

**ATTORNEY GENERAL OFFICE'S REPORT REGARDING THE
NOVEMBER 17, 2023, OFFICER-INVOLVED SHOOTING
INCIDENT IN CONCORD, NEW HAMPSHIRE**

I. INTRODUCTION

Attorney General John M. Formella announces the completion of the investigation into the fatal shooting incident that occurred in Concord, New Hampshire, on November 17, 2023, that resulted in the death of John David Madore (age 33, DOB: 08/17/1990) immediately following John Madore's murder of Bradley Haas (age 63) in the front lobby of New Hampshire Hospital. The purpose of this report is to summarize the Attorney General's factual findings and legal conclusions regarding the use of deadly force that resulted in John Madore's death. The findings and conclusions in this report are based upon information gathered during the investigation, including viewing the scene of the incident as well as viewing photographs of the scene, physical evidence from the shooting incident, video footage of the event, and interviewing witnesses.

During this incident, New Hampshire State Trooper Nathan Sleight used deadly force against Mr. Madore by shooting him with a firearm. As a result of this use of force, Mr. Madore was wounded by Trooper Sleight's gunshots and died.

As provided in RSA 7:6, RSA 21-M:3-b, and RSA 21-M:8, II(a), the Attorney General is the State's Chief Law Enforcement Officer and has the authority to investigate and prosecute major crimes, including instances where a crime punishable by up to life imprisonment is committed. In addition, the Attorney General has the responsibility to ensure that whenever a law enforcement officer uses deadly force, it is done in conformity with the law.

When reviewing the use of deadly force by law enforcement officers, the Attorney General does not investigate or opine on the particular procedures or tactics used by the

officers. Instead, the Attorney General's review of officer-involved use of deadly force incidents consists of a criminal investigation, which is limited to determining whether officers complied with the applicable law. Thus, the Attorney General's review focuses on whether, under New Hampshire law, the use of force was justified because the officer reasonably believed that such force was necessary to defend himself or herself or a third party from what the officer reasonably believed was the imminent use of deadly force.

Based on the investigation of this deadly force incident, Attorney General John M. Formella finds that the use of deadly force against John David Madore by New Hampshire Trooper Nathan Sleight on November 17, 2023, was legally justified.

II. THE LOCATION

On November 17, 2023, at approximately 3:38 P.M., John David Madore (“Madore”) parked a white, U-Haul box truck at the New Hampshire Hospital (“the hospital”) located at 36 Clinton Street, Concord, NH, and entered the lobby of the building through the front entrance. The New Hampshire Hospital provides inpatient psychiatric care to assist citizens with acute mental illness to stabilize their conditions. The hospital is a two-story building where patients reside and receive services, and hospital employees maintain offices.

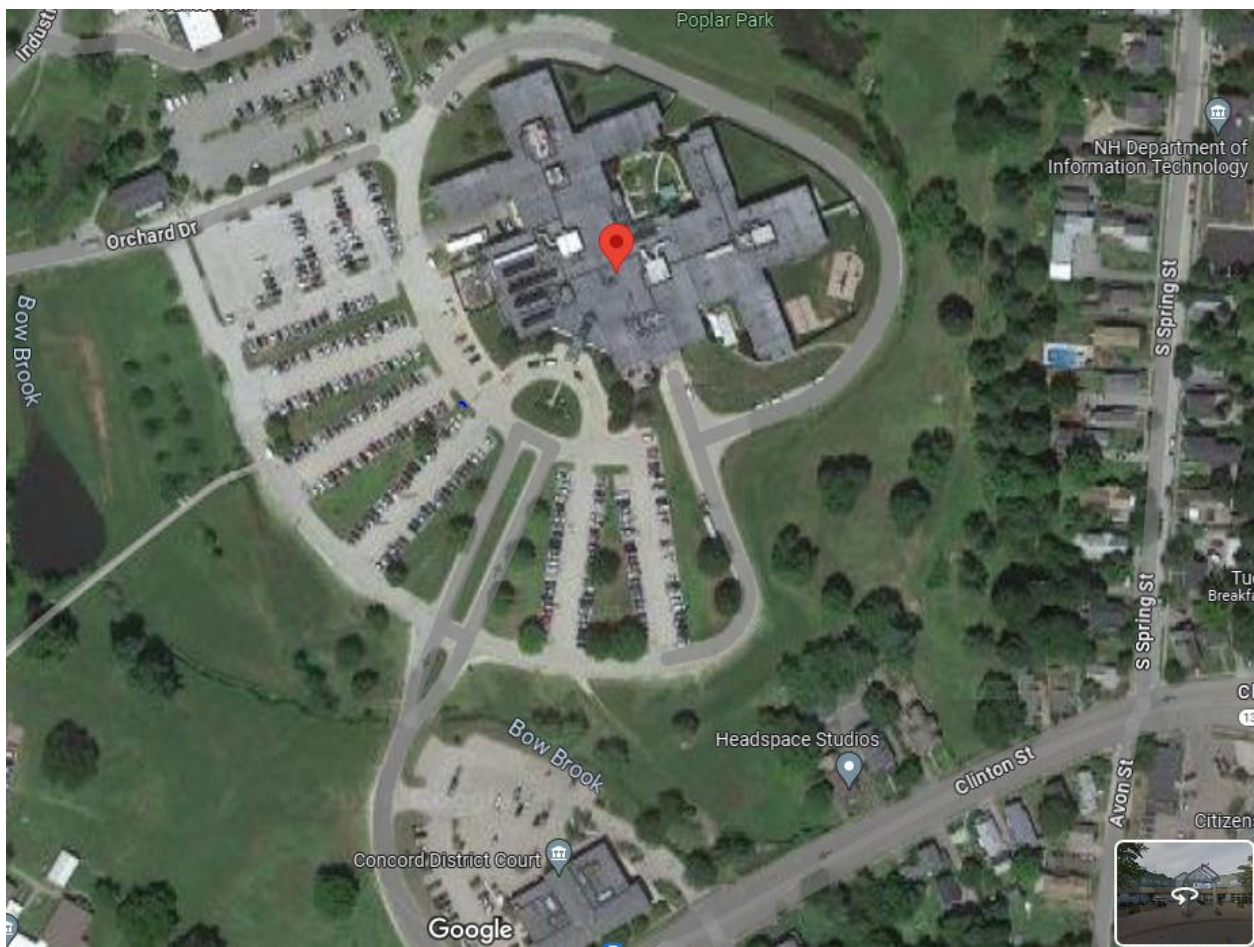


Image 1. Map overview showing the location of the New Hampshire Hospital, 36 Clinton Street, Concord, N.H.



Image 2. Photograph of the New Hampshire Hospital front entrance which leads into the lobby. It should be noted that on November 17, 2023, the hospital was under construction and the entrance had a temporary safety/containment wall set up to the right-hand side of the front door, not pictured in this photograph.

The main entrance leads directly into the hospital lobby, which staff, residents, and visitors pass through to gain entrance into the facility. As a secure facility, the lobby contains several service windows for the staff to safely speak with persons entering the hospital, and several locked doors which must be opened by the staff for residents or visitors to enter further into the building. At the time of this incident, the lobby had a metal detector staffed by one unarmed security officer, who screened residents and visitors as they entered.

In addition to a security officer, the hospital has a uniformed State Office Complex (“SOC”) Police officer onsite. The SOC Police maintain an office located directly off the lobby, accessed through a heavy, secured door on the left as you enter the lobby.



Image 3. Photo of lobby, S.O. Haas standing at the metal detector on the left, main entrance doors center, SOC Police office door on the right.

III. SUMMARY OF THE FACTS

On November 17, 2023, at approximately 3:38 P.M., Madore parked a U-Haul box truck at the New Hampshire Hospital, left the engine of the truck running and entered the hospital lobby where Security Officer Bradley Haas was standing at the metal detector. Immediately and without warning, Madore removed a pistol from the pocket of his sweatshirt, walked directly toward S.O. Haas and shot him with the pistol, causing S.O. Haas to collapse.

Madore then moved around the perimeter of the room and continued firing his pistol at the secured doors, service windows, and S.O. Haas until his pistol ran out of ammunition, causing the reciprocating slide of his semi-automatic pistol to lock back in an open position. Madore removed and discarded the empty ammunition magazine contained in the handgrip of his pistol and began to reload a new magazine. Before Madore could finish reloading his pistol, New Hampshire State Trooper Nathan Sleight drew his service pistol, opened the door leading from the SOC Police office into the lobby, and commanded Madore to drop his pistol.

Madore turned and faced Trooper Sleight, ignored his commands, and continued to try to reload his pistol. As Madore was about to insert the new loaded magazine into his pistol, Trooper Sleight shot Madore with his Smith & Wesson, M&P 45, service pistol and Madore fell to the floor. While on the floor Madore again continued to try to reload his pistol causing Trooper Sleight to fire the remaining ammunition in his service pistol at Madore in an effort to stop Madore from reloading.

During this timeframe, a resident who was unaware of what was occurring entered the lobby through the front doors and heard Madore state something to the effect of “*I hate this place.*” Trooper Sleight left the SOC Police office to escort the resident back to the parking lot where he also retrieved an additional ammunition magazine for his service pistol before returning to the lobby. After momentarily observing Madore, Trooper Sleight ran back to his cruiser again to retrieve his equipment vest and police radio to provide updated information to arriving law enforcement. Moments later, members of the Concord Police Department arrived and dragged S.O. Haas out of the lobby while Trooper Sleight maintained armed cover of Madore who was obscuring the location of his hands and his pistol as he lay face down on the floor.

As additional law enforcement officers arrived, Madore was tactically approached, secured, and evaluated by responding EMS. Madore’s 9mm caliber pistol was located under his body with the slide still locked back in the open position. The empty magazine he had used to discharge his pistol inside the lobby, and the loaded magazine which he was attempting to reload his pistol with when he was shot, were located on the floor of the lobby.

IV. THE INVESTIGATION

The New Hampshire Attorney General's Office with the assistance of the New Hampshire State Police Major Crime Unit ("MCU") conducted the use of force investigation regarding NH State Trooper Sleight's discharge of his service pistol at Madore. Investigators examined the scene, collected and reviewed physical and video evidence, and reviewed reports and records. Additionally, numerous individuals were interviewed, including Trooper Sleight, hospital staff, hospital residents, and individuals with relevant information regarding Madore before he entered the hospital. The information and evidence gathered during the investigation is summarized below.

A. John D. Madore – events prior to November 17, 2023

Madore had a history of mental health issues and had previously been a residential treatment patient at the hospital for 13 days in February of 2016 and again for approximately 9 months between May of 2016 to March of 2017.

In November of 2023, Madore was a 33-year-old, unemployed, unhoused man, financially dependent on his family. On November 1, 2023, he checked into room 212 at the Magnuson Hotel, 869 Lafayette Road, Hampton, NH, reserving the room through November 22, 2023. The hotel bill was paid by Madore's family.

On the evening of November 16, 2023, Madore communicated with family members through text messages reviewed during the investigation. After discussing that he was not able to find a job or stable housing as well as his concern that his father would not continue to pay for hotel rooms indefinitely, he indicated that he felt unsafe at the Magnuson Hotel and requested money to hire an Uber and rent a new room at a different hotel.

At approximately 7:57 P.M. on November 16, 2023, Madore checked into room 225 at the Holiday Inn, 172 North Main Street, Concord, NH, reserving the room for one night. The following morning, on November 17, 2023, he again communicated with family members by text message in an effort to figure out where he could go when his Holiday Inn room reservation expired later that morning. The discussions centered around his decision not to live in temporary assisted living which, in his opinion, would require him to surrender his “constitutional rights” and “abandon his weapons”; what hotel he should go to next; and whether he should hire an Uber or rent a U-Haul for transportation. After determining that renting a U-Haul would be less expensive than hiring an Uber, Madore eventually rented a U-Haul box truck at approximately 10:18 A.M. from U-Haul Moving & Storage of Concord, 29 Stickney Ave, Concord, NH 03301.

Madore drove the truck to the Holiday Inn, loaded his belongings into the truck, and left the hotel at approximately 10:53 AM. Madore then drove to Walmart, 344 Loudon Road, Concord, NH, where he purchased a cell phone charger, portable battery pack, and a soda. Madore continued communicating with family by phone and text message, indicating that he was driving to Manchester where he hoped to rent a less expensive room at an Econo-Lodge hotel. Madore’s phone records indicate that between 12:52 P.M. and 1:20 P.M. he was in the area of the Econo-Lodge in Manchester, but his text messages revealed that he did not rent a room there because it was more expensive than he had anticipated.

Further review of Madore’s phone records show that between 1:27 P.M. and 3:38 P.M. he left Manchester and travelled: north on 293 toward Hooksett; north on 93 toward Concord; north on 89 toward Hopkinton; west on Route 9 toward Henniker; and then north-west on Route 123 in Stoddard; before reversing course and following the same route back to Concord. Madore’s phone records suggest that he did not make any stops between the time he left Manchester and

his return to Concord. Once in Concord, at approximately 3:38 P.M., Madore parked the truck in the parking lot at the New Hampshire Hospital, left the engine running, and entered the hospital.

B. Video/Photographic Evidence – New Hampshire Hospital

Investigators obtained and reviewed the video footage and still images from a number of businesses related to Madore's activity on November 17, 2023 (including U-Haul, Holiday Inn, Walmart, and Econo-Lodge) leading up to his arrival at the hospital, as well as video footage from the hospital itself. Significantly, the video footage from the hospital captured the events inside the lobby, including Madore's murder of S.O. Haas, his use of deadly physical force against hospital staff, and Trooper Sleight's subsequent use of deadly physical force against Madore.

Activity in the hospital lobby was recorded by two video cameras which contain a time and date stamp. The date stamp was accurate, but the time stamp was approximately 47 minutes behind the actual time, reading 14:51 (2:51 P.M.) as Madore entered the lobby, while the correct time was approximately 15:38 (3:38 P.M.). Nonetheless, the time stamp on the recordings is relevant to show the timeframe between Madore opening fire inside the hospital lobby and Trooper Sleight's responding use of deadly physical force on Madore. A review of the relevant footage is below.

Madore entered the lobby at 3:38 P.M. while Officer Haas was at the security checkpoint to Madore's right.



Image 4. Madore entered the hospital lobby at time stamp 14:51:08, S.O. Haas can be seen standing to the left of the metal detector as Madore enters.

Two seconds after entering the lobby, both cameras CH10 and CH15 recorded Madore as he shot Officer Haas multiple times. Approximately two seconds later, Madore walked through the metal detector and began firing at switchboard staff behind one of the service windows.

Camera CH10



Camera CH15



Image 5 & 6. Madore shot S.O. Bradley Haas approximately two seconds after entering the lobby at time stamp 14:51:10.



Image 7 & 8. Madore walked through metal detector and raised his pistol in his right hand at time stamp 14:51:12.



Image 9 & 10. Madore fired his pistol at hospital staff behind the switchboard service window at time stamp 14:51:13 – 14:51:14



Image 11 & 12. Madore fired his pistol at the window of a secured door leading into the hospital at time stamp 14:51:15.

Eleven seconds after entering the lobby, both cameras CH10 and CH15 recorded Madore as he turned back towards Officer Haas and shot him again.



Images 13 & 14. Madore reapproached S.O. Haas with his pistol in right hand at time stamp 14:51:19



Images 15 & 16. Madore fired additional rounds at S.O. Haas at time stamp 14:51:20.

Fifteen seconds after entering the lobby, both cameras recorded Madore as he turned back towards the switchboard service window and fired the last round of ammunition from his pistol.



Images 17 & 18. Madore fired the last round of ammunition in his pistol at the switchboard service window at time stamp 14:51:23, causing slide of his pistol to lock back.

Seventeen seconds after entering the lobby, Madore removed and discarded the empty magazine onto the floor, and reached into his pocket with his left hand for a loaded magazine.



Image 19 & 20. Madore began to reload his pistol at timestamp 14:51:25 by removing and discarding the empty magazine.



Image 21 & 22. Madore reached into his pocket with his left hand to retrieve a loaded magazine for his pistol, his discarded empty magazine can be seen on the floor in front of his right foot at timestamp 14:51:27.

As Madore retrieved the new magazine, cameras recorded Trooper Sleight opening the SOC Police office door as he commanded Madore to drop the pistol. Madore is seen ignoring the command, and bringing his left hand up trying to load the new magazine into his pistol.



Image 23 & 24. Trooper Sleight opened the SOC Police office door and commanded Madore to drop his pistol at time stamp 14:51:28.



Image 25 & 26. Madore ignored Trooper Sleight's commands and continued to try to insert a loaded magazine into his pistol at time stamp 14:51:29.

Twenty-two seconds after entering the lobby, cameras recorded Trooper Sleight firing his service pistol at Madore, causing Madore to fall towards the wall.



Images 27 & 28. Trooper Sleight fired his service pistol at Madore through the open SOC office door, causing Madore to fall against the wall and the floor at timestamp 14:51:30.



Images 29 & 30. Madore on the floor with pistol still in his right hand, his loaded magazine in his left hand, at timestamp 14:51:32.



Images 31 & 32. Madore continued to try to reload his pistol after being shot by Trooper Sleight at timestamp 14:51:38.

Thirty seconds after entering the lobby, Madore continued trying to reload his pistol after having been shot. Trooper Sleight fired at Madore again as he, Madore, was trying to reload.



Images 33 & 34. Trooper Sleight fired additional rounds at Madore to stop him from reloading his pistol at timestamp 14:51:39.

Forty-eight seconds after entering the lobby, cameras recorded a residential patient who was unaware of what had occurred coming into the middle of the lobby from outside, and then be quickly escorted out of the way by Trooper Sleight.



Images 35 & 36. Madore sat up and spoke to a residential patient who entered the lobby at timestamp 14:51:52.



Image 37 & 38. Trooper Sleight directed the patient out of lobby at timestamp 14:52:12.



Image 39. Trooper Sleight escorted the patient out of the lobby at timestamp 14:52:20.



Image 40. Trooper Sleight returned to the lobby after escorting the patient safely out of the lobby and retrieving additional ammunition for his service pistol at timestamp 14:52:52.

Approximately 4 minutes and 55 seconds after the incident began, cameras recorded Trooper Sleight providing cover for Concord Police officers to quickly remove Officer Haas from the lobby.



Image 41. Concord Police arrived and removed S.O. Haas from the lobby as Trooper Sleight provided cover at timestamp 14:56:03.

C. Physical Evidence

After confirming Madore no longer posed a threat, investigators conducted a search of the hospital lobby and surrounding areas, the U-Haul truck, Trooper Sleight's equipment and photographed his uniform.

1. Scene

The New Hampshire State Police Major Crimes Unit, under the direction of the Office of the Attorney General, searched, processed, and documented the crime scene. Because of Trooper Sleight's quick response to Madore's attack, the crime scene was limited to the hospital parking lot where Madore parked the U-Haul truck, the hospital lobby, and the SOC Police office where Trooper Sleight was standing when he discharged his pistol.

The location of evidentiary items was documented by photograph and diagram, including: Madore's 9mm caliber SCCY pistol, 9mm bullets/bullet fragments, spent 9mm shell casings, and 9mm magazines; as well as Trooper Sleight's .45 caliber bullets/bullet fragments, spent .45 caliber shell casings, and empty .45 caliber magazine.



Case number: 2023-131025	Date of incident: November 17 th , 2023	Address: 36 Clinton Street, Concord, NH
Drawn by: TFC Nicholas Post	Date drawn: December 4 th , 2023	Scale: Near to scale

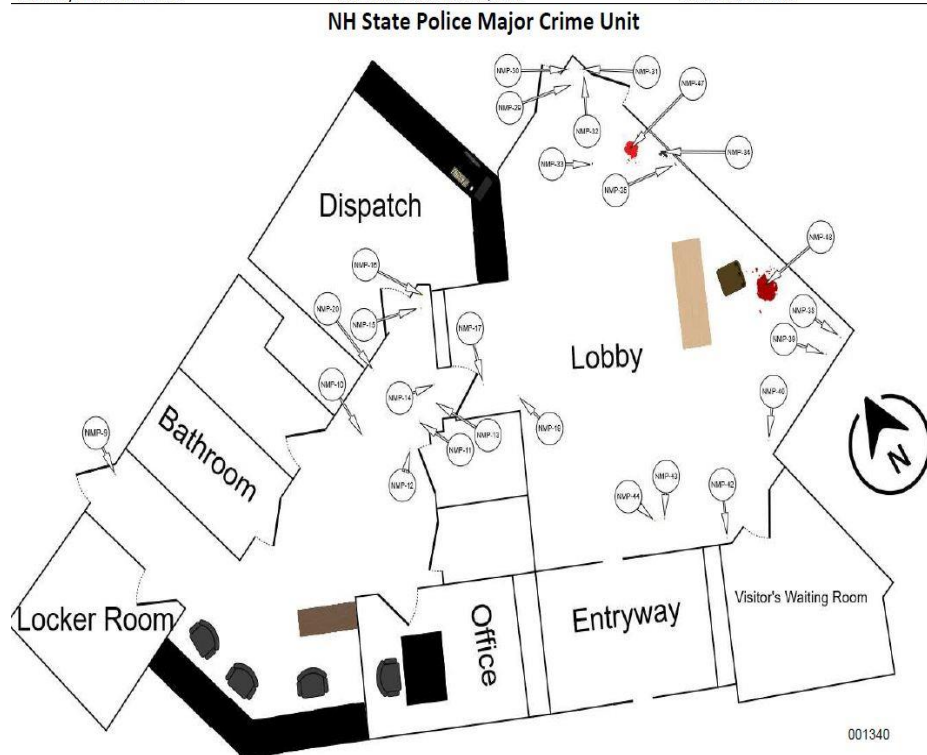


Image 42. Diagram of New Hampshire Hospital lobby.

The location of the bullet/bullet fragments, spent shell casings, and bullet defects located on the walls, doors and windows of the lobby was consistent with witness statements and the video evidence which captured both Madore and Trooper Sleight firing their pistols inside the hospital.

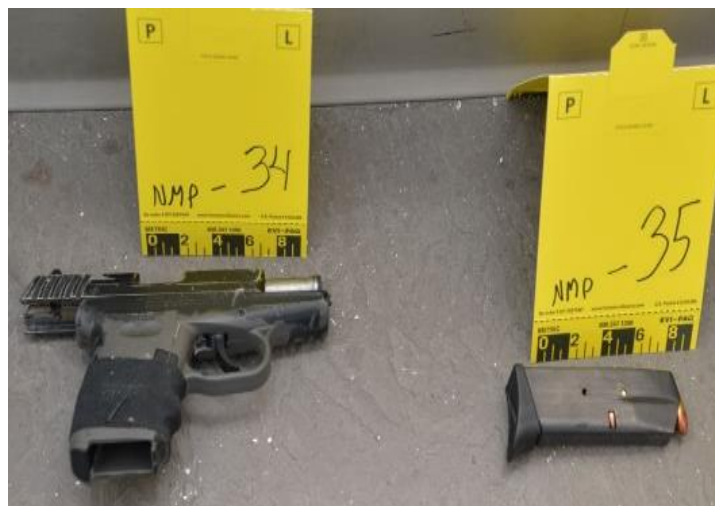


Images 43 & 44. View of evidence placards marking spent shell casing locations looking into the lobby from the SOC Police office door and from the lobby looking into the SOC Police office.



Images 45 & 46. Photographs of bullet defects A, B, C, D, E located on the lobby wall and the switchboard service window and bullet defects F, G, H located on one of the secured doors leading into the hospital from the lobby.

Madore's pistol was recovered underneath his body, with the slide lock engaged as a result of discharging all of the ammunition from the magazine inside his pistol. The empty magazine he had discarded and the loaded magazine containing 9 additional bullets he was attempting to insert into his pistol were also located on the floor of the lobby.



Images 47 & 48. Madore's empty pistol magazine and his pistol pictured with his loaded pistol magazine.

Investigators confirmed that Madore purchased the recovered SCCY Industries, CPX-2, 9mm pistol, on February 22, 2020, from a gun dealer in Barrington, NH, after affirming that he had never been committed to a mental institution when answering question number 11(f) on a Firearms Transaction Record, AFT form 4473:

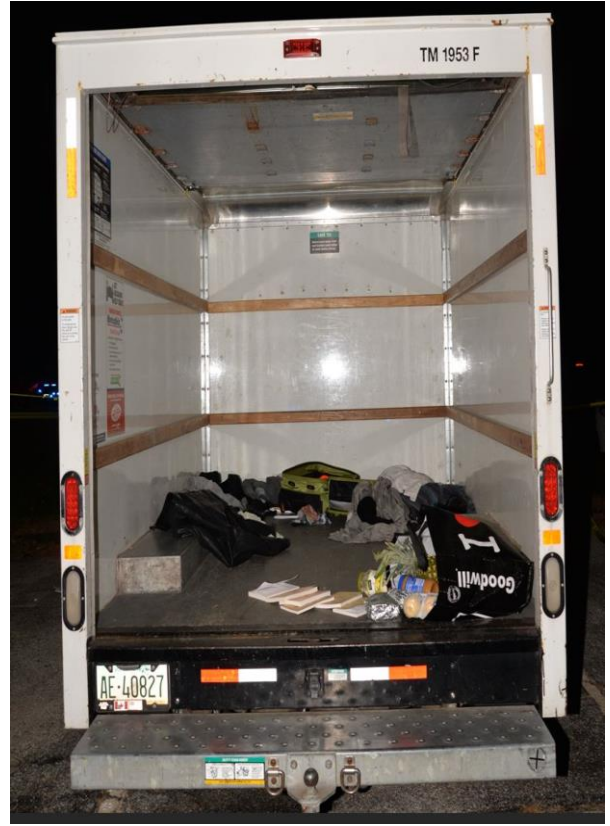
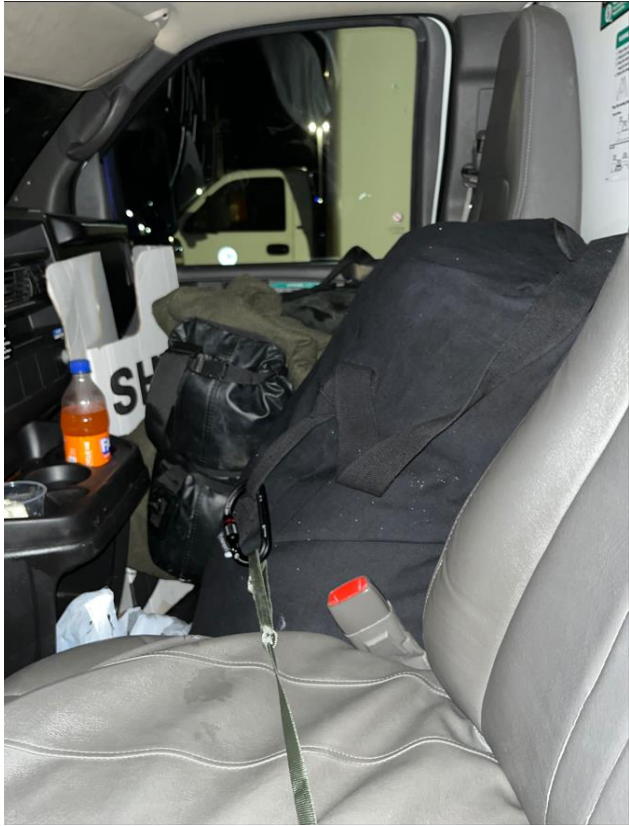
f. Have you ever been adjudicated as a mental defective OR have you ever been committed to a mental institution? (See Instructions for Question 11.f.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Image 49. Madore's answer to question 11(f) affirming that he had never been adjudicated as a mental defective or committed to a mental institution.

Patient records from New Hampshire Hospital indicate Madore was admitted to the hospital for inpatient treatment for 13 days in February of 2016 and again between May of 2016 and March of 2017. Publicly available court records indicate that Madore was facing several felony charges in Strafford County Superior Court around this time, and that his competency to stand trial had been raised before he was ultimately found not competent to stand trial. Publicly available information does not confirm if this finding of incompetency led to the admission or not, but the timing of his admission was concurrent with the incompetency issue being raised in that case.

2. U-Haul truck

Upon viewing military style items located in the cab of the running U-Haul truck, the New Hampshire State Police Bomb Squad and SWAT team responded to ensure that the truck did not contain explosives. After using a robot and portable x-ray equipment to confirm that the truck did not contain explosives, Madore's belongings were removed, documented, and photographed. In addition to clothing and food, the truck contained an additional firearm (AR-15 style rifle), multiple firearm magazines, military manuals, and military style equipment.



Images 50 & 51. Photographs of the cab and the back storage compartment of the U-Haul truck.



Image 52. Photograph of Madore's food and military field manuals located in the rear of the U-Haul truck.

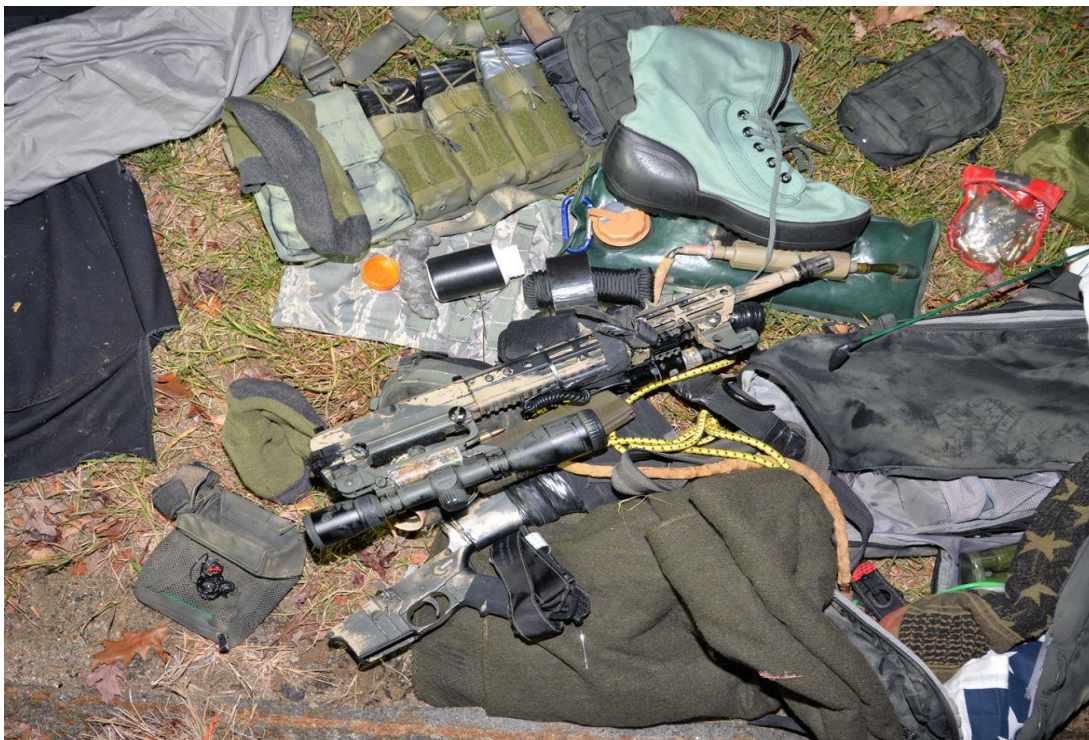


Image 53. Photograph of Madore's disassembled AR15 rifle (upper receiver detached from lower receiver) and chest rig holding multiple loaded 30-round AR15 magazines.



Image 54. Photograph of upper and lower receiver of Madore's AR15 rifle, a loaded 30-round AR15 magazine, and a gas mask.

3. Trooper Nathan Sleight's Equipment and Uniform

After responding law enforcement officers confirmed Madore was incapacitated, Trooper Sleight's equipment was collected and photographed by investigators from the MCU. Trooper Sleight was wearing a State Police K9 handler uniform¹, consisting of a long-sleeved green shirt with New Hampshire State Police patches on the shoulders; green "battle dress" uniform style pants; and duty belt holding a taser, handcuffs, Smith & Wesson, M&P 45 service pistol, cruiser key fob/remote K9 door opener, tourniquet, and K9 leash. Investigators also secured and photographed Trooper Sleight's equipment vest, which held two additional .45 caliber, 10-round magazines for his service pistol and other police equipment. The appearance and condition of Trooper Sleight's equipment and uniform were consistent with his actions captured by surveillance cameras.

¹ Trooper Sleight's K9 was not at New Hampshire Hospital at the time as Trooper Sleight did not regularly bring the K9 when he worked at the hospital.



Images 55 – 58. Photographs of Trooper Nathan Sleight's uniform, service pistol, pistol magazine containing 10 rounds of .45 caliber ammunition, and equipment vest.

D. Witness Interviews

Investigators interviewed a number of witnesses who were present at the hospital on November 17, 2023, as well as several of Madore's family members. The key interviews are summarized below.

1. Trooper Nathan Sleight

On November 29, 2023, Trooper Nathan Sleight was interviewed by members of the NH Attorney General's Office and MCU. Trooper Sleight described his prior military and law enforcement experience, his appointment with the State Police in August of 2014, and his attendance at the 165th New Hampshire Full Time Police Academy. Trooper Sleight is currently assigned as a K9 Officer on the midnight shift with New Hampshire State Police, Troop A, Epping, NH. Pursuant to State Police policy Trooper Sleight qualifies with his department issued Smith & Wesson, M&P 45, semi-automatic service pistol on a bi-annual basis. Trooper Sleight carries his service pistol with a round in the chamber, a fully loaded 10-round magazine in the pistol, and two additional 10-round pistol magazines on his equipment vest. Troopers are issued body worn cameras ("BWC") and by policy, are to activate their BWC during all incidents, excepting several specific situations. In this case, Trooper Sleight indicated that due to HIPAA regulations, Troopers do not activate their BWC inside the New Hampshire Hospital to protect the privacy of patients.

The SOC Police come under the jurisdiction of the New Hampshire Department of Safety. At the time of the incident, due to SOC Police staffing shortages at the SOC/New Hampshire Hospital, New Hampshire State Troopers were assigned to the SOC on a voluntary basis outside of their regularly scheduled shifts to supplement the law enforcement needs on the campus. State Troopers who volunteer for SOC assignments receive on-the-job training with

Lieutenant Roy Pywell, consisting of learning SOC policies related to intervening with hospital patients (Code Gray) and/or incidents inside the hospital or elsewhere on the SOC campus that require a police response. Trooper Sleight estimates having previously worked approximately 50-60 shifts for SOC assignments.

Trooper Sleight indicated that on Friday, November 17, 2023, he parked his marked cruiser at the front entrance of the hospital, where he was assigned to a shift from 3:00 P.M. to 7:00 P.M. His uniform of the day was his standard NHSP K9 uniform, which includes his duty belt holding his department issued firearm, taser and handcuffs.

Trooper Sleight stated that a civilian security officer is assigned to the lobby during visiting hours. The security officer is responsible for using a metal detector to screen visitors to ensure they do not have any weapons and/or contraband. Trooper Sleight stated that staff and visitors use the same hospital entrance, where they pass through the lobby and enter/exit the secure area of the hospital by using a pass card to gain access to the secured doors. When visiting time ends, the front entrance doors to the lobby are locked and staff must use their pass card to access the lobby.

Trooper Sleight provided a detailed description of the lobby, including the location of the lobby entrance door, the area where the security officer screens visitors, the metal detector, the SOC Police office door, the SOC Police dispatcher lobby window and hospital switchboard lobby window, and the secured doors leading into the hospital. He added that the glass doors and windows are ballistic/bullet resistant.

Trooper Sleight indicated that Troopers are stationed inside the SOC Police office adjacent to the hospital lobby, and that although their primary duty is to respond to incidents

inside the hospital, the security officer in the lobby has never required his assistance during previous shifts.

When Trooper Sleight arrived, he saw and acknowledged the security officer in the lobby. Trooper Sleight later learned the security officer that day was Bradley Haas and indicated that he had possibly worked with S.O. Haas one or two times previously. Trooper Sleight spoke with both Lieutenant Roy Pywell who was finishing his shift, and dispatcher Angelique Carter who was starting her shift, and then sat at a desk within the SOC Police office to complete paperwork. Dispatcher Carter was stationed in the dispatch center within the SOC Police office, located near the office door.

While at his desk Trooper Sleight recalled hearing a "really loud bang", which he described as sounding like "a bullet went off next to my head," similar to a concussive blast. Despite his description, Trooper Sleight did not initially identify the noise as a gunshot and remembered turning from his desk to try to figure out what the noise was. Almost simultaneously with hearing the next shot, he heard Dispatcher Carter say, "Oh my God, gunshots, gunshots!"

Because Trooper Sleight could not see into the lobby from his location within the office, he ran into the dispatch center to look through the window into the lobby. Trooper Sleight described seeing only one person in the lobby; a white male with long hair, a beard, wearing black clothing, holding a pistol in his right hand, and shooting indiscriminately at the glass windows within the lobby. He recalled that the man was standing between the two secured doors which lead further into the hospital and described the man as heavy set and overweight, approximately 5'10" to 5'11" tall. This man was ultimately identified as Madore.

Upon observing that Madore's firearm was a compact pistol, he concluded that Madore would need to reload soon and decided to confront Madore before he could complete the reloading process. Despite his concern regarding creating a "fatal funnel" by confronting Madore through the door of the SOC Police office, Trooper Sleight determined that he had no alternative because of the need to quickly stop the threat Madore presented.

Armed with his service pistol in his hand, Trooper Sleight opened the SOC office door, commanded Madore to drop his gun, and observed Madore turn toward him and continue trying to insert a new magazine into his pistol. Trooper Sleight described Madore look straight at him with a "dead stare" while ignoring his verbal commands. Knowing that the lobby was a heavily trafficked area of the hospital, Trooper Sleight described his concern that if Madore was able to reload his pistol he would be an imminent deadly threat to him as well as everyone else in the hospital. He then fired his service pistol at Madore. Trooper Sleight described having a clear shot at Madore based on their relative positioning, and recalled initially firing 3 – 4 rounds at him. Trooper Sleight described his fear that he may not be able to stop the threat Madore posed to others because, despite believing that he had hit Madore with his shots, he saw Madore continue to manipulate the pistol. Trooper Sleight fired a second time at Madore, until his service pistol ran out of ammunition and went into slide-lock.

Trooper Sleight saw Madore slowly go to the ground, maybe with his back against the lobby wall, holding his pistol in his hand. He saw Madore roll onto his stomach and continue moving, but he was no longer able to see where Madore's pistol was. After advising Dispatcher Carter to contact NHSP dispatch for help, Trooper Sleight ran to his cruiser to retrieve an additional ammunition magazine for his service pistol. Trooper Sleight described going about 10

feet back towards the front entrance before he returned to his cruiser to also retrieve his equipment vest.

Trooper Sleight described that he changed his position of cover over Madore to the outside of the hospital and determined that a plan was needed to approach him because Madore was continuing to move, and he believed that Madore's pistol was concealed under his body. Trooper Sleight described his main concern at this point was coordinating with responding units, and it was not until this time that he first saw S.O. Haas lying flat on his back on the lobby floor behind his desk. He observed that S.O. Haas had been shot and that there were no other victims in the lobby.

Trooper Sleight recounted that when the first responding police officers arrived, they advanced into the lobby to remove S.O. Haas while Trooper Sleight aimed his pistol at Madore in case Madore presented himself as a threat to the responding officers or anyone else. After S.O. Haas was removed from the lobby, Trooper Sleight voiced the need to develop a plan to take Madore into custody to the responding police officers. Upon the arrival of additional officers, Trooper Sleight was relieved of his duties at the hospital and brought to the Troop D, Major Crime Unit office where he was photographed and turned over his service pistol and three pistol magazines.

Trooper Sleight stated that he had never had any previous encounters with Madore.

2. SOC Police Dispatcher Angelique Carter

On the evening of November 17, 2023, Angelique Carter was interviewed by law enforcement regarding what she witnessed that day at the hospital. Ms. Carter explained that she has been employed as a SOC Police dispatcher for approximately 10 months, and prior to her current position was employed within the hospital as a mental health worker for three years. She

advised that based on her employment at the hospital she is familiar with the patients at the hospital and the hospital procedures, but that she had not seen John Madore before today.

Dispatcher Carter advised that her dispatch center within the SOC Police office has a window that looks into the hospital lobby. From where she sat, Dispatcher Carter observed Madore from the time he entered the lobby until after he stopped moving while laying down on the lobby floor after being shot by Trooper Sleight.

Dispatcher Carter described Madore as a “bigger guy”, 5’10 – 6’ tall, heavy set, dark hair, potentially a beard/mustache, wearing jeans, a red/plaid checkered shirt, and a vest. She recounted seeing Madore come into the lobby “with purpose” and quickly approach “Brad” (S.O. Haas), shooting him twice. She remembered watching S.O. Haas fall to the ground and Madore turn and fire his pistol three more times at the switchboard window and then another three times as she began yelling “active shooter” and calling for help from “everyone” with the phone.

Dispatcher Carter did not remember Madore saying anything while he was in the lobby, but remembered that Trooper Sleight reacted “in a heartbeat”, and commanded Madore to “put it down, put it down, put it down” through the SOC Police office door. As she heard Trooper Sleight yelling for Madore to drop the gun, Dispatcher Carter saw Madore grabbing for another magazine to reload his pistol, which she described as a black, Glock-style, handgun. She advised that she was afraid for her life, hoping that the bullet-proof glass in the window would hold up, and thinking that Madore “absolutely would have shot and killed everybody” if he was able to reload his pistol.

Dispatcher Carter saw Madore was reloading when Trooper Sleight fired several shots at him from the office door, and that “he (Madore) went down.” She heard Trooper Sleight yell to

her “let me know when he reloads.” Dispatcher Carter saw Madore continued to try reloading and yelled “he is reloading,” after which Trooper Sleight then “went out and shot some more.”

Dispatcher Carter remembered seeing a patient named “A.K.” enter the lobby after Madore had been shot, and that he checked on Madore and S.O. Haas before everyone yelled for him to get out of the building. Dispatcher Carter also described to investigators that after she observed Madore stop moving, she ran out of the office, kicked the loaded pistol magazine he had dropped away from his body, and ran to try to help S.O. Haas. She stayed there until Trooper Sleight yelled for her to get out of the building and she left through the front doors.

Dispatcher Carter was outside when a large amount of police officers arrived and dragged S.O. Haas out to the sidewalk where she began providing him with emergency medical assistance until EMS arrived.

3. Hospital Switchboard Operator Marjorie Schofield

On November 28, 2023, Marjorie Schofield agreed to be interviewed by investigators regarding what she witnessed at the hospital on November 17, 2023. Schofield told investigators that she has worked at the front office at the hospital for approximately one year and eight months, greeting people as they enter the lobby through the switchboard window and operating the switchboard. Although the patients don’t check “in and out” with her, in this capacity she knew them “in passing” and knew whether they had privileges to leave the building, etc.

Schofield’s shift started at 8:00 A.M. and ended at 4:30 P.M., and she described everything was fine for a normal Friday until “he just...he just came in and started shooting.” Schofield remembered her co-worker stating, “active shooter” and looking up from her computer screen to see Madore trying to shoot her through the switchboard window. Schofield stated that she knew that the glass was bulletproof, but wasn’t sure how sturdy it was, so she ran and hid

under a desk until the police arrived. Schofield described the shooter as having a dark beard and wearing a black jacket.

4. NH Hospital Patient, “A.K.”

On November 17, 2023, A.K. had been a patient at the NH Hospital for approximately one year and agreed to provide a voluntary statement regarding what he witnessed in the lobby of the hospital that afternoon. A.K. explained that he had “on ground” privileges, which allow him to walk unsupervised outside the hospital for an hour at a time. As he was walking back towards the hospital lobby after his walk on November 17, he saw a U-Haul truck park and described the man walk from the truck into the hospital “kind of fast.” A.K. then walked to the front entrance.

A.K. told investigators that when he walked inside, he saw the man from the U-Haul walking toward the police window first and then towards the switchboard window. A.K. was looking for “Brad” (S.O. Haas) to check back in from his walk and initially couldn’t see him, but as A.K. walked further into the lobby he saw Brad lying on the ground as though he had fallen or had a heart attack or stroke. A.K. saw Angel the police dispatcher waving from the police window for him to get out, but he couldn’t hear what she was saying. A.K. reported that he remembered “the cop” then coming out of the police door and pushing him outside, and hearing the man from the U-Haul saying something like “I hate this place, or this place sucks.”

A.K. initially stated that he heard two more gun shots as the cop was pushing him out of the lobby, but later stated that he thinks the gun shots occurred while he was walking into the lobby because he remembers thinking the noise was from the on-going construction occurring at the hospital. A.K. told investigators that he was trying to be as honest as possible, but admitted that his recollection was “a bit twisted up.”

5. Jacinta Madore-Bronnenberg

On November 17, 2023, John Madore's sister Jacinta Madore-Bronnenberg ("Jacinta"), provided law enforcement with a voluntary interview regarding her brother's history and their recent communications. Jacinta was unaware that Madore, her younger brother, had been previously diagnosed as a paranoid schizophrenic. She was also not aware that he had access to firearms. Jacinta advised that she oversaw Madore's finances and that although he had a NH Housing Voucher, he had recently been staying at the Magnuson Hotel in Hampton, NH.

Jacinta told investigators that Madore called her last night from the Magnuson Hotel and stated that he couldn't stay there anymore because people were trying to break into his room, and that at his request, she transferred money for him to take an Uber to the Holiday Inn in Concord, NH. She knew that Madore checked out of the Holiday Inn the following day and rented a U-Haul, which he drove to Walmart and then to Manchester to rent a less expensive hotel room, despite her caution that a new hotel room would be too expensive because of the increased holiday rates. Jacinta had Madore call their father, David Madore, at approximately 1:00 P.M. that day.

6. David Michael Madore

On November 18, 2023, John Madore's father David M. Madore (David), provided law enforcement with a voluntary interview regarding his son's history and their recent communications. David advised that Madore was a New Hampshire resident since approximately 2008 and had lived with his mother and three siblings for most of his time in New Hampshire. David stated that there were two incidents around 2015 – 2016 that led to Madore receiving treatment at the New Hampshire Hospital. The first incident involved Madore being stopped by the police for speeding with a loaded gun in his car and the second involved a

domestic incident with his mother. David stated that as a result of the second incident, Madore was treated at the hospital for approximately 9 months, where he was diagnosed with schizophrenia.

David knew that Madore did not like being at the hospital, and still held some animosity toward the hospital itself but not any particular person employed there. David described Madore previously expressing paranoid ideations that the providers at the hospital were trying to harvest his organs, which he continued to periodically discuss even after his discharge.

David knew Madore lived at a few different residences in the Concord area after being discharged; including his mother's house, Morningstar, and Penacook Landing. David knew that Madore had experienced issues with the other residents at both Morningstar and Penacook Landing, which caused him to move back into his mother's house between 2021 and October 2023, when she sold her house and he had to find somewhere to live on his own. David advised that he helped Madore during this transition period with moving and paying for temporary housing. During the move, David observed that Madore had a camouflage long gun amongst his property which concerned David because of the prior mental illness.

David rented Madore a hotel room at the Stone Gable Inn (the Magnuson Hotel, as referred to by Jacinta Madore-Bronnenberg) in Hampton, NH, where he lived until the day before his death. David communicated with Madore and Jacinta on November 16, 2023, when he learned from Madore that he was refusing to move into a residential housing facility, and learned from Jacinta that Madore had moved out of the Stone Gable Inn and rented a room at the Holiday Inn in Concord.

On November 17, 2023, David received an email from Madore at 1:49 A.M. discussing the reasons he moved out of the Stone Gable Inn. David spoke with Madore on the phone at

approximately 1:00 P.M. During their conversation, Madore agreed to return to the Stone Gable Inn, and gave no indication that he was going to do anything harmful to himself or others.

E. Autopsy Results

1. Security Officer Bradley Haas

On November 18, 2023, Deputy Chief Medical Examiner Dr. Mitchell L. Weinberg conducted an autopsy on the body of Bradley Haas. The autopsy revealed six gunshot wounds to Bradley Haas at the following locations: the posterior left elbow region; the mid left flank; the head, in close proximity to the right ear; the right side of the buttocks; the chest, in the area of the lower right ribs; the lower back, right side. The gunshots resulted in collective injuries to his lungs, heart, liver, and brain.

Based on the examination, Dr. Weinberg concluded that Bradley Haas' cause of death was multiple gunshot wounds, and that his manner of death was homicide. As used by the Office of the Chief Medical Examiner, homicide is defined as the killing of one person by another.

2. John Madore

On November 18, 2023, Deputy Chief Medical Examiner Dr. Mitchell L. Weinberg conducted an autopsy on the body of John Madore. The autopsy revealed eleven gunshot wounds to John Madore involving the torso, left upper extremity, and right lower extremity. The gunshots resulted in injuries to his left lung, small intestines, and assorted soft tissues, as well as bleeding between his lungs and rib cage. Toxicology testing was conducted and was found to be positive only for caffeine.

Based on the examination, Dr. Weinberg concluded that John Madore's cause of death was multiple gunshot wounds, and that his manner of death was homicide. As used by the

Office of the Chief Medical Examiner, homicide is defined as the killing of one person by another.

IV. APPLICABLE LAW AND LEGAL STANDARDS

New Hampshire's laws regarding self-defense, defense of others, and the use of physical force by law enforcement are set forth in RSA Chapter 627.

Pursuant to RSA 627:4, II(a), and RSA 627:5, II(a), a private citizen and a law enforcement officer are justified in using deadly force when they reasonably believe that such force is necessary to defend themselves or a third person from what they reasonably believe to be the imminent use of deadly force. Under RSA 627:9, II, "deadly force" is defined as "any assault . . . which the actor commits with the purpose of causing or which he knows to create a substantial risk of causing death or serious bodily injury." "Purposely firing a firearm capable of causing serious bodily injury or death in the direction of another person . . . constitutes deadly force." RSA 627:9, II.

The phrase "reasonably believes" means that the actor "need not have been confronted with actual deadly peril, as long as he could reasonably believe the danger to be real." *State v. Gorham*, 120 N.H. 162, 163-64 (1980). The term "reasonable" is "determined by an objective standard." *State v. Leaf*, 137 N.H. 97, 99 (1993). Further, all of the circumstances surrounding the incident should be considered in determining whether the actor had a reasonable belief that deadly force was necessary to defend himself or another. When reviewing a deadly force incident, the actor's conduct should be viewed considering "the circumstances as they were presented to him at the time, and not necessarily as they appear upon detached reflection." *N.H. Criminal Jury Instructions*, 3.10. In other words, when analyzing the reasonableness of an actor's use of deadly force, the inquiry must focus on the situation from the standpoint of a

reasonable person facing the same situation. That examination cannot be made with the benefit of hindsight. The amount of deadly force used by the actor to protect himself or another must be reasonable, and not excessive. *See State v. Etienne*, 163 N.H. 57, 70 (2011).

The reasonableness standard also applies in a situation where a person who uses deadly force is mistaken about the situation or the necessity of using deadly force. Thus, either a private citizen or a police officer may still be justified in using deadly force if he reasonably believed that he, or another person or persons, was in imminent danger from the use of deadly force by another, even if, in fact, he was not, so long as the actor's belief was objectively reasonable.

Federal cases, while largely addressing the civil standards that apply to federal civil rights lawsuits, provide some discussion of the "reasonableness" standard for the use of force by police officers that is useful in analyzing officer-involved use of force cases in this state. In *Graham v. Connor*, 490 U.S. 386 (1989), the United States Supreme Court stated that "[t]he 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight." *Id.* at 396. The Supreme Court continued:

The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. *Id.* at 396-97; *see also Ryburn v. Huff*, 565 U.S. 469, 477 (2012) (same).

The Eleventh Federal Circuit has noted that:

The Supreme Court has emphasized that there is no precise test or 'magical on/off switch' to determine when an officer is justified in using excessive or deadly force. Nor must every situation satisfy certain preconditions before deadly force can be used. Rather, the particular facts of each case must be analyzed to determine whether the force used was justified under the totality of the circumstances. *Garczynski v. Bradshaw*, 573 F.3d 1158, 1166 (11th Cir. 2009) (citations omitted).

That is because “the law does not require perfection – it requires objective reasonableness.” *Phillips v. Bradshaw*, No. 11-80002-CIV, 2013 WL 1296331, at *17 (S.D. Fl. Mar. 28, 2013). The law must account for the fact that dangerous situations often unfold quickly and law enforcement officers sometimes need to make quick decisions under less-than-ideal circumstances. *See Huff*, 565 U.S. at 477 (finding that appeals court panel “did not heed the District Court’s wise admonition that judges should be cautious about second-guessing a police officer’s assessment, made on the scene, of the danger presented by a particular situation”).

These are the legal standards that help guide the Attorney General’s review of the use of deadly force by a private citizen and a law enforcement officer in New Hampshire.

V. ANALYSIS AND CONCLUSION

Based on all the facts and circumstances of this case, the Attorney General has concluded that New Hampshire State Trooper Nathan Sleight was legally justified when he used deadly force against John Madore.

At the time that he was shot, Madore was actively reloading his 9mm pistol which he had just used to shoot at employees inside the hospital, resulting in the death of Bradley Haas.² Objectively viewed, Trooper Sleight, Angelique Carter, and Marjorie Schofield independently, and reasonably, believed that Madore had just tried to kill anyone he could find inside the hospital. Further, Trooper Sleight objectively and reasonably believed that if Madore successfully reloaded his pistol he would continue firing his weapon, and that he constituted an

² Although Trooper Sleight did not know that Madore had killed S.O. Haas at the time he shot Madore, he did know that Madore had fired his pistol until it was empty at the glass windows and doors inside the lobby which are meant to protect hospital employees and patients from outside threats.

imminent, deadly threat to himself and anyone else he encountered. This belief was independently formed and shared by Angelique Carter.

Trooper Sleight's account is independently corroborated by the accounts of Angelique Carter, Marjorie Schofield, A.K., and the lobby surveillance videos. Upon realizing that there was an active shooter in the lobby of the hospital, Trooper Sleight engaged what he reasonably believed to be a deadly threat by commanding Madore to drop his pistol as Madore discarded his empty magazine and was beginning to insert a loaded magazine. Both the video evidence and the witness accounts show that as Trooper Sleight verbally commanded Madore to drop his pistol, Madore turned and looked at him, but ignored his instruction to drop the gun. The evidence shows that instead of following Trooper Sleight's commands, Madore continued trying to insert a loaded magazine into the grip of his pistol. Objectively viewed, these circumstances created an imminent life-threatening situation with the resulting reasonable belief that Madore was about to shoot Trooper Sleight or any other person that he encountered, resulting in Trooper Sleight first shooting Madore with his service pistol to stop Madore, and causing Madore to fall to the floor.

While Madore was on the floor, he maintained his pistol in his right hand and his loaded magazine in his left hand. When Trooper Sleight observed Madore continue to try to insert the loaded magazine into his pistol, Trooper Sleight again objectively determined that Madore continued to present a deadly threat to others. Having been shot, Madore continued to try and load his weapon with new ammunition rather than following Trooper Sleight's commands to drop the gun. Trooper Sleight's conclusion was then objectively and reasonably sound; that Madore continued to be an immediate deadly threat to the lives of everyone in the hospital, resulting in Trooper Sleight shooting at Madore again, expending the remaining ammunition in his duty pistol.

Accordingly, based on a review of all the evidence and based on all the facts and circumstances known to Trooper Sleight at that time, it was objectively reasonable for Trooper Nathan Sleight to conclude that Madore constituted an imminent threat of deadly force on November 17, 2023, when he was shot and killed. Accordingly, Trooper Sleight was legally justified in using deadly force against Madore, and no criminal charges will be filed for the use of deadly force against Madore.