indeed, in conducting the internal investigation, Lt. Det. Kelley specifically asked Officer Espada why he had not created a log entry. His response was “I just didn’t do it.”

85. Because neither Officer Carter nor Officer Espada created a log of the Professor’s call, no one searching for Eli was notified of his report early that morning. Had the report been reflected on the log, other officers searching for Eli would have been aware of the report of a person lying on the ground and could have immediately searched the area that the Professor had identified. Officer Carter’s and Officer Espada’s failure to take the seconds necessary to create a log entry tragically and significantly delayed the time it took to find Eli and to begin providing life saving measures but for which Eli would have been saved.

**COUNT I**

**Wrongful Death Pursuant to G.L. c. 229, § 2  
(All Plaintiffs against Brandeis, Officer Carter, and Officer Espada)**

86. Plaintiffs repeat and reallege the foregoing allegations as if fully set forth herein.

87. Brandeis, Officer Carter, and Officer Espada each owed Eli a duty to exercise reasonable care, which they flagrantly breached.

88. Brandeis, Officer Carter, and Officer Espada's negligence caused the death of Eli.

89. Brandeis, Officer Carter, and Officer Espada, by willful, wanton or reckless actions, caused the death of Eli under such circumstances that Eli could have recovered damages for personal injuries if their death had not resulted.

90. Brandeis, Officer Carter, and Officer Espada's actions included gross negligence, wanton, willful, and malicious conduct, and a demonstrated reckless indifference to the health, safety, and welfare of Eli, for which they are liable under G.L.c. 229, § 2, the Massachusetts Wrongful Death Statute including for all damages permitted by that statute including punitive damages.

91. As a result of Brandeis, Officer Carter, and Officer Espada's breach of their duty to Eli, Eli's heirs at law suffered damages, including: (1) the fair monetary value of Eli to their next of kin, including but not limited to compensation for the loss of the reasonably expected net income, services, protection, care, assistance, society, companionship, comfort, guidance, counsel, and advice of the decedent to the persons entitled to the damages recovered; (2) the reasonable funeral and burial expenses of Eli; (3) punitive damages where Eli's death was caused by the malicious, willful, wanton or reckless conduct of the Defendants or by the gross negligence of the Defendants.

**COUNT II**

**Conscious Pain and Suffering Pursuant to G.L. c. 229, § 6  
(The Estate against Brandeis, Officer Carter, and Officer Espada)**

92. Plaintiffs repeat and reallege the foregoing allegations as if fully set forth herein.

93. As a direct and proximate result of their negligence, recklessness, and gross negligence, Brandeis, Officer Carter, and Officer Espada caused Eli to endure horrific conscious pain and suffering including spending hours screaming for help which should have been forthcoming until their death.

**COUNT III**

**Loss of Consortium  
(Alice against All Defendants)**

94. Plaintiffs repeat and reallege the foregoing allegations as if fully set forth herein.

95. Alice is Eli's parent and a person entitled by law to Eli's care, comfort, services, and consortium.

96. As a direct and proximate result of the Defendants' negligence, recklessness, and gross negligence, Alice has been deprived of her child Eli's care, comfort, services, and consortium.

**COUNT IV**

**Loss of Consortium  
(Jason against All Defendants)**

97. Plaintiffs repeat and reallege the foregoing allegations as if fully set forth herein.



98. Jason is Eli's parent and a person entitled by law to Eli's care, comfort, services, and consortium.

99. As a direct and proximate result of the Defendants' negligence, recklessness, and gross negligence, Jason has been deprived of his child Eli's care, comfort, services, and consortium.

### **COUNT V**

#### **Loss of Consortium (Victoria against All Defendants)**

100. Plaintiffs repeat and reallege the foregoing allegations as if fully set forth herein.

101. Victoria is Eli's sibling and a person entitled by law to Eli's care, comfort, services, and consortium.

102. As a direct and proximate result of the Defendants' negligence, recklessness, and gross negligence, Victoria has been deprived of her sibling Eli's care, comfort, services, and consortium.

### **COUNT VI**

#### **Loss of Consortium (Gareth against All Defendants)**

103. Plaintiffs repeat and reallege the foregoing allegations as if fully set forth herein.

104. Gareth is Eli's sibling and a person entitled by law to Eli's care, comfort, services, and consortium.

105. As a direct and proximate result of the Defendants' negligence, recklessness, and gross negligence, Gareth has been deprived of his sibling Eli's care, comfort, services, and consortium.

### COUNT VII

#### **Intentional Infliction of Emotional Distress (Alice and Jason against Lt. Det. Kelley)**

106. Plaintiffs repeat and reallege the allegations set forth above as if fully contained herein.

107. In misleading Alice and Jason and withholding information from them, Lt. Det. Kelley took actions that he knew would cause Alice and Jason emotional distress.

108. Without limitation, despite spending significant time with Alice on the morning of December 6, 2023, Lt. Det. Kelley concealed the circumstances of Eli's death—namely, that Eli would have been found on the morning of December 5, 2023, hours before they died, if only Officer Carter and Officer Espada had done what their job required them to do. Lt. Det. Kelley falsely led Alice and Jason to believe that he was being forthcoming with them when he met with Alice and her sister at Brandeis, seemingly offering his support. Learning of this cruel falsity surrounding Eli's death exacerbated Alice's and Jason's emotional distress.

109. Lt. Det. Kelley's conduct was extreme and outrageous, and beyond the bounds of common decency.

110. Alice and Jason both suffered severe emotional distress as a result of Lt. Det. Kelley's conduct. Alice has experienced, without limitation, severe depression, sleeplessness, decreased appetite, and lethargy. Jason has experienced, without limitation, depression, sleeplessness, anxiety, and periods of inability to work.

111. Alice's and Jason's severe emotional distress, caused by Lt. Det. Kelley's intentional conduct, was of such a nature that no reasonable person could be expected to endure it.

112. Lt. Det. Kelley's actions resulted in damages to Alice and Jason, including ongoing severe emotional distress and monetary losses.

### **COUNT VIII**

#### **Negligent Infliction of Emotional Distress (Alice, Jason, Victoria, and Gareth against All Defendants)**

113. Plaintiffs repeat and reallege the foregoing allegations as if fully set forth herein.

114. Defendants took actions that they knew or should have known would cause Eli's Plaintiff survivors emotional distress.

115. Officer Carter and Officer Espada brushed off the Professor's serious report of a person lying on the ground and failed to even consider the very clear link between the Professor's morning report and Alice's frantic report of her missing, suicidal child just hours later.

116. As set forth above, Lt. Det. Kelley augmented Alice's and Jason's emotional distress by concealing the already-underway investigation into Officer Carter's and Officer Espada's actions and inactions. Learning that Lt. Det. Kelley had withheld information regarding the significant problems with Officer Carter's and Officer Espada's conduct as he interacted with them further exacerbated Alice's and Jason's emotional distress.

117. Plaintiffs suffered severe emotional distress as a result of Defendants' conduct. Alice has experienced, without limitation, severe depression, sleeplessness, decreased appetite, and lethargy. Jason has experienced, without limitation, depression, sleeplessness,

anxiety, and periods of inability to work. Victoria has experienced, without limitation, sleeplessness, fatigue, depression, and loss of appetite. Gareth has experienced, without limitation, difficulty eating and difficulties at school.

118. A reasonable person would have suffered emotional distress as a result of Defendants' actions.

119. Defendants' actions resulted in damages to Plaintiffs, including ongoing severe emotional distress and monetary losses.

WHEREFORE, Plaintiffs Alice Stuart and Jason Foley, Individually and together as the Administrators of the Estate of Eli T. Stuart and together as next friends for Gareth Stuart-Foley, and Alice Stuart as next friend for Victoria Clark, pray that the Court:

- A. enter judgment in their favor and against Defendants on Counts I–VIII of the Complaint;
- B. award damages, including interest, in an amount to be determined at trial;
- C. award them their costs, interest, and attorneys' fees incurred in connection with this action; and
- D. grant Plaintiffs such other and further relief as is just or appropriate.

**JURY DEMAND**

**PLAINTIFFS DEMAND A TRIAL BY JURY ON ALL COUNTS AND ISSUES SO TRIABLE.**

Respectfully submitted,

ALICE STUART and JASON FOLEY,  
Individually and together as the Administrators  
of the Estate of Eli T. Stuart and together as next  
friends for GARETH STUART-FOLEY, and  
ALICE STUART as next friend for VICTORIA  
CLARK,

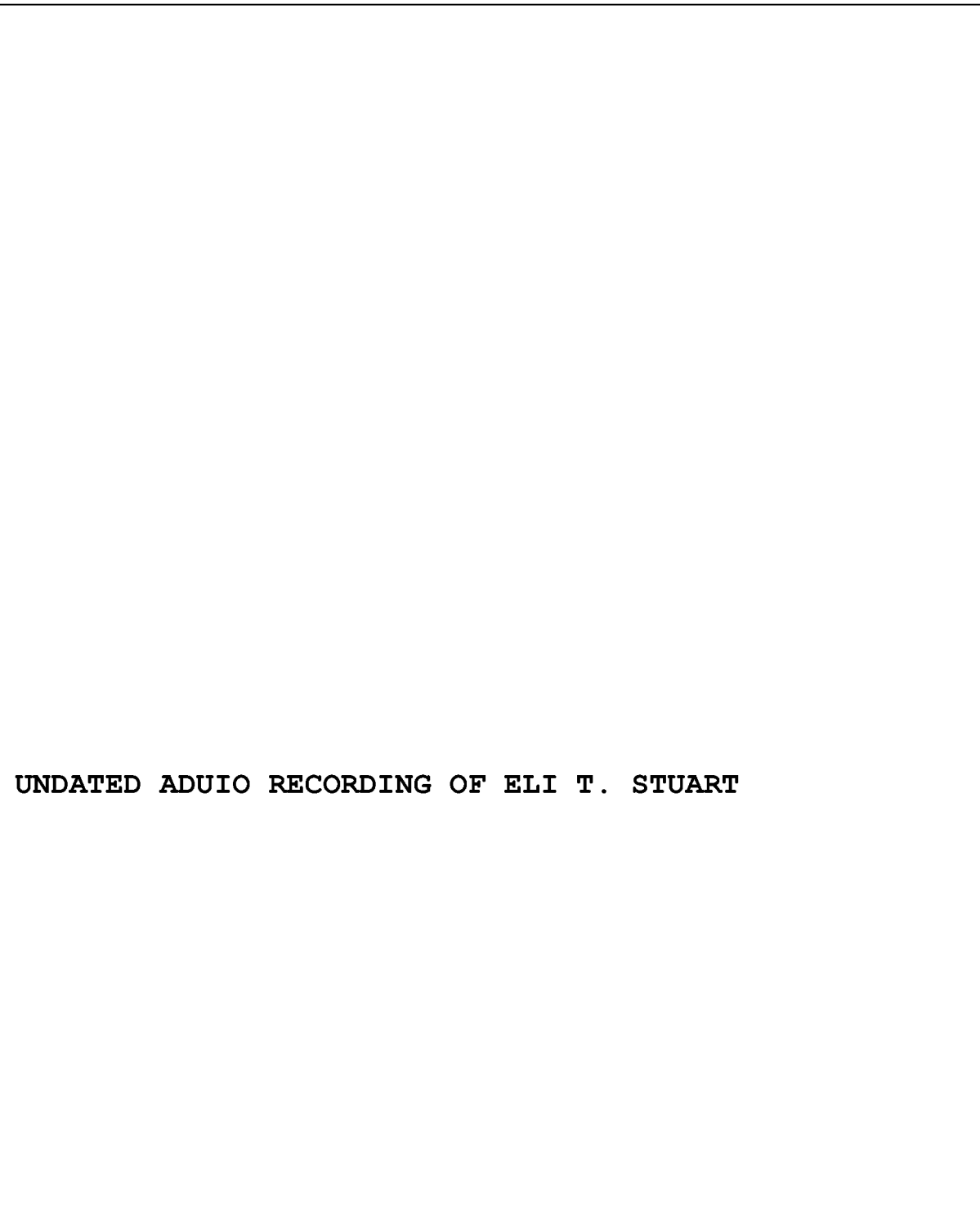
By their attorneys,

/s/ Howard M. Cooper  
Howard M. Cooper (BBO# 543842)  
*hcooper@toddweld.com*  
Maria T. Davis (BBO# 675447)  
*mdavis@toddweld.com*  
TODD & WELD LLP  
One Federal Street, 27<sup>th</sup> Floor  
Boston, MA 02110  
Tel: (617) 720-2626  
Fax: (617) 227-5777

Dated: October 31, 2024

# **Tab 1**

EcoScribe Solutions

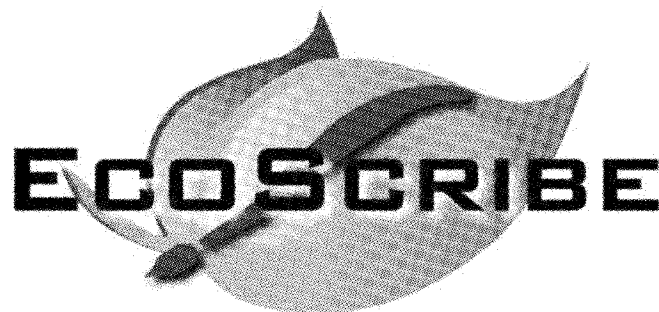


UNDATED ADUIO RECORDING OF ELI T. STUART

**EcoScribe Solutions**

[www.EcoScribeSolutions.com](http://www.EcoScribeSolutions.com)

888.651.0505



1 oh yeah, I - okay - ooh, I am in state  
2 because of the (mumbling) I - I hate fucking  
3 (mumbling) (birds chirping). Oh, okay.  
4 (Mumbling) literally went - oh, aah,  
5 (mumbling) just isn't (mumbling) that is  
6 really (mumbling), aah, aah, (birds  
7 chirping), umm, umm, (mumbling), umm, I do  
8 (mumbling), aah, I have to get (mumbling)  
9 very, very (mumbling), umm, I'm sending - I  
10 have to send - aah (birds chirping) oh my -  
11 no, I can't (mumbling) want to go to pray, I  
12 (mumbling) could be (mumbling) just know  
13 that I should come and get - help, help,  
14 help, help, help, help. (Birds chirping).  
15 You shit, I dropped my watch. Umm, help,  
16 help, help, help, hey, here, here, help,  
17 help, help, help, hey I need BEM to - I  
18 can't drag them - myself, because of the  
19 things - actually shouldn't I now be able to  
20 do such a thing. I don't know, this - I  
21 think that I - I need - I need help  
22 excessively, so I am developing - I'm having



1 potentially serotonin symptom, but yeah, I  
2 don't know I - sorry, the only way I can do  
3 this for some reason I cannot - I cannot  
4 move from the set pages they had. (Birds  
5 chirping). Man it gets darker sooner. Oh,  
6 no, no, no, no, no, wait, no, fuck, I -  
7 fuck, that's not the actual (mumbling) No,  
8 no, no, no, no. Oh dear (mumbling) but I  
9 still need help. Help. Help. Help. Help.  
10 Help. Help. I - Help. Help. Help. Help.  
11 (Birds chirping). I - oh, the - the thing,  
12 what's that thing - Help. Help. Help. I need  
13 - I need some help, I need someone to, um,  
14 talk to BEM, BEM - do you know what I mean.  
15 Help. Help. Help. Help. Help. Help. Help.  
16 Help. Help. I need someone to call BEM -  
17 Help. Help. Help. Help. Help. Hey, hey, BEM,  
18 BEM, BEM, BEM, can - Help. Help. Help. Help.  
19 Help. Help. Help. Help. Help. Help. Help.  
20 Help. I just need someone to call BEMCo  
21 (phonetic). Need BEMCo. Need - come -  
22 slightly and (mumble) that it happened like

1 to (mumbling) life full of trying to keep  
2 (mumbling) so - umm, umm, umm, umm, umm,  
3 umm, umm, aah, aah, aah, umm, umm, (groaning  
4 sounds) aah, aah, (mumbling). (Birds  
5 chirping).

6  
7  
8 (WHEREUPON THE AUDIO RECORDING WAS STOPPED AT 4 HOURS,  
9 30 MINUTES)

10 \* \* \* \* \*

11  
12  
13  
14  
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16  
17  
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20  
21  
22

# **Tab 2**



**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Internal Affairs Investigation**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

LOCATION OF OCCURRENCE / ADDRESS STONEMAN / Brandeis Police Department, 415 South Street Waltham, MA 02453	DATE / TIME REPORTED 12/07/2023 07:43	CASE NO. <b>230724</b>
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CODE SECTION	CRIME DESCRIPTION COMPLAINT AGAINST DEPARTMENT MEMBER OR AGENCY	CLASSIFICATION INVESTIGATIONS	LOSS 0.00	RECOVERY 0.00
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FROM: DATE/TIME 12/05/2023 09:00	TO: DATE/TIME 12/05/2023 15:00	APPROVED NO	CASE STATUS OPEN INVESTIGATION	RELATED AGENCY	RELATED AGENCY NUMBER
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ITEMS IN REPORT

SUPPLEMENT       PICTURE/IMAGE  
 FOLLOW UP       PROPERTY/EVIDENCE

CATEGORIES

Use of Force Used       Alcohol Related       Traffic Related       Drugs Involved       Group Involved  
 Weapon Involved       Arrest Occured       Domestic Violence       Senior Citizen       DISTRICT ATTY  
 INVESTIGATIONS       Conduct File       OTHER       OTHER PD       PHYSICAL PLANT  
 Title IX Office       VP       WALTHAM PD

INV	NAME	SUFFIX	RACE	ETHNICITY	SEX	GENDER	AGE	DOB	HT	WT	HAIR	EYE
INV	CARTER, KIMBERLY		B	UNK	F		49					

DRIVER'S LIC. NO. MA	STUDENT ID	TYPE UNKNOWN	SSN
-------------------------	------------	-----------------	-----

ADDRESS TYPE	STREET NUMBER	STREET NAME	SUITE NUMBER	CITY	STATE	ZIP
Home				Brockton	MA	02302
Work	415	South St		Waltham	MA	02454

PHONES  
 CELL: : WORK: 781-736-5000

INV	NAME	SUFFIX	RACE	ETHNICITY	SEX	GENDER	AGE	DOB	HT	WT	HAIR	EYE
WIT			W	UNK	M		42					

DRIVER'S LIC. NO.	STUDENT ID	TYPE UNKNOWN	SSN
-------------------	------------	-----------------	-----

ADDRESS TYPE	STREET NUMBER	STREET NAME	SUITE NUMBER	CITY	STATE	ZIP
BRANDEIS	415	South Street		Waltham	MA	02453
Home						

PHONES  
 CELL:

**NARRATIVE**

This Internal Affairs investigative report is being composed by Lieutenant Detective Dana Kelley. Today is Thursday December 7, 2023. The following report documents a serious dereliction of duty and a failure to act with the prudence that a reasonable person would exercise under the same conditions. Brandeis Police Officer Kimberly Carter is a 49 year old woman that has been an active member of this department for twenty-two years.

At about 9:00 AM on Tuesday, December 5, 2023, Officer Carter was briefly relieving Officer Thomas Espada in the Dispatch Center. Officer Espada was helping move a desk from one office to the next so Officer Carter was temporarily handling dispatch responsibilities. At 9:08 AM, Officer Carter answered the digitally recorded police phone line, 781-736-5000. The caller ID on the digital recorder shows the phone number to be assigned to Mr. , a year old adjunct Professor of at Brandeis University. Mr. has a two minute and twenty second conversation with Officer Carter. The phone call has been scanned into

REPORTING OFFICER KELLEY, DANA R	APPROVED BY	APPROVAL DATE AND TIME
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PRINT DATE AND TIME 12/07/2023 15:44	PRINTED BY DANA KELLEY	PAGE NO. 1 of 3
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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Internal Affairs Investigation

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240

FAX: (781)736-4241

LOCATION OF OCCURRENCE / ADDRESS

STONEMAN / Brandeis Police Department, 415 South Street  
Waltham, MA 02453

DATE / TIME REPORTED

12/07/2023 07:43

CASE NO.

230724

this report. Mr. [REDACTED] explains to Officer Carter that he just saw a human being lying on the ground in the woods by the Brandeis Chapels. Mr. [REDACTED] elaborates about where he is in proximity to the pond and the chapels. [REDACTED] says the person is dressed in black and moving around, they are not saying anything, but I can see them moving. Officer Carter responded to [REDACTED] by saying it could be one of our homeless people, we have had several of them around there. Officer Carter closes the call and tells [REDACTED] we will take a look. There is no log entry that reflects this call and subsequent follow up in the field. A video review shows a marked Brandeis Police SUV drive down the rear of the library roadway at 10:16:08 hours.

At 11:59 AM, Officer Espada received a phone call from Alice Stuart, Eli's mother. The phone call is 4 minutes and forty-four seconds long and is scanned into this report. Alice explains that she is concerned as she has not heard from Eli. Alice was texting with Eli's roommate, and they were concerned that they had not seen Eli and were concerned they may try to harm their self.

At 12:15 AM, Officer Espada called the area coordinator on call for the Department of Community Living and shares the information he had just received from Alice Stuart. The search for Eli intensifies throughout the afternoon. There is no mention from Officer Carter that she had received a call from [REDACTED] at 9:08 that morning.

Eli's body was found at approximately 8:00 PM on Tuesday, December 5, 2023 after an extensive search utilizing officers, a K-9 Trooper with his dog Keira and a Massachusetts State Police helicopter.

At 5:42 AM, the following morning, Wednesday, December 6, 2023, I was awakened by a phone call while I was sleeping in my bed. Officer Carter wanted to know if I was at work and if she was in trouble. I said, what the hell are you talking about. She explained that she had taken a call from a guy that shared the location of a person on the ground in the woods. I was taken aback and a little confused and I paused for a second . She said she would talk to me when i got to work and hung up.

I arrived at work at 7:30 AM. Officer Carter was sitting in dispatch as I walked down the hall. Shortly after sitting down at my desk I had located and listened to the [REDACTED]-Carter phone call. Within ten minutes, Officer Carter was in my office, anxious and unannounced. When I had a better understanding of the situation I told her she did not have to tell me anything and she may want to speak with her union representative. She dismissed my comments and told me she felt awful that the body had been discovered in the woods by the chapels. I asked Kim if she had followed up on the phone call with [REDACTED] and she told me she'd just driven down the road behind the library and looked at the wood line from her moving cruiser and didn't see anyone in the woods. I asked her if she had gotten out of her cruiser to investigate further, she told me did not get out of cruiser. We had a conversation that centered on her choices, she could have sent an officer to meet [REDACTED] or asked him to wait there and she would be there shortly. She told me knew she fucked up and felt awful and she wanted to take her

REPORTING OFFICER KELLEY, DANA R	APPROVED BY	APPROVAL DATE AND TIME	
	PRINT DATE AND TIME 12/07/2023 15:44	PRINTED BY DANA KELLEY	PAGE NO. 2 of 3



**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Internal Affairs Investigation**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

LOCATION OF OCCURRENCE / ADDRESS

STONEMAN / Brandeis Police Department, 415 South Street  
Waltham, MA 02453

DATE / TIME REPORTED

12/07/2023 07:43

CASE NO.

**230724**

one day suspension. Officer Carter volunteered to compose a statement about her conversation with [REDACTED]. She left my office and returned within a few minutes with a two paragraph word document that elaborates on her handling of the call on Tuesday morning. Officer Carter was distraught and told me she needed to go home. At 8:02 AM, Officer Carter removed her department issued firearm from her holster and placed it in her gun locker. At 8:05 AM, Officer Carter was dressed in her civilian winter jacket leaving the building and departing campus.

At 8:02 AM I texted Chief Rushton and told him we needed to talk. At 9:43 AM, Chief Rushton called me back after my second texted request to talk. I played the [REDACTED]-Carter audio recording for the chief as he was driving to work. Chief Rushton was in as much shock as I was. We could not believe that Officer Carter had handled this call for help in such a callous and unprofessional manner.

At 12:12 PM Captain Wright called Officer Carter on her cell phone to inform her that she was being placed on administrative leave. Captain Wright emailed the Post Notice of Investigation form and is expecting that the form be completed by Officer Carter and scanned back to Captain Wright.

At 4:10 PM, I called Middlesex Assistant District Attorney Carrie Spiros and briefly discussed this case with her. She told me to expect a call from the Massachusetts State Police Detective Unit after she receives a synopsis of this case.

I will be meeting with [REDACTED] at 8:30 AM on Friday, December 8, 2023.

This case remains active and open.

REPORTING OFFICER

KELLEY, DANA R

APPROVED BY

APPROVAL DATE AND TIME

PRINT DATE AND TIME

12/07/2023 15:44

PRINTED BY

DANA KELLEY

PAGE NO.

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# **Tab 3**



**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Supplement Case Report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

	CASE NO. <b>230724</b>	SUPPLEMENT NO. <b>003</b>
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LOCATION OF OCCURRENCE / ADDRESS STONEMAN/ Brandeis Police Department/ 415 South Street	CAD NO. 23-12-07-012011	DATE / TIME REPORTED 12/07/2023 07:43
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CODE SECTION	CRIME DESCRIPTION COMPLAINT AGAINST DEPARTMENT MEMBER OR AGENCY	CLASSIFICATION INVESTIGATIONS
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NARRATIVE

At 1:00 PM on Friday, December 8, 2023, the Director of Human Resources, Elizabeth Tierney, and I interviewed Brandeis Police Officer Thomas Espada in the HR conference room. The interview lasted about thirty minutes. Espada had requested that he be allowed to bring a witness to the interview. Officer Espada brought Brandeis Police Dispatcher Timothy Lima to the interview with him. Tim sat in the corner of the room and did not get involved in the conversation. The interview lasted about thirty-five minutes, it was polite and informative. Espada read the Notice of Investigation that I gave to him, he signed the form and returned it to me. I was the primary interviewer, Liz Tierney typed Espada's replies into her laptop computer Tierney's typed notes are scanned into this report. Espada has been a Brandeis Police Officer for eighteen years.

I asked Espada to tell me what happened on the Tuesday, December 5 dayshift that brought us to this conversation. Espada said around 9:00 AM, he left dispatch to help Lieutenant Botelho move a desk from one office to another, it took about ten or fifteen minutes to move the desk and then Espada returned to his dispatch responsibilities. While Espada was out of the office, Officer Carter was temporarily working in dispatch. When Espada returned to dispatch, Carter had just received a call from from an individual who was reporting seeing someone laying in the woods and their hands might have been moving. After Carter shared this information with Espada she told Espada that she was going to check out the report of a person laying in the woods. The dispatch phone call from the concerned individual is time stamped 9:08 AM. Officer Carter is on video driving on the rear library service road between 10:16:04 and 10:17:06. This roadway is adjacent to the Chapel's Field wood line, but on the opposite side of where Eli's body was located.

There was no log entry for this call. Espada said he would take full responsibility for not creating a log entry. I asked him why is there no log entry, he replied, I just didn't do it. Espada said Carter returned to the station and told him verbally that she did not see anyone in the woods. He was not sure when exactly she told him that she had not seen anything.

I asked Espada if he remembered the call from Eli's mother, Alice Stuart, at 11:59 AM, he replied, yes. Espada said he did not connect the dots because Carter had told him there was no one laying in the woods. Espada elaborated and said that the mother said she was getting texts at three or four in the morning, this was much earlier than the call that Cater had taken at 9:00 AM. Espada said he asked Alice a number of questions, such as

REPORTING OFFICER KELLEY, DANA R	SUPPLEMENT DATE AND TIME REPORTED 12/11/2023 05:50	REVIEWED BY	APPROVAL DATE AND TIME
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	PRINT DATE AND TIME 12/13/2023 10:49	PRINTED BY DANA KELLEY	PAGE NO. 1 of 2
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**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Supplement Case Report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

CASE NO. <b>230724</b>	SUPPLEMENT NO. <b>003</b>
---------------------------	------------------------------

LOCATION OF OCCURRENCE / ADDRESS STONEMAN/ Brandeis Police Department/ 415 South Street	CAD NO. 23-12-07-012011	DATE / TIME REPORTED 12/07/2023 07:43
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has your child tried to commit suicide in the past, the mother replied yes. Espada then called the Depart of Community Living Area Coordinator, Brooke Johnson. Espada and Brooke discussed checking Eli's recent card swipe history. This phone call has been scanned into this police report.

Espada said he told Carter about the phone call from Alice Stuart as she was the Patrol Officer in Charge of the day shift. Tommy was asked when he put it all together, that Eli was connected to the morning call from the concerned citizen. Espada said he saw the email from Student Affairs Vice President Andrea Dine announcing the sad news of the death of a student and additional information he had seen from the chief stating that Eli's body had been found by the chapels Espada said he called Carter very early Wednesday morning and told her about the body being discovered in the chapels woods. Espada said Carter was very distraught and upset. Espada said he told Carter about the Employee Assistance Program. Espada said he has been calling Carter on a daily basis checking in on her. She is beside herself, distraught.

Espada said he left work at about 3:10 PM on Tuesday afternoon. He was aware that the phone ping process had begun but he still drew no correlation between the 9:00 AM call from [REDACTED] and the noon time call from Alice Stuart.

As the interview concluded I asked Espada what he thinks is going to happen to Officer Carter. Espada said [REDACTED] should have should have been more involved. Dispatcher Lima interjected that you can't leave somebody injured if you have reason to believe someone is hurt. I thanked Officer Espada for meeting with us. We ended the interview amicably at about 1:30 PM.

End of report.

REPORTING OFFICER KELLEY, DANA R	SUPPLEMENT DATE AND TIME REPORTED 12/11/2023 05:50	REVIEWED BY	APPROVAL DATE AND TIME
	PRINT DATE AND TIME 12/13/2023 10:49	PRINTED BY DANA KELLEY	PAGE NO. 2 of 2

# **Tab 4**

**BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log  
12/05/2023 00:00 - 12/05/2023 23:59**

---

CRUISER PATROL/GROUNDS Dec 05, 2023 - 00:02:18 23-12-05-011912

**RP:**  
**Common Name/Address:** CHAPELS / MIDDLESEX  
**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: P7 00:02/00:02/00:02/00:10  
Officers: O'CONNELL, MICHAEL #P7 /

---

INT/EXT FACILITY CHECK Dec 05, 2023 - 00:15:20 23-12-05-011913

**RP:**  
**Common Name/Address:** SHERMAN / MIDDLESEX  
**Notes:** Open exterior doors were secured.

**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: P7 00:15/00:15/00:15/00:26  
Officers: O'CONNELL, MICHAEL #P7 /

---

INT/EXT FACILITY CHECK Dec 05, 2023 - 00:26:30 23-12-05-011914

**RP:**  
**Common Name/Address:** HASSENFELD CONFERENCE CEN / MIDDLESEX  
**Notes:** Open exterior doors were secured.

**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: P7 00:26/00:26/00:26/00:30  
Officers: O'CONNELL, MICHAEL #P7 /

---

EXTERIOR FACILITY CHECK Dec 05, 2023 - 00:34:30 23-12-05-011915

**RP:**  
**Common Name/Address:** EPSTEIN GARAGE / 515, Waltham, MA 02453, MIDDLESEX  
**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: P7 00:34/00:34/00:34/00:43  
Officers: O'CONNELL, MICHAEL #P7 /

---

EXTERIOR FACILITY CHECK Dec 05, 2023 - 00:59:07 23-12-05-011916

**RP:**  
**Common Name/Address:** GOLDMAN-SCHWARTZ / MIDDLESEX  
**Public Information:** Secured the building.  
**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: S3 00:59/00:59/00:59/01:00  
Officers: FERGUSON, KENNETH #S3 /

---

EXTERIOR FACILITY CHECK Dec 05, 2023 - 01:08:04 23-12-05-011917

**RP:**  
**Common Name/Address:** 60 TURNER STREET / Waltham, MA 02453, MIDDLESEX  
**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: P7 01:08/01:08/01:08/01:12  
Officers: O'CONNELL, MICHAEL #P7 /

BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log  
12/05/2023 00:00 - 12/05/2023 23:59

EXTERIOR FACILITY CHECK

Dec 05, 2023 - 01:14:54

23-12-05-011918

RP:

**Common Name/Address:** 567 SOUTH STREET / Waltham, MA 02453, MIDDLESEX

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 01:14/01:14/01:14/01:19

Officers: O'CONNELL, MICHAEL #P7 /

MEDICAL EMERGENCY

Dec 05, 2023 - 01:19:33

23-12-05-011919

230715

RP: [REDACTED] - [REDACTED]

**Common Name/Address:** ZIV 127 / MIDDLESEX

**Notes:** [REDACTED] associated to event.

Case #230715 has been issued by DIAS, MICHAEL  
ACOC notified.

Transported by Armstrong P-12 to NWH.

Armstrong on campus.

[REDACTED] /05 Intoxicated. BEMCo requests Armstrong.

**Public Information:** Medical call, community member treated by BEMCo & transported by ambulance to a local hospital for further care.

**Disposition:** Patient Transported

**Received Via:** Phone

**CAD Units:** Unit #: BEM 01:21/01:21/01:21/01:50

Officers: BEMCO, BRANDEIS #BEM /

Unit #: S3 01:21/01:21/01:23/01:50

Officers: FERGUSON, KENNETH #S3 /

Unit #: P7 01:20/01:20/01:20/01:50

Officers: O'CONNELL, MICHAEL #P7 /

NOISE COMPLAINT

Dec 05, 2023 - 02:12:25

23-12-05-011920

RP: - 781-[REDACTED]

**Common Name/Address:** 150 CRR / 150, WALTHAM, MA 02453, MIDDLESEX

**Public Information:** R/P calls to report loud music coming from the floor above her. ACOC Brooke to handle.

**Disposition:** Notified Community Living to respond

**Received Via:** Phone

**CAD Units:** Unit #: DIS1 02:14/02:14/02:14/02:14

Officers: DIAS, MICHAEL #DIS1 /

FOOT PATROL/GROUNDS

Dec 05, 2023 - 02:52:35

23-12-05-011921

RP:

**Common Name/Address:** USDAN STUDENT CENTER / MIDDLESEX

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 02:52/02:52/02:52/03:03

Officers: O'CONNELL, MICHAEL #P7 /

CRUISER PATROL/GROUNDS

Dec 05, 2023 - 03:08:39

23-12-05-011922

RP:

**Common Name/Address:** CHARLES RIVER LOT / MIDDLESEX

**Notes:** Checked Block Angleside Rd., J Lot, Graduate Housing, Charles River Lot, and Brandeis University Properties on Sawyer Rd.

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 03:08/03:08/03:08/03:17

Officers: O'CONNELL, MICHAEL #P7 /

**BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log  
12/05/2023 00:00 - 12/05/2023 23:59**

---

CRUISER PATROL/GROUNDS

Dec 05, 2023 - 03:20:05

23-12-05-011923

**RP:**

**Common Name/Address:** FOSTER RESIDENCE LOT / MIDDLESEX

**Notes:** Checked Block Gossman Gym Lot to Foster Residence Lot.

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 03:20/03:20/03:20/03:23

Officers: O'CONNELL, MICHAEL #P7 /

---

INT/EXT FACILITY CHECK

Dec 05, 2023 - 03:23:57

23-12-05-011924

**RP:**

**Common Name/Address:** LINSEY POOL / MIDDLESEX

**Notes:** Secured open exterior door.

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 03:23/03:23/03:23/03:26

Officers: O'CONNELL, MICHAEL #P7 /

---

Beginning of Shift

Dec 05, 2023 - 07:01:59

23-12-05-011925

**RP:**

**Common Name/Address:**

**Notes:** Rec'd: 07:02

**Disposition:**

**Received Via:**

**CAD Units:** Unit #: P3 07:01/07:01/07:01/07:01

Unit #: D3 07:01/07:01/07:01/07:01

Unit #: D1 07:01/07:01/07:01/07:01

Unit #: L1 07:01/07:01/07:01/07:01

---

End of Shift

Dec 05, 2023 - 07:02:20

23-12-05-011926

**RP:**

**Common Name/Address:**

**Notes:** Rec'd: 07:02

**Disposition:**

**Received Via:**

**CAD Units:** Unit #: DIS1 07:02/07:02/07:02/07:02

Unit #: P7 07:02/07:02/07:02/07:02

Unit #: S3 07:02/07:02/07:02/07:02

---

IN PERSON

Dec 05, 2023 - 07:06:44

23-12-05-011927

**RP:**

**Common Name/Address:** MAIN ENTRANCE / MIDDLESEX

**Public Information:** PRG working main Gate ( 4 men ) , paving.

**Disposition:** Clear

**Received Via:** Phone

**CAD Units:** Unit #: C2 07:07/07:07/07:07/15:33

---

ACCIDENT

Dec 05, 2023 - 10:50:45

23-12-05-011928  
230716

**RP:** [REDACTED] - [REDACTED]

**Common Name/Address:** MIDDLESEX

BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log

12/05/2023 00:00 - 12/05/2023 23:59

---

**Notes:** Case #230716 has been issued by D3/JON SANTEUSANIO  
Past incident reported. Damage to Van-29

**Disposition:** Clear  
**Received Via:** Radio  
**CAD Units:** Unit #: D3 10:50/10:50/10:50/10:52  
Officers: SANTEUSANIO, JON #D3 /

---

FIRE Dec 05, 2023 - 12:09:55 23-12-05-011929

**RP:**  
**Common Name/Address:** RIDGEWOOD C / MIDDLESEX  
**Public Information:** Fire alarm Ridgewood C, Officers state case is burned food 230.  
**Disposition:** Service Rendered  
**Received Via:** Radio  
**CAD Units:** Unit #: P2 12:13/12:13/12:13/12:23  
Unit #: D3 12:13/12:13/12:13/12:23  
Officers: SANTEUSANIO, JON #D3 /

---

PATROL INFORMATION Dec 05, 2023 - 12:13:32 23-12-05-011930

**RP:**  
**Common Name/Address:** STONEMAN / MIDDLESEX  
**Notes:** Rec'd: 12:18  
  
R/p Alice Stuart  
Cell [REDACTED]  
  
Student ( Daughter)  
Eli Stuart  
Rosenthal North 101B  
**Public Information:** R/p called and stated that she began receiving text from daughter at 345 A.M containing suicidal ideology. This information regarding R/P and student have been passed on to ACOC Brook Johnson.  
**Disposition:** Service Rendered  
**Received Via:** Phone  
**CAD Units:** Unit #: P3 12:17/12:17/12:17/12:25  
Officers: ESPADA, THOMAS #P3 /

---

CHECK ON WELL BEING Dec 05, 2023 - 14:12:33 23-12-05-011931  
230717

**RP:**  
**Common Name/Address:** STONEMAN / MIDDLESEX  
**Notes:** Case #230717 has been issued by ESPADA, THOMAS  
  
**Public Information:** Lt. Kelley will be conducting well being check regarding missing student, ping has been initiated by T-Mobil.  
**Disposition:** Service Rendered  
**Received Via:** In Person  
**CAD Units:** Unit #: D1 14:14/14:14/14:14/14:16  
Officers: KELLEY, DANA #D1 /

---

End of Shift Dec 05, 2023 - 14:49:14 23-12-05-011932

**RP:**  
**Common Name/Address:**  
**Notes:** Rec'd: 14:49  
  
**Disposition:**  
**Received Via:**

**BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log**

**12/05/2023 00:00 - 12/05/2023 23:59**

---

**CAD Units:** Unit #: D3 14:49/14:49/14:49/14:49  
Unit #: L1 14:49/14:49/14:49/14:49  
Unit #: P3 14:49/14:49/14:49/14:49

---

Beginning of Shift

Dec 05, 2023 - 14:50:11

23-12-05-011933

**RP:**

**Common Name/Address:**

**Notes:** Rec'd: 14:50

**Disposition:**

**Received Via:**

**CAD Units:** Unit #: P5 14:50/14:50/14:50/14:50  
Officers: JORDAN, CATHERINE #P5 /  
Unit #: P4 14:50/14:50/14:50/14:50  
Officers: BURNS, PHILIP #P4 /  
Unit #: D2 14:50/14:50/14:50/14:50  
Officers: EVANS, EMILY #D2 /

---

PATROL INFORMATION

Dec 05, 2023 - 15:23:20

23-12-05-011934  
230718

**RP:** SILVIA STEWART - [REDACTED]

**Common Name/Address:** TOWER LOT / MIDDLESEX

**Notes:** Case #230718 has been issued by BURNS, PHILIP

**Public Information:** Faculty called Brandeis Public Safety when they observed what appeared to be a rabid coyote.

Officers dispatched the animal @ 3:39 PM

2 shots required to put down the coyote.

**Disposition:** Service Rendered

**Received Via:** Radio

**CAD Units:** Unit #: P5 15:28/15:28/15:28/15:47  
Officers: JORDAN, CATHERINE #P5 /  
Unit #: D2 15:41/15:41/15:41/15:47  
Officers: EVANS, EMILY #D2 /

---

PATROL INFORMATION

Dec 05, 2023 - 16:38:23

23-12-05-011935

**RP:**

**Common Name/Address:** GOLDFARB LIBRARY / MIDDLESEX

**BRANDEIS UNIVERSITY**  
**POLICE DEPARTMENT**  
**Dispatch Log**  
**12/05/2023 00:00 - 12/05/2023 23:59**

---

**Notes:** Rec'd: 22:19  
4:53PM: Backpack / slippers located

State Police contacted - K-9 Officer will be calling back

State Police K-9 unit will be responding to location

5:36PM: D2 reports ping on apple watch by Sacher Lemberg Woods

5:43PM: State Police K-9 on scene (Trooper Mike Murphy / Cruiser 1776)  
State Police En route to Sacher Lemberg Driveway with D1

5:58PM: State Police Air Wing Called - Dispatch advised the entrance of the woods of theater lot by Sacher Lemberg and the MBTA track boarder the woods.  
P5 will be leaving their cruiser lights on to show the Air Unit the entrance of the woods

C-1 advised to notify Waltham PD - Waltham PD notified

6:18 PM: Unit's checking the Train Tracks

C-2 checked the backpack of the missing party - empty prescription bottles with in along with a bag that looks like it would hold a sheet

Contacted MBTA PD to advise Waltham, Brandeis and State are on tracks. MBTA stated the train will be coming by at 7:05PM and 7:20PM next.

Units are making their way to Turner St

Livingston Lane - Cederwood last known ping on campus

6:54 PM: D-1 is off at Livingston Lane

7:00PM: Air Unit is responding to the Chapels Woods to canvas the area along with P5

7:43PM D-1 is headed back to the station to start a report

8:02PM - Missing person found in Chapels Woods

8:15PM State police notified CPAC to respond to location

8:20PM Armstrong Ambulance Service notified to respond by D-2

8:26PM Armstrong Ambulance Service is on scene

8:38PM Waltham Fire on scene

8:55PM Chief Rushton made notification to the parents

9:49PM D-2 will be responding to Rosenthal North

10:15PM: P5 & State Police on scene with D-2 @ Rosenthal North  
Rec'd: 17:24  
Search effort for Brandeis Student - Eli Theodore Stuart

**Public Information:** Officers canvassed area for a missing persons.

**Disposition:** Clear  
**Received Via:** Radio  
**CAD Units:** Unit #: C1 17:25/17:25/17:25/22:01  
Unit #: C2 17:25/17:25/17:25/22:01



BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log

12/05/2023 00:00 - 12/05/2023 23:59

---

**CAD Units:** Unit #: D1 17:25/17:25/17:25/19:43  
Officers: KELLEY, DANA #D1 /  
Unit #: P5 16:39/16:39/16:39/22:33  
Officers: JORDAN, CATHERINE #P5 /  
Unit #: D2 22:01/22:01/22:01/22:33  
Officers: EVANS, EMILY #D2 /

---

GENERAL/NON-EMERGENCY

Dec 05, 2023 - 16:56:40

23-12-05-011936

**RP:**

**Common Name/Address:** ZIV 129 / MIDDLESEX

**Public Information:** Student reports they have an outlet out - DFM notified to repond

**Disposition:** Notified DFM maintenance to respond

**Received Via:** Phone

**CAD Units:** Unit #: PPF 16:58/16:58/16:58/16:59  
Officers: DFM, FACILITIES #PPF /

---

INT/EXT FACILITY CHECK

Dec 05, 2023 - 18:25:57

23-12-05-011937

**RP:**

**Common Name/Address:** SCIENCE COMPLEX / MIDDLESEX

**Public Information:** Officer Checked Area

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: SO1 18:26/18:26/18:26/18:27

---

Dec 05, 2023 - 20:24:01

23-12-05-011938

**RP:**

**Common Name/Address:** GOSMAN SPORTS COMPLEX / 415 SOUTH ST, WALTHAM, MA, MIDDLESEX

**Public Information:** Elevator at Gosman Athletic Center is not functioning at this time. Electrician was notified to respond

Electrician reports signs are on the elevator doors to not enter and it is scheduled to be fixed tomorrow.

**Disposition:** Notified DFM maintenance to respond

**Received Via:** Phone

**CAD Units:** Unit #: PPF 20:24/20:24/20:24/20:39  
Officers: DFM, FACILITIES #PPF /

---

INFORMATION

Dec 05, 2023 - 21:02:27

23-12-05-011939

**RP:**

**Common Name/Address:** ADMINISTRATION COMPLEX / MIDDLESEX

**Public Information:** Officer checking area motion alarms coming in. Staff within

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: SO1 21:03/21:03/21:03/21:37

---

MEDICAL EMERGENCY

Dec 05, 2023 - 21:19:53

23-12-05-011940  
230719

**RP:** [REDACTED] - [REDACTED]

**Common Name/Address:** GOSMAN SPORTS COMPLEX / 415 SOUTH ST, WALTHAM, MA, MIDDLESEX

**Notes:** Case #230719 has been issued by BURNS, PHILIP  
RATERMANN, MARCO associated to event.

**Public Information:** Student reports they injured their right knee.  
BEMCO requested Armstrong Ambulance Service to the location.

**Disposition:** Patient Transported

**Received Via:** Radio

**BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log**

**12/05/2023 00:00 - 12/05/2023 23:59**

---

**CAD Units:** Unit #: BEM 21:20/21:20/21:24/21:52  
Officers: BEMCO, BRANDEIS #BEM /  
Unit #: P4 21:53/21:53/21:53/21:53  
Officers: BURNS, PHILIP #P4 /

---

INT/EXT FACILITY CHECK Dec 05, 2023 - 21:45:19 23-12-05-011941

**RP:**  
**Common Name/Address:** HUMANITIES / MIDDLESEX  
**Public Information:** Officer Checked Area  
**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: SO1 21:45/21:45/21:45/21:45

---

INT/EXT FACILITY CHECK Dec 05, 2023 - 22:08:06 23-12-05-011942

**RP:**  
**Common Name/Address:** LEMBERG/BROWN/SCHWARTZ / MIDDLESEX  
**Public Information:** Officer Checked Area  
**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: SO1 22:08/22:08/22:08/22:08

---

Beginning of Shift Dec 05, 2023 - 22:51:15 23-12-05-011943

**RP:**  
**Common Name/Address:**  
**Disposition:**  
**Received Via:** Radio  
**CAD Units:** Unit #: P7 22:51/22:51/22:51/22:51

---

End of Shift Dec 05, 2023 - 22:56:40 23-12-05-011944

**RP:**  
**Common Name/Address:**  
**Notes:** Rec'd: 22:56

**Disposition:**  
**Received Via:**  
**CAD Units:** Unit #: P4 22:56/22:56/22:56/22:56

---

Beginning of Shift Dec 05, 2023 - 22:58:27 23-12-05-011945

**RP:**  
**Common Name/Address:**  
**Notes:** Rec'd: 22:58

**Disposition:**  
**Received Via:**  
**CAD Units:** Unit #: DIS1 22:58/22:58/22:58/22:58  
Officers: DIAS, MICHAEL #DIS1 /  
Unit #: S3 22:58/22:58/22:58/22:58  
Officers: FERGUSON, KENNETH #S3 /  
Unit #: P6 22:58/22:58/22:58/22:58  
Officers: ROMULUS, KERVIN #P6 /  
Unit #: SO1 22:58/22:58/22:58/22:58  
Officers: CHANG, VAN #B1 /

---

**BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log  
12/05/2023 00:00 - 12/05/2023 23:59**

---

EXTERIOR FACILITY CHECK Dec 05, 2023 - 23:00:33 23-12-05-011946

**RP:**

**Common Name/Address:** 60 TURNER STREET / Waltham, MA 02453, MIDDLESEX

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 23:00/23:00/23:00/23:06

Officers: O'CONNELL, MICHAEL #P7 /

---

CRUISER PATROL/GROUNDS Dec 05, 2023 - 23:09:25 23-12-05-011947

**RP:**

**Common Name/Address:** 567 SOUTH STREET / Waltham, MA 02453, MIDDLESEX

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 23:09/23:09/23:09/23:16

Officers: O'CONNELL, MICHAEL #P7 /

---

EXTERIOR FACILITY CHECK Dec 05, 2023 - 23:18:32 23-12-05-011948

**RP:**

**Common Name/Address:** GOSMAN SPORTS COMPLEX / 415 SOUTH ST, WALTHAM, MA, MIDDLESEX

**Public Information:** P7 secures the tunnel door.

**Disposition:** All Appears in Order

**Received Via:** Computer

**CAD Units:** Unit #: P7 23:19/23:19/23:19/23:27

Officers: O'CONNELL, MICHAEL #P7 /

---

CRUISER PATROL/GROUNDS Dec 05, 2023 - 23:31:38 23-12-05-011949

**RP:**

**Common Name/Address:** CHARLES RIVER LOT / MIDDLESEX

**Notes:** Checked Block Angleside Rd., J Lot, Graduate Housing, Charles River Lot, and Brandeis University Properties on Sawyer Rd.

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 23:31/23:31/23:31/23:38

Officers: O'CONNELL, MICHAEL #P7 /

---

CRUISER PATROL/GROUNDS Dec 05, 2023 - 23:43:23 23-12-05-011950

**RP:**

**Common Name/Address:** FOSTER RESIDENCE LOT / MIDDLESEX

**Notes:** Checked Block Gossman Gym Lot to Foster Residence Lot.

**Disposition:** All Appears in Order

**Received Via:** Radio

**CAD Units:** Unit #: P7 23:43/23:43/23:43/23:48

Officers: O'CONNELL, MICHAEL #P7 /

---

End of Shift Dec 05, 2023 - 23:50:01 23-12-05-011951

**RP:**

**Common Name/Address:**

**Notes:** Rec'd: 23:50

**Disposition:**

**Received Via:**

**CAD Units:** Unit #: SO1 23:50/23:50/23:50/23:50

**BRANDEIS UNIVERSITY  
POLICE DEPARTMENT  
Dispatch Log  
12/05/2023 00:00 - 12/05/2023 23:59**

---

End of Shift Dec 05, 2023 - 23:50:35 23-12-05-011952

**RP:**  
**Common Name/Address:**  
**Notes:** Rec'd: 23:50

**Disposition:**  
**Received Via:**  
**CAD Units:** Unit #: D1 23:50/23:50/23:50/23:50

---

CRUISER PATROL/GROUNDS Dec 05, 2023 - 23:51:36 23-12-05-011953

**RP:**  
**Common Name/Address:** SKYLINE QUAD / MIDDLESEX

**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: P7 23:51/23:51/23:51/23:56

Officers: O'CONNELL, MICHAEL #P7 /

---

CRUISER PATROL/GROUNDS Dec 05, 2023 - 23:55:34 23-12-05-011954

**RP:**  
**Common Name/Address:** FOSTER APTS/MODS / MIDDLESEX

**Public Information:**  
**Disposition:** All Appears in Order  
**Received Via:** Radio  
**CAD Units:** Unit #: P6 23:55/23:55/23:55/01:34

Officers: ROMULUS, KERVIN #P6 /

# **Tab 5**



BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Incident Report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240

FAX: (781)736-4241

LOCATION OF OCCURRENCE / ADDRESS STONEMAN MIDDLESEX	DATE / TIME REPORTED 12/05/2023 14:12	CASE NO. 230717
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CODE SECTION	CRIME DESCRIPTION CHECK ON WELL BEING	CLASSIFICATION MISCELLANEOUS	LOSS 0.00	RECOVERY 0.00
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FROM: DATE/TIME 12/05/2023 14:12	TO: DATE/TIME 12/05/2023 14:14	APPROVED NO	CASE STATUS OPEN	RELATED AGENCY	RELATED AGENCY NUMBER
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ITEMS IN REPORT

SUPPLEMENT       PICTURE/IMAGE  
 FOLLOW UP       PROPERTY/EVIDENCE

CATEGORIES

Use of Force Used       Alcohol Related       Traffic Related       Drugs Involved       Group Involved  
 Weapon Involved       Arrest Occured       Domestic Violence       Senior Citizen       DISTRICT ATTY  
 INVESTIGATIONS       Conduct File       OTHER       OTHER PD       PHYSICAL PLANT  
 Title IX Office       VP       WALTHAM PD

INV	NAME	SUFFIX	RACE	ETHNICITY	SEX	GENDER	AGE	DOB	HT	WT	HAIR	EYE
INV	STUART, ELI		W	UNK	U	TR	20	11/18/2003				

DRIVER'S LIC. NO.	STUDENT ID	TYPE UNKNOWN	SSN
-------------------	------------	-----------------	-----

ADDRESS TYPE	STREET NUMBER	STREET NAME	SUITE NUMBER	CITY	STATE	ZIP
BRANDEIS	415	South Street	Ros N 101B	Waltham	MA	02453
Home				Austin	TX	78753

SYNOPSIS

Lt. Kelley will be conducting well being check regarding missing student, ping has been initiated by T-Mobil.

NARRATIVE

On Tuesday, December 5, 2023, I, Lieutenant Detective Dana Kelley, was assigned to day shift responsibilities. At 1:08 PM, I received a call from the Director of Residence Life, Timothy Touchette. Tim asked me to see if a student, Eli Stuart, had a car registered on campus. Tim told me the student was missing and he was interested in knowing of the student had a car on campus. I checked our in house vehicle computer system and determined that Eli Stuart had no car registered with our department. I called Tim back and discussed the situation. Tim told me he was actively checking Stuart's card swipe history to get a better understanding of where the student might be. I told Tim I would meet him at the student's room to see if any of Stuart's roommates were home so we could gather some helpful information. No one was home when Tim and I were in Rosenthal North 101.

At 1:40 PM I spoke the Verizon law enforcement cell phone locator service and shared Stuart's cell phone number with the operator. Verizon ran the number and told me Stuart's cell phone provider was T-Mobile. I called the law enforcement contact for T-Mobile, minutes later I emailed the completed exigency cell phone locator request form to their attention Throughout the afternoon Detective Sergeant Evans provided last know locations of Stuart's cell phone and Samsung smart watch. Chief Rushton and I started the search for Eli Stuart on top of

REPORTING OFFICER KELLEY, DANA R	APPROVED BY	APPROVAL DATE AND TIME
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PRINT DATE AND TIME 12/07/2023 19:51	PRINTED BY MATTHEW RUSHTON	PAGE NO. 1 of 2
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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Incident Report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240

FAX: (781)736-4241

LOCATION OF OCCURRENCE / ADDRESS

STONEMAN  
MIDDLESEX

DATE / TIME REPORTED

12/05/2023 14:12

CASE NO.

230717

Bear Hill near the restricted cell phone towers. All was quiet and in order on Bear Hill. Upon returning to Brandeis Officers continued to investigate Stuart's cell phone pings. Chief Rushton, Captain Wright and Officer Jordan and I searched the wood line around the Brandeis Chapels. At 4:53 PM, Officer Jordan located a multicolored satchel and a pair of white slippers in the woods behind the Harlan Chapel.

At approximately 5:00 PM, I called the Waltham Police evening Lieutenant and requested a dog officer for a scent search. The lieutenant informed me that they did not have a dog officer available this evening. I asked Officer Burns to reach out to the State Police for a search dog. At 5:43 PM, K-9 Trooper Michael Murphy arrived with his dog Keira. Trooper Murphy requested we continue our search in the vicinity of the most recent cell phone ping. Chief Rushton, Captain Wright, Trooper Murphy and I spread out in the woods behind the Sachar Building. Trooper Murphy understood the terrain was large and challenging in the darkness so he called for the State Police helicopter to aid in the search. We searched for well over an hour in the Sachar Woods and the office park area at the end of Turner Street, just over the railroad tracks. The MBTA was apprised of the search due to the close proximity of the traveling commuter trains and officers on the railroad tracks. The search of the wooded areas continued as we moved back to the chapels.

At about 8:00 PM, Trooper Murphy discovered the body of a white female in a muddy wooded area adjacent to the Harlan Chapel Trooper Murphy volunteered to call the Middlesex County State Police Detective Unit to assist in the unnatural death investigation. Detective Sergeant Evans called the Waltham Police and informed their supervisor that we had found the body of white female fitting the description of the missing Brandeis student. Waltham Police Dispatch handled our request for Armstrong medics to respond to the scene. Medics arrived on scene at about 8:26 PM and requested permission to begin life saving measures due to the absence of rigor mortis and lividity in the lower extremities. Medics initiated CPR and requested Waltham Fire to the scene. The patient was transported by Armstrong Medic 1 to Newton Wellesley Hospital to continue life saving measures. I arrived at the hospital around 8:45 PM. The patient was treated by emergency room staff until Dr. Kim declared the patient deceased at 10:13 PM. At about 10:30 PM SPDU Detective Tino DeGisi and Trooper Destiny Holder arrived at the hospital to follow up on the death investigation. Charge Nurse Alison Douglas-Walter shared the following information with us. The patient arrived at the hospital in an ambulance and showed no signs of life. Due to the cold wet environment in which the patient was discovered resuscitation measures were performed but to no avail. The body was to be transferred to the Boston Office of the Medical Examiner in a timely fashion. The charge nurse told us that the next of kin had been notified by hospital staff and the parents were flying into Boston from Texas on a flight early the next morning.

End of report.

REPORTING OFFICER

KELLEY, DANA R

APPROVED BY

APPROVAL DATE AND TIME

PRINT DATE AND TIME

12/07/2023 19:51

PRINTED BY

MATTHEW RUSHTON

PAGE NO.

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**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Supplement Case Report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

	CASE NO. <b>230717</b>	SUPPLEMENT NO. <b>001</b>
LOCATION OF OCCURRENCE / ADDRESS <b>STONEMAN</b>	CAD NO. 23-12-05-011931	DATE / TIME REPORTED 12/05/2023 14:12

CODE SECTION	CRIME DESCRIPTION	CLASSIFICATION
	CHECK ON WELL BEING	MISCELLANEOUS

**NARRATIVE**

At approximately 1415 hours on 12/5/2023, I, Det. Sgt. Evans started assisting on this case involving a missing Brandeis Student named Eli STUART (E. STUART).

STUART's mother (Alice STUART) had called the station earlier in the day with concerns about locating her son and Community Director Tim TOUCHETTE and his team had been notified. At approximately 1415 hours, Director Touchette called Det. Lt. Kelley and asked Public Safety for assistance with locating E. STUART. E. STUART's cell phone (512-514-4531 on the T-Mobile network) was pinged and T-Mobile was asked to send the ping locations to Det. Lt. Kelley's Brandeis email and my own. These locations were received approximately every 10 minutes from approximately 1415 hours until 2334 hours. Each time the phone was pinged it came back as "ABSENT SUBSCRIBER" which told us that the phone was off and not on the T-Mobile network.

Det. Lt. Kelley requested the Call Detail Records (CDR) from E. STUART's phone from T-Mobile and this report was sent via email shortly after. The records (in Universal Time Coordinated time, approximately 5 hours difference) showed that STUART's phone had been in use until approximately 0515 hours (Eastern Standard Time) and after that time it received communications but did not send out any further communications. I was able to match the listed phone numbers in the CDR with E. STUART's mother (A. STUART, [REDACTED]), their stepfather (Jason FOLEY, [REDACTED]), their roommates ([REDACTED] [REDACTED] and [REDACTED], [REDACTED]). I had several conversations with those involved and confirmed the matching last correspondence they had with E. STUART with those listed on the CDR.

I reviewed the Milestone camera footage and found that E. STUART last swiped into Rosenthal North Main Entry at approximately 1955 hours on 12/4/2023. Based on the footage, E. STUART was a young college-aged student with, fair white complexion, had bleached blonde hair, wearing glasses, and a light blue surgical mask. They enter the building carrying a distinctive multiple rainbow-colored satchel bag, wearing a dark gray "Reebok" brand hooded sweatshirt, dark pants, and black sneakers. At approximately 0403 hours on 12/5/2023, E. STUART is seen exiting through Rosenthal North Side Entry. E. STUART had changed their hair color to bright blue, was wearing a black hooded fleece jacket with ears on it, had white slippers on their feet, and was carrying the same bag (which led me to determine that it was E. STUART). E. STUART is seen walking around the building and then disappears from view for approximately 2-3 minutes, and then reappears on the camera view and walks onto the Chapels Field. They make their way to the bordering brush line across the field and can be seen walking around in the brush for several minutes. Then they re-emerge from the brush and walk along the brush line behind the Berlin and Harlan Chapels at approximately 0415 hours.

REPORTING OFFICER EVANS, EMILY	SUPPLEMENT DATE AND TIME REPORTED 12/06/2023 20:19	REVIEWED BY	APPROVAL DATE AND TIME
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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Supplement Case Report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240

FAX: (781)736-4241

	CASE NO. 230717	SUPPLEMENT NO. 001
LOCATION OF OCCURRENCE / ADDRESS STONEMAN	CAD NO. 23-12-05-011931	DATE / TIME REPORTED 12/05/2023 14:12

Chief Rushton, Capt. Wright, Det. Lt. Kelley and Officer Jordan started to search the area of the Chapels based on this information and surrounding wooded areas for signs of E. STUART. At approximately 1654 hours, the multicolored bag and slippers E. STUART had in their possession were found in the brush and undergrowth behind the Harlan Chapel and secured by Officer Jordan in her cruiser for safekeeping. Items found in the bag included a journal belonging to E. STUART with a dosage plan for taking large amounts of prescribed medications (mirtazapine, nortriptyline, Lexapro, and triptans) at specific times, a plan to take additional medications (bupropion, and Ritalin) if alive and conscious at the 6-hour mark and a further plan to move to another location to avoid being found too soon at 8:30 AM. Prescription bottles for these named medications, recently filled in quantities of 30-90 tablets or pills each, were found empty within the bag.

At approximately 1700 hours, I spoke to A. STUART and learned that E. STUART had a Samsung watch with a different device phone number (512-762-0023) through T-Mobile. An exigency device request was filed with T-Mobile for ping locations of the watch and this helped with the search efforts. The watch had power for several hours and was using the cellular network so T-Mobile was able to provide location data for the device which were sent approximately every 10 minutes to Det. Lt. Kelley and my emails. The first ping location for the watch was in the area of Sachar International Center (accurate to 1552 m). A K9 was requested by Chief Rushton and was provided by the Massachusetts State Police (Trooper Murphy and K9 Keira). The area behind Sachar International Center was searched thoroughly. Based on the proximity to Turner Street and the Aggregate Concrete Company, they were searched as well. During the ongoing search, I kept all officers updated when the device's position changed.

At approximately 1744 hours, the device's location changed to the area surrounding the Stony Brook Basin (behind the Stony Brook Office Park off of Turner Street). Officers responded to that area and searched for signs of E. STUART. Approximately 20 minutes later, the watch's location returned to the area behind the Sachar International Center. At approximately 1844 hours, the device's location changed to the area of 55 Livingstone Lane (accurate to 1552 m). Det. Lt. Kelley responded to that location and searched the area. The watch continued to ping in the area of these three locations for the remainder of the search efforts. Massachusetts State Police Airwing was called and assisted with the search for E. STUART.

In addition to monitoring the locations of the watch, I called E. STUART's roommate [REDACTED] and they told me that the last time they had communicated with E. STUART was at 0514 hours when E. STUART sent them a text message. When [REDACTED] responded to the message at 0802 hours, E. STUART failed to respond. [REDACTED] told me that they and another roommate, [REDACTED] had called and messaged E. STUART multiple times after 0800 hours and had not received any responses. They also told me that the group of roommates used Life 360 (location-sharing app) to monitor one another's location. [REDACTED] told me that E. STUART had turned off their location and was not visible on the app after approximately 1954 hours on 12/4/2023. I requested that they send me a screenshot of these messages and the Life 360 location and they emailed the items to me. They also told

REPORTING OFFICER EVANS, EMILY	SUPPLEMENT DATE AND TIME REPORTED 12/06/2023 20:19	REVIEWED BY	APPROVAL DATE AND TIME
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**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Supplement Case Report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

	CASE NO. <b>230717</b>	SUPPLEMENT NO. <b>001</b>
LOCATION OF OCCURRENCE / ADDRESS STONEMAN	CAD NO. 23-12-05-011931	DATE / TIME REPORTED 12/05/2023 14:12

me that they had searched for E. STUART in the area of the Cedarwoods wood line (adjacent to Loop Road) and left word at the Goldfarb/Faber Library Help Desk for them to be contacted if E. STUART should come into the Library. I thanked them for their help and we concluded our conversation.

I spoke with A. STUART and E. STUART's stepfather Jason FOLEY on the phone. They told me that they had last spoken with E. STUART on the phone earlier on the evening of 12/4/2023. The last missed calls from E. STUART were at approximately 0344 hours (Central Standard Time, approximately 0444 hours Eastern Standard Time) on 12/5/2023. E. STUART followed up these phone calls with four loving text messages to A. STUART. A. STUART responded to these text messages at approximately 1044 hours (CST, 1144 hours EST) and demanded that E. STUART call them right away. A. STUART was able to send me a screenshot of these messages to my cell phone. After receiving these messages, I uploaded them to my work Google Drive and removed them from my cell phone. These messages have been saved to the case file for this incident. E. STUART also sent a loving text message to FOLEY at approximately 0511 hours (CST, 0611 hours EST). He responded to this message at approximately 0601 hours (CST, 0701 hours EST). When he received no response after several hours, he followed it up with an additional text asking if everything was okay at 1104 hours (CST, 1204 hours EST). He was able to provide a screenshot of this message thread to my cell phone. After receiving these messages, I uploaded them to my work Google Drive and removed them from my cell phone. These messages have been saved to the case file for this incident.

Based on the lack of search results after several hours, a BOLO was planned for E. STUART. At approximately 2000 hours, I called [REDACTED] and got a better description of E. STUART for the pending BOLO. At this time, searching officers returned to the area where the bag and slippers had been found to search the area once more before search efforts were suspended for the night due to nightfall and rapidly falling temperatures. Trooper Murphy was walking the brush line behind Harlan Chapel and found a body covered with a white sheet under fallen trees and in dense underbrush. The ground where the body was found had several inches of mud and water. At approximately 2005 hours, an identification of E. STUART's body was made and CPAC was called at this time. I responded to the area of Harlan Chapel to assist with bringing the necessary resources to the scene.

I called Waltham Police as a courtesy and notified them of our discovery of E. STUART and asked them to call Armstrong Ambulance to respond to the scene to declare the body. Armstrong Ambulance arrived and evaluated E. STUART's person. Based on the lack of obvious signs of death, they began lifesaving efforts (active CPR) and called for Waltham Fire to respond. When Waltham Fire arrived, E. STUART was placed on a stretcher and quickly moved to the Armstrong Ambulance unit. Once E. STUART was put into the back of the ambulance, additional lifesaving measures were taken. Armstrong Ambulance departed the scene shortly and transported E. STUART to Newton Wellesley Hospital. Det. Lt. Kelley followed the ambulance to the hospital in his cruiser. Waltham Fire cleared soon after this transport. Chief Rushton spoke with Student Affairs and updated them at this time. During the extraction efforts to get E. STUART out of the woods, both A. STUART and FOLEY had

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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Supplement Case Report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240

FAX: (781)736-4241

CASE NO. <b>230717</b>	SUPPLEMENT NO. <b>001</b>
CAD NO. 23-12-05-011931	DATE / TIME REPORTED 12/05/2023 14:12

LOCATION OF OCCURRENCE / ADDRESS  
STONEMAN

called and left me voicemails on my desk phone and sent me text messages on my cell phone asking for updates. I left these messages unanswered because of the delicate and uncertain nature of E. STUART's current condition.

I remained on scene and was asked to attempt to locate the missing property belonging to Det. Lt. Kelley and one of the medics. I found a set of eyeglasses belonging to Det. Lt. Kelley in the mud and a muddy phone belonging to E. STUART (later confirmed when it was recharged and called using the listed number for E. STUART via my landline extension). These items were collected and placed into an evidence bag for safekeeping. CPAC Trooper Costantino Degisi arrived on the scene and started his investigation. Another CPAC Trooper arrived and photographed the scene.

Trooper Degisi and I went to Rosenthal North Room 101 to speak with E. STUART's roommates and members of Student Affairs, Community Living, and the Counseling Center. Present in the Common Room of Room 101 were Dean Monique GNANARATNAM, AOC Kurt FERGUSON, Director of Counseling Addie WYMAN, Brandeis Students [REDACTED], [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] and [REDACTED] told us that they had both seen E. STUART in the room at approximately 2330 hours on 12/4/2023. At approximately 0130 hours on 12/5/2023, [REDACTED] saw E. STUART in their shared bedroom and E. STUART had asked for a hug from [REDACTED]. After this [REDACTED] went to bed and when they woke up at approximately 0800 hours, E. STUART was not in the room. [REDACTED] told us that E. STUART had been upset and having a tough time with family drama over the past month, but could not identify anything recent that had occurred for E. STUART to go missing or become non-responsive to communication efforts from friends and family. They also told us that there had been no previous suicidal threats or self-harming attempts by E. STUART. The roommates said that it was unusual for E. STUART to not be in the room outside of classes. Because there were no classes today, due to a Teach-In Event, the roommates were surprised that E. STUART was not in the room today. The roommates told us that they had been communicating with A. STUART during the day through text messages and had been keeping one another updated. Trooper Degisi requested the ability to examine E. STUART's room and [REDACTED] allowed us to enter the room. After he walked around for a short time, he determined that photographs needed to be taken and called for the other CPAC Trooper to come to the scene.

Trooper Degisi and I exited the room and went outside to wait for the other Trooper to arrive. Det. Lt. Kelley called and notified me that at approximately 2213 hours, E. STUART had been pronounced deceased by the attending physician at Newton Wellesley Hospital. I was standing with the CPAC Troopers and verbally passed this information on to them. They told me that after photographing the room, they would be responding to Newton Wellesley Hospital for a follow-up on this incident. After CPAC was finished with their documentation of the room, they cleared and drove to Newton Wellesley Hospital. I cleared the scene and returned to the station at this time.

REPORTING OFFICER EVANS, EMILY	SUPPLEMENT DATE AND TIME REPORTED 12/06/2023 20:19	REVIEWED BY	APPROVAL DATE AND TIME
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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Supplement Case Report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240

FAX: (781)736-4241

	CASE NO. <b>230717</b>	SUPPLEMENT NO. <b>001</b>
LOCATION OF OCCURRENCE / ADDRESS STONEMAN	CAD NO. 23-12-05-011931	DATE / TIME REPORTED 12/05/2023 14:12

I spoke with the Commonwealth Medical Examiner's Office and provided them with information related to their investigation. They gave me their case number for this incident as **#2023169-68**.

I reviewed the camera footage in the area (using Harlan Chapels Camera #1 and Harlan Chapels PTZ) beyond my initial review and determined that at approximately 0440 hours on 12/5/2023, E. STUART can be seen exiting the brush line behind the Harlan Chapel and walks into the area where they were found several hours later. I watched the camera footage forward in time until approximately 0900 hours and E. STUART did not re-emerge from this location.

All camera footage of E. STUART's movements on campus after 1955 hours have been evidence-locked for this ongoing investigation.

The personal belongings and evidence found on and near E. STUART's person were heavily waterlogged and needed to dry out. I assembled a make-shift drying rack for the damp water-logged clothing. The contents of E. STUART's wallet were placed on the window sill of the Sgt. Office to dry.

On Wednesday, December 6, 2023, at approximately 1100 hours, I continued to assist in the investigation efforts with Det. Lt. Kelley. The personal belongings and evidence were logged into the Property by me. After the wallet contents had been inventoried, it was placed into a plastic bag to be returned to the family would be arriving later today to meet with Student Affairs. I made a photocopy of E. STUART's journal and this file was placed into the case file for this incident.

At approximately 1400 hours, I gave E. STUART's wallet to Dean Andrea DINE for safekeeping for the family until they arrived on campus. E. STUART's family came initially to the station and spoke briefly to Captain Wright and me in the front lobby. After giving our sincerest condolences for their loss, I gave them two of my business cards should they need to contact me or the department in the future. Director TOUCHETTE came to the station and drove the family up to the Student Affairs Office. After their meeting, the family requested to see where E. STUART had been found on campus. I met the family at Rosenthal North and Director TOUCHETTE and I led the family to the incident site. When we arrived at the site, I pointed out the location and recommended that they not walk into the marshy area due to the deep mud and underbrush. They photographed the site and surrounding area and then they decided that they had dealt with enough stressful events and wanted to leave campus for their hotel. Director TOUCHETTE assisted the family with departing the campus and after making sure that the family did not require further assistance, I left the area as well and returned to the station.

Nothing further to report at this time.

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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Property case report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240 FAX: (781)736-4241

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #:1

PROPERTY TYPE:CLOTHING-CLOTHES, ETC

PROPERTY STATUS:

PROPERTY:1

QUANTITY:1

VALUE:

MAKE:

MODEL:

COLOR:

DESCRIPTION:1 Brandeis University baseball style shirt, cut by Armstrong

NOTES:

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #:2

PROPERTY TYPE:CLOTHING-CLOTHES, ETC

PROPERTY STATUS:

PROPERTY:2

QUANTITY:1

VALUE:

MAKE:

MODEL:

COLOR:

DESCRIPTION:1 pair of cat boxer briefs, cut by medical staff

NOTES:

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #:3

PROPERTY TYPE:CLOTHING-CLOTHES, ETC

PROPERTY STATUS:

PROPERTY:3

QUANTITY:1

VALUE:

MAKE:

MODEL:

COLOR:

DESCRIPTION:1 pair of cargo-style sweatpants, cut by medical staff

NOTES:

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00



BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Property case report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240 FAX: (781)736-4241

NCIC: ENTERED ON: RECOVERED ON:  
OWNER APPLIED #: DISPOSED ON: REVIEW DATE:  
DISPOSITION:  
DATE FOUND:12/05/2023  
LOCATION:

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717 INCIDENT #: OFFICER:KELLEY, DANA  
DATE OF REPORT:12/05/2023 CRIME:MISCELLANEOUS CHECK ON WELL BEING  
ITEM #4 PROPERTY TYPE:CLOTHING-CLOTHES, ETC PROPERTY STATUS:  
PROPERTY:4 QUANTITY:2 VALUE:  
MAKE: MODEL:  
COLOR:  
DESCRIPTION:1 pair of black socks with light blue and pink stripes  
NOTES:  
SERIAL #: STORED AT: RECOVERY VALUE:0.00  
NCIC: ENTERED ON: RECOVERED ON:  
OWNER APPLIED #: DISPOSED ON: REVIEW DATE:  
DISPOSITION:  
DATE FOUND:12/05/2023  
LOCATION:

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717 INCIDENT #: OFFICER:KELLEY, DANA  
DATE OF REPORT:12/05/2023 CRIME:MISCELLANEOUS CHECK ON WELL BEING  
ITEM #5 PROPERTY TYPE:CLOTHING-CLOTHES, ETC PROPERTY STATUS:  
PROPERTY:5 QUANTITY:1 VALUE:  
MAKE: MODEL:  
COLOR:  
DESCRIPTION:1 black cat-eared fleece jacket, waterlogged and damaged  
NOTES:  
SERIAL #: STORED AT: RECOVERY VALUE:0.00  
NCIC: ENTERED ON: RECOVERED ON:  
OWNER APPLIED #: DISPOSED ON: REVIEW DATE:  
DISPOSITION:  
DATE FOUND:12/05/2023  
LOCATION:

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:



**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Property case report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240 FAX: (781)736-4241**

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #6

PROPERTY TYPE:PURSE/WALLET-ALL TYPES

PROPERTY STATUS:

**AND CONTENTS**

PROPERTY:6

QUANTITY:1

VALUE:

MAKE:

MODEL:

COLOR:

DESCRIPTION:1 blue bifold wallet containing: -TX license (Elizabeth Marie Clark) -TX license (Eli Theodore Stuart) - Brandeis ID (Eli Stuart) -United Healthcare card (Jason Foley as the subscriber) -Discover credit card -Bank of America debit card -2 Austin Public Library cards (card and key chain) -Visa Vanilla gift card -2 Barnes and Noble gift cards -Chinese fortune cookie paper slip -Amy's Ice cream punch card -Starbucks gift card -Michaels Return card -Mastercard payflex card -Express prescription card (Jason Foley listed) -Sally Beauty card -paper slip with "sites.google.com/view" -Starbucks receipt -Farebox Charlie ticket -\$81 US currency (\$21-ones, \$20-fives, \$40-tens)

NOTES:Returned to the family on 12/6/2023 at 1400 hours.

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:

**ASSOCIATED WITH:**

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #7

PROPERTY TYPE:JEWELRY-JEWELS,ETC

PROPERTY STATUS:

PROPERTY:7

QUANTITY:1

VALUE:

MAKE:Samsung

MODEL:

COLOR:

DESCRIPTION:1 Samsung watch (phone number # 512-762-0023)

NOTES:

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:Brandeis University / 415 South St

**ASSOCIATED WITH:**

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #8

PROPERTY TYPE:DRUGS\NARCOTICS

PROPERTY STATUS:

PROPERTY:8

QUANTITY:1

VALUE:

MAKE:

MODEL:

COLOR:

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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Property case report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240 FAX: (781)736-4241

DESCRIPTION:1 OTC (Delsym) cough medicine bottle

NOTES:

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:Waltham, MA / 415 South St

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #:9

PROPERTY TYPE:OTHER

PROPERTY STATUS:

PROPERTY:9

QUANTITY:1

VALUE:

MAKE:

MODEL:

COLOR:

DESCRIPTION:1 journal (cat painted cover)

NOTES:Details of suicide plan

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:Waltham, MA / 415 South St

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717

INCIDENT #:

OFFICER:KELLEY, DANA

DATE OF REPORT:12/05/2023

CRIME:MISCELLANEOUS CHECK ON WELL BEING

ITEM #:10

PROPERTY TYPE:BOOKBAG/BACKPAC-ALL

PROPERTY STATUS:

TYPES AND CONTENTS

PROPERTY:10

QUANTITY:1

VALUE:

MAKE:

MODEL:

COLOR:

DESCRIPTION:1 multicolored rainbow bag containing: -empty Canada Dry soda bottle -32 oz water bottle -black faux leather belt -Oeko-tex brand sheet bag - multibladed pocket knife-keys and key chains

NOTES:

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:Waltham, MA / 415 South St

ASSOCIATED WITH:

	PRINT DATE AND TIME 12/07/2023 19:51	PRINTED BY MATTHEW RUSHTON	PAGE NO. 4 of 6
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BRANDEIS UNIVERSITY

POLICE DEPARTMENT

Property case report

415 SOUTH STREET WALTHAM, MA 02453-2728

PHONE: (781)736-4240 FAX: (781)736-4241

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717	INCIDENT #:	OFFICER:KELLEY, DANA
DATE OF REPORT:12/05/2023	CRIME:MISCELLANEOUS CHECK ON WELL BEING	
ITEM #:11	PROPERTY TYPE:DRUGS/NARCOTICS	PROPERTY STATUS:
PROPERTY:11	QUANTITY:5	VALUE:
MAKE:	MODEL:	
COLOR:		
DESCRIPTION:5 medication bottles that were prescribed to Eli Stuart -Lexapro 10mg (30 tablets), empty -Mirtazapine 7.5mg (30 tablets), empty -Wellbutrin XI 300 mg (90 tablets), empty -Ondansetron ODT 4mg (9 tablets prescribed), 4 left -Ritalin 20 mg (30 tablets), empty		
NOTES:Found in multi-colored rainbow bag		
SERIAL #:	STORED AT:	RECOVERY VALUE:0.00
NCIC:	ENTERED ON:	RECOVERED ON:
OWNER APPLIED #:	DISPOSED ON:	REVIEW DATE:
DISPOSITION:		
DATE FOUND:12/05/2023		
LOCATION:		

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717	INCIDENT #:	OFFICER:KELLEY, DANA
DATE OF REPORT:12/05/2023	CRIME:MISCELLANEOUS CHECK ON WELL BEING	
ITEM #:12	PROPERTY TYPE:CLOTHING-CLOTHES, ETC	PROPERTY STATUS:
PROPERTY:12	QUANTITY:2	VALUE:
MAKE:	MODEL:	
COLOR:		
DESCRIPTION:1 pair of slip-on white with black bats slippers		
NOTES:		
SERIAL #:	STORED AT:	RECOVERY VALUE:0.00
NCIC:	ENTERED ON:	RECOVERED ON:
OWNER APPLIED #:	DISPOSED ON:	REVIEW DATE:
DISPOSITION:		
DATE FOUND:12/05/2023		
LOCATION:Waltham, MA / 415 South St		

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

CASE #:230717	INCIDENT #:	OFFICER:KELLEY, DANA
DATE OF REPORT:12/05/2023	CRIME:MISCELLANEOUS CHECK ON WELL BEING	
ITEM #:13	PROPERTY TYPE:ELECTRONICS.-	PROPERTY STATUS:
PROPERTY:13	TV'S,VCR'S,STEREOS,ANS.MACH.,ETC	VALUE:
	QUANTITY:1	



**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Property case report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240 FAX: (781)736-4241**

MAKE:Samsung

MODEL:S22 5G

COLOR:

DESCRIPTION:Samsung cell phone in durable blue case IMEI-356919886534230 #512-514-4531

NOTES:Accepts a charge Confirmed to be STUART's phone (phone call placed to phone)-EE

SERIAL #:

STORED AT:

RECOVERY VALUE:0.00

NCIC:

ENTERED ON:

RECOVERED ON:

OWNER APPLIED #:

DISPOSED ON:

REVIEW DATE:

DISPOSITION:

DATE FOUND:12/05/2023

LOCATION:

ASSOCIATED WITH:

NAME:STUART, ELI

ADDRESS:415 South Street Waltham, Massachusetts 02453

HOME PHONE:

WORK PHONE:

TOTAL ITEMS: 13

# **Tab 6**



# Massachusetts State Police

## Division of Investigative Services

<b>DATE / TIME:</b>	12/5/23 2015 hrs	<b>ASSIGNED TROOPER:</b>	DeGisi
<b>UNIT REPORTING:</b>	Middlesex		
<b>MSP RESPONSE Y or N:</b>	N		
<b>TYPE OF INCIDENT:</b>	Unattended Death		
<b>LOCATION OF INCIDENT:</b>	Brandeis University 415 South St. Waltham		
<b>VICTIM'S NAME:</b>	Eli Stuart	<b>RACE / GENDER</b>	
		<b>D.O.B. / AGE</b>	11/18/03
<b>VICTIM'S ADDRESS:</b>	10214 Doc Holliday Trail Austin, TX		
<b>SUSPECT'S NAME:</b>		<b>RACE / GENDER</b>	
		<b>D.O.B. / AGE</b>	
<b>SUSPECT'S ADDRESS:</b>			
<b>NOTIFIED BY:</b>	Brandeis University Police		
<b>BRIEF SUMMARY:</b>			
<p>On 12/5/23 at approximately 2015 hrs I was contacted by the Brandeis University Police Department and advised of the apparent suicide of the above decedent. Upon arrival, I spoke with Sgt. Emily Evans who explained that the decedent had sent concerning text messages to her Mother and Step Father at approximately 0515 hrs. They then called Brandeis at approximately 1218 hrs to report it. Brandeis Police attempted to PING her phone however it was off. They then were able to PING her Samsung watch, which Pinged on the Brandeis Campus with a 1552 meter radius. MSP K9 assisted in a search and she was located unresponsive at 2002 hrs. Waltham Fire and Armstrong EMS responded and she was transported to Newton-Wellesley Hospital where she was determined to be deceased. She was located in a wooded area a few feet from the tree line. Her belongings were located by the tree line a short walk away from where she was located. Her belongings included a backpack containing a journal. The last page in the journal appeared to be a list of medications she wanted to take. She wrote "all lexaproand pill triptons, nasal tripton? Fuckton of cough syrup, and ritalin if needed, if alive and conscious @ 6 hour mark. It also read " 8:30 am 10 hr - If still conscious enough, move elsewhere to avoid being found to soon." We spoke with her roommates who stated that she had been upset the past month because of family problems. We responded to the Hospital and observed no trauma to her body. Tpr. Destiny Holder from the Crime Scene Services Section documented the scene, her dorm room and her body. OCME accepted and handled removal of the body.</p>			
<b>REVIEWED BY:</b>			

# **Tab 7**

On Tuesday, December 05, 2023 I Officer Carter was covering dispatch around 0915 hours when I received a call from [REDACTED] stating that he had walked through the pathway near the Library and believe he say someone laying in the wood because he thinks he saw a hand moving.

This Officer did drive down the Library road and checked the area. I did not see anyone around the pond in the rear of the library or the small pond along the roadway. I was able to have a clear view of the ponds as the leaves are not on the trees. I did take a look down the pathway that has the statute near Harlan Chapel. This Officer did not see anyone laying on the ground around the pathway.

End of Report.

# Tab 8



**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Supplement Case Report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

	CASE NO. <b>230724</b>	SUPPLEMENT NO. <b>002</b>
LOCATION OF OCCURRENCE / ADDRESS STONEMAN/ Brandeis Police Department/ 415 South Street	CAD NO. 23-12-07-012011	DATE / TIME REPORTED 12/07/2023 07:43

CODE SECTION	CRIME DESCRIPTION COMPLAINT AGAINST DEPARTMENT MEMBER OR AGENCY	CLASSIFICATION INVESTIGATIONS
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NARRATIVE

On Friday, December 8, 2023, I, Lieutenant Detective Dana Kelley, was assigned to day shift responsibilities. At 8:35 AM, Lieutenant Dustin Botelho and I interviewed Brandeis Adjunct Professor ██████████ in the sergeant's office in the Brandeis Public Safety Building. The interview came to a conclusion at about 9:45 AM. ██████████ was polite and forthcoming throughout the interview. He stated that it is his nature to be vigilant and observant in his day to day activities. If he sees something amiss he takes it upon himself to notify the proper authority. Just prior to the October 7 Israel-Hamas War, ██████████ was in Jerusalem and he was appalled at the number unattended bags he saw on public transportation. ██████████ would notify Israeli transportation authorities of his observations.

On December 5, 2023, ██████████ arrived at Brandeis around 7:00 AM. ██████████ made some photocopies on a printer in the Mandel Building with his Brandeis swipe card for a noon time project he was working on. ██████████ then went to the Sherman Dining Hall and used his credit card to buy breakfast. After breakfast ██████████ walked across Chapels Field and is observed on the Harlan Chapel video walking alongside Chapels Pond and the tree line. ██████████ explained to us that he was drawn to the movement of two Caucasian hands tucked in close to the abdomen moving only at the hands and wrists. Almost like they were wringing their hands. He could not see the legs or head due to the position of the body and the jumble of brush and branches in the woods. ██████████ said he has past experience with unpredictable behavior of individuals in unusual places and did not feel safe approaching the individual. ██████████ continued his walk to the Heller School, he ran into ██████████, a Heller School Faculty member. ██████████ told her in passing that he had just seen a person laying on their back in the woods by Chapels Pond. He told ██████████ that he was going to call the police. ██████████ said he made the call a few minutes later from his car as he was leaving campus.

When asked ██████████ said the black clothing and white hands stood out against the browns and grays of the bushes and leaves He did not stop his walk, just slowed down and continued on his way to the Heller School. ██████████ said he did not say anything to the person in the woods and he heard nothing from the person as he walked by. At 9:23 Am, ██████████ Lieutenant Botelho and I made our way to Chapels Field to retrace ██████████ path from December 5. We walked across Chapels Field and onto the asphalt path that encircles Chapels Pond. We walked in front of the Bethlehem Chapel and made our way towards the Harlan Chapel. ██████████ pointed out with good accuracy the location where he saw the individual in the woods. His description of the location coincides very well with where Eli's body was found later that evening.

REPORTING OFFICER KELLEY, DANA R	SUPPLEMENT DATE AND TIME REPORTED 12/08/2023 15:22	REVIEWED BY	APPROVAL DATE AND TIME
	PRINT DATE AND TIME 12/08/2023 16:43	PRINTED BY DANA KELLEY	PAGE NO. 1 of 2





**BRANDEIS UNIVERSITY**

**POLICE DEPARTMENT**

**Supplement Case Report**

**415 SOUTH STREET WALTHAM, MA 02453-2728**

**PHONE: (781)736-4240**

**FAX: (781)736-4241**

CASE NO. <b>230724</b>	SUPPLEMENT NO. <b>002</b>
CAD NO. 23-12-07-012011	DATE / TIME REPORTED 12/07/2023 07:43

LOCATION OF OCCURRENCE / ADDRESS  
STONEMAN/ Brandeis Police Department/ 415 South Street

At about 9:45 AM, we parted ways, [REDACTED] went back to his car parked at the Heller School and we walked back to our cruiser on the far side of Chapel's Field.

End of report.

REPORTING OFFICER KELLEY, DANA R	SUPPLEMENT DATE AND TIME REPORTED 12/08/2023 15:22	REVIEWED BY	APPROVAL DATE AND TIME
	PRINT DATE AND TIME 12/08/2023 16:43	PRINTED BY DANA KELLEY	PAGE NO. 2 of 2

**Tab 9**

**FILED UNDER SEAL**

# **Tab 10**

**FILED UNDER SEAL**

**Tab 11**

**FILED UNDER SEAL**