



Office of the New York State Attorney General Letitia James

Office of Special Investigation

December 15, 2025

Report on the Investigation into the Death of Lisa Haight

OVERVIEW

New York Executive Law Section 70-b (Section 70-b) authorizes the Attorney General's Office of Special Investigation (OSI) to investigate and, if warranted, to prosecute offenses arising from any incident in which the death of a person is caused by a police officer or peace officer. When, as in this case, OSI does not seek charges, Section 70-b requires issuance of a public report. This is the public report of OSI's investigation of the death of Lisa Haight, who was shot and killed on February 2, 2024, by Town of Hamburg Police Department (THPD) Officer Sean Gregoire.

On February 2, 2024, around 10:20 a.m., Ms. Haight was a passenger in a Lifeforce Transportation van, taking her and others from Jamestown to Buffalo for health care appointments. According to other occupants of the van, when the van neared the exit from I-90 to Milestrip Road, Ms. Haight stabbed another passenger several times with a knife. The driver stopped the van on the side of the highway, told Ms. Haight to get out, and, when she did get out, drove to a hospital to get care for the stabbed passenger.

At 10:39 a.m. the owner of a house in Hamburg, about a mile away from where Ms. Haight got out of the van, called 911 and reported that a woman "was trying to break into my house." He said he pushed her outside, but she was trying to get back in; he said she was barefoot in the snow. THPD Officers Peter Randall, Sean Gregoire, and Russell Merlino responded to the house, unaware of the nearby incident on I-90, and tracked footprints in the snow to the partially open back door of another house nearby. When no one answered their knock, they entered.

The officers told OSI they found Ms. Haight naked in a bathtub, cutting herself with a steak knife. Officer Randall said he told Ms. Haight multiple times to put the knife down and step forward, but she did not seem to understand and did not respond coherently. After several minutes of attempted conversation, Ms. Haight dropped the knife and walked toward the officers. The officers told OSI they grabbed her wrists to take her into custody, but that Ms. Haight resisted. According to the officers, Ms. Haight lunged forward, grabbed what they thought was a red and black knife from the floor, and swung it at Officer Merlino's face, who jumped back and screamed. Officer Gregoire drew his pistol and fired three shots, striking Ms. Haight once in the chest and once in each leg. The officers radioed "shots fired" and began aid. Emergency medical personnel arrived and took over care. Ms. Haight was pronounced dead at 11:40 a.m.

Investigators collected a steak knife from the bathtub and photographed a red and black flashlight in the hallway outside the bathroom. A postmortem toxicology report revealed the presence of methamphetamine, cocaine, and fentanyl in Ms. Haight's system.

Having thoroughly investigated the matter and analyzed the law, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that the use of deadly physical force against Ms. Haight by Officer Gregoire was justified under New York law and will not seek charges in this case.

Ms. Haight was 36 years old when she died.

When this incident occurred THPD did not equip its officers with body-worn cameras (BWCs). In June 2024, THPD informed OSI that its officers are now equipped with and trained in the use of BWCs. As set forth in the final section of this report, OSI recommends that the Legislature pass, and that the Governor sign, a law requiring all police departments in the state to equip their officers with BWCs, including providing state funding for the purpose to any police department that cannot otherwise afford the expense.

FACTS

Incident on I-90

The driver of the Lifeforce van and its four passengers other than Ms. Haight were interviewed by the New York State Police (NYSP), as summarized below. (OSI does not publish the names of civilian witnesses.) Members of THPD were unaware of the incident on I-90 until after Ms. Haight was shot.

According to the driver and the four passengers other than Ms. Haight, on February 2, 2024, the Lifeforce Transportation van was taking passengers from Jamestown to health care appointments in Buffalo. Around 10:20 a.m., as they were on I-90 and approaching the exit for Milestrip Road, Ms. Haight stabbed one of the passengers several times with a knife. The passenger jumped to the front of the van holding her face and yelled, “She stabbed me.” The passenger was badly cut across her head and face. The driver pulled over on the side of the highway, and two of the other passengers jumped out of the van. The driver told Ms. Haight to get out. The driver said Ms. Haight looked “like she didn’t know what was going on...,” but got out, ran around the van, and tried to get back inside. The driver drove away, leaving Ms. Haight and two other passengers on the side of the highway. The driver drove to Mercy Hospital for the injured passenger but did not call 911. The injured passenger received dozens of staples and stitches to fix slashes to the back of her head, her right arm, and her right cheek. The injured passenger said Ms. Haight wore pink shoes, dark jeans, a blue shirt, a black zip hoodie, and a black wig with blue and pink highlights.

Incident at the First House

Based on interviews, review of maps, and on-site investigation, OSI determined that the first house, which was in Hamburg, was about a mile from the place where Ms. Haight left the van. (OSI does not publish the addresses of the homes of civilian witnesses.)

The owner of the first house called 911, on February 2, 2024, at 10:38 a.m. He said a woman “was trying to break into my house...she walked into my house, no shoes, she’s screwed up on something...I got her locked out, but she’s in the backyard ripping at my house, banging on the windows and stuff...she’s gonna break one of these windows...she thinks it’s her house...she got into the god-damned shed. I had a lock on it, she ripped it off....”

The owner told OSI he was home, watching TV, when he heard his front door open and saw a woman (later identified as Ms. Haight) standing in his kitchen. The woman asked him, “What are you doing here?” as if it were her own home. She also said, “I need help” and “I just want to go home.” The woman grabbed a pill bottle of antibiotics for the owner’s dog and tried to open it, and also took a vape pen from the counter. The owner attempted to push her out the door, but she held onto the door frame. When he finally got her out of the house, he closed and locked the door, and called 911, but the woman kicked at the door, banged on the windows, and tried to get back inside. The woman eventually went to his shed and he lost sight of her but noticed damage to the shed door. Although it was only 30 degrees outside and there was snow on the ground, the woman wore a t-shirt and jeans and no shoes.

Shooting: Officer Interviews

Based on interviews, review of maps, and on-site investigation, OSI determined that the second house was about a quarter of a mile from the first house.

OSI interviewed the THPD officers who went to the two houses, as summarized below. They were not equipped with body worn cameras.

Officer Peter Randall

Officer Randall told OSI that on February 2, 2024, at 10:39 a.m., he received a radio transmission of a burglary in progress at the first house and was the first officer to arrive. The homeowner told Officer Randall a woman broke into his home, but that he pushed her out and last saw her entering his shed. He also said the woman was not wearing shoes. Officer Gregoire arrived, and the two officers checked the shed, but no one was there. Officer Randall saw footprints in the snow leading away from the shed, and followed them into a wooded area, down to a creek, up the bank on the other side, and ultimately to the back of a neighbor’s house. The back storm door was shut, but Officer Randall saw the interior door ajar and droplets of water on the floor inside. Officer Randall yelled, “Police,” but heard no response. He radioed a lieutenant who told Officer Randall, now joined by Officer Gregoire and Officer Merlino, to enter.

Officer Randall said he and Officer Gregoire entered the house while Officer Merlino remained outside, watching the perimeter. Inside, the home was dark with no lights on. Wet footprints led into the basement, but the officers found no one down there. The officers checked the kitchen, where Officer Randall saw an open bottle of alcohol and utensils scattered all over

the counters. After clearing the kitchen, the officers entered a small hallway and then the bathroom.

In the bathroom Officer Randall said he pulled back the shower curtain and saw a woman (later identified as Ms. Haight) seated in the bathtub, naked, and “cutting her wrists.” He said there was a “decent amount of blood” but “not arterial.” Officer Randall said he told the woman to “drop the knife” multiple times, but the woman appeared “catatonic” like she was “physically awake but disconnected,” with a “thousand mile stare.” The woman appeared at times to have a “few seconds of understanding” and moved to put the knife down on the edge of the tub, but then picked it right back up. After repeatedly yelling at the woman to “put the knife down” with no effect, Officer Randall said he switched to a calm voice, as he was taught in crisis intervention training, and told the woman he just wanted to have a conversation. He asked her name, and the woman said, “Moses,” but then said, a number of times, “You’re just here to arrest me.” Officer Randall said he tried converse with the woman because he did not feel there were any other options available to him: he could not use a Taser while she stood in the bathtub, because it might contain water (according to THPD policies, the Taser should not be used “where a subject’s fall could reasonably result in death, such as water or an elevated structure”) and he did not want to use OC spray in a confined space where it might also affect himself and the other officers.

After several minutes of back and forth, during which Officer Merlino joined them, Officer Randall said the woman finally dropped the knife into the bathtub and walked toward the officers. Officer Randall and Officer Merlino stood on either side of the door and Officer Gregoire was behind them at the entrance to the living room. As the woman approached, Officer Randall and Officer Merlino each grabbed one of her wrists to take her into custody, but the woman attempted to pull away and moved back toward the tub and knife. Officer Randall said they tried to pull her into the hallway, away from the knife, but she was very strong and it took “everything he had” to not lose his grip on her wrists. As Officers Randall and Merlino pulled her forward, the woman lunged between them and grabbed what Officer Randall looked like a thin red and black utility knife from the ground. Officer Randall said she swung her arm backward at Officer Merlino in a stabbing motion, “slashing” at his face. Someone yelled “Knife,” and Officer Merlino cried out in panic. Officer Randall said he believed the woman had stabbed Officer Merlino, so he drew his pistol, but Officer Gregoire fired first, several shots. The woman fell to the ground, shot in the chest. Officer Randall said he was formerly an Army medic, so he immediately began life saving measures. The officers moved the woman from the small hallway into the kitchen, so they would have more room to work on her, applied chest seals, used an automated external defibrillator (AED), and performed cardiopulmonary resuscitation (CPR), until relieved by emergency medical personnel.

Officer Randall said he believed the woman had stabbed Officer Merlino in the face with a red and black knife and was afraid for Officer Merlino’s life, so he would have shot her if Officer Gregoire had not fired first.

Officer Sean Gregoire

Officer Gregoire told OSI that on February 2, 2024, he responded to a call for a burglary in progress at the first house and arrived as Officer Randall was about to check the shed. Officers Gregoire and Randall searched it, found no one, but saw footprints in the snow leading away from it. The homeowner, who was very animated, said he wanted to press charges because the woman had entered his house, was acting crazy, and was “on drugs.”

While Officer Randall followed the footprints in the snow, Officer Gregoire went back to his car and checked the street for any signs of the woman. When Officer Randall radioed that the footprints ended at the backdoor of the second house, Officers Gregoire and Merlino joined him and received permission from a supervisor to enter. Officer Gregoire retrieved his SWAT rifle from his patrol car and entered through the back door while announcing “police” several times. Officer Gregoire saw wet footprints leading into the basement, so he and Office Randall checked there, but found no one. The officers went to the kitchen and found it in disarray: drawers were open, “things everywhere,” and there was an open bottle of liquor on the counter. The officers cleared the kitchen, entered a small hallway, and turned right to clear the bathroom.

Officer Gregoire said Officer Randall entered the bathroom while Officer Gregoire stayed in the doorway, since the bathroom was too small for both officers. Officer Gregoire heard Officer Randall yell, “Drop the knife,” and saw a woman sitting naked in the bathtub with a steak knife, cutting herself. Officer Gregoire said she had a “zombie-like” look on her face. As Officer Randall told her repeatedly to drop the knife, the woman looked around but did not respond. More than once, she set the knife down, but then picked it back up. Officer Randall lowered his voice, changed his tone, and asked the woman her name; she replied, “Moses.” The woman then asked, “Are you going to shoot me?” and said, “You’re just here to arrest me.” Officer Randall asked the woman her address, but she did not respond. Eventually Officer Randall convinced the woman to drop the knife and step out of the bathtub. At that time Officer Merlino was standing on one side of the door, Officer Randall was standing on the other side, and Officer Gregoire was standing at the entrance to the living room. Officer Gregoire said that, since it was tight quarters, he had slung his rifle over his shoulder and switched to his pistol to cover the other officers.

As the woman neared the bathroom door, Officers Randall and Merlino grabbed her wrists. The woman resisted, attempted to break free, and then lunged forward and grabbed what Officer Gregoire saw as a “metallic cutting object” from the floor. Officer Gregoire said he thought it was a box cutter. Officer Gregoire attempted to holster his pistol to grab her arms, but the woman quickly “slashed” at Officer Merlino, who jumped back and screamed. Believing the woman was stabbing Officer Merlino, Officer Gregoire drew his pistol and fired three shots. The woman fell to the floor, shot in the chest. Officer Gregoire holstered his pistol, and assisted lifesaving efforts by putting pressure on the chest wound. The officers dragged the woman into the kitchen, where they had more room to work on her. They applied chest seals and performed CPR until emergency medical personnel arrived and relieved them.

Officer Gregoire said he believed the woman had slashed at Officer Merlino's face with a boxcutter. He said he feared for Officer Merlino's life, so he shot the woman to end the threat. Officer Gregoire said he felt he had no other options in that moment.

Officer Russell Merlino

Officer Merlino told OSI that on February 2, 2024, he responded to a call for a burglary in progress at the first house and was the third officer to arrive. He found Officers Randall and Gregoire checking a shed for the suspect. After clearing the shed, Officer Randall followed footprints in the snow, while Officer Merlino returned to the street and checked around the block for the suspect. He ultimately met up with Officers Randall and Gregoire at the back door of the second house, where the footprints stopped. Officer Merlino saw the interior door ajar, and the officers received permission from a supervisor to go in and clear the house. Officers Randall and Gregoire entered while Officer Merlino remained outside to maintain a perimeter.

From the outside, Officer Merlino said he heard the officers loudly announce themselves and eventually heard them yell, "Drop the knife." He heard over the radio that the suspect was inside the house, so he entered to assist. Officer Merlino made his way through the kitchen, which had numerous items strewn about, to the hallway outside the bathroom, where he found Officers Randall and Gregoire standing on either side of the bathroom doorway.

Inside the bathroom Officer Merlino said he saw a woman in the bathtub naked—she would not make eye contact with anyone and was mostly unresponsive. The other officers told him she had a knife and was cutting herself. Officer Randall tried to speak to her for several minutes and asked her name; the woman responded, "Moses." Officer Randall asked her several more times to drop the knife, and she finally did. When Officer Randall instructed her to walk forward, she approached, and Officer Merlino held his handcuffs behind his back so the woman could not see them.

When the woman was close to the bathroom door, Officers Merlino and Randall grabbed her wrists. The woman attempted to pull away and moved backward to break their grip, but the officers pulled her forward toward the door. Officer Merlino said the woman's eyes "locked" on something in front of her, and she dove forward toward the ground. Officer Merlino lost his grip on her wrist. Officer Merlino said the woman grabbed an object with a handle that was concealed by her hand but with a "metallic blade" visible at the other end. He thought it might be a "box cutter." He said the woman stabbed at his shin. Officer Merlino tried to grab her arm but she struck back, and swung at him again. Officer Merlino could not recall if he said or yelled anything, but believed someone yelled, "What's in her hand?" In fear for his own life, Officer Merlino grabbed his pistol, but before he could do anything Officer Gregoire shot the woman. Officer Merlino said the officers immediately applied pressure to the chest wound until Officer Randall eventually applied a chest seal. When the woman lost her pulse, the

officers applied an AED and began CPR, until they were relieved by emergency medical personnel.

Officer Merlino said he believed the woman was about to stab him and was afraid for his life, and believed Officer Gregoire “saved his life in that moment.” Officer Merlino said he did not feel there were any other options available to the officers.

Radio Transmissions

According to the recorded radio transmissions and Hamburg Public Safety Dispatch logs, at 10:39 a.m., Officer Randall was told to go to the first house for a possible burglary in progress. The dispatcher said a woman had entered the house but was back outside banging on the windows and trying to get back in; that the 911 caller had said the woman was barefoot, wearing only jeans and t-shirt, and believed she was “under the influence”; and that the woman might be in the homeowner’s shed. At 10:42 a.m. Officer Randall radioed that he was on scene, and said he was going to clear the shed. At 10:45 a.m. Officers Gregoire and Merlino arrived on scene. At 10:49 a.m. Officer Randall radioed that the woman was not in the shed, and that he was following footprints in the snow through backyards. At 11:00 a.m. Officer Randall said he had followed the tracks through the backyard, across a creek, and into the area of the second house. At 11:03 a.m. Officer Gregoire radioed that they had followed the footprints to the back door of the second house, which was open. At 11:06 a.m., after confirming that the back door was open and that there was no answer at the door, Lieutenant Jon Baker told the officers, “Head in and clear the house.” At 11:11:10 a.m. one of the officers radioed, “She’s in the bathtub,” while another yelled in the background, “Keep your hands in the air.” At 11:12:29 a.m. an officer said, “We’re going to hold the air,” while someone yelled in the background. At 11:14:58 a.m. an officer radioed, “Shots fired. Shots fired,” followed 30 seconds later by, “Call EMS. Suspect Down. GSW [gunshot wound].” At 11:16:00 a.m. dispatch radioed for emergency medical services, and at 11:17:05 a.m. followed up with a phone call to American Medical Response to confirm they heard the call. At 11:19 a.m. firefighters and emergency medical personal from the Newton Abbot Fire Department arrived on scene. At 11:25 a.m. American Medical Response arrived.

Medical Intervention

According to American Medical Response records, emergency medical personal arrived at 11:25 a.m. and found Ms. Haight in cardiac arrest with a single gunshot wound to the center of her chest; Newton Abbott Fire Department members had already taken over lifesaving efforts. AMR staff consulted with Dr. Michalski from Erie County Medical Center, ventilated Ms. Haight, conducted CPR, gave her epinephrine, and attempted to decompress her chest. When none of these efforts produced any change in her condition, Dr. Michalski advised AMR to discontinue resuscitation efforts, and pronounced Ms. Haight dead at 11:40 a.m.

Evidence Collection

THPD requested the assistance of the NYSP Forensic Identification Unit (FIU) to document, photograph, and collect evidence from the two houses. According to the NYSP FIU Report and the THPD Crime Scene Log, NYSP investigators arrived at the scenes at 3:00 p.m.

From the wooded area between the place on the highway where Ms. Haight left the van and the first house, NYSP investigators recovered Ms. Haight's wig with pink and blue highlights. From the bend in the road between the first and second houses they collected Ms. Haight's black zip-up hoodie. From a front yard near the first house they collected Ms. Haight's pink Nike sneakers. From the backyard of the first house to the back door of the second house NYSP investigators documented and photographed footprints in the snow.



NYSP map of Ms. Haight's footprints in the snow between the first and second houses.

From a utility sink in the basement of the second house NYSP investigators collected Ms. Haight's jeans, t-shirt, and underwear. Nearby, they saw that the circuit breakers for the home had been turned off. From the bathroom in the second house NYSP investigators collected a

steak knife. The owner of the second house later identified the steak knife to NYSP investigators as her own, and showed that it was missing from a kitchen drawer.



NYSP photograph of bathroom in the second house.



NYSP photograph of bathtub in the second house, showing the steak knife and blood around it.



NYSP photograph of the steak knife with blood on it.

From the living room, NYSP investigators collected three .40 caliber fired cartridge casings. THPD evidence logs and photographs indicated that Officer Gregoire's Glock 22 pistol was missing three rounds.

NYSP investigators, and later OSI investigators, photographed the hallway outside the bathroom where the shooting occurred. A red and black flashlight was on the floor near a large amount of blood. At the time the photos were taken neither OSI nor NYSP investigators had spoken to the THPD officers involved in the incident, and were not aware of their observations or recollections concerning a red and black knife.



NYSP photograph of hallway outside the bathroom showing the red and black flashlight.



OSI photograph of hallway outside of bathroom showing red and black flashlight.

Owner of the Second House

OSI interviewed the owner of the second house, who said she owned the second house, lived there by herself, and did not know Ms. Haight. On February 2, 2024, she left her house at 8:30 a.m. and the power was on. Around 2:15 p.m. she learned from THPD about the shooting. That evening, after the police said the investigation was complete, she returned home and saw that her kitchen had been rummaged through, that a bottle of rum was open in the sink, and that the knife drawer was open. She later identified the steak knife found in her bathtub as one missing from her drawer. The owner also found her red and black flashlight on the floor near the bathroom; before the incident she had last seen it on a bookshelf in the living room. The next day, February 3, 2024, the owner received a phone call from THPD Detective Jon Wright about the flashlight, who came and collected it from her.



THPD photograph of the red and black flashlight before they collected it. The owner of the second house had wrapped it in a paper towel.



THPD photograph of red and black flashlight with blood on it.



THPD photograph of red and black flashlight.

DNA Testing

According to the DNA Analysis Report of Erie County Central Police Services Forensic Biologist Sarah Murrin, blood on the red and black flashlight matched a DNA sample taken from Ms. Haight.

Medical Examiner

On February 3, 2024, Dr. Katherine Maloney of the Erie County Medical Examiner's Office performed the autopsy. Dr. Maloney observed three gunshot wounds, one to the right leg, one to the left leg, and one to the torso. The torso wound had a point of entry in the chest, and the bullet went through the pericardium, heart, and left lung, before lodging in the left upper back. There was no fouling or stippling of the adjacent skin, suggesting Ms. Haight was not shot at close range, and the bullet course and direction were front to back, upward, and right to left. Dr. Maloney concluded that the cause of Ms. Haight's death was the gunshot wound to the torso, and that the manner of death was homicide

Dr. Maloney also found an incised wound (caused by a sharp-edged object) on Ms. Haight's left wrist, and three incised wounds on the bottom of her left foot.

A postmortem toxicology report of Ms. Haight's blood revealed the presence of cocaine, methamphetamine, and fentanyl.

LEGAL ANALYSIS

Article 35 of the New York Penal Law governs the circumstances under which a person may be justified in using deadly force against another. Justification is a defense, not an affirmative defense, Penal Law Section (PL) 35.00. To obtain a conviction at trial, a prosecutor must disprove a defense beyond a reasonable doubt, PL 25.00(1).

As the Court of Appeals stated in *People v Jairo Castillo*, 42 NY3d 628, 631 (2024):

“The defense of justification provides that a person may use physical force to defend himself against an assailant’s ‘imminent use of unlawful physical force,’ but does not authorize the use of ‘deadly physical force . . . unless . . . [the person] reasonably believes that [the assailant] . . . is using or about to use deadly physical force’ (Penal Law § 35.15). When considering a request for a justification charge, courts examine the evidence in the light most favorable to the defendant, and must provide the instruction if there is any reasonable view of the evidence that defendant was justified in his actions (see *People v Heiserman*, 39 NY3d 988, 990 [2022]). Justification has both a subjective requirement, that ‘defendant . . . actually believed . . . he [was] . . . threatened with the imminent use of deadly physical force,’ and an objective requirement, that defendant’s ‘reactions were . . . those of a reasonable man acting in self-defense’ (*People v Collice*, 41 NY2d 906, 907 [1977]).” (Square brackets and ellipses in the original.)

Article 35 contains a provision, PL 35.30, defining justification when a police officer uses deadly force while effecting or attempting to effect an arrest for an offense. Based on the investigation, the officers reasonably believed that Ms. Haight had committed burglary in the second degree, PL 140.25(2), at two houses. When attempting to effect an arrest, and confronting the use or imminent use of deadly physical force, a police officer need not retreat before using deadly force to defend him/herself or others, PL 35.15(2)(a)(ii)

PL 35.30(1) provides, in pertinent part:

“A police officer or a peace officer, in the course of effecting or attempting to effect an arrest, or of preventing or attempting to prevent the escape from custody, of a person whom he or she reasonably believes to have committed an offense, may use physical force when and to the extent he or she reasonably believes such to be necessary to effect the arrest, or to prevent the escape from custody, or in self-defense or to defend a third person from what he or she reasonably believes to be the use or imminent use of physical force; except that deadly physical force may be used for such purposes only when he or she reasonably believes that...(c) regardless of the particular offense which is the subject of the arrest...the use of deadly physical force is necessary to defend the police officer...or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force.”

Deadly physical force is defined as “physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury.” PL 10.00(11). Serious physical injury means “impairment of a person’s physical condition which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.” PL 10.00(10). The Penal Law defines a deadly weapon as “any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged....” PL 10.00(12).

Based on the evidence in this investigation, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that it was reasonable for Officer Gregoire to use deadly physical force to defend Officer Merlino from what he believed to be the use or imminent use of deadly physical force by Ms. Haight.

Officer Gregoire said he responded to the first house after receiving a report of an unlawful entry in progress in the middle of the day. The investigation led him and other officers to the second house, which also appeared to have been unlawfully entered. When he and the other officers encountered Ms. Haight, she was naked in the bathtub, incoherent, appeared to be under the influence of drugs, and was cutting herself with a steak knife. The officers eventually convinced Ms. Haight to put the knife down, but she resisted their attempt to take her into custody, lunged forward and grabbed an object from the floor. Officer Gregoire said it looked like a “metallic cutting object,” and in that moment he believed it was a box cutter. He said Ms. Haight swung the object at Officer Merlino in a stabbing motion, and that Officer Merlino jumped back and yelled. Officer Gregoire said he feared for Officer Merlino’s life, so he shot her to end the threat. Officer Gregoire said he felt he had no other options in that moment.

Although Officer Gregoire was incorrect, and Ms. Haight did not have a knife, his belief was not objectively unreasonable. Moments before, Ms. Haight had dropped a real knife into the bathtub, which she had used to cut herself. The flashlight she grabbed had a metallic clip, that if partially concealed in one’s hand, as the officers described, could have looked like a blade. Officers Randall and Merlino also said they believed Ms. Haight had grabbed a knife and wielded it in a slashing motion toward Officer Merlino’s face. All the officers said they reacted as if Ms. Haight had a knife: Officer Merlino jumped back and screamed, and Officers Randall and Gregoire drew their weapons. Under these circumstances, it was not unreasonable for Officer Gregoire to believe Ms. Haight had grabbed a second knife seconds after she had set down the first one.

Although the officers were not equipped with body worn cameras, their accounts are supported by the stabbing in the van, the recorded radio transmissions that captured audio from the incident at the second house, the recovery of the knife from the bathtub, the blood in the bathtub, the recovery of the flashlight with Ms. Haight’s blood on it, the wound path of the fatal shot, and the toxicology testing of Ms. Haight’s blood.

Therefore, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Gregoire was justified in shooting Ms. Haight. OSI will not seek charges and closes the matter with this report.

RECOMMENDATIONS

When this incident occurred, THPD did not equip its officers with body-worn cameras. In June 2024, THPD informed OAG that its officers are now equipped and trained on the use of BWCs.

As set forth more fully in OSI's Annual Report (link below), the Legislature has not taken action to require that police departments equip their officers with and require them to use body-worn cameras and dashboard cameras. OSI continues to urge the Legislature to pass such a bill, and to include in it funding for any police agency that would not otherwise be able to afford the implementation of a body-worn camera and dashboard camera program. In OSI's view, legislation requiring the use of video would effectively respond to the public's concerns about policing. Video enhances transparency, and transparency enhances trust. When policing is good, video will show that. When policing is not good, video will be the key to a meaningful response, including more reliable investigations and, as appropriate, improvements in policies and training, well-founded disciplinary decisions, and, in the most serious cases, criminal charges.

(OSI 2025 Annual Report:

<https://ag.ny.gov/sites/default/files/reports/20251001-2025-osi-annual-report.pdf>)

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