



The Commonwealth of Massachusetts

Department of Public Safety

DISTRICT ATTORNEY'S OFFICE
STATE POLICE OFFICE
360 WASHINGTON STREET
DEDHAM, MASSACHUSETTS

March 30, 1987

TO: FIRST ASSISTANT DISTRICT ATTORNEY JOHN P. KIVLAN
FROM: TROOPER BRIAN L. HOWE #1332 *BH*
SUBJECT: ACCIDENTAL SHOOTING OF SETH BISHOP, WHITE MALE,
D.O.B. 4/9/68 AT 46 HOLLIS AVENUE, BRAINTREE,
MASSACHUSETTS ON DECEMBER 6, 1986.
CASE: #86-112-0910-0185

On December 6, 1986, this officer was directed by Detective Lieutenant James Sharkey to conduct an investigation into the fatal shooting of Seth Bishop at his residence of 46 Hollis Avenue in the Town of Braintree.

This officer contacted Captain Theodore Buker of the Braintree Police Department and was informed by Captain Buker that at approximately 1422 hours on December 6, 1986, the Braintree Police Department had responded to the report of a shooting a 46 Hollis Avenue in their town.

Upon arriving at the location, Officers Jordan and Murphy had observed the decedent lying on his back on the floor in a pool of blood in the kitchen area, with a large chest wound.

Paramedics responded to the scene and after administering preliminary first aid, transported the victim to the Quincy City Hospital where he was subsequently pronounced dead at 1506 hours, by Dr. Thomas Divinigracia. Initial cause of death of the victim was reported to be a ruptured aorta as a result of a gunshot wound to the chest.

BUREAU OF INVESTIGATIVE SERVICE
MASS. STATE POLICE
Year/Dist/Crime/Case

86-112-0910-0185

Serial # 1

| 4-1-87
Capt

Supervisor *[Signature]*

Captain Buker stated that preliminary investigation conducted by Officers Jordan and Murphy indicated that the victim had been shot by his sister, Amy Bishop (age 19), and that apparent cause of the gunshot discharge into the victim had been accidental in nature. Captain Buker further stated that indications were that Amy Bishop had been attempting to manipulate the shotgun and had subsequently brought the gun downstairs in an attempt to gain assistance from her mother in disarming the weapon.

During her attempt to disarm the weapon in the kitchen of her residence, the weapon had apparently accidentally discharged, resulting in the fatal wound inflicted upon her brother.

Captain Buker further stated that at the time the discharge occurred, ~~J~~ Bishop, the mother of both the victim and Amy, had been in the kitchen and had witnessed the entire incident. ~~J~~ Bishop had indicated to the responding officers that the discharge had been accidental in nature and that the discharge had occurred while Amy was attempting to unload the weapon.

Captain Buker also stated that Amy Bishop had fled the residence immediately upon discharging the weapon and had subsequently been located by Braintree Officers and brought to the Braintree Police Department for questioning.

Captain Buker stated that due to the highly emotional state of Amy Bishop, it had generally been impossible to question her while she was at the Braintree Police Department relative to the circumstances of the firearm discharge, and that as a result of these facts, she was thereupon released to the custody of her parents with further investigation to follow at a future time.

This officer therefor determined that due to the inability to question the witnesses at that time as a result of their highly emotional state and their inability to recall specifically the facts relating to this occurrence, as well as the fact that ~~J~~ Bishop stated that she had witnessed the entire affair and the discharge had been accidental in nature, it was determined that additional interviews would be conducted at a later time, allowing the witnesses a sufficient time to stabilize their emotions.

On December 6, 1986, an autopsy was conducted on Seth Bishop at the Quincy City Hospital by Dr. George Katsas with Dr. William Ridder in attendance. The autopsy began at approximately 2000 hours with the cause of death having been determined to be the result of a shotgun discharge to the left chest area.

It should also be noted that a check of firearms identification cards at Braintree Police Department indicated an F.I.D. card issued to Seth Bishop, card #H590682, as well as an F.I.D. card issued to ~~Samuel~~ Bishop, father of Seth, card #H590724.

Captain Buker had also indicated to this officer that numerous photographs had been taken at the scene of the shooting, as well as at the autopsy conducted on the victim.

The weapon which had been utilized in the death of Seth Bishop had been secured by the Braintree Police Department for further processing by the State Police Ballistics Laboratory.

Arrangements were subsequently made to conduct interviews of all of the members of the Bishop family, and thereupon, on December 17, 1986, this officer, Captain Theodore Buker and Detective Michael Carey of the Braintree Police Department proceeded to 46 Hollis Avenue in the Town of Braintree.

Individually ~~Samuel~~, ~~Judy~~ and Amy Bishop were interviewed by these officers with the resulting statements taken.

~~Samuel~~ Bishop stated that he had not been in the residence at the time of the shooting. He said that he had left the house at approximately 1130 hours to go shopping at the South Shore Plaza. He stated that at the time he left the residence, his son Seth had been washing his car, Amy was in the house and his wife, ~~Judy~~, was due to be home at sometime between 1100 and 1200 hours. ~~Samuel~~ stated that he had a disagreement with Amy before he left about a comment that she had made, and that she had gone to her room prior to his departing. He stated that upon his return to the residence, police and ambulance were at the house and that he was advised of the situation relating to the shooting of his son.

When questioned as to the actual possession of the shotgun within his residence, he stated that he had bought the shotgun at Coleman's Sporting Goods in Canton, approximately one year previously, and that he and his son, Seth, had

belonged to the Braintree Rifle Club. He stated that the gun had been unloaded, on top of a trunk in a rifle case in his upstairs bedroom, and that the bullets were on a bureau in the bedroom also. He further stated that Amy had not been trained in the use of the weapon and that the weapon had originally been purchased for family protection as a result of a previous housebreak at their residence.

These officer then interviewed Judy Bishop, the mother of the victim who stated that on the day of the shooting, she had left the house at approximately 0700 hours and that all other family members had been in the house at that time. She stated that she returned to the residence to see if there was anything for lunch, and that at this time, Seth was home and stated that he would go to the store to pick up some food so that they could all have lunch.

Judy further stated that Seth returned from the grocery store, went into the livingroom and turned on television. She stated that he was on his way into the kitchen when Amy came downstairs with the shotgun, came into the kitchen and asked Judy if she could help her unload the gun. Judy stated that she told Amy not to point the gun at anyone, and that Amy then turned, and in doing so, somehow discharged the weapon which subsequently hit her son Seth who was at that time walking into the kitchen from the livingroom.

Judy stated that she screamed and thereupon Amy ran out of the house. Judy stated that she then called the police and waited at the front door for the arrival of the police, but she further added that she knew that Seth could not live as the result of the injury which he had received.

When questioned relative to any prior discharges of the weapon inside the residence on the day in question, Judy stated that she did not hear any other shots fired, in particular, any shots fired in the upstairs bedroom, but she believed that the house was relatively well soundproofed and that such a discharge would not necessarily be heard on another floor of the house.

Judy stated that she did not feel that she had any knowledge of any other relevant facts relating to the investigation to convey to these officers.

These officers then conducted an interview with Amy Bishop who stated that on the morning of the shooting, her mother had gone out and that her father had gone shopping. Amy

stated that she did not know where her brother was during the day but thought that it would be a good idea if she learned how to load the shotgun in the house. Amy stated that she was concerned for her own safety on occasions as a result of the break which had previously occurred at their home, and she often read and heard of stories about things that happened when people break into houses and find other people inside.

Amy stated that she got the gun from her parents' room where she found it on the chest and the bullets were on the bureau. She stated that she put the shells into the gun and then tried to get them out but was unsuccessful in doing this even though she attempted to unscrew the bottom casing of the gun. She stated that while she was attempting to unload the weapon which was on her bed, it discharged in her room, but that she is unsure as whether or not her bedroom door was open at the time. She stated that she was beside her bed near the door at the time that the gun discharged, but that she could not specifically recall seeing anything coming out of the gun.

Amy further stated that she does not recall putting any additional bullets into the gun after it discharged, and that she then unscrewed the bottom of the shaft in an attempt to empty the weapon, and when being unable to empty the weapon this way, she stated that she then screwed the bottom of the shaft back on.

Amy stated that she then heard her brother come into the house downstairs and she went right downstairs to ask Seth to help her unload the gun. She said apparently her mother had been in the kitchen for awhile and that Amy went down the front set of stairs, through the diningroom, to the door by the kitchen. She stated that she asked her brother to unload the weapon because she thought it might still be loaded and she added that her mother said something to her but she does not specifically recall what it was.

Amy said that she was carrying the gun pointed beside her leg, and that Seth told her to point the gun up. Amy stated that Seth was walking across the kitchen between Amy and her mother and that Amy had the gun in one hand and started to raise it. Amy further stated that someone said something to her and she turned and the gun went off. She stated that she remembered her brother saying, "Oh God," and her mother screaming, and that Amy thought that she had ruined the kitchen but was not aware of the fact that she had struck her brother with the shotgun discharge.

Amy stated that she then immediately ran out the rear door of the kitchen and thought that she had dropped the gun as she ran away. She stated that at the time the gun went off, she was by the diningroom door to the kitchen. Amy also said that she does not recall putting on a jacket prior to running out of the house or leaving the house with the gun, and that she cannot recall anything else until she subsequently saw her mother at the police station.

Amy did tell these officers that her bother Seth had verbally told her previously how to hold the gun but that she had always previously been afraid of it. Amy concluded the investigation by saying that she had previously made no attempt to cover up the hole in her bedroom wall which apparently, according to her, was the result of the previous discharge in her bedroom.

Amy stated that she was not aware of any additional facts which could assist these officers in their investigation into the death of her brother, and she reiterated adamantly that the discharge had been accidental and that she was still having a very difficult time dealing with what had occurred and was currently under medication with a doctor's care.

As a result of these foregoing facts, a meeting was conducted between this officer, Captain Buker and Detective Carey. It was determined that due to the testimony of the members of the Bishop family and, in particular, the testimony of Judy Bishop relevant to the facts concerning the death of Seth Bishop that no further investigation into the death of Seth Bishop was warranted.

It was therefor determined that the cause of death of Seth Bishop would be listed as the accidental discharge of a firearm in the possession of his sister, Amy Bishop, and that the investigation would be concluded.

BLH:jm