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NORFOLK COUNTY
NORFOLK, SS.
DEPARTMENT

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT

NO. 2282-CR-00117

)
COMMONWEALTH OF)
MASSACHUSETTS,)
Plaintiff)
)
V.)
)
KAREN READ,)
Defendant)
_____)

SUPPLEMENTAL AFFIDAVIT OF ALAN J. JACKSON IN SUPPORT OF MOTION FOR ORDER PURSUANT TO MASS. R. CRIM. P. 17 DIRECTED TO THE CANTON DEPARTMENT OF PUBLIC WORKS AND THE CANTON TOWN CLERK

I, Alan J. Jackson, Esq., under oath, do depose and state as follows:


1. I am a Partner at the firm Werksman Jackson & Quinn LLP. I represent Defendant Karen Read, *Pro Hac Vice*.
2. I submit this supplemental affidavit on personal knowledge in support of Defendant's Motion for Order Pursuant to Mass. R. Crim. P. 17 Directed to the Canton Department of Public Works ("DPW") and the Canton Town Clerk (Docket #116) (hereafter "Rule 17 Motion for DPW Snowplow Records").
3. On Friday September 1, 2023, Ms. Read filed Defendant's Rule 17 Motion for DPW Snowplow Records, requesting GPS data from the DPW-issued snowplow(s) responsible for plowing the roadway immediately adjacent to the Albert Residence on January 29, 2022. In support of that Motion, Ms. Read released, for the very first time, information concerning an extraordinarily exculpatory interview conducted by defense investigator Paul Mackowski with

DPW snow-plow driver Brian Loughran, who was responsible for plowing the roadway immediately in front of the Albert Residence on January 29, 2022. During the course of that February 15, 2022, interview, Brian Loughran definitively stated, *inter alia*, that there was no body on the front lawn when he drove past the Albert residence at approximately 2:30 a.m.—and if there had been, then he would have seen it.

4. After Ms. Read filed the Rule 17 Motion for DPW Snowplow Records, ADA Lally produced to the defense a recorded interview of Brian Loughran, who was apparently interviewed by Sergeant Yuriy Bukhenik and Trooper Michael Proctor on August 10, 2023 (1 year and 9 months after Mr. O’Keefe’s death). Attached hereto as “**Exhibit A**”, is a true and correct copy of the transcript of law enforcement’s interview with Brian Loughran on August 10, 2023. Brian Loughran’s statement to law enforcement is exculpatory and further supports Ms. Read’s Rule 17 Motion for Snowplow Records. During the course of that interview, Mr. Loughran confirms that he is presently cooperating with the Federal Bureau of Investigations (“FBI”), who are apparently independently investigating the events that transpired on January 29, 2022 (and thereafter).

5. I have thoroughly reviewed all witness interviews and discovery produced in connection with this case. **Brian Loughran’s August 10, 2023, interview is the only witness interview that the Massachusetts State Police has ever chosen to record during the course of its entire 21-month long investigation in this case.**

SIGNED and SWORN to under the pains and penalties of perjury this 7th day of September 2023.



Alan J. Jackson, Esq.

CERTIFICATE OF SERVICE

I, Attorney Elizabeth Little, hereby certify that I served the “Supplemental Affidavit of Alan J. Jackson in Support of Motion for Order Pursuant to Mass. R. Crim. P. 17 Directed to the Canton Department of Public Works and the Canton Town Clerk” upon the Commonwealth by emailing a copy on September 8, 2023, to Norfolk County Assistant District Attorney Adam Lally at adam.lally@mass.gov.

9/8/2023

Date



Elizabeth S. Little

EXHIBIT A



The Commonwealth of Massachusetts
Department of State Police



Division of Investigative Services
 Norfolk County State Police Detective Unit
 45 Shawmut Rd., Canton, MA 02021

MAURA HEALEY
 GOVERNOR
 KIM DRISCOLL
 LIEUTENANT GOVERNOR
 TERENCE M. REIDY
 SECRETARY

JOHN E. MAWN JR.
 COLONEL/SUPERINTENDENT
 JOHN D. PINKHAM
 DEPUTY SUPERINTENDENT

August 21, 2023

TO: Detective Lieutenant Brian Tully, #3520
 FROM: Sergeant Yuriy Bukhenik, #3543
 SUBJECT: Interview of Brian Loughran [REDACTED] RE: O'Keefe MV
 Homicide
 Case: 2022-112-33

1. On Thursday, August 10, 2023, at approximately 11:45 AM, Brian Loughran [REDACTED] [REDACTED] came into the Norfolk District Attorney's Office for a prescheduled interview. Brian is employed by the Town of Canton with the Department of Public Works and was working during the early morning hours of January 29, 2022, plowing the Canton roadways during the heavy snow and blizzard conditions. One of the areas that Brian was responsible for removing the snow from, was the area of Fairview Rd. and Cedarcrest Rd. The following is a transcript of the audio recorded interview.

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

 67
 Serial # _____

 Captain Supervisor

2. Tpr. Proctor: It is August 10, 11:45 A.M. Location is the Norfolk County District Attorney's Office, 45 Shawmut Road, Canton. This is Trooper Michael Proctor, along with?

Sgt. Bukhenik: Sgt. Yuri Bukhenik, spelled Y-U-R-I B-U-K-H-E-N-I-K, with the Norfolk District Attorney's Office.

Tpr. Proctor: And this is the interview with?

Brian Loughran: Brian Loughran, L-O-U-G-H-R-A-N, Date of Birth [REDACTED]

Tpr. Proctor: Okay. Why don't we start with the night of the 29th, and whatever you can recall to the best of your recollection, um. Were you working? And kind of just walk us through what time you were called out, and just everything you can recall at this point.

Brian Loughran: Uh, we were called out at 2:30 in the morning. I believe it was roughly 2:30 in the morning. Uh, I arrived at, at the Barn at 2:15. I was in my truck. I went down, proceeded to do Cedarcrest to the very end, all the way back out to Dedham Street, back down Cedarcrest, left on to Fairview, up to Fairview, back on to Chapman, down to Chap, uh, Spring Lane, and then back up, uh, Fairview. Repeated it again.

Tpr. Proctor: And the Barn, what is that and where is it located?

Brian Loughran: It's 160 Bolivar Street, Canton, Mass.

Tpr. Proctor: It's kind of like the shop?

Brian Loughran: Yes.

Tpr. Proctor: Okay. So, you got there around 2:15. Did you immediately go out, or did you kinda get the trucks ready? How did that kinda process in particularly work?

Brian Loughran: Uh, most of the trucks had been, uh, done before.

Tpr. Proctor: Mm hmm.

Brian Loughran: So, once we get there, um, we know our routes was to get in and go, basically.

Tpr. Proctor: And to the best of your recollection, if you could describe the, the weather conditions at, like, 2:30 A.M. and beyond that time while you were out plowing and sanding?

Brian Loughran: Uh, 2:30 in the morning, it was snowing. Not heavy, probably about 2 inches on the ground. Um, it progressively got worse during the night, um, probably being the worst around 4:00, 4:30-ish. I'm not 100 percent time, time-wise, but it was really snowing at that point, and, you know.

Tpr. Proctor: And that route you just described to us, was that your assigned route for that, that evening?

Brian Loughran: Yes, that's pretty much every snowstorm. That's my route.

Tpr. Proctor: And it's just a constant kinda loop of that?

Brian Loughran: Uh, I, it, it's, they call it lower Cedarcrest, so it's everything from King's Road to Chapman Street.

Sgt. Bukhenik: And are you driving a town truck or is this a --

Brian Loughran: Correct.

Sgt. Bukhenik: -- subcontractor's vehicle that you are operating?

Brian Loughran: I'm operating a town vehicle.

Sgt. Bukhenik: So, town of Canton DPW vehicle?

Brian Loughran: Correct.

Sgt. Bukhenik: What kind of vehicle is it?

Brian Loughran: Uh, it is an International, and it's a six-wheel dump. Um --

Sgt. Bukhenik: Six-wheel meaning, uh, four in the back, single axle, and --

Brian Loughran: Correct.

Sgt. Bukhenik: -- two in the front?

Brian Loughran: Correct.

Tpr. Proctor: And were you sanding and saltin' as well, or just plowing?

Brian Loughran: Just plowing at the time.

Sgt. Bukhenik: Was there anybody else with you? Are you partnered up with another truck? Are there two of you plowin' the same roadway in each direction, or how does that work? Or were you by yourself in that entire vicinity?

Brian Loughran: Um, the subcontractors were called in, uh, at 3:30 in the morning.

Tpr. Proctor: And the subcontractors, do they have the same routes?

Brian Loughran: It, it --

Tpr. Proctor: Or same as --

Brian Loughran: It, it depends. Um, Bill usually its, makes, you know, he'll give me one, a minimum of one subcontractor. I can have as much as two, um, depending if another subcontractor isn't there for a better, a bigger route, more important route, he'll take one of mine and just leave me with just one subcontractor.

Tpr. Proctor: So, in addition to you, a subcontractor will be assigned to essentially help you out—

Brian Loughran: Yes.

Tpr. Proctor: —in your, to your assigned area?

Brian Loughran: Correct.

Tpr. Proctor: Do you recall the subcontractor that night?

Brian Loughran: Um, the, believe I had, it was By-the-Yard Landscape, and I, I can't honestly remember if I had a second one.

Tpr. Proctor: All right, that's fine. And what time, what time did, roughly, did they arrive to help out?

Brian Loughran: 3:30.

Tpr. Proctor: Around 3:30, okay.

Sgt. Bukhenik: With that area, with, with, with it being January, is there, like, a parking ban in effect with a snowstorm coming in for the Town of Canton, do you know?

Brian Loughran: Yes. There's always a parking ban from November 1 to April.

Sgt. Bukhenik: And what does the parking ban mean, in your understanding?

Brian Loughran: Me, my understanding, as long as, if it doesn't interfere with the removal of snow, that's fine. If it is in, in, you know, hindering the removal of snow, then we call and they either, police will go down, knock on the door, tell 'em to move it, or they'll just tow it.

Sgt. Bukhenik: You remembering this snowstorm, is, is it, is there a reason behind it? Like, what's the reason behind this, you remembering this day and this snowstorm?

Brian Loughran: Uh, I believe it or not, I, I know, I remember a lot of my, my stuff when it comes to the work.

Sgt. Bukhenik: Was this a significant snow amount fall that was forecasted that day?

Brian Loughran: It was —

Sgt. Bukhenik: That day?

Brian Loughran: I believe it was 18 inches.

Sgt. Bukhenik: 18 inches of snow that was coming?

Brian Loughran: Yep.

Sgt. Bukhenik: Do you remember any, uh, obstructions that you had to call in the police for, that was obstructing the removal of snow for you that day?

Brian Loughran: Uh, there was a vehicle there, um, around 2:30, 3:00 in the morning, in front of 34 Fairview.

Sgt. Bukhenik: There was a vehicle?

Brian Loughran: Correct.

Sgt. Bukhenik: Okay. Do you recall what kind of vehicle it was?

Brian Loughran: Ford Edge.

Sgt. Bukhenik: Ford Edge?

Brian Loughran: Yes.

Sgt. Bukhenik: And where along the property do you remember it to be parked?

Brian Loughran: It was parked looking at the front door. It was to the left of the front door.

Sgt. Bukhenik: So, it was on the street?

Brian Loughran: Correct.

Sgt. Bukhenik: It was on the street. Which way was it facing, towards Cedarcrest or Chapman?

Brian Loughran: Chapman.

Sgt. Bukhenik: So, it's parked towards Chapman on Cedarcrest, excuse me, on Fairview, and it's to the left of the front door?

Brian Loughran: Correct.

Sgt. Bukhenik: Or to, to the left of the driveway?

Brian Loughran: It was to the left of the driveway. The door was to the left of the driveway, too.

Sgt. Bukhenik: Okay. How many spots up from the mailbox/driveway would you remember it being parked that day, or that night?

Brian Loughran: Uh, I would, ho, uh, it would say it was probably four or five spots up from the driveway.

Sgt. Bukhenik: Okay. Was there anybody in the vehicle?

Brian Loughran: Not that I recognized. And **** -

Sgt. Bukhenik: Was the vehicle running?

Brian Loughran: No.

Sgt. Bukhenik: Uh, did you notice footprints in the snow around the vehicle before you plowed?

Brian Loughran: No.

Sgt. Bukhenik: Did you notice any snow, uh, footprints leading away from the vehicle, towards the, uh, property, towards the driveway, towards the, uh, back of the house, towards the front of the house? Any of those?

Brian Loughran: No.

Sgt. Bukhenik: Would you remember if you saw that, something like that?

Brian Loughran: Yes.

Tpr. Proctor: Did you have to call Canton PD to have that vehicle removed, or knock on the, to have them knock on the door to get the vehicle removed, or did you kind of, on your second swipe, uh, did you have to notify Canton PD to get the vehicle removed?

Brian Loughran: No.

Sgt. Bukhenik: Was the vehicle removed for any reason while you were plowing that, that day?

Brian Loughran: Not by, not that I'm aware of by any other sources other than them driving it away.

Sgt. Bukhenik: Okay.

Tpr. Proctor: Was that the only time you saw that, the Ford Edge?

Brian Loughran: Yes.

Tpr. Proctor: So, on your second pass –

Brian Loughran: I mean, it, it was there for a significant period of time. It was there for at least an hour into the storm. It wasn't enough that it required me to have it removed. Uh, there wasn't a lot of snow on the ground at that time, and I could just go around it.

Sgt. Bukhenik: And as you plow, which direction is your blade facing, and you're removing the snow as you come down the street? Like, you, you described the routes for us. You going on Fairview. Can you tell us how you operate, maneuver, position the plow?

Brian Loughran: Plow is always ring road to the right.

Sgt. Bukhenik: Ring road to the right?

Brian Loughran: Always.

Sgt. Bukhenik: So, and do you go with the traffic that you n, normally naturally would as you plow the roadway, or do you go the opposite way and then clean it up out of the middle?

Brian Loughran: Normally I will follow the traffic rules, and the, you know, if we need to push back, I will go against the traffic.

Sgt. Bukhenik: Okay.

Tpr. Proctor: That day, that night, did you have to push back and go against the traffic at any point, or was it a typical pattern?

Brian Loughran: Typical pattern.

Tpr. Proctor: Okay.

Sgt. Bukhenik: Did you see anything out of the ordinary that day outside of the vehicle being parked there and obstructing your initial passes?

Brian Loughran: No.

Sgt. Bukhenik: No? Obviously, you've been asked about this, uh, before, so it's not a secret why I'm asking you these questions. If you did see a body in the roadway or on, on the side of the road, would you call it in?

Brian Loughran: Absolutely.

Sgt. Bukhenik: But that day you didn't see anything suspicious?

Brian Loughran: No.

Sgt. Bukhenik: Does that, to you, does that mean that you, definitely, that there was definitely no body there, or do you think it might have been obstructed by something if you were driving by, or what, what's your understanding of it?

Brian Loughran: Uh, I saw no body. Uh, my truck is high enough with the lights that I would have seen a body. Uh, I can't answer to say if there was something obstructing me. I, I didn't see anything obstructing me.

Sgt. Bukhenik: Okay. That's good. Um, go ahead. I'm sorry.

Tpr. Proctor: Okay.

Sgt. Bukhenik: Um, so you obviously are aware that there's a publication, um, about an interview, right?

Brian Loughran: Yes.

Sgt. Bukhenik: Okay. Who published that interview, do you know?

Brian Loughran: Uh, I believe it's Aidan, or Turtleboy.

Sgt. Bukhenik: Are you familiar with his, uh, platform and the blogging that he does and video, um, YouTubing that he conducts?

Brian Loughran: Yes.

Sgt. Bukhenik: Okay. When was the last time you spoke to Aidan?

Brian Loughran: Monday or Tuesday. I, I want to say it was, it was Monday.

Sgt. Bukhenik: Monday or Tuesday?

Brian Loughran: It was Monday.

Sgt. Bukhenik: It was Monday?

Brian Loughran: Yeah.

Sgt. Bukhenik: And how did you guys communicate?

Brian Loughran: He called me.

Sgt. Bukhenik: He called you on your phone?

Brian Loughran: Yeah. On my cell phone.

Sgt. Bukhenik: Do you have your cell phone with you?

Brian Loughran: Yes, I do.

Sgt. Bukhenik: Can you open it up and show us the time that he called and the date?

Brian Loughran: Uh, I don't have him on my phone.

Sgt. Bukhenik: You don't have him on your phone?

Brian Loughran: No, I do not.

Sgt. Bukhenik: In your call logs, you don't have him calling you?

Brian Loughran: I—

Sgt. Bukhenik: On Monday?

Brian Loughran: I do not have his number on here.

Sgt. Bukhenik: How come?

Brian Loughran: Um, I cycle my phone all the time. I—

Sgt. Bukhenik: You delete your phone numbers?

Brian Loughran: I delete —

Sgt. Bukhenik: And call —

Brian Loughran: — any calls that come in. I keep it for a month, and then I delete.

Sgt. Bukhenik: All right, but Monday was not a month ago.

Brian Loughran: Correct.

Sgt. Bukhenik: So, why don't, why do you think your, that phone number is not on your phone?

Brian Loughran: I'm sure it's, it, it's, it's 'cause I deleted it, and I've got 3 days' worth of phone calls on my phone right now.

Sgt. Bukhenik: But you said every month you delete it.

Brian Loughran: It was —

Sgt. Bukhenik: What's the cycle that you delete 'em at?

Brian Loughran: So, I try to keep my memory it's, not as blocked up. I do go through my texts. I delete my texts. I go through my phones. I delete my phone numbers, just to keep my memory —

Sgt. Bukhenik: Okay.

Brian Loughran: — so it doesn't get blocked up.

Sgt. Bukhenik: Nah, that's good. That's good. Um, do you remember the phone number that he called you from?

Brian Loughran: It was a 401 number.

Sgt. Bukhenik: 401?

Brian Loughran: Yes.

Sgt. Bukhenik: 401. Okay. And, um, did it come up with his name, or where he, like, the town that the number originates from?

Brian Loughran: Nope.

Sgt. Bukhenik: Okay.

Brian Loughran: It did not.

Sgt. Bukhenik: Did you know that his phone call was coming?

Brian Loughran: I did not.

Sgt. Bukhenik: No? He surprised you?

Brian Loughran: Correct.

Sgt. Bukhenik: What were you doin' when he called?

Brian Loughran: Uh, I had just been released from work, and I had worked the night, overnight. So, I was –

Sgt. Bukhenik: So, he called you first thing in the morning?

Brian Loughran: Yeah. Probably around 7:00, 7:30-ish.

Sgt. Bukhenik: Okay. And, uh, did he introduce himself? Did he say anything? Did he identify himself? Like, **** –

Brian Loughran: He said he was Aidan. He didn't, um – you know, say that, "I'm Aidan." You know, and then he proceeded with the, um, with the interview.

Sgt. Bukhenik: With the interview? And, um, what kind of questions was, was he asking you?

Brian Loughran: Uh, he, he had asked, um, if I had been cooperating. And I said, yes, I have. He goes, "Who have you been interviewed by?" Uh, I've been interviewed by the FBI. I've been interviewed by, uh, Karen Read's special investigative reporters or private detectives. Uh, and those two are the ones that wa, wanted to see the route, was the private investigators.

Sgt. Bukhenik: So, the private investigators wanted to see the route and –

Brian Loughran: Correct.

Sgt. Bukhenik: – drove you around?

Brian Loughran: Correct.

Sgt. Bukhenik: FBI didn't drive you around, –

Brian Loughran: Nope.

Sgt. Bukhenik: – like he said?

Brian Loughran: Right, which –

Sgt. Bukhenik: So, how, so how is that possible that he has a transcript of your, your interview, and he's actually misrepresenting who drove you around, and who did what?

Brian Loughran: I, I, I can't answer that 'cause –

Sgt. Bukhenik: Did he tell you that the, the, the interview was recorded?

Brian Loughran: No, he did not.

Sgt. Bukhenik: He did not tell you it was recorded?

Brian Loughran: He did not.

Sgt. Bukhenik: Oh, so, okay. Was there anybody else on the line with, with him? Did he, like, three-way call you? By any chance?

Brian Loughran: Not that I, not that I'm aware of.

Sgt. Bukhenik: He didn't make you aware of that?

Brian Loughran: No.

Sgt. Bukhenik: Okay.

Tpr. Proctor: How do you think he got your phone number? Or, did he, did he say how he got your phone number, or –

Brian Loughran: Uh, he did not.

Tpr. Proctor: Okay.

Sgt. Bukhenik: Okay. Did you ever talk to him, communicate with him, visit his, um, platforms in any way, follow him before or that you might have inadvertently shared your contact information with him that way in the past?

Brian Loughran: No, but I do follow him.

Sgt. Bukhenik: You do follow him?

Brian Loughran: But no, I did not.

Sgt. Bukhenik: Okay.

Brian Loughran: Um, there was an in, incident where I was in Wisconsin, –

Sgt. Bukhenik: Mm hmm?

Brian Loughran: – um, and he commented on a post that I did, which was a simple, um, picture of a pancake, and I said, "holy pancakes." Um, and at that point, he had, um, he, he contacted me through, uh, Facebook Messenger looking to answer questions, and I said at that point, "I am not answering any questions regarding this matter anymore, unless it's attached to a subpoena or a badge."

Tpr. Proctor: When did that Facebook message happen?

Brian Loughran: March.

Tpr. Proctor: Of this year?

Brian Loughran: Yes.

Sgt. Bukhenik: Now, so he, he shared, I have the printouts of his blogs here, he shared those screenshots, um, on his publication, uh, of your conversation. Are those accurate based on, uh, as you know, of your, to your knowledge? Are these accurate? I'm showing you the screenshot. It's your, your name from, uh, Facebook Messenger here. Is that accurate?

Brian Loughran: Yes.

Sgt. Bukhenik: Okay. So, it's a screen grab with Brian Loughran's name at the top, 13 to the left of his, uh, emoji icon profile picture with Sunday, 2:22 P.M. at the top.

Tpr. Proctor: Did he contact, Aidan, aka Turtleboy, contacts you in March via Facebook Messenger?

Brian Loughran: Correct.

Tpr. Proctor: Have, did you hear from him again until Monday?

Brian Loughran: No.

Sgt. Bukhenik: What changed your mind about talking to him and answering questions in the meantime?

Brian Loughran: I, I don't have an answer to that.

Tpr. Proctor: Okay.

Sgt. Bukhenik: Um, have you had a chance to review the transcript that he pub, published about your conversation, before?

Brian Loughran: Uh, my, uh, supervisor sent me a screenshot of that, and right off the bat I noticed that he states that I was in with the FBI driving the route, and that's not correct. Nor did I ever say that I was with the FBI in their car going down Fairview to show 'em the route I do.

Tpr. Proctor: Okay.

Brian Loughran: I said that that was the, the private detectives that I was with.

Tpr. Proctor: So, that transcript's not accurate?

Brian Loughran: Correct.

Tpr. Proctor: In that respect.

Sgt. Bukhenik: Whe, where did you meet with the FBI?

Brian Loughran: The first time I met with them, uh, it, it was at my residence at 69 Pond Street, Canton. The second time I met with them was to actually go through the route, and we met at 100 Dedham Street, the John F. Kennedy parking lot.

Sgt. Bukhenik: Okay. Do you remember what, what dates these were?

Brian Loughran: I don't, honestly. I know one was, uh, on a Sunday.

Sgt. Bukhenik: Did they identify themselves with credentials to you?

Brian Loughran: They introduced themselves as private investigators working on behalf of the defense team for Karen Read.

Sgt. Bukhenik: What about the FBI agents?

Brian Loughran: The FBI agents did leave me their, uh, cards. They also left me with a subpoena for the grand jury, um, but was instructed not to appear on the date of the subpoena.

Sgt. Bukhenik: Perfect. Okay. Um, but the private investigators met with you two times to take you through the route?

Brian Loughran: Correct.

Sgt. Bukhenik: Okay.

Brian Loughran: One time.

Sgt. Bukhenik: One --

Brian Loughran: They met me twice. Second time to do the route.

Sgt. Bukhenik: Where was the first meeting? I'm sorry, my --

Brian Loughran: At my house.

Sgt. Bukhenik: At your house, and the FBI also went to your house?

Brian Loughran: Correct.

Sgt. Bukhenik: Okay. All right. I'm sorry. I might, I might have missed it and mis, misunderstood.

Tpr. Proctor: So, the only time you traveled the route was with the defense team's private investigators?

Brian Loughran: Correct.

Tpr. Proctor: Okay.

Sgt. Bukhenik: After Aidan called you, did you call, tell, text, communicate with anyone about the conversation?

Brian Loughran: No.

Tpr. Proctor: Have you heard from Turtleboy since? Either Facebook Messenger, or text, or phone call since Monday?

Brian Loughran: No.

Tpr. Proctor: And just to confirm, when he called you, he didn't advise you that you could potentially be, he's recording that conversation? Did he tell you, "Hey, this is being recorded"?

Brian Loughran: He did not tell me it was being recorded.

Sgt. Bukhenik: When did you stop plowing that area?

Brian Loughran: That --

Sgt. Bukhenik: That day?

Brian Loughran: Uh, that day? It, it, it was, it could have been anywhere between mid-afternoon.

Sgt. Bukhenik: Mid-afternoon? So, you were plowing when, like, the police and the paramedics responded?

Brian Loughran: Yeah, the road was, uh, officially blocked at that point.

Sgt. Bukhenik: Mm hmm.

Tpr. Proctor: Um, I notified, uh, my supervisor that I could not go down any further than Carriage Lane.

Sgt. Bukhenik: Mm hmm.

Brian Loughran: He said just to keep it open till they're done.

Sgt. Bukhenik: Okay. How long does the route take you to do that whole loop, approximately? That, that night, what was the average time that you would cycle from being on Fairview, do the rest of the complex, and come back to Fairview?

Brian Loughran: Um, it, it depends. Um, it depends on how much the, the, uh, subcontractor has done on the other part of the route, which are my, you know, side streets, cul-de-sacs, and stuff like that. It, it depends. I mean, normally it can be 20 minutes. If I do Dedham Street, Cedarcrest to the end, go back to Dedham Street, come back down Cedarcrest and up Fairview, it could be 20 minutes.

Sgt. Bukhenik: Okay. So, the way I'm understanding, and correct me if I'm wrong, you with the big truck do the main thorough way, Cedarcrest, Fairview, uh, and --

Brian Loughran: Spring Lane.

Sgt. Bukhenik: Spring Lane. And then, and then the subcontractors do the s, the little small side streets and the cul-de-sacs? Is that accurate or am I wrong?

Brian Loughran: Uh, it, it's somewhat accurate. Um, you know, I'm responsible for, uh, uh, eight or nine, ten streets. So, if, you know, if I get done with those two main roads, Cedarcrest, Spring Lane, Fairview, I'll bounce off and I'll take care of King's Road, which is a big street. I'll take care of Hunter Lane, which is offa King's Road. As I'm doing Spring Lane, I'll go all the way down to the very end of Spring Lane, uh, depending on, uh, when the last time the co, subcontractor has hit Fall Lane, Snowflake, I will hit those again.

Sgt. Bukhenik: During this specific night when the snow is coming down so hard and so heavy at such a rapid pace, what be, would be in your – you, you've been doing this for many years. How many years have you been doing this?

Brian Loughran: 18.

Sgt. Bukhenik: 18 years, the same route?

Brian Loughran: Not the same route.

Sgt. Bukhenik: But plowin' for 18 years?

Brian Loughran: Correct.

Sgt. Bukhenik: How many years on this route?

Brian Loughran: Um, well, this year would, would have not been a year I did it. We didn't do any plowing, but this year I was given a new route, um, up until then it was probably 3 or 4 years.

Sgt. Bukhenik: So, in the 4 years that you did the section in question, including Fairview and Cedarcrest –

Brian Loughran: Correct.

Sgt. Bukhenik: – what would be the longest turnaround time for you to come back to Fairview?

Brian Loughran: Uh, it could be an hour.

Sgt. Bukhenik: Could be an hour?

Brian Loughran: Could be an hour.

Sgt. Bukhenik: So, at any point during the night, did you see a body on the side of the road?

Brian Loughran: No.

Sgt. Bukhenik: At any point of the night, with your lights illuminated, you were sitting up, up above, did you see a body appear on the side of the road?

Brian Loughran: No.

Sgt. Bukhenik: Did you see footprints at any point during the night coming to and from the house, the driveway, other parts of the street? Any property, any tire tracks that would have been pulled up alongside where the body was found?

Brian Loughran: No.

Sgt. Bukhenik: At any point of the night, I know I'm repeating myself; it's important. Okay? Because you have a great memory, and you're, you're telling us in specific detail what you've remembered. At any part, part of the night, did you see anybody bringing a body out there, placing it on top of the snow, or digging it, digging up the snow and covering the body in the snow, and disturbing the snow around the body?

Brian Loughran: No.

Sgt. Bukhenik: You did not observe or remember seeing any of that?

Brian Loughran: No.

Sgt. Bukhenik: Any blood trails of a body being dragged? I know you mentioned there was no car tracks pulling up to where you were plowing after the Edge had left, right?

Brian Loughran: Correct.

Sgt. Bukhenik: So, you didn't see any tire tracks?

Brian Loughran: Correct.

Sgt. Bukhenik: So, you didn't see any tire tracks, you didn't see any blood trails being dragged, a body being dragged there?

Brian Loughran: Correct.

Sgt. Bukhenik: And you didn't hit the body, right? If you hit the body, you would –

Brian Loughran: Correct.

Sgt. Bukhenik: – have, you would have, –

Brian Loughran: I woulda, I would have known.

Sgt. Bukhenik: – you would have notified?

Brian Loughran: I would have, A, known about it, and B, I would have known. I would have been required to stop and make a phone call to the supervisor, and then the necessary phone calls to police and fire. That's protocol for the town.

Tpr. Proctor: At any point during the night, did you hit anything at all? Mailbox, car, anything at all?

Brian Loughran: Uh, I hit a, um, a basketball net that was a portable on the side of the road. It actually hit my, um, the arm to my tarp that is on top of my truck.

Tpr. Proctor: So, not the plow?

Brian Loughran: Not the plow.

Tpr. Proctor: Okay.

Sgt. Bukhenik: So, you clipped something up above?

Brian Loughran: Correct.

Sgt. Bukhenik: Uh, the net actually clips the, like, above your truck?

Brian Loughran: Correct.

Sgt. Bukhenik: And it was protruding onto the roadway as you were plowing?

Brian Loughran: Correct.

Sgt. Bukhenik: Your plow didn't hit it?

Brian Loughran: No.

Sgt. Bukhenik: It's just, it was, it made contact with your vehicle?

Brian Loughran: Correct.

Sgt. Bukhenik: And did you, uh, notice anybody injured out there that night due to that, that clipping?

Brian Loughran: No. No.

Sgt. Bukhenik: Did you notify anybody?

Brian Loughran: Yes.

Sgt. Bukhenik: Okay, you did?

Brian Loughran: I notified my supervisor.

Sgt. Bukhenik: And, uh, what was the result of that, uh, incident?

Brian Loughran: The, the net was turned from facing the street to facing the yard, so I turned it 90 degrees.

Tpr. Proctor: Do you recall what street that was on?

Brian Loughran: It was on Tippygart Road.

Tpr. Proctor: And off of what street is that?

Brian Loughran: That is off of Cedarcrest –

Tpr. Proctor: Off of Cedar –

Brian Loughran: – and off of King's Road.

Tpr. Proctor: Okay.

Brian Loughran: Tippycart is a half moon. It goes through Cedarcrest and comes off of King's Road.

Sgt. Bukhenik: Did you notice any other vehicles on Fairview Road parked on the side of the road, um, other than the Ford Edge?

Brian Loughran: No.

Sgt. Bukhenik: What color was this Ford Edge?

Brian Loughran: I can't tell you. I am color blind.

Sgt. Bukhenik: Okay. Wa, uh, was it a light color or a dark color? You just –

Brian Loughran: If, if, if I were to say, it was, uh, tan-colored.

Sgt. Bukhenik: Tan color? Okay. But you are color blind, so –

Brian Loughran: I am.

Sgt. Bukhenik: – all right. I appreciate you revealing that information with us. It's very, uh, forthcoming and, you know, shows how honest you're being with us.

Brian Loughran: I also shared that information with the FBI. I shared the same information with the private investigator.

Sgt. Bukhenik: Okay. Thank you. Uh, anything else, uh, that you think we're missing about the night in question? How, like, how well illuminated it was, how heavy in your experience the snow is coming down, how obstructed your view was as a result of the snow? If you can maybe share your, um, recollection of that.

Brian Loughran: The snow was heavy. It was not blinding. It was not a, a whiteout conditions, but it was coming down very heavy, very fast.

Sgt. Bukhenik: Okay. Um, what about the, the, the streetlight illumination? Any of the neighborhood lose power at any time, so there was no streetlights? Are there streetlights, if you recall, on that street?

Brian Loughran: I want to say there is one that I, that I know of, and that's at the end of the property of 34, and it's, there just seems to be like a, like a, uh, it's hard to describe it, other than, to me, it looks like a little wooded area that has a concrete pole with a light on it.

Tpr. Proctor: Okay. All right. Should we *****? Um, I don't have any further questions, unless the Sgt.does?

Sgt. Bukhenik: There's, um, unsubstantial rumors, but we want to get to the bottom of everything. There's unsubstantial rumors, but we want to get to the bottom of everything. There's unsu, unsubstantiated rumors right now that we have learned that somebody recorded you, um, having this conversation, or somebody prior to having Aidan call you recorded a conversation with you, asking you these same questions that Aidan asked. Do you know anything about that?

Brian Loughran: I have no idea.

Sgt. Bukhenik: No idea? Okay. Had anybody else, other than the FBI and the private investigators, asked you the same question, or very similar questions that Aidan was asking you?

Brian Loughran: No.

Sgt. Bukhenik: The transcript of the – you said you saw this transcript? The transcript which Aidan published, are those questions, to the best of your knowledge, are those questions asked in the same order, chronologically, in time, that he asked you, or are those transposed in time?

Brian Loughran: Uh –

Sgt. Bukhenik: Do you want to re, reference it? Do you want to take a look?

Tpr. Proctor: So, prior to Monday, when Aidan called you, there was no, you spoke to no one before Monday that, anybody that may have asked you similar questions?

Brian Loughran: No.

Sgt. Bukhenik: You can leaf, uh, through the next several pages there. That's the Part 93 of Aidan's, also known as Turtleboy's, blog.

Brian Loughran: Okay. Well, these are the questions that he asked me, but I'm finding discrepancies already. Yeah.

Tpr. Proctor: Can you point out the discrepancies?

Brian Loughran: Yes. Um, no. They said as long as the police have ordered the testimony. Did they say I couldn't speak to the police? No one has ever told me I couldn't speak to the police. I told him that I'm not talking to anyone, unless it's attached to a badge or a subpoena.

Sgt. Bukhenik: Did the private investigators, uh, present a badge or a subpoena?

Brian Loughran: No.

Sgt. Bukhenik: No?

Brian Loughran: They, they introduced themselves as private investigators for the team, defense team.

Sgt. Bukhenik: Okay.

Brian Loughran: Uh, to me, that was sufficient for me to warrant to go with them and to cooperate.

Sgt. Bukhenik: Okay.

Brian Loughran: He's asking questions, uh, regarding a memo referring to Turtleboy and questions asked. And we were instructed that we can give our name out. He's got that wrong. It's completely wrong.

Sgt. Bukhenik: In what respect is that wrong?

Brian Loughran: We, we were told that we could speak. We're not to answer the questions, so if he says, he asks a question, our response was to be "no comment."

Sgt. Bukhenik: So, there's multiple discrepancies in what he has written?

Brian Loughran: ****.

Sgt. Bukhenik: Uh, in what actually happened and what you answered when he, when he asked you those questions?

Brian Loughran: Correct.

Sgt. Bukhenik: Okay. Is there anything that you shared with the private investigators that you think we should know about, um, based on your conversation with them? That is important to this investigation and getting to the bottom of the truth?

Brian Loughran: Uh, I have stated all along, my, for whatever reason, the only thing out of the ordinary that I saw the entire night was the Ford Edge.

Sgt. Bukhenik: Okay.

Sgt. Bukhenik: So, the only thing out of the ordinary that, that night was the Ford Edge? You didn't see -- even after the police arrived, you still had not seen the body. And you said you were already on Fairview when you saw the police at the scene?

Brian Loughran: Correct.

Sgt. Bukhenik: But you still had not seen the body?

Brian Loughran: Correct.

Sgt. Bukhenik: Did you ever see the body out there, even while the police were on scene?

Brian Loughran: No.

Sgt. Bukhenik: How far away were you from where the body was found and where you were parked, uh, looking towards the scene? How far away were you?

Brian Loughran: Uh, when they originally stopped, I was on Cedarcrest trying to turn left onto Fairview, --

Sgt. Bukhenik: Mm hmm?

Brian Loughran: -- and was not able to.

Sgt. Bukhenik: Okay. And what time of day was this?

Brian Loughran: Early morning. I, I couldn't tell you, honestly what time --

Sgt. Bukhenik: Was it daylight outside, or was it still dark?

Brian Loughran: It was still dark.

Sgt. Bukhenik: Still dark? So, it was before sunrise, before dawn?

Brian Loughran: Correct.

Sgt. Bukhenik: Okay. And but, you, from that, your vantage point, you didn't see the body?

Brian Loughran: Correct.

Sgt. Bukhenik: Did you ever see a vehicle on that street driving? Did you encounter any traveling vehicles on that street that morning?

Brian Loughran: There were several, I mean, during, throughout the entire storm.

Sgt. Bukhenik: So, several vehicles you saw on s, uh, Fairview?

Brian Loughran: Correct.

Sgt. Bukhenik: Did any vehicles stop at, at the home while you were plowing?

Brian Loughran: Not to my knowl.. When I saw 'em, I was going the opposite direction. So, I would say no.

Sgt. Bukhenik: So, just so I have it correct, you saw vehicles traveling on Fairview, but they were going the opposite direction, so you have no knowledge of them stopping in front of the, um, Fairview, 34 Fairview address?

Brian Loughran: Correct.

Sgt. Bukhenik: Do you recall what types of vehicles they were?

Brian Loughran: I do not.

Sgt. Bukhenik: Okay. When you stopped and were not able to take a left onto Fairview on Cedarcrest that early morning, uh, of the 29th of September, what were the weather conditions at that point?

Brian Loughran: Uh, snowing very heavy.

Sgt. Bukhenik: Very heavily. When would you say the snow became very heavy?

Brian Loughran: I would say around 4:30, 5:00. That's -

Sgt. Bukhenik: When you observed the Ford Edge, was it accumulating snow on top of it? Was it covered?

Brian Loughran: No, it was not.

Sgt. Bukhenik: It was not?

Brian Loughran: It was not. If, it had maybe an inch or 2 at the time, if that.

Sgt. Bukhenik: The last time you saw the Ford Edge there, had it accumulated any snow on top of it?

Brian Loughran: No.

Sgt. Bukhenik: Did you see where the Ford Edge went to after it left the front of -

Brian Loughran: No.

Sgt. Bukhenik: - Fairview?

Brian Loughran: No.

Sgt. Bukhenik: You didn't see it in the driveway, in the neighbor's driveway, in the, you know, you didn't see any tracks where, the direction it traveled?

Brian Loughran: No, I did not.

Sgt. Bukhenik: Okay. And was the Ford Edge one, one of the vehicles traveling, to the best of your knowledge?

Brian Loughran: No.

Sgt. Bukhenik: Okay. Trooper Proctor?

Tpr. Proctor: Uh, I'm good.

Sgt. Bukhenik: All right, Mr. Loughran, uh, thank you so much for your time. It is now 12:25 on the dot, and we're gonna conclude this interview.

Tpr. Proctor: It's 12:30 p.m. Uh, Trooper Michael Proctor, P-R-O-C-T-O-R, along with

Sgt. Bukhenik: Sergeant Yuriy Bukhenik, B-U-K-H-E-N-I-K, uh, with the Norfolk District Attorney's Office here in, uh, Norfolk, Dis, District Attorney's Office community room. Present with us is –

Brian Loughran: Brian Loughran, L-O-U-G-H-R-A-N.

Sgt. Bukhenik: Brian, before walking out, you, uh, remembered something, and you want to, uh, volunteer, uh, certain information to further support additional discrepancies with, um, accounts that have been descri, uh, discussed and described and documented, uh, and produced on Turtle Boys, um, platforms. Can you further share with us and this recording what, uh, you, uh, stated to us prior to, uh, concluding, leaving the office here?

Brian Loughran: It states in the transcripts that I was presented with GPS information from the FBI. That is utterly false. I was never given any information or documentation from the FBI other than a subpoena to the grand jury.

Sgt. Bukhenik: Okay, thank you for clarifying that. Uh, you additionally said that there was other discrepancies, uh, during an interview about your practices, uh, plowing the roadways. Can you, uh, go into detail discussing those and how you learned about those?

Brian Loughran: I was asked by, the, the private investigators from the defense team for Karen Read that stated I said that I ring row to the left. I can't ring row to the left. I'm in the middle of the road. I would bury the other side of the road. Again, it's always ring row to the right.

Sgt. Bukhenik: So, when you dis, discuss ring row, um, can you go into detail, like, tell us about that. We're not in the business, so what does ring rowing mean, uh, in your profession?

Brian Loughran: So, when you are plowing and the snow comes off your plow, it leaves a row of snow, and it's called a ring row. So, it's a continuous row of snow. If you put it in the left, it is adding an additional amount of snow on the ground that's there plus what's coming off my plow.

Sgt. Bukhenik: So, ring rowing to the left, which part, which side of the blade as you're moving forward, is further ahead?

Brian Loughran: The right-hand side.

Sgt. Bukhenik: And ring rowing to the right, which part of the blade is ahead?

Brian Loughran: The left side of the blade.

Sgt. Bukhenik: Okay. Thank you for that explanation, and you said they presented you with a – that was your watch, okay. Um –

Brian Loughran: I apologize.

Sgt. Bukhenik: No, no worries.

Tpr. Proctor: That's fine.

Sgt. Bukhenik: It's all good. So, you said they presented you with the statement you said. Can you just walk us through how that whole thing transpired?

Tpr. Proctor: Just to clarify, they being the defense team's private investigators.

Brian Loughran: So, uh, so we, orig, initially had an interview at 69 Pond Street. Your my first interview with the defense team's private investigators.

Sgt. Bukhenik: Did they audio record that interview like we're recording it today?

Brian Loughran: No.

Sgt. Bukhenik: Okay. So, it was just, basically, what you, what they asked you, you responded. What they presented you as a fact, you'd respond to, verifying or, de, denying that that's accurate?

Brian Loughran: Correct.

Sgt. Bukhenik: And, and they presented with you with, uh, uh, a statement that they claimed you made?

Brian Loughran: Correct.

Sgt. Bukhenik: And what was that statement?

Brian Loughran: They stated that I started the route on Fairview with my plow ring rowing to the left-hand side, and I said that is incorrect. I always ring row to the right to prevent additional snow from my plow going on top of whatever snow is on the ground making the left-hand side of the road unpassable.

Sgt. Bukhenik: Okay. So that's an incorrect statement, and you never did that?

Brian Loughran: No.

Sgt. Bukhenik: The night of January 29th?

Brian Loughran: No.

Tpr. Proctor: And at the time of the 29th, was the truck you were operating equipped with GPS location information to track your?

Brian Loughran: All town vehicles are GPS. I have been told, which is normally not something I would know, but have been told that the GPS at the time of the snow were down, and they were down at the repeater, not at the trucks.

Sgt. Bukhenik: I see. So, the system had a problem. Your individual truck did not have an issue, and, uh, you learned this, uh, the night of, or did you learn that the GPS had been down for a while?

Brian Loughran: I learned that the GPS was down, have, uh, about 2 weeks ago and had no idea GPS was down.

Tpr. Proctor: Okay.

Sgt. Bukhenik: Okay. Is there anything else that you're remembering that you think would be important to share and clarify with us today?

Brian Loughran: No.

Sgt. Bukhenik: All right. Thank you very much.

Tpr. Proctor: Thank you, and this concludes the follow-up questions, uh, with Mr. Loughran. It is 12:36 p.m.

Respectfully Submitted,

Sgt. Yuriy Bukhenik #3543

Sergeant Yuriy Bukhenik, #3543
Massachusetts State Police
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