

From: [Mishaan, Jessica](#)
To: chelsea@sevendaysvt.com
Subject: your public records request
Date: Friday, May 20, 2022 2:40:43 PM
Attachments: [2022-05-20 London response to Edgar w docs.pdf](#)

Dear Ms. Edgar,

Please find the attached correspondence related to your public records request.

Thank you,

Jessica Mishaan | Paralegal

Office of the Attorney General | General Counsel and Administrative Law Division

109 State Street Montpelier, VT 05609-1001

p (802) 828-5500

Pronouns: she/her/hers

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

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CHIEF ASST. ATTORNEY GENERAL



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**STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001**

May 20, 2022

Chelsea Edgar, SevenDays, via email to: chelsea@sevendaysvt.com

Re: Public Records Request

Dear Ms. Edgar:

I write to further respond to your Public Records Act request dated May 9, 2022. You seek six categories of records related to Molly Gray and/or the St. Joseph's Orphanage report. The six categories, and responses to each, are below.

- (1) The resume and cover letter submitted by Molly Gray in her application for assistant attorney general.

Ms. Gray's job application and resume provided to the AGO as part of her job application are exempt from public disclosure pursuant to 1 V.S.A. § 317(c)(7) and are therefore withheld. This is consistent with State of Vermont Personnel Policy 5.4 regarding Personnel Records available at:

https://humanresources.vermont.gov/sites/humanresources/files/documents/Labor_Relations_Policy_EEO/Policy_Procedure_Manual/Number_5.4_PERSONNEL_RECORDS.pdf.

- (2) The first draft of the portion of the investigative report of the St. Joseph's Orphanage Task Force prepared by Molly Gray.

Drafts of the St. Joseph's Orphanage Task Force Investigation report of the Attorney General's Office, including drafts from November 2019 to May 2020 of Ms. Gray's, are exempt from public disclosure on the following grounds: 1 V.S.A. § 317(c)(1), (3), (4) (attorney client and work product privileged communications); 1 V.S.A. § 317(c)(5)(A)(v) (records related to the detection and investigation of crime where release would disclose techniques and procedures for law enforcement investigations). These records are therefore withheld.

- (3) All emails between Molly Gray and Natasha Sala concerning the St. Joseph's Orphanage Task Force report.

The AGO has no responsive records.

- (4) All emails between Molly Gray and John Waszak concerning *State of Vermont v. Garung (sic)*.

Attached please find records in response to this portion of your request. Additional records and certain information in the attached records between Ms. Gray and John Waszak about *State of Vermont v. Gurung* are exempt from public disclosure on the following grounds: 1 V.S.A. § 317(c)(1), (3), (4) (attorney client and work product privileged communications); 1 V.S.A. § 317(c)(5)(A)(i) and (ii) (records related to the detection and investigation of crime where release could or would interfere with enforcement proceedings or deprive a person of a right to fair trial or impartial adjudication). These records are therefore withheld, and the attached records are redacted accordingly. In addition, certain information regarding individuals identified in a court filing has been redacted pursuant to 1 V.S.A. § 317(c)(7).

- (5) All email correspondence between T.J. Donovan, Charity Clark, and John Waszak concerning Molly Gray's performance.

The AGO has no responsive records.

- (6) All emails sent by Molly Gray to Mike Pieciak and Mark Levine between March 1, 2020 and Dec. 31, 2020.

Attached please find potentially responsive records to this portion of your request.

If you feel records or portions of records have been withheld in error, you may appeal to Deputy Attorney General Joshua Diamond.

Sincerely,



Sarah E.B. London
Chief Assistant Attorney General

Waszak, John

From: Waszak, John
Sent: Wednesday, September 11, 2019 2:14 PM
To: Padula, Domenica; Doyle, Ultan; Gray, Molly
Subject: Fwd: Scan From DSB Copier
Attachments: doc20190911140924.pdf

Walking this over now.

John D.G. Waszak, Assistant Attorney General
Office of the Vermont Attorney General – Criminal Division
109 State's Street
Montpelier, VT 05609
Phone: (802)828-3740
Email: john.waszak@vermont.gov

From: copier@bpdvt.org <copier@bpdvt.org>
Sent: Wednesday, September 11, 2019 2:09:37 PM
To: Waszak, John <John.Waszak@vermont.gov>
Subject: Scan From DSB Copier

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.

APPLICATION FOR ARREST WARRANT

ROUTINE

EMERGENCY REQUEST AND REASON THEREFORE:
**VIOLENCE OF THE CHARGED OFFENSES
(MURDER – FIRST DEGREE &
ATTEMPTED MURDER – FIRST DEGREE)**

To enter into National Crime Computer system (NCIC);

To enter into Vermont Crime Computer system (VCIC);

OTHER: To be executed by Burlington Police Department Officers on or about September 12, 2019 [REDACTED]

The undersigned Assistant Attorney General for the Vermont Attorney General's Office, pursuant to V.R.Cr.P. 4(c) and (d), hereby requests the Superior Court of Vermont, Chittenden Criminal Division, issue an ARREST WARRANT upon a finding of probable cause made by the Court on the following person. Additional information is provided in compliance with V.R.Cr.P. 4(a).

DOCKET NO:

AGENCY CASE NO: **17BU026760**

NAME: **AITA GURUNG**

ALIASES:

DOB: [REDACTED]

POB: **BHUTAN**

SS#:

LAST KNOWN ADDRESS:

[REDACTED]

EMPLOYMENT: unknown unemployed employed at:

PAST CRIMINAL RECORD: attached herewith on file w/ Doc. No.:

PAST HISTORY OF RESPONSE TO LEGAL PROCESS:

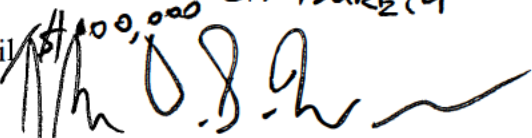
Failure to Appear: Criminal Motor Vehicle
 History of Flight Prior Fugitive Violation of Conditions of Release/Probation/Parole

REASON FOR WARRANT REQUEST:

Unable to locate after search by investigating agency
 Danger to Community
 Defendant has moved from last known address and is believed to now be residing out-of-state: beyond jurisdiction of Citation or Judicial Summons. Attempts to locate have been made by investigating agency.
 P.O. Box is only address. Post Office verifies addressee unknown.

[REDACTED]

BAIL REQUESTED: Hold Without Bail

\$100,000 CASH/SURETY

Assistant Attorney General

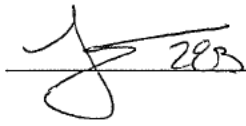
DATE: *9/11/2019*

BURLINGTON POLICE DEPARTMENT
SUPPLEMENTAL AFFIDAVIT

STATE OF VERMONT) SS.
COUNTY OF CHITTENDEN)

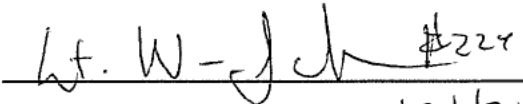
Now comes Sergeant Jesse Namdar, affiant, being duly sworn and on oath deposes and says she has probable cause to believe

1. I, Sergeant Jesse Namdar, am the case officer who initially investigated the homicide investigation regarding Burlington Police Department incident 17BU26760 involving suspect, Aita Gurung (DOB 01/01/83).
2. At the request of the Office of the Vermont Attorney General, I am seeking an arrest warrant for purposes of arraignment. [REDACTED]
3. I confirmed the aforementioned information via telephone with [REDACTED]
4. Based on the Vermont Attorney General's refiling of charges in this matter, and the previous information, I hereby request an Arrest Warrant issued pursuant Vermont Rules of Criminal Procedure Rule 4 to initiate this prosecution.



(Affiant)

Subscribed and sworn to before me on 09/11/19 at Burlington



Notary Public (expires 11/31/21)

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

CRIMINAL DIVISION
DOCKET NO. _____-9-19 CnCr

STATE OF VERMONT

v.

AITA GURUNG

INFORMATION BY ATTORNEY GENERAL

BY THE AUTHORITY OF THE STATE OF VERMONT, the Attorney General for the State of Vermont, upon his oath of office, hereby charges Aita Gurung as follows:

COUNT 1 of 2

MURDER IN THE FIRST DEGREE

CHARGE CODE: 13V2301/1D

OFFENSE CLASS: F

On or about October 12, 2017, Aita Gurung (DOB: ██████████) of Burlington, Vermont, in the County of Chittenden, at Burlington, was a person who unlawfully, willfully, deliberately and with premeditation killed another person, to wit: by striking YOGESWARI KHADKA multiple times about the head and body with a meat cleaver, in violation of 13 V.S.A. § 2301 and against the peace and dignity of the State of Vermont, in violation 13 V.S.A. § 2301.

PENALTY: Pursuant to 13 V.S.A. § 2303(a)(1), imprisonment for a minimum term of not less than 35 years and a maximum term of life, or imprisonment for life without the possibility of parole.

COUNT 2 of 2

ATTEMPTED MURDER IN THE FIRST DEGREE
CHARGE CODE: 13V2301/1D&9
OFFENSE CLASS: F

On or about October 12, 2017, Aita Gurung (DOB: [REDACTED]) of Burlington, Vermont, in the County of Chittenden, at Burlington, was a person who attempted to unlawfully, willfully, deliberately and with premeditation kill another person, to wit: by striking TULASA RIMAL multiple times about the head and body with a meat cleaver, causing serious bodily injury, in violation 13 V.S.A. § 2301 and 13 V.S.A. § 9.

PENALTY: Pursuant to 13 V.S.A. § 2303(a)(1), imprisonment for a minimum term of not less than 35 years and a maximum term of life, or imprisonment for life without the possibility of parole.

AGAINST THE PEACE AND DIGNITY OF THE STATE OF VERMONT.

Dated this 11th day of September, 2019.

STATE OF VERMONT

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

By: 

John D.G. Waszak
Assistant Attorney General

This information was presented to me and I have found probable cause this _____ day of September, 2019.

Judge

**BURLINGTON POLICE DEPARTMENT
AFFIDAVIT OF PROBABLE CAUSE**

STATE OF VERMONT

**SUPERIOR COURT
CHITTENDEN UNIT**

**Criminal Division
Docket No. Cncr**

State of Vermont

v.

Aita Gurung (DOB [REDACTED]) Defendant

Now comes Detective Jesse Namdar affiant, being duly sworn and on oath deposes and says she has probable cause to believe that Aita Gurung (DOB 01/01/83), has committed the crime of Homicide & Attempted Homicide, in violation of Title 13 V.S.A. 2303.

1. On October 12, 2017 at approximately 1428 hours the Burlington Police Department (BPD) received multiple 911 calls regarding a male "hacking" a female in the area of 63 Hyde St. in Burlington.
2. On 10/12/17 at approximately 1430 hours multiple officers arrived on scene and determined the incident had occurred at the apartment building located at 72 Hyde St. The building is on the east side of Hyde St. Apartment #1 has a dedicated entry located on the west side of the building facing the street. Apartments #2 and #3 are accessed via an open air hallway on the south side of the building. Each apartment had a dedicated door. The address has a driveway on the south side of the building that leads to the rear and opens into a parking lot for residents.
3. I spoke with Cpl. Hemond who reported that when he arrived on scene, officers were detaining a male subject who was later identified as Aita Gurung (DOB 01/01/83) in the driveway of the apartment building located at 72 Hyde St. Cpl. Hemond advised that one female, later identified as [REDACTED] was lying in the driveway and was bleeding heavily from multiple wounds. Cpl. Hemond advised he observed a meat cleaver lying on the ground in close proximity to Gurung. Cpl. Hemond advised that a second female, later identified as [REDACTED], was on the steps of 72 Hyde St. #1. Rimal was also bleeding heavily and he rendered her medical aid.
4. I spoke with Cpl. Norris who reported that when she arrived on scene she observed the injured female on the steps of 72 Hyde St. #1. She reported the front door of the apartment was open. A team of officers made exigent entry into the apartment. Cpl. Norris confirmed she was included in that team. She advised that when she entered the apartment she went to the kitchen where she found a large pool of blood on the floor. Cpl. Norris stated, "There was just blood everywhere."
5. On 10/12/17 at approximately 1434 hours Cpl. Cousins responded to the scene. Her report, in part, reflects the following:

(a) *As I turned north on Hyde St. from North St., I observed numerous people on both sides of Hyde St. from the area of approximately 30 Hyde St. north past the scene, which was later determined to be the area of 72 Hyde St. People were yelling and waving their arms in the air and pointing north toward the scene. As I drove north, I*

saw a group of males yelling and gesturing at the end of the driveway just south of 72 Hyde St. I observed a male with a gun pointed up (east) the driveway. This male was later identified as witness [REDACTED]. I observed a female victim on the ground, later identified as [REDACTED] with blood around her and a male standing approximately 3 feet east of her in the driveway facing her with a large meat cleaver in his hand at his side. This male was later identified as Aita Gurung.

- (b) I had my firearm drawn and pointed at Gurung and immediately began giving him hard verbal commands to "drop the knife". Gurung did not comply and continued to stare in my direction with the cleaver in his hand. I gave him numerous hard verbal commands to "drop the knife" as did other officers on scene. Gurung eventually dropped the cleaver on the ground next to him.
- (c) I gave Gurung hard verbal commands to turn away and to back away from us, but he did not comply initially. Gurung then began to turn away from us, but then turned to face us again. I holstered my firearm and Ofc. Short and I brought Gurung to the ground in a prone position on his stomach. Ofc. Short placed Gurung in handcuffs. I then remained with Gurung, keeping him in the prone position on the driveway while Ofc. Short and other officers on scene began rendering emergency medical care to Khadka. I observed the cleaver had ended up several feet to our east, on the south side of the driveway. Ofc. Yeh later advised me he had kicked the cleaver out of the way at some point when Ofc. Short and I were detaining Gurung.
- (d) I stayed with Gurung while several officers rendered medical aid to [REDACTED] whose body was less than a foot away from me and Gurung. I observed a large amount of blood around her head and body. I observed she had severe lacerations to her right arm and hand and extensive head injury.
- (e) I observed a female neighbor, known to me through prior police interactions as [REDACTED] standing in a doorway just east of us in the driveway. I observed [REDACTED] was very upset and appeared to be crying. I later learned she was one of the people to call the police to report this incident.
- (f) I looked behind me, up the front stairs to the front doorway of 72 Hyde St. and observed a second female victim slumped in a seated position in the doorway. I observed she appeared to have a severe open head injury on the left and back side of her head and there was a large amount of blood on her head and covering her body. I notified dispatch to make Burlington Rescue aware that we had at least two victims.
6. On 10/12/17 at approximately 1428 hours Ofc. Yeh responded to the scene. In his report, he stated, "As I was approaching I observed a female lying on the ground at the base of the driveway, covered in blood and knife/hatchet wounds bleeding and not moving." Ofc. Yeh also obtained a sworn statement (recorded on his body worn camera) from [REDACTED]. His report, in part, noted the following:
- (a) [REDACTED] advised he was working on Hyde St, across the street. As he returned from lunch he advised he observed someone hit someone on the steps. As he observed the suspect hit the female a second time he observed the male armed with a hatchet/meat cleaver hit the woman on the steps. He then observed a woman in the driveway tell him to stop at which point the male began attacking her with the meat cleaver. Packard attempted to get the male to stop by yelling at him, the male did not listen.

██████████ remembered he had his firearm in his truck which he got then returned to the scene. ██████████ advised the female on the ground was barely moving and he observed ██████████ on scene with a firearm as well. He advised when he returned with his firearm he observed the police cruisers arriving on scene. ██████████ also advised he did call 911 in reference to the attack. ██████████ identified the male who was detained by Cpl Cousins and Ofc Short as the suspect in the attack. ██████████ also advised once he drew his firearm at the suspect the suspect complied with his orders to stop.

7. On 10/12/17 at approximately 1434 hours Ofc. Rebeor responded to the scene. His report noted the following:

- (a) *On arrival I witnessed Officers returning to their cruisers, alerting others that they were in need of a med kit. I then ran to where other Officers had a male detained. There was a female laying on the ground near the side walk as well as a female on the steps to the house. Both females had a large amount of blood coming from them. I began to address the female that was laying near the side walk. I witnessed a large amount of blood coming from the females arms and head. Her right hand was severely cut and her pinky was only hanging on by a little bit of skin. There were other severe lacerations to her arm, there was a chunk of her skull sitting on the side walk and I was able to see what looked like her brain. There were other sever cuts to her left arm as well.*
- (b) *I began to work on her right arm. I applied a tourniquet to her right arm above the elbow. I then checked for a pulse that was very light. I then continued to evaluate her. Her breathing was intermittent and I took another pulse and it was lighter then before. Her breathing then became gargled. I started to evaluate for CPR, when the fire department arrived and I notified them of the situation.*

8. On 10/12/17 at approximately 1428 hours Det. Bellavance heard the radio transmission dispatching officers to Hyde St. He proceeded to respond to the scene. His report, in part, reflects the following:

- a) *Upon arrival, I parked my car on the southern end of Hyde St, near 31 Hyde St. As I was walking closer to the scene, I asked a group of people if they had witnessed what had happened. One female told me that she had seen a male hitting a female repeatedly with a hatchet. I attempted to activate my audio recorder to gather more information from her. She identified herself as ██████████ and said she attempted to call 911 when she realized what was happening. ██████████ suddenly stopped what she was saying and said "thats him" and pointed towards a male that Cpl. Cousins and Cpl. Dalla Mura were escorting south on sidewalk. The male, who was later identified as Aita Gurung, was covered in blood a had a torn shirt sleeve. I was able to get ██████████ number before she quickly left the scene.*
- b) *I stayed on scene for a short time and then confirmed with Cpl. Cousins that Gurung was under arrest. After both victims had been transported from the scene, I was able to get a Burlington Firefighter to medically check and clear Gurung before he was transported. After Gurung was medically cleared on scene, Ofc. Moyer transported Gurung back to the Burlington Police Department at my direction. I responded back to the Burlington Police Department to assist in processing Gurung.*

- c) *Once Gurung was back at the Burlington Police Department, I kept Gurung in Ofc. Moyer's vehicle until our holding and processing area was clear. I activated my Axon body camera prior to having contact with Gurung. Once activated, I told Gurung that he was under arrest and that we were going to move him into the processing area. Once in that area, Gurung voluntarily removed his shirt and pants at my request so that I could seized his blood soaked clothing as evidence. Gurung had a pair of long underwear on that he did not want to remove so I did not seize it at that time. While Gurung was shirtless, I took initial photos of his upper body, noting that he had scratches on his right arm, and an abrasion on his right shoulder.*
 - d) *Gurung also allowed me to take swabbings of blood from both of his hand and his feet, but refused to allow me to swab blood that was on his face. All of the swabs, along with his clothing was seized and tagged into evidence. After Gurung had been processed for evidence, he was placed in a holding cell. While in the holding cell, I asked him if he wanted to provide a breath sample for alcohol, but he told me that he did not want to provide a sample. Gurung was then placed in the cell for holding.*
 - e) *I then began to work on identifying the two female victims as they had yet to be identified. Cpl. Norris located Gurung's daughter at an after school program and identified a possible name [REDACTED]. Det. Weinisch provided me a photo of the deceased victim from the morgue which I matched to a Facebook profile of a female with the same name. I then made contact with Brady Goff from the US Immigration and Customs Enforcement to attempt to verify the identity of the victim.*
9. On 10/12/17 at approximately 1428 hours Cpl. Norris responded to the scene. While on scene she spoke with multiple individuals to include William Bushey. Cpl. Norris' report, in part, reflects the following:
- a) *I asked him if he saw anything and he stated, "He was wacking her in the head with a machete!". I asked for descriptors and he advised an Asian male, wearing black pants and a grey shirt had been holding a "machete", he described a knife with a 12 inch blade and wooden handle, was hitting a female 6-7 times on the head with it. He stated another male came out with a gun and was pointing it at the male with the machete. Bushey stated the male with the machete then turned and walked into the yard. He indicated the Police arrived shortly afterwards.*
10. On 10/12/17 at approximately 1430 hours Ofc. Brownell was dispatched to the scene. While on scene he interviewed [REDACTED]. In Ofc. Brownell's report he noted that [REDACTED] advised he could hear commotion from his residence at 63 Hyde St, which is located across the street from 72 Hyde St. [REDACTED] reported to Ofc. Brownell that he ran outside and observed a male subject he described as "little," wearing a black shirt, strike someone with what appeared to be a large knife and that another subject wearing an orange hat with a gun attempted to stop the subject. [REDACTED] advised that he did not see the whole incident and mostly heard a commotion
11. On 10/12/17 at approximately 1434 hours Det. Stoughton arrived on scene. Det. Stoughton's report reflects the following:
- (a) *On October 12th, 2017 at approximately 1428 hours the Burlington Police Department responded to a report of a male with a large knife assaulting a female who was on the ground and bleeding. I responded to the scene and spoke*

with two witnesses, [REDACTED] and [REDACTED] regarding the incident and obtained a video of the incident from [REDACTED]

- (b) Upon my arrival on scene I was immediately approached by [REDACTED] (07/26/1991) who informed me that she not only witnessed the incident, but recorded a video on her cell phone of part of the incident. At my request, [REDACTED] provided me with a copy of the video and agreed to provide a sworn recorded statement regarding what she had witnessed.
- (c) [REDACTED] said that she lives several houses down, but heard screaming outside and heard someone yell to "call 911". [REDACTED] told me that she saw a male standing over a female lying in the driveway of 72 Hyde Street with a male standing over her and striking her with a large knife. [REDACTED] said that at first she thought the man was hitting the woman with a paddle because of the sound, but soon realized that it was a knife. [REDACTED] told me that she saw the male holding a large butcher knife. [REDACTED] said that she observed a second female sitting on the porch of the house that "was all bloody". [REDACTED] said that she only observed the male striking the female laying on the ground and never observed the male strike the female on the porch.
- (d) [REDACTED] said that there was a male standing close and was yelling at the attacker attempting to get him to stop and get away from the female. [REDACTED] said that she believed the male was slowing down the attacker, but not stopping him. [REDACTED] said that she watched as the attacker struck the female in the skull and other various places on her body, but said that he did not appear to be aiming, just "slicing". [REDACTED] said that she did not observe either female fight back or strike the attacker at any time.
- (e) [REDACTED] said that the attacker was only saying, "She betrayed me!" over and over again. [REDACTED] did not hear either of the females saying anything.
- (f) [REDACTED] told me that beside from seeing the police at the residence several days prior she does not know the people that live there and has only seen them out on the porch previously.
- (g) After speaking with [REDACTED] I then met with [REDACTED] regarding what she witnessed. [REDACTED] agreed to provide a sworn recorded statement regarding the incident. [REDACTED] said that she was inside an apartment two houses down and heard yelling outside. [REDACTED] said that the yelling increased and she went outside and observed a male with dark hair and a shirt with a sleeve off holding a large butcher knife. [REDACTED] said that she also observed a female lying on the ground by the bushes. [REDACTED] said that she moved a little and saw blood around the female. [REDACTED] said that at that time she observed the male striking the female with the knife. [REDACTED] said that the sound of the impact of the knife sound like the female was being struck with a baseball bat or a piece of wood. [REDACTED] said that the female

on the ground was moaning and [REDACTED] yelled for someone to call 911.

- (h) [REDACTED] said that there were several men nearby that were yelling at the attacker and several cars that briefly stopped, but then left the area. [REDACTED] said that the attacker would intermittently stop and stand over her. [REDACTED] told me that she observed the attacker strike the female "a lot" of times and estimated more than ten times. [REDACTED] said that she thought that the attacker struck the female a lot of times on her head, but eventually had to stop watching. [REDACTED] said that a man with a gun was also near to the attacker just prior to the police arrival. [REDACTED] confirmed that she only saw the one attacker.

12. On 10/12/17, at approximately 1447 hours, Ofc. Kratchovil responded to the scene where he gathered a sworn audio statement from [REDACTED]. His report reflected the following:

- (a) I asked [REDACTED] what he saw today, and he responded that he saw a man (hereafter referred to as "suspect") with a machete or meat cleaver hitting a lady. He later explained this was occurring in the driveway. [REDACTED] also told me that he saw a lady on porch bleeding in the doorway. [REDACTED] told me that he told the suspect to stop and the suspect acted as if he was going to try to hit [REDACTED] so [REDACTED] pulled out a gun and told the suspect he would shoot him. [REDACTED] said the suspect put his hands up and at about that time an Officer arrived. [REDACTED] pointed out Corporal Cousins, who had been one of the Officers who arrived early on scene.
- (b) [REDACTED] told me that as the Officer pointed her gun at the suspect, [REDACTED] put down his gun which was collected by another Officer on scene.
- (c) I asked [REDACTED] to describe the person with the machete. He described the suspect as Oriental, 28 to 32 in age, distraught, and wearing a hospital bracelet.
- (d) I asked [REDACTED] what happened with the suspect after Corporal Cousins pointed her gun at him. [REDACTED] told me the suspect froze for a minute, and four to five Officers put him on the ground hard, after he acted like he was going to do something; and then took him away in handcuffs.
- (e) I asked [REDACTED] to describe what he saw the suspect doing with the machete, and he told me "hitting her, hitting her like on the arms, on the head, on the shoulder...he was hacking her up with that thing."
- (f) I asked him about seeing another person, and he told me there was a lady sitting up in the doorway, and pointed out the doorframe where there was a red smear on the doorframe of the doorway at the porch where this incident occurred. He told me that he could see her feet, and he did not know her condition.
- (g) [REDACTED] went on to explain that while the suspect was hitting the victim in the driveway, "she was just fucking taking it... She couldn't defend herself... on her back" I asked if the victim was making any noises, and [REDACTED] made a "uh, uh" noise to reproduce the sounds the victim was making.
- (h) [REDACTED] explained that he was initially drawn to the scene because he heard screaming

and crying. He heard someone yell, "He's killing her, he's killing her...he's killing the whole family." He told me he was not sure who had been yelling or of other potential witnesses, explaining his attention was drawn to the suspect and victims. He later told me there were other people who came to the commotion, including a man with a 2x4, but that his focus was drawn to the suspect and victim.

- (i) I asked [REDACTED] to describe the machete. He told me, "I can tell you exactly what it was; it was a meat cleaver, ten inch meat cleaver." He told me that it looked older with a wooden handle and rusty. I asked if he knew what happened to it, and he told me the suspect was told to drop it in the driveway and he was not sure what "they" (police) did with it.
13. On 10/10/17 at approximately 1447 hours I arrived on scene. Upon my arrival I met with Cpl. Cousins who advised me that a suspect, Gurung, was in custody. Cpl. Cousins advised that he had been preliminarily identified by a hospital bracelet he was wearing on his wrist.
14. On 10/12/17 at approximately 1450 hours Det. Chenette and I met with [REDACTED] at her apartment located at [REDACTED]. [REDACTED] provided a sworn audio recorded statement. [REDACTED] cried as she spoke with us and had to pause multiple times. She reported that she had been inside her apartment when she heard yelling outside. She initially believed the sound was children so she exited her apartment and walked to the apartment building's driveway. [REDACTED] advised she heard someone yelling something to the effect of "Leave her alone!" repeatedly. When she reached the driveway, [REDACTED] explained that she observed a male and a female (Gurung and [REDACTED]) approximately ten feet from her. She said Gurung was standing and Khadka was lying on the ground. [REDACTED] stated that she observed Gurung "hitting" the female with a "meat cleaver." [REDACTED] stated Gurung struck [REDACTED] with the meat cleaver repeatedly. She stated, "He wouldn't stop. He just kept doing it, over and over." [REDACTED] stated that she then realized it was not children that were yelling, instead it was [REDACTED] crying. [REDACTED] stated Gurung was not speaking during the assault and had a "blank look on his face." [REDACTED] reported she became fearful for her own safety, so she ran into her apartment and called the police. She advised that she returned outside but found Gurung was still striking [REDACTED] with the meat cleaver. [REDACTED] described the male (Gurung) as in his late thirties, possibly Indian, and wearing a black shirt.
15. On 10/12/17 at approximately 1500 hours Det. Chenette gathered a sworn audio statement from [REDACTED]. Det. Chenette's report noted the following:
- (a) I interviewed [REDACTED] inside his residence with his consent.
- (b) [REDACTED] stated he arrived home [REDACTED] and was parked across the street when he observed a male assaulting a female in front of a residence, which he pointed out to be 2 houses to the north from where he was standing [REDACTED]. He said an older female was on the ground and was being assaulted repeatedly by a male wielding a long blade, which he described using his hands as being about a foot long with a wide blade. He described the assault with hand motions as long sweeping strikes with the bladed from above in a chopping motion. He said he moved to shield his nearby family and Police arrived shortly after.
- (c) [REDACTED] said the male assailant was "oriental", wearing dark pants or jeans and a dark sweater. He said soon after that, he observed the same male being led away in

handcuffs by Police and he was put in a Police vehicle. He thought the male may have taken off his dark sweater.

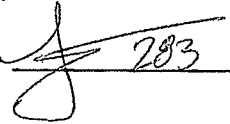
(d) [REDACTED] swore to the truthfulness of his statement.

16. I reviewed the video provided by [REDACTED] and observed it to show Aita Gurung standing in the driveway of 72 Hyde St. I observed Gurung to be wearing a black shirt and denim pants. His hands appeared to be covered in blood. Also, covered in blood is a meat cleaver, that Gurung holds in his right hand. [REDACTED] is shown lying on the ground covered in blood. The video starts with a white male standing in Hyde St. pointing south. The male yells to Gurung, "Get away! Get away! Get away!" Gurung stands over [REDACTED] and paces back and forth. The witness continues to point down the street and yells, "Back up! Get away!" [REDACTED] is heard moaning. The witness yells, "Don't touch her! Don't fuckin' think about it again!"
17. Gurung continues to pace around [REDACTED] while making statements to include, "She betray me, she betray me." As he does this, the witness continues to yell at Gurung to back away. Gurung takes the cleaver and strikes [REDACTED] in the head. When the cleaver makes contact with [REDACTED] head, you can hear the impact of the weapon against her body and see her body impacted by the force. Multiple voices can be heard yelling in the area. Those voices include what sounds like Ames yelling, "God, dude! You're gonna fucking kill her dude!" Also audible is what sounds like another impact from the cleaver to [REDACTED] body.
18. The video follows Gurung as he walks to [REDACTED] feet. The image then includes a female, [REDACTED] seated in the doorway of 72 Hyde St. #1. Gurung then bends over [REDACTED] and delivers two more blows to her head using the cleaver. Voices in the area can be heard yelling "Hurry up!" and "Hurry!" [REDACTED] then enters the video from the south side and approaches Gurung. [REDACTED] is holding a firearm pointed at Gurung. The male yells, "Back off! Back the fuck off!" Gurung then uses the cleaver to chop at Khadka's lower body one more time. The male points to Gurung with his free hand and points to the ground as he yells for him to drop the cleaver. Police are then seen entering the video ordering Gurung to drop the cleaver and he complies. As officers yell orders to Gurung, [REDACTED] moans can be heard in the background.
19. On 10/12/17 at approximately 1455 hours at the UVM Medical Center, [REDACTED] was pronounced dead. At 1745 hours Det. Weinisch reported [REDACTED] was listed as being in Critical Condition.
20. I reviewed photos taken at UVMMC of [REDACTED] injuries. I observed a deep laceration above her right knee that appeared several inches long. I observed a deep laceration across the back of her right hand, also several inches long, which appeared to reveal tendon and muscle. I also observed that her right pinky finger was almost completely severed. I observed multiple lacerations across the back of [REDACTED] left hand. They were of varying lengths, depths, and widths. I observed a deep wide open wound to [REDACTED] forehead above her right eye and cutting into her scalp. The gash was very deep revealing skull and brain matter. I observed a large open wound to the top of her head behind her right ear. This wound also revealed skull bone and brain matter.
21. I observed footage from Cpl. Hemond's body worn camera. I observed [REDACTED] suffered a laceration across the top of her left forearm. The video also showed a substantial amount of bleeding from her head, however I was unable to view any specific injuries.
22. I reviewed photos taken at the Burlington Police Department of Gurung. They showed his hands and feet stained red with blood. I observed he had a small abrasion on his right shoulder. I also

17BU026760

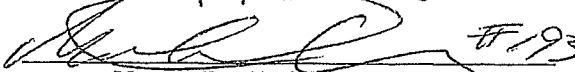
observed he had blood smeared across his face, ears, and neck. The photographs also depicted a hospital bracelet secured around his right wrist.

23. Police records indicated Gurung resided at 72 Hyde St. #1. On 10/12/17 at approximately 1830 hours the Honorable Judge Griffin found probable cause for the charges of Homicide and Attempted Homicide. Judge Griffin ordered Gurung to be lodged and held without bail. At the same time, Judge Griffin granted a search warrant for the residence located at 72 Hyde St. #1.
24. Gurung was lodged at the Chittenden Regional Correctional Facility.


283

(Affiant)

Subscribed and sworn to before me on 10/12/17, at Burlington



Notary Public (expires 2/10/2019)

Received Time: 13:56:41 09-11-19 Source ORI: VT0040180
Summary: IQ: NAM=GURUNG,AITA PUR=C
View Message Details

DISPATCHED ISN:0039 MRI:5640981 AT 13:56 11SEP19 TO:CCH

Received Time: 13:56:41 09-11-19 Source ORI: VTIII0000
Summary: IQ: NAM=GURUNG,AITA PUR=C
View Message Details

THIS RESPONSE IS BASED ON YOUR INQUIRY OF
PUR/C.ATN/DET NAMDAR 17BU026760 USAO.NAM/GURUNG,AITA. .SEX/M.RAC/A

NAME: GURUNG,AITA SINGH DOB: SID#: 357760 FBI#: 976492DH3

GUIDE TO THE RECORD

DATE OF LAST ARREST 10/12/2017
AGE OF OFFENDER 36
FAILURES TO APPEAR 0
VIOLATION OF COURT ORDERS OR CONDITIONS
CHARGES/CONVICTIONS 0/0
FELONY CHARGES/CONVICTIONS 2/0
MISDEMEANOR CHARGES/CONVICTIONS 0/0
UNKNOWN OFFENSE LEVEL CHARGES/CONVICTIONS 0/0
ASSAULTIVE CRIME CHARGES / CONVICTIONS 1/0
SEX CRIME CHARGES / CONVICTIONS 0/0
ASSAULT ON OFFICER CHARGES 0
DANGEROUS/ DEADLY WEAPON RELATED CHARGES 0
ESCAPE CHARGES 0
VIOLATION OF PROBATION/PAROLE CHARGES 0/0

VERMONT CRIMINAL HISTORY

***** IDENTIFICATION *****

VERMONT SID # 357760

NAME: GURUNG,AITA SINGH
DOB: POB CITY: STATE/COUNTRY: NP
SEX: M RACE: A ETHNICITY: US CITIZEN:
HEIGHT: 5'03" WEIGHT: 140 EYES: BRO HAIR: BLK

FBI #: 976492DH3
PRINTS NCIC: HENRY:
PHOTO AVAILABLE? N

AKA: GURUNG,AITA
GURUNG, AAITA
GURUNG, AAITA SINGH

ADDRESS: 72 HYDE ST #1 BURLINGTON VT 05401
ADDRESS: 72 HYDE STREET #1, BURLINGTON VT

***** CRIMINAL HISTORY *****

===== CYCLE 1 =====

TRACKING NUMBER: 1812877

----- ARREST -----

DATE OF ARREST: 10/12/2017
ARRESTING AGENCY: BURLINGTON PD VT0040100
CASE NUMBER: 17BU026760
FINGERPRINTS: NO
ARREST TYPE: ADULT

CHARGE

CHARGE NUMBER: 01
CHARGE DESCRIPTION: MURDER-2ND DEG
SEVERITY: FELONY

CHARGE

CHARGE NUMBER: 02
CHARGE DESCRIPTION: MURDER-ATTEMPT
STATUTE: 13V2307
SEVERITY: FELONY

----- COURT ARRAIGNMENT -----

ARRAIGNMENT DATE: 10/13/2017
ARRAIGNMENT AGENCY: CHITTENDEN CO. DISTRICT COURT
DOCKET NUMBER: 3506-10-17

CHARGE

CHARGE NUMBER: 01
CHARGE DESCRIPTION: MURDER-1ST DEG
STATUTE: 13V2301/1D
SEVERITY: FELONY
PLEA: ARRAIGNED, PLED NOT GUILTY TO FELONY

CHARGE

CHARGE NUMBER: 02
CHARGE DESCRIPTION: MURDER-1ST DEG/ATTEMPT
STATUTE: 13V2301/1D&9
SEVERITY: FELONY
PLEA: ARRAIGNED, PLED NOT GUILTY TO FELONY

----- COURT DISPOSITION -----

CHARGE

CHARGE NUMBER: 01
CONVICTED? NO
FELONY? NO
CHARGE DESCRIPTION: MURDER-1ST DEG
STATUTE: 13V2301/1D
DISPOSITION: 05/31/2019 DISMISSED BY STATE WITHOUT PREJUDICE

CHARGE

CHARGE NUMBER: 02
CONVICTED? NO
FELONY? NO
CHARGE DESCRIPTION: MURDER-1ST DEG/ATTEMPT
STATUTE: 13V2301/1D&9
DISPOSITION: 05/31/2019 DISMISSED BY STATE WITHOUT PREJUDICE

----- CYCLE EVENT -----

09/10/2019 FP DESTROYED, NON-CONVICTION RECORD
10/13/2017 PRINTS - RECEIVED WITH A MUG
10/13/2017 PALM PRINTS ON FILE
10/12/2017 PRINTS - RECEIVED WITH A MUG
10/12/2017 PALM PRINTS ON FILE

***** END OF RAPSHEET *****

ONLY MOTOR VEHICLE OFFENSES WHICH WERE ARRAIGNED IN A VERMONT DISTRICT COURT AFTER SEPTEMBER 1, 1995 ARE INCLUDED IN THIS RECORD. The criminal record information provided above represents case disposition data reported by courts indicated. Charges that are supported by

Sep 11, 2019 1:56:43 PM

Printed By: RKAHLIG from: 0401MS001

fingerprints are designated with a "Y" in the "FP" column. All responses are based on file search criteria provided by the requestor at the date/time of the request. The requestor agrees to use Criminal Conviction Record information received from the Vermont Information Center for the purposes intended by law. The requestor agrees not to disclose the contents of any criminal conviction record without the applicant's permission to any person other than the applicant and properly designated employees who have a documented need to know the contents of the record. A violation may result in a civil penalty of up to \$5,000. Each unauthorized disclosure shall constitute a separate civil violation.

Authorized: J.Wallin - Director, Vermont Criminal Information Center
Waterbury, Vermont

MRI 5640982 IN: CCH 2376 AT 13:56 11SEP19
OUT: 0401MS001 55 AT 13:56 11SEP19

Sep 11, 2019 1:57:19 PM

Printed By: RKAHLIG from: 0401MS001

Received Time: 13:57:17 09-11-19 Source ORI: VT0040180
Summary: QR: PUR=C FBI=976492DH3
View Message Details

DISPATCHED ISN:0040 MRI:5641016 AT 13:57 11SEP19 TO:NCIC

Received Time: 13:57:17 09-11-19 Source ORI: VTNCIC000
Summary: QR: PUR=C FBI=976492DH3
View Message Details

EL01027Z,MRI5641016
VT0040180

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR
RECORD REQUEST FOR FBI/976492DH3. THE RECORD MAY BE OBTAINED FROM
WITHIN YOUR STATE. THE INTERSTATE IDENTIFICATION INDEX CONTAINS
NO ADDITIONAL DATA.

END

MRI 5641018 IN: NCA1 479 AT 13:57 11SEP19
OUT: 0401MS001 56 AT 13:57 11SEP19

Sep 11, 2019 1:57:39 PM

Printed By: RKAHLIG from: 0401MS001

Received Time: 13:57:35 09-11-19 Source ORI: VT0040180
Summary: SNQ: NAM=GURUNG,AITA SEX=M
View Message Details

DISPATCHED ISN:0041 MRI:5641033 AT 13:57 11SEP19 TO:NCIC SIS QSW SDB

Received Time: 13:57:35 09-11-19 Source ORI: VTSD0000
Summary: SNQ: NAM=GURUNG,AITA SEX=M
View Message Details

SDX/GURUNG,AITA.DOB/[REDACTED].

***** NO MATCH IN-STATE FILES: NO WARRANTS, NO RESTRAINING ORDER *****

MRI 5641034 IN: SDB 2386 AT 13:57 11SEP19

OUT: 0401MS001 57 AT 13:57 11SEP19

Received Time: 13:57:35 09-11-19 Source ORI: VTNCIC000
Summary: SNQ: NAM=GURUNG,AITA SEX=M
View Message Details

1L01027Z,MRI5641033
VT0040180

***MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.

MKE/WANTED PERSON

ADO/N

EXL/4 - NO EXTRADITION - INSTATE PICK-UP ONLY. SEE MIS FIELD FOR LIMITS

ORI/NM0280000 NAM/MACH,GARANG MANYOK SEX/M RAC/B POB/SU

DOB/[REDACTED] HGT/602 WGT/155 EYE/BRO HAI/BLK FBI/21681KC0

MNU/AR-A078809427 SOC/[REDACTED]

OLN/D01564850 OLS/AZ OLY/2048

OFF/FAILURE TO APPEAR - SEE MIS - RES BURGLARY

OOC/BURGLARY

DOW/20181108 OCA/M52FR201800298 SID/NM623034

WNO/M52FR201800298

VLD/20190618

MIS/EXTRADITE STATEWIDE NEW MEXICO ONLY/20000 CASH OR SURETY BOND/FAILURE TO
MIS/APPEAR AT THE TIME AND PLACE ORDERED BY THIS COURT/CRIMINAL DAMAGE TO
MIS/PROPERTY (UNDER \$1000)/AGGRAVATED ASSAULT (DEADLY WEAPON) X3/ RESIDENTIAL
MIS/BURGLARY/SOCORRO COUNTY MAGISTRATE COURT IN SOCORRO

DNA/N

ADD/01 - RESIDENCE (LAST KNOWN) DDA/20181108

SNU/601 SNA/CENTER DRIVE APT 604

CTY/CACTUS STA/TX ZIP/79013

COU/MOORE

ORI IS SOCORRO CO SO SOCORRO 575 835-0941

DOB/19880101

AKA/GARANG,MACH

AKA/GARANG,MACH MANYOK

AKA/GARANG,MANYOK MACH

AKA/MACH,GARAN MANYOK

AKA/MACH,GARANG

AKA/MACH,GARAUG MANYOK

AKA/MACH,GRANG MANYOK

AKA/MANYOK,MACH GARANG

MNU/FN-1041062926

SOC/[REDACTED]

IMN/I724871679 IMT/I

SUPPLEMENTAL ADDRESS INFORMATION

ADD/05 - OTHER DDA/20120410

SNU/5205 SNA/E CORTLAND BLVD APT 325

CTY/FLAGSTAFF STA/AZ ZIP/86004

COU/COCONINO

NIC/W875325598 DTE/20181110 0352 EST DLU/20190618 1507 EST

IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI

MRI 5641036 IN: NCIC 3509 AT 13:57 11SEP19

OUT: 0401MS001 59 AT 13:57 11SEP19

Sep 11, 2019 1:57:43 PM

Printed By: RKAHLIG from: 0401MS001

Received Time: 13:57:35 09-11-19 Source ORI: VTDMV0000
Summary: SNQ: NAM=GURUNG,AITA SEX=M

View Message Details

SNM/GURUNG,AITA.DOB/[REDACTED] 09/11/19 1356 PAGE: 001

** NO RECORDS WITH EQUAL KEY **

MRI 5641035 IN: PS02 3807 AT 13:57 11SEP19

OUT: 0401MS001 58 AT 13:57 11SEP19

Waszak, John

From: Gray, Molly
Sent: Wednesday, September 18, 2019 12:36 PM
To: Anderson, Elizabeth; Waszak, John; Doyle, Ultan; Fechter, Earl
Cc: Padula, Domenica; Farr, Amy
Subject: PRA Request - Response Needed
Attachments: AG Gurung PRR.pdf

Importance: High

Categories: Public Records Act

Colleagues --

VT Digger has made the following request of our Office and we are due to provide a cost estimate next week.

"Any and all communication between the Attorney General's Office and the Governor's Office or Chittenden County State's Attorney's Office about Aita Gurung between June 1 and present." I am going to handle the request and would be grateful for your help.

To that end, could you review your email inboxes and let me know (1) whether or not you have any correspondence relevant to the above and (2) if you do, to save the most complete versions (the final thread) of those correspondences as PDFs and where the document is work product to signify as much -- (example - [REDACTED]). Please send me the PDFs in one email confirming you have reviewed your correspondence.

If you could send me what you have by **EOB Friday** that would be greatly appreciated.

Thanks so much for your help with this.

Best,
Molly

Molly R. Gray, Assistant Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-828-0280
molly.gray@vermont.gov

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Waszak, John

From: Gray, Molly
Sent: Friday, September 20, 2019 1:18 PM
To: Waszak, John; Anderson, Elizabeth; Doyle, Ultan; Fechter, Earl
Cc: Padula, Domenica; Farr, Amy
Subject: RE: PRA Request - Response Needed

Categories: Public Records Act

Thanks all for your confirmations and/or for forwarding relevant PDFs of emails. Greatly appreciated.

Best,
Molly

Molly R. Gray, Assistant Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-828-0280
molly.gray@vermont.gov

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From: Waszak, John <John.Waszak@vermont.gov>
Sent: Wednesday, September 18, 2019 1:07 PM
To: Gray, Molly <Molly.Gray@vermont.gov>; Anderson, Elizabeth <Elizabeth.Anderson@vermont.gov>; Doyle, Ultan <ultan.doyle@vermont.gov>; Fechter, Earl <Earl.Fechter@vermont.gov>
Cc: Padula, Domenica <Domenica.Padula@vermont.gov>; Farr, Amy <amy.farr@vermont.gov>
Subject: Re: PRA Request - Response Needed

[REDACTED]

From: [Gray, Molly](#)
To: [Levine, Mark](#)
Subject: A note of thanks
Date: Friday, April 17, 2020 11:35:00 AM

Dear Commissioner,

A long overdue note of immense appreciation and gratitude for your steadfast leadership and for keeping all of us informed day by day. We owe you debt of gratitude. The thanks isn't mine to give, but I would be remiss if I did not reach out. I'm behind you one hundred percent and I hope you all won't hesitate to reach out if I can be of assistance in any way, even if only to amplify available information.

Sincerely,
Molly

Molly R. Gray, Assistant Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-828-0280
molly.gray@vermont.gov

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From: [Gray, Molly](#)
To: [Pieciak, Michael](#)
Subject: Update
Date: Friday, April 17, 2020 11:30:00 AM

Commissioner,

You're doing an incredible job. I'm watching today's press conference and wanted to drop you a note. I'm behind you 100% and hope you won't hesitate to reach out if I can help.

Good going!

Best,
Molly

Molly R. Gray, Assistant Attorney General
Vermont Attorney General's Office
109 State Street
Montpelier, Vermont 05609
802-828-0280
molly.gray@vermont.gov

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