

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS
DISTRICT COURT

HINGHAM DIVISION
DOCKET #

AFFIDAVIT IN SUPPORT OF APPLICATION FOR ARREST WARRANT

February 5, 2007

1. I, Anna C. Brookes being duly sworn, depose and say that I am a State Police Officer with the Massachusetts State Police with the rank of Trooper. I have been a member of the Massachusetts State Police since May 1994, and have been assigned to a number of duty stations within the Commonwealth of Massachusetts as a uniformed patrol officer. I am currently assigned to the Plymouth County State Police Detective Unit where my duties include conducting criminal investigations into homicides, sudden deaths, rapes and other violent crimes. I have received specialized training and education relative to these types of investigations as well as crime scene preservation and management. I have testified in both Superior and District Courts and before the Grand Jury in the Commonwealth of Massachusetts. In the course of my official duties as a police officer, I have interviewed victims, defendants, suspects and witnesses. Furthermore, I have made in excess of two hundred (200) arrests for a variety of criminal offenses. I graduated from the Massachusetts State Police Academy where I received extensive training in numerous subject matters including, but not limited to; conducting criminal investigations, criminal law, and search and seizure and evidence collection.
2. Based on the following information hereinafter related as a result of my investigative efforts, those of Detective John Coggins, Hull Police Department and those of officers assigned to the Plymouth County District Attorney's Office and Hull Police Department, I believe that probable cause exists that the crime of Murder, a violation of Massachusetts General Laws (MGL) Chapter 265, section 1 was committed on December 13, 2006 by Carolyn and Michael Riley and that the victim was their daughter Rebecca Jeanne Riley, aged four years, eight months of 70 Lynn Avenue, Hull, MA. The following facts provide evidence of the slow and painful killing of Rebecca Riley over a period of days at the hands of her parents who improperly administered prescription drugs to a child not able to refuse the medicine. The following paragraphs detail the repeated attempts by various agencies and people who identified problems with the administration of Rebecca's medication, their efforts to assist both Rebecca and her family, Carolyn and Michael Rileys' refusal to accept that help, their indifference to her obvious pain

and suffering and finally, their failure to provide any medical care to their own daughter as she lay visibly suffering, drowning in her own bodily fluids on the floor beside their bed in the early morning hours of December 13, 2006. The following facts establish probable cause for our request to the court for the issuance of a warrant(s) authorizing the arrests of Carolyn Riley, DOB 06/09/74, and Michael Riley, DOB 12/28/72, formerly of 70 Lynn Avenue, Hull, MA, now temporarily residing at 14 Fallgren Lane in Weymouth, MA.

3. On Wednesday, December 13, 2006 at approximately 0636 hours, Hull Police and Fire Departments responded to a 911 call for an unresponsive four-year-old girl at 70 Lynn Avenue in Hull, MA. A male subject, later identified as Michael Riley, called Hull 911 and told the operator that he needed an ambulance for his daughter who was dead and had choked on her vomit. Officers responded and observed Rebecca Riley, a four-year-old girl, lying on the floor in a bedroom beside the bed. The bedroom was identified as belonging to her parents. Captain William Souza, Hull Fire Department examined the girl and determined that she was deceased. Responding officers briefly questioned Michael Riley, who was seated with his wife Carolyn and their two other children, a six-year-old girl and an eleven-year-old boy on a couch in the living room. Michael told responding officers that Rebecca had been sick for the past three days, coughing and vomiting a lot. When he got up that morning, he observed that the child was dead and called 911. Officers secured the scene and contacted the Massachusetts State Police and the Office of the Chief Medical Examiner.
4. Carolyn and Michael Riley told responding officers that Rebecca was diagnosed with Bi-polar Disorder and Attention Deficit and Hyperactivity Disorder (ADHD) and was on several daily prescription medications. Officers were directed to the parents' bedroom where a pill-dispensing tray containing several pills separated into days was observed. Several bottles of prescription medication belonging to Carolyn, and the two other children were located in the Rileys' bedroom in a blue plastic bin. Carolyn Riley told responding officers that she had given Rebecca a dose of Tylenol plus Cough and Runny Nose as well.
5. The scene was photographed and processed by Massachusetts State Police Crime Scene Services. In a bedroom to the right of the kitchen on the second floor of the split level ranch, which was identified as Michael and Carol Riley's bedroom, I observed the body of a young, white, female child with long

brown hair identified as Rebecca Riley lying on the floor on top of some magazines, and other paper and clothing detritus. The room was unkempt. A blanket, placed there by responding officers, covered Rebecca's body. She was lying on her left side, partially on a pile of clothes and papers and a stuffed brown bear. She looked as if she had fallen there. Her face and hair were covered in a frothy, foamy, reddish bodily fluid, which appeared to emanate from her nose and mouth and had also pooled on the rug. Lividity was consistent with her position. A bruise was evident on her right thigh and upper right arm. She was attired in only a pink pull-up diaper. She was wearing gold pierced stud earrings with colored stones. Dr. Elizabeth Bundock, MD, a pathologist from the Office of the Chief Medical Examiner (OCME), responded, examined the body and oversaw the transport of her body to the OCME in Boston for an autopsy. Dr. Bundock secured the pill-dispensing tray; an empty prescription bottle made out in Rebecca's name and several bottles of over-the-counter medication as evidence vital to the autopsy and transported it to the OCME in Boston.

6. While at the house, Detective Coggins and I were approached by Kelly Williams and James McGonnell, with concerns over Rebecca's cause of death, her medical history and domestic abuse history of the family. Mr. McGonnell stated that he was Carolyn Riley's half-brother and identified Ms. Williams as his fiancée. Mr. McGonnell was visibly upset, enraged and tearful during our interviews. Ms. Williams and Mr. McGonnell stated that Rebecca began showing signs of illness on Saturday (December 9, 2006), four days before she died. Rebecca was observed coughing uncontrollably, vomiting and acting unusual. Over the course of a few days, they stated that they had repeatedly asked the Rileys to take Rebecca to the Emergency Room or her pediatrician. The Rileys told them that they made appointments but always offered an excuse as to why they did not go. Mr. McGonnell told investigators that he was paged early in the morning on December 13, 2006 by Hull Police Department. Mr. McGonnell explained that he worked as a tow-truck driver for Surf Side Towing, which provided service to Hull Police Department. Mr. McGonnell stated that he got up and heard someone having trouble breathing. The sound emanated from the room next to his bedroom, the bedroom shared by Rebecca Riley and her six year old sister. Mr. McGonnell entered the room and observed Rebecca lying in a chaise lounge making gurgling sounds. Mr. McGonnell stated that he "wiped some puke off her face" and ran to the Riley's bedroom at the end of the hall and banged on the bedroom door and then kicked it in. He angrily begged the Rileys again to take Rebecca to the hospital. Carolyn Riley got up and took Rebecca into their room. Mr. McGonnell learned that the call from Hull Police Department did not require a response

and returned to bed. He did not hear anything from the Rileys until Michael Riley told him Rebecca was dead later that morning shortly before the Police and Fire Departments arrived. Hull Police Department records show a call to James McGonnell at approximately 12:48am (0048 hours) on December 13, 2006 with a request for a tow. Hull Police Department records also reveal that the call was cancelled shortly thereafter. The incident occurred five and a half hours before Rebecca Riley was found dead.

7. Mr. McGonnell and Ms. Williams stated that they also had concerns about the amount of medication the children took and how it affected them. They spoke of how Rebecca frequently seemed sleepy and drugged and often slept through the day, getting up only to eat. They spoke of how Michael Riley repeatedly told Carolyn to medicate the children when he determined that they were "acting up". Mr. McGonnell stated that he was aware that Michael Riley had not been allowed to live with his family previously in Weymouth public housing because of a court order connected with sexual assault charges lodged by Carolyn's thirteen-year-old biological daughter (who was not in the household) in court. Further, Mr. McGonnell and Ms. Williams described a physical assault they witnessed on the Riley's eleven-year-old son by Michael Riley, which occurred in October 2006. Mr. McGonnell and Ms. Williams stated they observed Michael Riley grab his son by the neck and bang his head against the back window of a pick-up truck in an apparent uncontrollable rage. They stated that Carolyn Riley who had also witnessed the attack filed a Restraining Order (209a) but allowed it to lapse after a few weeks. Ms. Williams and Mr. McGonnell told investigators that the eleven-year-old victim told them that he was frightened that his father was going to kill him. They stated that Michael was also rough with the girls and frequently grabbed Rebecca by the arm and swung her around. Mr. McGonnell stated that Michael frequently swore at the children and/or ridiculed them. They stated that the Department of Social Services also investigated the family on several occasions.
8. Carolyn and Michael Riley lived previously with their children in public housing at 43C Memorial Drive in Weymouth, Massachusetts. Michael Riley left the home pursuant to a court order regarding charges he sexually assaulted Carolyn's thirteen-year-old biological daughter in June of 2005. Michael Riley was allowed to visit with his children regularly and Carolyn alleged that the assault charges were false. Carolyn's biological daughter was not in her custody and had been adopted several years prior to the assault. From December 2005 through November 2006, Michael Riley told investigators that he lived with his mother at 14 Fallgren Lane in Weymouth, MA. James McGonnell moved into the

apartment in Weymouth public housing with Carolyn Riley in August of 2006. Kelly Williams and her seven-year-old son moved in in October of 2006. They moved to the 70 Lynn Avenue, Hull, MA on November 14, 2006 and Michael Riley moved in approximately two weeks later near the beginning of December 2006. Rebecca Riley was dead within two weeks of her father's return to the household.

9. While investigators examined the immediate scene and body, Hull Police Officer William Zubrin was assigned to stay with the Rileys and Ms. Williams' son in the finished basement portion of the house while the house was secured. He observed the two surviving Riley children and Ms. William's son playing quietly, trading toys for pretend money. Officer Zubrin observed Michael Riley become agitated and he repeatedly told the children to be quiet and "shut up". Michael continually urged Officer Zubrin to get the children's medication. Michael Riley became agitated, telling the children to "calm down!" and "Knock it off!" and "Stop being loud!" and again requested the children's medication, claiming, "They're going to be a handful!" Officer Zubrin did not observe any of the children's behavior to be loud, boisterous or out of control and stated that Michael Riley was the only one having problems with the children. He advised Michael Riley to wait until the scene was secured for the children's medication to be released.
10. Michael and Carolyn Riley agreed to be interviewed at Hull Police Department on December 13th and later the 14th of December 2006. Both interviews were audio-recorded and at each interview, each was advised of their rights per Miranda and was aware the interview was recorded. They both appeared clear and lucid during the interviews. While waiting for the interviews to take place on December 13, 2006, Hull Police officers stayed with them in the conference room and observed Michael Riley punch the concrete wall. Michael did not appear to suffer any injury and stopped at the request of the officer. Michael Riley later told investigators that this was manifestation of his Intermittent Rage Disorder.
11. Carolyn and Michael stated that all three of their children had mental disorders diagnosed and treated by Dr. Kayoko Kifuji, of Tufts-New England Medical Center (Tufts-NEMC). Carolyn stated that Rebecca was diagnosed with Bi-Polar Disorder and ADHD when she was two and one half years old. Carolyn was able to recite Rebecca's prescriptions from memory. She stated that Rebecca was prescribed Depakote sprinkle capsules at 125 mg each to help control her mood. She was to take three capsules in the morning and three capsules at night. Carolyn stated that the sprinkle capsules were broken and

"sprinkled" on Rebecca's tongue. Carolyn stated that Rebecca was prescribed Seroquel pills to help calm her down and help her stay asleep at night. She received 25mg in the morning and 175 mg at night. Carolyn stated that Rebecca was prescribed Clonidine tablets that dissolved instantly to help calm her and help her sleep. She was given .1mg tablets, which were divided in half by hand so that Rebecca took a half tablet in the morning, a half tablet at noon and a half tablet at 3:00pm (1500 hours) and two full tablets at bedtime. Carolyn stated that the prescribing psychiatrist for all three medications was Dr. Kayoko Kifuji of Tufts-New England Medical Center who Rebecca had been seeing since 2004. Carolyn stated that Dr. Kifuji had diagnosed Rebecca with ADHD and Bi-polar Disorder when she was only two years old. Carolyn stated that she felt that Rebecca was displaying behavior consistent with her siblings who were also patients of Dr. Kifuji and were diagnosed with similar disorders. Carolyn stated that Dr. Kifuji had told her about the medications prescribed to the children and she had experience with them since the two older children were on similar or identical medications. Carolyn stated that she had read the information sheet that came with the children's medication from the pharmacy. Carolyn also stated that the doctor told her that she could give the girls extra Clonidine. During the interview, Carolyn stated; "...yes...although she said she (Dr. Kifuji) didn't encourage it, it would be ok to give them an extra half a tablet to try and get them back to sleep...because Clonidine has only a four hour life, after four hours it's out of your system...as long as it had been four hours after the last dose, it would be okay." Carolyn stated that she "probably dosed Rebecca with this extra half a Clonidine tablet once or twice a month." as well as the night of December 12-13, 2006. Carolyn stated that she had checked with Dr. Kifuji regarding any prescription drug interactions that might occur and that she had read the labels supplied with the prescriptions when she filled them. Michael Riley told investigators about the additional dose as well and stated that Carolyn had administered an additional half a Clonidine tablet on the night of December 13, 2006. Carolyn stated that she broke the Clonidine tablets in half with her fingers. Carolyn Riley stated that she had given Rebecca cough and cold medicine in the past without any problems. She stated that she stored the prescription medication in a plastic dispensing tray in dosages for the week. This tray was stored on a shelf in her bedroom, along with a blue plastic bin filled with additional prescription bottles belonging to Carolyn. Carolyn and Michael stated that the children were aware that the medication was off-limits and she had never had a problem with them "getting into it". She stated that she was responsible for dispensing the children's medication. Michael told investigators that Carolyn was "in charge" of all the medication.

12. An autopsy was performed by Dr. Elizabeth Bundock, MD, at the OCME on December 13, 2006. Dr. Bundock noted that Rebecca Riley did not die of aspiration or choking due to vomiting. She noted that the reddish frothy bodily fluid emanating from her mouth and nose was evidence that Rebecca's cause of death could be due to a drug overdose but that confirmation would require additional toxicological testing. Dr. Bundock noted several purple bruises on various parts of Rebecca's body. Two were noted on the inner left thigh, one on the inner right thigh, one was also observed on the outer right thigh. Several more were noted on other parts of the body. Dr. Bundock also observed several red marks on the victim's body. One red mark was observed on the inside right bicep. The red mark was consistent with a thumbprint, as if an adult grabbed the arm. At the conclusion of the autopsy, Dr. Bundock was unable to determine a cause or manner of death pending receipt of further testing results.
13. Investigators questioned both Carolyn and Michael Riley about the existence of the bruises on Rebecca's body. Both denied ever grabbing Rebecca's arm and neither could provide any explanation for any of Rebecca's bruises, despite witness accounts of Michael grabbing Rebecca and the other children by the arm. Both parents vehemently denied these accounts and stated that they disciplined the children using "time-outs". Michael stated that he had verbally abused the children and "yelled a lot", but stated that he had never struck the children, except a "quick smack on the butt". He told investigators repeatedly that when he was enraged, he struck inanimate objects. He told investigators that he had struck Carolyn once, many years ago. Carolyn supported this account. Michael stated that he suffered from Intermittent Rage Disorder and Bi-Polar Disorder, but was not taking medication. He stated that he recently attended an outpatient anger management program at Westwood Lodge after Carolyn took out the restraining order on him and now worked on his miniature models to control his temper. Carolyn stated that she was no longer afraid of Michael and did not know why she had taken out the restraining order in October of 2006. Investigators even showed Carolyn a copy of the restraining order affidavit that she had written stating that Michael had "choked out" their eleven-year-old son, leaving red marks on his neck and pointing out where she declared that she was afraid for her safety and that of her children. She acknowledged that she had written the affidavit, but stated that their son had since realized that he loved his father and wanted him back in the house and that Michael had apologized to their son. Carolyn stated that she took Paxil for depression and anxiety and suffered from migraine headaches and took prescription medication as needed.

14. On December 14, 2006, Michael Riley left a voice mail for me in which he stated that he and Carolyn now "remembered" that Rebecca had been "stuck" in a shopping cart at Stop and Shop earlier that week and that that was where the bruises were from.

15. Investigators spoke with Michael and Carolyn about Michael's absence from the household since December of 2005. Both Carolyn and Michael stated that he was accused of sexually assaulting Carolyn's thirteen-year-old biological daughter during a visit in June 2005. Both denied that the incident occurred. Carolyn insisted that she was present and therefore what the girl had stated happened, could not have. They stated that Michael had to leave their home in Weymouth as part of a court order with public housing. While Michael was out of the house, Carolyn stated that the girls had slept in bed with her. Michael stated that he was annoyed with this practice and refused to allow the girls to sleep in their bed when he moved back in with his family only two weeks prior to Rebecca's death. He told investigators that, even though Rebecca was sick, he felt that she should sleep in her own bed.

16. Investigators interviewed Dr. Kayoko Kifuji, MD, PhD, a Pediatric Psychiatrist at Tufts-New England Medical Center (Tufts -NEMC) and learned that Rebecca had been a patient since August of 2004 and was diagnosed with Bi-Polar Disorder and ADHD. Dr. Kifuji based her diagnoses on the family mental illness history as described by Carolyn Riley and Rebecca's behavior as described by Carolyn and briefly observed by Dr. Kifuji during office visits. The office visits occurred from every two weeks to every other month and Rebecca's two other siblings were also seen. Dr. Kifuji confirmed that Rebecca's medications were in the amounts as recited by Carolyn Riley. Dr. Kifuji was asked if she had ever told the Rileys that they could give Rebecca an extra half Clonidine tablet at night if she had trouble sleeping. Dr. Kifuji emphatically stated; "No! Never!" Dr. Kifuji recalled a phone call from Carolyn Riley who had asked her about giving Rebecca some cough medicine and she had told her not to and had recommended that she call her pediatrician with any questions. Dr. Kifuji stated that she had also recommended that a therapist be assigned to the Riley family and that she was aware one had gone and had then filed a "51A" with the Department of Social Services accusing Carolyn of falling asleep during a visit. When asked if she had ever noticed anything unusual regarding Carolyn's request for medication, Dr. Kifuji stated that Carolyn had called her in the early fall, claiming that she lost an entire bottle of Clonidine and so Dr. Kifuji authorized the prescription again. Carolyn Riley then called Dr. Kifuji approximately ten days later claiming water had gotten into a bottle of Clonidine, ruining it and

she had requested additional Clonidine. Dr. Kifuji had authorized an additional ten-day supply and then required that the prescription be filled every ten days in an effort to avoid further accidents.

17. In a second interview with Dr. Kifuji, she stated that on October 27, 2005, Carolyn Riley had informed her that she had gradually increased Rebecca's nighttime Clonidine dose to two and one half tablets up from two tablets. Dr. Kifuji stated that she was shocked and very concerned that Carolyn Riley would do such a thing. When asked why, Dr. Kifuji stated that she told Carolyn Riley that the increased dose could kill Rebecca, as she was already on a high dose of Clonidine. Dr. Kifuji stated that she told Carolyn Riley that Clonidine is a blood pressure medication and, in large doses or doses over the prescribed amount, Clonidine can lower your blood pressure to the point of death. Dr. Kifuji told investigators that she further advised Carolyn Riley about the dangers of adjusting the dosing of Rebecca's medication without her knowledge or approval. Dr. Kifuji told investigators that she had explained to Carolyn Riley that rebound hypertension can occur if a patient stops taking Clonidine suddenly or if the dose is reduced by a large amount too quickly. Dr. Kifuji stated that she told Carolyn Riley that rebound hypertension could also be fatal. Dr. Kifuji stated that she was very concerned about Carolyn Riley's disclosure at the time and told her that if she ever went outside the prescribed doses again, she would have to report her to the Department of Social Services. Dr. Kifuji stated that she was not aware of any more discrepancies and asked Carolyn what she was giving the children on every visit.
18. According to a telephone contact note dated July 7, 2006 and signed by Dr. Kifuji, Carolyn Riley called the office insisting that it was July 17, 2006 and reporting that the children's therapist had reported her to the Department of Social Services. Carolyn requested that Dr. Kifuji write a letter to the Department of Social Services telling them that there was no need to get involved. On July 11, 2006, Dr. Kifuji noted another phone conversation she had with Carolyn Riley. Carolyn indicated that she blamed Dr. Kifuji for not telling her about her memory problem and Dr. Kifuji responded that she (Carolyn) "looked fully sedated and was falling asleep in my office on one of visits they had this year" The Department of Social Services confirmed that they investigated the incident but did not open a case. Dr. Kifuji stated she had received phone calls from a therapist, from South Bay Mental Health who worked with the Riley family regarding the amount of medication Rebecca was on. She believed that the therapist was going to work with Rebecca on her bedtime routine in an effort to help her with sleeping problems. Dr.

Kifuji stated that she had spoken with Carolyn who told her that she had taken migraine medication that morning and also that she had "fired" the therapist due to the filing.

19. Officers spoke with the therapist, a Licensed Social Worker from South Bay Mental Health Services in Weymouth, Massachusetts. The therapist stated that she had worked with the Riley girls, four year old Rebecca and her six-year-old sister at in home visits once a week for about an hour from May 2006 through July 2006. She was initially concerned by the amount and type of medication prescribed for Rebecca, telling investigators that she found it unusual in her experience, especially since she did not observe any behavior consistent with the diagnoses. The therapist made note of a telephone conversation she had with Dr. Kifuji on May 24, 2006. She noted that Dr. Kifuji; ". also has concerns. Feels children require too much medication, did not want to give them that much but Mom kept saying children weren't sleeping, was hoping prescribing Depakote and then keep medications down..." The therapist told investigators that she filed two 51A forms with the Department of Social Services (DSS). The first was based on her observations during a visit that Carolyn Riley was neglecting her children. She appeared heavily drugged and unable to respond. The therapist recalled that Carolyn Riley told her to watch out for a puddle of urine on the rug in the living room as she entered the house. Carolyn told the therapist that Rebecca had napped on the floor and urinated while she was sleeping. Carolyn made no attempt to clean the urine off the rug before her visit. The therapist stated that she actually had to tell Carolyn to clean the floor. The therapist stated that she filed a second 51A on the Riley family after another visit when Rebecca's six-year-old sister, disclosed that Michael Riley had hit her. She stated that DSS later reported to her that both reports were unsupported. In early August of 2006, Carolyn terminated all contact with South Bay Mental Health Services, citing problems with the therapist. The therapist stated that she never observed any aberrant behavior in Rebecca and really wanted to reduce her medication so that they could work on her alleged issues and/or see evidence of the illness (es). The therapist stated that both Rebecca and her sister were frequently asleep when she arrived. She recalled that she repeatedly urged Carolyn Riley to speak with Dr. Kifuji about lowering the dosage and variety of medication that Rebecca and her sister were on. She also urged Carolyn to contact DSS to take advantage of childcare and parenting programs. She was aware that Carolyn did not take her advice. In late summer 2006, Carolyn repeatedly cancelled or failed to show up for appointments after a therapist who worked with Rebecca's brother worked out a contract with her, due to her failure to keep

appointments. Carolyn terminated the agency's involvement with her family. The therapist stated that she never met Michael Riley.

20. Rebecca was a pre-school student at the Johnson Early Childhood Center from January 2006 through June 2006 and then again from September 2006 until November 2006. She was withdrawn briefly due to the move to Hull and then returned for two weeks before her death after the family had residency issues in Hull and were unable to register for school in Hull. Rebecca was under an Individualized Education Plan due to delays in her speech and a tremor in her hand. The tremor was believed to be a side effect of her medication. Teachers and staff at the school expressed concern immediately over her physical appearance and demeanor and mental state.
21. On October 11, 2006, the school nurse at the Johnson Early Childhood Center made note of a health complaint in which Rebecca was described as lethargic and too tired/weak to play in gym. The nurse reported that Rebecca's teacher stated that Rebecca was lethargic "every day, becoming a little more awake/alert at end of day." She noted that she faxed a medical release to Dr. Kifuji, Rebecca's Psychiatrist.
22. On October 24, 2006, the Johnson Early Childhood Center school nurse was asked again by Rebecca Riley's preschool teacher to observe her in gym class. She noted that Rebecca's teacher "reports child so tired she could barely walk up stairs without help." She observed and noted Rebecca was fatigued, lethargic and listless, she was "not playing in gym, eyes appear heavy-looks exhausted-felt like floppy doll on nurse's lap". She noted that she made a call to Carolyn Riley and noted that "mother aware of child's behavior. Reports that child was up during the night." She asked Carolyn Riley to keep an eye on Rebecca's fatigue level. Carolyn Riley denied that she had ever spoken to the school nurse about Rebecca, except when she signed the release.
23. On November 3, 2006, in a telephone contact note authored by Dr. Kifuji, she records a telephone conversation between the school nurse at the Johnson Early Childhood Center and herself regarding Rebecca's reported fatigue in class. Dr. Kifuji noted that the school nurse stated that Rebecca was tired and a "floppy doll" when she arrived at school in the morning, but would start getting more awake and interactive. The school nurse noted from the same conversation: "Dr. made aware that we have not seen

any aggressive behavior towards other children in school." She also noted that Dr. Kifuji told her that Rebecca's frequent need to urinate, a complaint expressed by her teacher, was due to her medication. Dr. Kifuji also noted that the school nurse told her that Rebecca's mother "seems to be lethargic whenever she comes into school." Dr. Kifuji noted that she asked the nurse to record Rebecca's vital signs. In her notes about the same conversation, the school nurse noted that Dr. Kifuji told her that she would speak to Carolyn Riley and consider decreasing the Clonidine.

24. On November 10, 2006, Dr. Kifuji saw Rebecca Riley and her mother Carolyn Riley for a twenty-minute appointment. In her progress note, Dr. Kifuji observed that Carolyn Riley was "upset that the school did not call her about the patient falling asleep in school but called me. Mom stated that school never called her about it and that the patient (Rebecca) has never been sedated on the meds and further that they were moving anyway". "Mom stated she spoke to the school bus driver and the patient (Rebecca) spoke non-stop on the bus" Dr. Kifuji also indicated that Carolyn told her that Rebecca was having trouble sleeping in the new house. Dr. Kifuji noted that "...might be better if father comes back to live with them..."

25. In an interview with staff at the Johnson Early Childhood Center who worked with Rebecca, several reported their concerns for Rebecca's health and noted the Rileys' indifference to their attempts to help her. Rebecca's teacher in the fall of 2006 stated that Rebecca came to school frequently without a snack (juice), wearing inappropriate clothing or shoes that were obviously too big. She stated that the children were provided with a "communication folder" where teachers sent home notes and parents responded or wrote notes of their own. Rebecca's pre-school teacher stated that she had never received a note from either Michael or Carolyn Riley. She noted that neither Riley showed up for a parent-teacher conference scheduled for November 2006. She told investigators that the school nurse and I called Mom on more than one occasion to report that Rebecca was "out of it". She added; "Almost every day, at approximately two o'clock, Rebecca would start to come to life...she would start using her words and attempting activities." It seemed as if the medication Rebecca was on was wearing off which staff felt supported their concern that Rebecca was on too much medication. They noted and the school nurse told Dr. Kifuji that Rebecca had never exhibited aggression or behavior to support either of her diagnosis of ADHD or Bi-Polar Disorder.

26. Rebecca's Special Education bus driver, told investigators that Rebecca was animated and chatty on her way to and from school on most days. She had no problems with listening or direction. She stated that there was one trip that she was concerned about Rebecca. Rebecca fell asleep and was almost impossible to rouse. The driver also transported Rebecca's older brother to a different school and stated that she was concerned about his cleanliness. She stated that he typically smelled so foul that she would have to open the window while he was in the vehicle.
27. Staff spoke about Rebecca's constant need to urinate, which would interrupt her learning. An aide would take her to the bathroom and observed that she would only void a very small amount. They observed that Rebecca was often so weak that she could not pull up or fasten her pants.
28. Rebecca's Pre-school teacher in the spring of 2006 stated that she had repeatedly contacted the school nurse concerned over Rebecca's "flat affect" and shakiness. The school principal reported that she had assisted Rebecca with getting off the bus and walking on the stairs in the school several times. Rebecca was shaking so much that school staff were afraid she would fall. She stated that Rebecca's face and hands were notably swollen and puffy. Further, she noted that Rebecca often came to school dressed inappropriately for the season/weather ("belly-shirt" and short skirt during cold weather). According to school records, the school nurse contacted Carolyn Riley in January of 2006, regarding Rebecca's inappropriate attire. When confronted with this, both Carolyn and Michael Riley denied any contact with the school.
29. Investigators examined Rebecca Riley's prescription records from Walgreen's Pharmacy in Weymouth, Massachusetts and Nantasket Pharmacy in Hull, Massachusetts. Investigators compared Rebecca's prescriptions with records of calls to Dr. Kifuji's office during the fall of 2006 and noted an alarming pattern where the Rileys frequently seemed to run out of Rebecca's prescription medication, specifically Clonidine. The Rileys were able to obtain additional Clonidine through calls to Dr. Kifuji and supplies of a few days' dosing of Clonidine through the pharmacy. Pharmacists noted this, too. On August 14, 2006, Dr. Kifuji made a note of a phone call received from a pharmacist at Walgreen's in Weymouth, Massachusetts. The pharmacist expressed concern telling Dr. Kifuji "She (Carolyn Riley) always has excuses that she is very low on Clonidine..." Investigators spoke with the pharmacy manager at Walgreen's in Weymouth, MA who told us that she had once had a verbal confrontation with Carolyn

Riley about filling a Clonidine prescription without authorization from Dr. Kifuji. Carolyn had demanded that she fill the prescription and the pharmacy manager refused without an order from Dr. Kifuji. She recalled that the Rileys were always complaining about running out of Clonidine.

30. On August 15, 2006, according to a telephone contact note in Dr. Kifuji's files, Dr. Kifuji was contacted by Walgreen's again stating that there was an "incident with prescription and they need to have authorization for twenty pills". Dr. Kifuji authorized the refill. At the bottom of the note she wrote; ". I will discuss this with mother as this is the second incident that they needed extra pills." On a progress note regarding an office visit on August 16, 2006, Dr. Kifuji noted the following; "Discussed the incident, Clonidine with the mother, she defiant, stated water got into the bottle and the pills were destroyed and got stuck together. This happened when she tried to give meds to her children." Dr. Kifuji further noted that she would prescribe Clonidine in ten day supplies to avoid the situation of losing a one-month supply.
31. On August 16, 2006, a prescription for thirty-five Clonidine tablets or a ten-day supply was filled at Walgreen's in Weymouth, MA; despite the fact that the Rileys had obtained a ten-day refill only the day before. When this was pointed out to Dr. Kifuji, she stated that it was the responsibility of the pharmacist to track the medication and she did not believe that Carolyn had received additional Clonidine. The pharmacy manager stated that they did not fill additional full prescriptions without authorization from the doctor. Dr. Kifuji further stated that she only authorized refills if the family had scheduled an appointment with her.
32. On August 21, 2006 Dr. Kifuji noted in another telephone contact note that Carolyn Riley called her stating that Rebecca would be twenty Clonidine tablets short. Dr. Kifuji contacted the pharmacy and did not authorize a further refill, but stated that the pharmacy or Carolyn could call her WHEN the supply ran out. The Rileys should have had enough Clonidine to last through at least September 4, 2006 at the time of the call. Dr. Kifuji did not question the Rileys regarding the apparent loss of medication.
33. On August 26, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at the Walgreen's pharmacy in Weymouth, MA.

34. On September 3, 2006, a prescription for Rebecca Riley for fifteen Clonidine pills or a four-day supply was filled at the Walgreen's pharmacy in Weymouth, MA.
35. On September 10, 2006, a prescription for Rebecca Riley for twenty Clonidine pills or a five-day supply was filled at the Walgreen's Pharmacy in Weymouth, MA. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last until September 14, 2006.
36. On September 11, 2006 in a telephone contact note authored by Dr. Kifuji, she noted a call from Walgreen's Pharmacy in Weymouth in which Carolyn Riley claimed that Rebecca was all out of her Clonidine. Carolyn claimed that there were twenty pills authorized but that the pharmacy gave her only three tablets. Dr. Kifuji noted that she called the pharmacy and authorized twenty tablets to cover until her Friday appointment. Note that she should have had enough Clonidine to last through September 19, 2006.
37. On September 15, 2006, a prescription for Rebecca Riley for thirty-five Clonidine pills or a ten-day supply was filled at the Walgreen's Pharmacy in Weymouth. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last until September 29, 2006.
38. On September 15, 2006, Dr. Kifuji had an appointment with Carolyn and Rebecca Riley. Carolyn's chief complaint about Rebecca was "still waking up". Dr. Kifuji increased Rebecca's Seroquel dosage.
39. On September 22, 2006, a prescription for Rebecca Riley for thirty-five Clonidine pills or a ten-day supply was filled at the Walgreen's Pharmacy in Weymouth. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last until October 9, 2006.
40. On September 30, 2006, a prescription for Rebecca Riley for thirty-five Clonidine pills or a ten-day supply was filled at the Walgreen's pharmacy in Weymouth. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last until October 19, 2006.

41. On October 7, 2006, a prescription for Rebecca Riley for thirty-five Clonidine pills or a ten-day supply was filled at the Walgreen's pharmacy in Weymouth. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last until October 29, 2006.
42. On October 19, 2006, according to a telephone contact note Dr. Kifuji authored, Carolyn cancelled Rebecca's appointment. Dr. Kifuji noted; ". Has all refills, except Clonidine, will be out of Clonidine on Saturday..."(October 21, 2006). Dr. Kifuji noted that she called in a prescription to Walgreen's. Note that, as of October 7, 2006, Rebecca Riley should have had enough Clonidine to last through October 29, 2006.
43. On October 21, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at Walgreen's in Weymouth. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last until November 8, 2006.
44. On October 29, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at Walgreen's Pharmacy in Weymouth, MA. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last until November 18, 2006.
45. On November 7, 2006, in a telephone contact note authored by Dr. Kifuji, she writes about a phone message left by Carolyn Riley who "asked me (Dr. Kifuji) to call back "ASAP", still needs to talk to me re prescriptions" Dr. Kifuji noted that she called and spoke with Carolyn who told her that they would run out of Clonidine tonight. Note that when her prescription was filled on October 29, 2006, Rebecca should have had enough Clonidine to last her through November 18, 2006.
46. On November 7, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at Walgreen's in Weymouth, MA. According to the dosing as prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last through November 28, 2006.
47. On November 12, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at Walgreen's Pharmacy in Weymouth, MA. According to the dosing prescribed by Dr. Kifuji, Rebecca would have enough Clonidine to last through December 8, 2006.

48. On November 19, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at Walgreen's Pharmacy in Weymouth, MA. According to the dosing prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last through December 18, 2006.
49. On November 27, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at Walgreen's Pharmacy in Weymouth, MA. According to the dosing prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last through December 28, 2006.
50. On December 7, 2006, Carolyn and Rebecca Riley met with Dr. Kifuji. According to a progress note authored by Dr. Kifuji, Rebecca was "doing really well" and Michael Riley was now living with them again which Carolyn felt helped the children do better. Carolyn told Dr. Kifuji that Rebecca was in the same school system, as the family did not want her "changing schools many times over a short period." In the comment portion of the report, Dr. Kifuji wrote; "Plan to try tapering Clonidine with the next visit if she continues to do well...."
51. On December 7, 2006, a prescription for Rebecca Riley for thirty-five Clonidine tablets or a ten-day supply was filled at Nantasket Pharmacy in Hull, MA. According to the dosing prescribed by Dr. Kifuji, Rebecca would now have enough Clonidine to last through at least January 7, 2007.
52. On December 13, 2006, Rebecca Riley was found dead beside her parents' bed at 70 Lynn Avenue in Hull, Massachusetts. Investigators were only able to locate seven Clonidine tablets in the blue medicine tray. According to the records from Walgreen's and Nantasket Pharmacy, Rebecca Riley should have had at least seventy-five Clonidine tablets left. Carolyn Riley told investigators that the tray was not full, as she needed to get refills. According to the dosing as prescribed by Dr. Kifuji, Rebecca should have received half of a Clonidine tablet three times a day. Mr. McGonnell and Ms. Williams stated that they had never seen Carolyn Riley administer a half tablet to Rebecca and stated that they regularly observed all three children take their medication. Ms. Williams added that she often was with Carolyn when she divided the medications into the trays as she sat in the dining area. She did not recall observing her break or split any tablets. They also stated that they did not ever see Carolyn or Michael Riley break a tablet. They were surprised at the question and assumed that Rebecca received full tablets.

Ms. Williams stated that she was surprised when she first realized Rebecca was taking Clonidine that she took full tablets, because her son had taken Clonidine in the past and had taken only a half tablet at bedtime which "knocked him out". Ms. Williams and Mr. McGonnell stated that Carolyn Riley always administered the children's medication, but was frequently encouraged by Michael Riley to give them more. They stated that Carolyn always had a bottle of Clonidine in her purse and frequently gave the children tablets when they were out of the home. They stated that the Rileys referred to the Clonidine as the "happy medicine" or the "sleep medicine". They both stated that, since Michael Riley's return to the household; the children were given their nighttime doses of medication earlier and were in bed asleep as early as 5:00pm (1700 hours). They both stated that Carolyn always seemed to have Clonidine.

53. On December 28, 2006, Dr. Bundock advised me, that pursuant to the receipt of testing results, she had determined the cause and manner of Rebecca Riley's death. Dr. Bundock stated that the cause of four-year-old Rebecca Riley's death was intoxication due to the combined effects of Clonidine, Valproic Acid (Depakote) and Dextromethorphan and Chlortheniramine. Dr. Bundock stated that the last two drugs were found in cold medicine. Dr. Bundock stated that the manner of death was homicide. She noted further that in the section on the death certificate titled "how injury occurred", she wrote "intentional overmedication with Clonidine". Dr. Bundock stated that the amount of Clonidine alone in Rebecca's system was fatal. She further noted that Rebecca's heart and lungs were damaged and found that this was due to prolonged abuse of these prescription drugs, rather than one incident. Dr. Bundock stated that Rebecca, in dying of an overdose of Clonidine would have died a slow and painful death. Her heart would not have pumped fast enough to circulate blood into her lungs and other major organs, causing these organs to slowly shut down. Her lungs would have gradually filled with fluid, resulting in pulmonary edema and congestive heart failure. The symptoms of pulmonary edema and congestive heart failure would include, pale, cool, clammy skin, a cough, uncontrollable at times, which would sound sharp. Towards the end of her life, Rebecca would probably have become incoherent as her organs began to shut down, her skin would have been pale and she would eventually lose consciousness. Dr. Bundock confirmed, that, as she had thought, the foaming red bodily fluid emanating from Rebecca's mouth and nose on scene, was evidence of a drug overdose and pulmonary edema. Rebecca would have become restless, uneasy and agitated towards the end of her life as she felt her lungs filling

up, she would be gasping or breathing heavy and would sound like her chest was congested. Eventually, she would die.

54. Through interviews with the Rileys and Mr. McGonnell and Ms. Williams, investigators were able to piece together a timeline from December 9, 2006, the date when Mr. McGonnell and Ms. Williams first reported Rebecca was sick through the discovery of her body on December 13, 2006 at approximately 0630 hours. The following paragraphs detail Rebecca's last few days, the suffering she endured from the effects of the administration of an overdose(s) of Clonidine, her parents' indifference to the extent of both her visible suffering and her medical condition, despite their knowledge of the possibly fatal effects of an overdose(s) of Clonidine and finally the Rileys failure to provide any type of medical care over the course of three days, despite the entreaties and observations of Mr. McGonnell and Ms. Williams.
55. Kelly Williams stated that she first became aware that Rebecca was not feeling well on Saturday, December 9, 2006. She and Carolyn spoke about how Rebecca slept for most of the day. Michael was not around. Rebecca woke up around 2:00pm (1400 hours) and came into the kitchen and fiddled with a bowl of cereal. Ms. Williams offered her some Sunny D juice and she drank that. Ms. Williams and Mr. McGonnell recalled that Rebecca began coughing Saturday night and described it as a whooping cough, which concerned them, the sound indicating to them that she needed medical attention immediately.
56. On Sunday, December 10, 2006, Mr. McGonnell and Ms. Williams both encouraged Carolyn and Michael to go to the doctor and have Rebecca checked out. Sometime on Sunday afternoon, while Ms. Williams was sitting on the couch, Rebecca came to her and curled up on her lap. Ms. Williams was shocked that Rebecca was extremely hot, her hair was damp with sweat and her clothing was soaked. Ms. Williams changed Rebecca out of her wet clothing and Carolyn brought her some red liquid in a coffee cup. Carolyn told Ms. Williams that the red liquid was cough syrup and Ms. Williams estimated that there was about an inch of the fluid in the cup. At her urging, Carolyn took Rebecca's temperature, after telling her that she had been doing that regularly all day. Ms. Williams was not sure what the thermometer registered, but stated that Carolyn gave Rebecca some Tylenol. Ms. Williams stated that Rebecca then began wandering around as if she had been stuck in her room too long, opening and closing the refrigerator door, but not eating and walking around checking things out. In separate

interviews, Carolyn Riley told investigators that Rebecca had been sick since Monday, December 11, 2006, not Sunday. Michael told investigators that Rebecca was "not feeling well" on Sunday, but did not become ill until Monday.

57. Rebecca did not take the liquid red medicine, despite Carolyn's encouragement. In fact, she spit it out all over Mr. McGonnell's face. Ms. Williams and Mr. McGonnell stated that they had never seen Rebecca this sick or coughing like this and urged the Rileys several times on Sunday to have Rebecca seen by a doctor, even suggesting taking her to the Emergency Room. Carolyn and Michael told them that Rebecca would be taken to the doctor's on Monday. Carolyn told investigators that Rebecca was ill Sunday night, December 10, 2006, coughing and congested and up several times. The office of Dr. Joel Stemmer, Rebecca's pediatrician has no record of a call placed to their practice from the Riley family on Sunday, December 10, 2006.
58. On Monday, December 11, 2006, when Rebecca awoke, Carolyn recalled that she was hot. Carolyn took Rebecca's temperature, using an ear thermometer and stated that her temperature was 100.7 degrees. She gave her three children's chewable Tylenol. The family had an appointment at the Social Security Administration in Weymouth and arrived there at approximately 9:00am (0900 hours). Ms. Williams and Mr. McGonnell reported that Michael Riley was very insistent on going to the appointment despite the fact that Rebecca was still so ill. Rebecca vomited while she and her mother were in the office. Carolyn rescheduled the appointment and the family left and went to Wal-Mart, where Carolyn Riley purchased a new outfit for Rebecca and some Pedilyte and a plastic bowl for Rebecca to vomit in while Rebecca and Michael stayed in the car. Rebecca vomited again "all over" the vehicle. Michael stated that she vomited water and phlegm and that he saw the Depakote sprinkles in her vomit. Ms. Williams and Mr. McGonnell were present when Carolyn, Michael and Rebecca returned from the Social Security Administration. Michael stormed into the house and was "bullshit", screaming at Carolyn; "Your daughter fucking threw up in my car!" He was extremely upset about Rebecca's vomiting in the car and yelled at Rebecca about embarrassing them by throwing up in the office waiting room. He was angry that they were forced to reschedule their appointments. Ms. Williams stated that she was aware that they had purchased a new outfit for Rebecca and changed her because she "was all dressed up, like a photo shoot", adding; "it was weird and didn't look very comfortable for a sick kid..."

59. On Monday afternoon, December 11, 2006, Rebecca started acting "weird" according to Ms. Williams. She was sometimes incoherent and "really out of it". She shuffled around the house, looking lost. Ms. Williams and Mr. McGonnell were even more concerned because they had never seen Rebecca act this way. They again, encouraged Carolyn and Michael to take Rebecca to the doctor. Carolyn told Ms. Williams that she had called the pediatrician and made an appointment for Tuesday, as they had no room. Carolyn told Ms. Williams that the doctor had told her to give Rebecca Pedialyte. Ms. Williams stated that she never observed Rebecca eating on Monday or Sunday. Mr. McGonnell added that he had cooked dinner Monday night and did not remember Rebecca eating. Rebecca vomited a few times Monday afternoon and Carolyn put her to bed in her room with a blue plastic bowl to throw up in that she had purchased at Wal-Mart that day. The bowl was observed to be clean and dry, but still in the twin bed identified as belonging to Rebecca and her sister on December 13, 2006. Ms. Williams stated that she spoke to Carolyn about the possibility of her sister getting sick because she and Rebecca shared a twin size bed. Carolyn told her not to worry. When investigators asked the same question, Carolyn told us that "She would get whatever Rebecca had anyways and she should just get it over with. I've handled it before."

60. On Monday afternoon, December 11, 2006, Michael refused to let Rebecca rest in their room, because Rebecca had once urinated in their bed. He insisted that she return to her own bedroom and refused to let her watch television in the Riley's bedroom, according to Ms. Williams and Mr. McGonnell. Carolyn stated that she gave Rebecca children's Motrin during the afternoon on Monday. At some point she vomited in the bathroom toilet and told her mother that she was feeling better. Carolyn stated that she purchased Pedialyte, but that Rebecca would not drink it. She stated that Rebecca drank water, but did not eat anything. Carolyn and Michael estimated that Rebecca threw up five times over the course of the day on Monday. They did not think she needed emergency medical attention. Carolyn repeatedly stated during interviews: "It was just a cold!" The office of Dr. Joel Stemmer, Rebecca's pediatrician has no record of a call placed to their practice from the Riley family on Monday, December 11, 2006.

61. On Tuesday, December 12, 2006, Ms. Williams observed that Rebecca seemed better initially, she was eating a sandwich and her coughing had quieted. During the afternoon, Rebecca began acting, in Ms. Williams' words "very weird". She became incoherent, not responding to people calling her name. She

spent most of the day watching television in Carolyn and Michael's room. She was up regularly, asking for Mommy. When Michael returned home, he did not let her stay in their room, insisting instead that she go back to her own room. Rebecca would wander out from her room and Michael would yell at her to go back. She kept getting up and returning as if she had not heard him and Michael would tell her to go back. She appeared dazed and "out of it" according to both Ms. Williams and Mr. McGonnell.

62. Tension between the Rileys and McGonnell/Williams had been building for about two weeks due to the re-entry of Michael to the household, financial problems experienced by the Rileys and an ongoing dispute about the division of housework and issues of childcare, specifically the Rileys failure to seek medical care for their children when they were sick. Previously, around Thanksgiving 2006, the Riley's eleven-year-old son had been sick, vomiting violently for a few days. According to Ms. Williams, the boy had been finally taken to the hospital and treated for a burst cyst in his ear.

63. Around 4:00pm (1600 hours), on Tuesday, December 12, 2006, tempers and the situation came to a boiling point, Mr. McGonnell stated that he "had enough" and went into Michael and Carolyn's room where Michael was working on models at his desk. He challenged him to a fistfight, telling Michael; "If you won't bring her (Rebecca) to the hospital, then I'll beat you so the ambulance will come and take both of you!" Mr. McGonnell stated that he grabbed Michael by the shirt and pulled him up, but stopped short of actually striking him. Mr. McGonnell stated that he was so angry; he broke a wall shelf in the living room. Michael Riley stated this as well and accused Mr. McGonnell of ripping the shelf off the wall and throwing it down the hall. Michael told investigators that he was afraid for his safety, but admitted that he did not call the police, nor report the incident to the Department of Social Services. The situation was diffused verbally and Michael assured Mr. McGonnell and Ms. Williams that they had a doctor's appointment for Rebecca the next day. The office of Dr. Joel Stemmer, Pediatrics has no record of a call placed to their practice from the Riley family on Tuesday, December 12, 2006.

64. Carolyn and Michael stated that they then left the house at approximately 9:00 pm (2100 hours) to bring the trash to Weymouth and dispose of it in a relative's trash bin. According to Ms. Williams and McGonnell, this arrangement was part of the reason the fight was diffused. However, they stated that the Rileys left the house at approximately 6:00pm (1800 hours). They then went to Wal-mart where they purchased Vick's Vapor Rub and Children's Tylenol Cough and Runny Nose. Carolyn told

investigators that she looked at the label and observed that it contained acetaminophen, cough medicine and an antihistamine. Carolyn stated that she had given Rebecca cold medication on top of her prescription medications before. Michael stated that Carolyn showed him the medicine in the car. They stated that they returned to their residence at approximately 10:00pm (2200 hours). Mr. McGonnell and Ms. Williams stated that they returned at approximately 8:00pm (2000 hours). Carolyn and Michael gave the children their nighttime medications and put them to bed before they left. Carolyn told investigators that she did not give Rebecca her Seroquel because it was a pill and she was concerned that she would be unable to keep it down.

65. While the Rileys were gone, Ms. Williams stated that she became very concerned about Rebecca. Rebecca came out of her bedroom several times, calling "Mommy" and Ms. Williams would tell her where Mommy had gone repeatedly, but Rebecca would not seem to understand. Rebecca was restless and fidgety and Ms. Williams tried to get her to sit on her lap to read or cuddle. She observed that Rebecca's skin was cool and sweaty—like a fever had just broken. Rebecca seemed unable to sit still for long and Ms. Williams brought her back to her room and tucked her in. Rebecca reappeared several times after less than fifteen minutes and walked into the room without saying anything. Ms. Williams stated that Rebecca became unresponsive and appeared "not there". Ms. Williams stated that at one point, she was standing in front of Rebecca "screaming her name" and Rebecca did not recognize her or respond. Ms. Williams stated; "She walked past me like I wasn't there! Ms. Williams stated that Rebecca's body became stiff and unresponsive when she picked her up. Normally if she picked her up, she would wrap her legs around Ms. Williams like a monkey. The last time she took her to her room, Rebecca's body was stiff—"like carrying a board". At some point, Ms. Williams stated that Rebecca went into her parents' room and shut the door. Ms. Williams stated that she was scared for Rebecca at this point and was convinced she should be taken to the Emergency Room.

66. When the Riley's returned, Ms. Williams stated that she told them about Rebecca, her appearance and her frightening behavior. Ms. Williams stated that she begged them to bring her to the hospital and have her checked out. Michael Riley told Ms. Williams again that they had an appointment the next day (Wednesday) and was dismissive. Michael was annoyed that Rebecca was in their room and insisted that Carolyn bring her back to her own bedroom. Because of the earlier argument the Rileys remained in their bedroom, while Mr. McGonnell and Ms. Williams watched television in the living room. Ms.

Williams stated that Rebecca continued to get up and wander back into the living room and then into Carolyn and Michael's room. She looked pale and still seemed "out of it". She would enter the Riley's bedroom and then be ordered back to bed by Michael who would yell at her, sometimes swearing at her. Ms. Williams stated that, at one point, Rebecca was standing, leaning against the couch, knocking weakly on the Riley's bedroom door and saying; "Mommy" softly over and over again. Michael opened the bedroom door a crack and again, yelled at Rebecca "Get back in your room!" Ms. Williams stated that she and Mr. McGonnell felt terribly for Rebecca but were not sure what they could do since she was not their child. They both expressed frustration with the Rileys repeated refusal to help Rebecca who was obviously in distress.

67. Carolyn and Michael stated that Rebecca was coughing uncontrollably throughout Tuesday night. She came into their room from her own down the hall at least five times. Michael stated that each time Rebecca came in, she would ask to stay with them in their bed and he would tell her "No". Michael stated that he thought that she should be in her room, even though she was sick. Michael admitted to yelling at Rebecca to go back to her room "a couple of times" that night. He stated that after she came in the fourth time, ". It got really annoying!" Michael stated that it was he who insisted Rebecca go back to her room, not Carolyn. Carolyn stated that each time Rebecca came in she would only want a glass of water, which Carolyn would get for her and then escort her back to her room. Michael stated that Rebecca wanted to sleep in their bed and he did not feel that she should be with them, despite the fact that she was ill. Michael stated that; "...every time she (Rebecca) woke up, Jimmy (McGonnell) came pounding on the door!" Rebecca was close on his heels. Carolyn stated that she gave Rebecca one teaspoon of the Children's Tylenol Cough and Runny Nose at 10:00pm (2200 hours) and rubbed Vick's Vapor rub on her chest. Carolyn and Michael then went to bed and put Rebecca to bed in her own room. Mr. McGonnell and Ms. Williams stated that they, too, went to bed at 10:00pm (2200 hours).

68. Mr. McGonnell stated that he was paged by Hull Police Department for a towing job in the early morning of December 13, 2006. Hull Police Department records indicate that Mr. McGonnell was called for a towing job at 12:48am (0048 hours). He got up and heard a sound like someone having trouble breathing in the room shared by the girls, which was next to his. The door to the girls' room was open a crack. Mr. McGonnell stated that he opened the door and went to Rebecca who was lying in the black chaise lounge in the room. Rebecca was "gurgling like something was stuck in her throat". He

stated that he wiped "some puke " off her face and ran down to the Riley's bedroom. He pounded on the door and then kicked it in. He stated that he yelled at the Riley's to get Rebecca to the Emergency Room and told them that they had to do something NOW! Carolyn got up and brought Rebecca into their bedroom. Mr. McGonnell stated that the tow call was cancelled and he returned to bed, believing that the Rileys were finally going to take care of Rebecca.

69. At this point, Michael told investigators that he suggested to Carolyn that they take Rebecca to the Emergency Room because "she was coughing a lot" but he admitted being annoyed with the constant interruptions to his sleep. Carolyn and he discussed it and decided that it would be best for Rebecca to see her pediatrician in the morning, and that she did not seem too ill. Michael stated that Carolyn gave Rebecca some more of the Tylenol Cough and Runny Nose medicine again and that she continued coughing while she lay on Carolyn's chest. Carolyn stated that, when Rebecca was lying on her chest, she sounded like her chest was congested, but she "thought it was only a cold". Carolyn stated during our interviews that they "truly were" going to take Rebecca to the doctors in the morning. The office of Dr. Joel Stemmer, Pediatrics has no record of a call placed to their practice from the Riley family on Tuesday, December 12, 2006.

70. With Rebecca in their room, Michael stated that he was frustrated with the constant disturbances in his sleep from Rebecca's coughing. Michael wanted to give Rebecca ". Something to help her get back to sleep and stop keeping everyone up...she needed extra!" Michael stated that he suggested to Carolyn that she give her (Rebecca) an additional half a Clonidine tablet to "help her sleep". Michael stated that Carolyn gave Rebecca what he believed to be Clonidine shortly after McGonnell burst into the room. In an interview, Carolyn stated to investigators that she gave Rebecca an additional half Clonidine tablet, because Dr. Kayoko Kifuji, the prescribing psychiatrist had authorized it to help Rebecca sleep on nights when she had trouble sleeping. Michael was emphatic that it was he who suggested the extra half Clonidine tablet given to Rebecca on Tuesday night stating; "If I hadn't suggested it, Carolyn wouldn't have given it to her, she would have been up all night and we would have to deal with Jimmy completely flipping out!" Investigators asked the Rileys why they decided to give her an extra Clonidine tablet? The Rileys told us that the Clonidine was the medication given to Rebecca to help her sleep. Carolyn stated that Rebecca then told her that she wanted to sleep on the bedroom floor, even though she previously had asked to get into bed with her parents. Carolyn stated that she got Rebecca a

blanket and placed her on the floor with a "scrunched up sweatshirt" for a pillow. Both parents stated that, within about twenty minutes, Rebecca "quieted down" and her coughing ceased. Michael stated that Rebecca was snoring as he fell asleep. Dr. Bundock noted that this could have been agonal respirations, irregular breathing which typically precedes death.

71. Michael stated that the alarm went off at 6:00am (0600 hours) and that he hit snooze several times, because they were tired from Rebecca waking them up overnight so many times. Carolyn Riley stated that, at about 6:30am (0630 hours), she got out of bed, stepped over Rebecca and went to their son's room to wake him up. When she returned, she bent down and touched Rebecca and felt her to be cool and that noticed "stuff" on her face. She turned on the light in the room and yelled for Michael who was still lying in bed. Michael stated that he looked and saw "white stuff" coming out of Rebecca's mouth. He then felt Rebecca and described her body as "cool and rubbery". Michael called 911. Carolyn stated that she held Rebecca until the ambulance personnel arrived. Neither Michael nor Carolyn attempted cardio-pulmonary resuscitation or other life-saving maneuvers, although Michael stated that they had been trained in Infant/Child Cardio-Pulmonary Resuscitation when their older daughter was born because she was a "preemie". Michael stated that he thought that Rebecca had vomited and sucked it into her lungs because she was so tired from coughing and being ill. Michael stated that he had seen that on the television show "CSI". Michael stated that he knew Rebecca was dead because of the way her body felt.
72. Mr. McGonnell stated that Michael woke him up stating; "Rebecca's dead, Rebecca's dead, the Fire Department is coming! He told Mr. McGonnell, "I'm sorry, I'm sorry!" which Mr. McGonnell understood as an apology for the Rileys failure to take Rebecca to the hospital. Mr. McGonnell was infuriated and told Michael Riley that Rebecca's death was his fault. Hull Fire and Police Department arrived shortly thereafter, examined Rebecca and confirmed that she was dead.
73. Based upon the foregoing reliable information and upon my personal knowledge and belief, as well as the opinions of other investigators assisting in the investigation, there is probable cause to believe that the crime of Murder, a violation of MGL Chapter 265, section 1 was committed by Michael and Carolyn Riley and the victim was their four-year-old daughter, Rebecca Jeanne Riley. Wherefore, I respectfully request that the court issue warrants, authorizing the arrests of Carolyn Riley, DOB 06/09/74 formerly of

70 Lynn Avenue, Hull, MA, temporarily of 14 Fallgren Lane, East Weymouth, MA and Michael Riley,
DOB 12/28/72 formerly of 70 Lynn Avenue, Hull, MA temporarily of 14 Fallgren Lane, East
Weymouth, MA.



Anna C. Brookes, Trooper
Massachusetts State Police

Then personally appeared the above-named Anna C. Brookes and made oath that the foregoing by her
Subscribed is True Before Me.

Assistant Clerk Magistrate



CRIMINAL COMPLAINT
DEFENDANT COPY

DOCKET NUMBER
0758CR000361

NO. OF COUNTS
1

**Trial Court of Massachusetts
District Court Department**

DEFENDANT NAME & ADDRESS

Carolyn Riley
14 Fallgren Ln
Weymouth, MA 02189

COURT NAME & ADDRESS

Hingham District Court
28 George Washington Boulevard
Hingham, MA 02043
(781)749-7000

DEFENDANT DOB
06/09/1974

COMPLAINT ISSUED
02/05/2007

DATE OF OFFENSE
12/13/2006

ARREST DATE

OFFENSE CITY / TOWN
Hull

OFFENSE ADDRESS
Warrant 2-5-07

NEXT EVENT DATE & TIME

POLICE DEPARTMENT
SP Middleboro

POLICE INCIDENT NUMBER

NEXT SCHEDULED EVENT

OBTN



ROOM / SESSION

The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date(s) indicated below the defendant committed the offense(s) listed below and on any attached pages.

COUNT	CODE	DESCRIPTION
1	265/1	MURDER c265 §1

On 12/13/2006 did assault and beat Rebecca Riley, with intent to murder such person, and by such assault and beating did kill and murder such person, in violation of G.L. c.265, §1.

NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION.

SIGNATURE OF COMPLAINANT <i>X</i>	SWORN TO BEFORE CLERK-MAGISTRATE/ASST. CLERK/DEP. ASST. CLERK <i>X</i>	DATE
NAME OF COMPLAINANT	A TRUE COPY ATTEST <i>X</i>	CLERK-MAGISTRATE/ ASST. CLERK DATE