

**Bristol County District Attorney's Office**  
**C. Samuel Sutter**  
**District Attorney**

**Press Release**  
**August 20, 2008**

The Bristol County District Attorney's Office has completed its investigation into the May 14<sup>th</sup> police-involved shooting of Gerard Tierney, 45, of 5 Ellen St., in New Bedford. The investigation has concluded that based on all of the circumstances involved, the officers' actions were necessary to defend themselves and others, and therefore the incident has been determined to be a justifiable homicide.

The investigation into the police shooting identified the two officers who fired at the defendant. Both officers were trained and proficient in the use of their firearms. The investigation has confirmed through witness interviews, crime scene investigation and crime lab/autopsy reports that the shooting of Mr. Tierney was justified under the law regarding justifiable homicide.

The officers, according to a thorough review, were justified in using their weapons after Mr. Tierney lunged at them with two knives. The investigation concluded the officers responded by firing only while the decedent was in front of them.

The investigation into this incident was led by First Assistant District Attorney William McCauley and was conducted by members of the State Police Unit assigned to this office. District Attorney Sam Sutter participated in the compiling of the final report and approved the final draft.

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