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## 13-year-old Newton boy charged with shooting fellow students with BB gun

Posted September 22, 2009 11:07 AM

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By **Matt Rocheleau**, *Globe Correspondent*

A 13-year-old boy who allegedly shot four other students with a BB gun at the Frank Ashley Day Middle School in Newton on Friday faces four counts of juvenile charges of assault and battery with a dangerous weapon, police said today.

The alleged suspect, whose name is not being released because of his age, pulled a BB gun from his backpack and began firing at a large crowd of students who were waiting for a bus, according to a Newton police report.

The report said students were waiting by the Gath Pool near Albemarle Field at around 4:15 p.m. on Friday, shortly following the dismissal of after-school activities held at the field, such as football and soccer.

The BB gun was covered with the alleged suspect's shirt but several students said they observed a black barrel with an orange tip sticking out from the suspect's shirt.

"All of a sudden [one student] heard a click, click, click sound," said the police report. "[The suspect] pointed the thing at him and he heard a click sound, and the right arm on his shirt ripped, and he felt pain. ... there was a small welt on the student's deltoid muscle."

Police said they interviewed four male students who said they were hit and each had visible welts. One was shot on his arm, another shot on his calf, another on the back of his neck, and another on his abdomen.

Officials said they offered to call ambulances for each student who was hit, but each declined.

The suspect had left the scene, but witnesses identified him and officers went to the suspect's home.

There, police spoke with his mother to explain their visit, went upstairs and retrieved the alleged weapon, a KWC BB Gun which was a replica of a Smith and Wesson Model 4506, and a small nylon bag which contained several hundred plastic BB's.

Police filed a complaint in Waltham District Court (Juvenile Session) against the alleged suspect with four counts on assault and battery by means of a dangerous weapon.

The school's principal, Gina Healy, e-mailed parents Monday late-afternoon to inform them of what she called a "disturbing incident."

In a phone interview today, Deputy superintendent Paul Stein said school officials were not immediately aware of the incident because it occurred after school on Friday. He said when Healy first heard what had happened through a

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non-official source over the weekend, she was unable to immediately confirm the information and did not have the additional details she wanted before informing parents of the incident until Monday morning.

“We’re mostly concerned that a student would somehow think that that is OK to do. It’s completely unacceptable,” said Stein, adding that he did not know whether the alleged suspect had provided a reason for the shooting.

“There’s never a good reason,” said Stein. “This is a situation we take very seriously.”

He said the student has not attended classes since the incident, and school officials are still in the process of determining what consequences the student will face.

Healy said the consequences the student will face will not be disclosed because it would violate student privacy rights. However, she said they will be “serious.”

When asked if the incident has prompted school officials to pursue added security measures – such as installing metal detectors or requiring students to use see-through backpacks and pocket books – Stein said, “Theoretically, we could. Whether this incident measures that kind of security is a good question. Obviously, schools are not set up like airports.”

Healy said she worked at Newton South High School several years ago and recalled the school temporarily adding metal detectors after bomb threats were made. She said it took two hours to get students into the building and though they may have provided people with more reassurance initially, the metal detectors were not a practical solution to security concerns.

“It’s not something that I would advocate,” she said.

Healy said she has been responding to numerous e-mails and phone calls from parents to “let them know we’re taking this very seriously.”

An announcement was made to students explaining the facts of what happened to make students aware and avoid rumors from spreading, she said. The school’s staff is additionally trying to respond students’ concerns.

“This is upsetting to kids, but they seem to be coping,” said Healy.

She added that the four students who were hit by the BBs are coping as well and have not missed any time from school.

“Of course, there will be serious school and legal consequences,” said Healy in the e-mail to parents explaining what happened. “The safety and well-being of all students at Day is of paramount importance, and we want children to feel secure in their school environment. We are doing all we can to foster a healthy and safe environment and to respond appropriately when our sense of security is threatened. If your child would like to speak to someone at school about this incident, s/he should contact her/his guidance counselor or other trusted adult.”

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#### 41 COMMENTS SO FAR...

1. oh please - its harmless

Posted by [The Patriot](#) September 22, 09 11:38 AM

2. Oh, please – pulling out any kind of gun and shooting a bunch of kids is never harmless.

Posted by [BlueBird2731](#) September 22, 09 12:07 PM

3. Are you serious? This isn't harmless. He is a 13 year old boy - he knows what he is doing is wrong. I think its disgusting how they aren't treating it more seriously. This kid needs serious help before he tries something like this again but uses something much more dangerous.

Posted by [Worried](#) September 22, 09 12:29 PM

4. What if he had shot someone in the eye, Patriot? Not so harmless.

Posted by [someoneinnewton](#) September 22, 09 12:34 PM

5. WOW Newton!!! now it's really time to move out of Mass

Posted by [disgusted](#) September 22, 09 12:39 PM

6. Luckily no one got seriously hurt but the fact that this young boy planned to bring his weapon to shoot at other kids in school is very disturbing and should not be brushed off as being a "harmless" incident.

Posted by [Nesly](#) September 22, 09 12:53 PM

7. harmless? what if your kid got shot in the eye with a BB?

Posted by [LD](#) September 22, 09 01:04 PM

8. It's harmless.

It's not a "gun" it shoots plastic pellets not BB's. I've shot myself with one of those it feels like a mouse fart.

You could get shot all day long with those things and never get hurt.

Posted by [Patriotism](#) September 22, 09 01:11 PM

9. Patriot I hope you do not have children, because I feel sorry for them if you think it is okay for children to shoot other children with a BB Gun. Imagine if it hit a kid in the eye or something. Grow up!

Posted by [Nisha](#) September 22, 09 01:36 PM

10. A 13 year old should have the sense not to pull out a gun (toy, BB, or any other type) in a crowd of students. This needs to be taken seriously. It's not harmless. If a scared student ran out into the street to avoid this young man and his "gun" and was hit by a car, would that be harmless? I didn't think so.

Posted by [portiaferu](#) September 22, 09 01:37 PM

11. though not harmless, this was an airsoft gun, not a BB gun. Easily identified by the red tip on the barrel. You could lose an eye maybe, but this will not penetrate the skin. Not a good idea at school, but kids shoot these things at each other in backyards all the time.

Posted by [scott](#) September 22, 09 01:56 PM

12. Cast my vote as harmless.

The police need to make sure the child understands why his action was wrong and make sure it won't happen again. Unless the family shows no signs of cooperation or discipline for their child, involving the court system is extremely excessive.

You can look up statistics on the number of serious injuries every year from BB guns and make the judgment call yourself whether the family and town should face thousands in legal bills and courtroom costs, or rush to judgement when you refer to an air rifle as a 'dangerous weapon'. Including paint ball guns and pellet guns, there are about 4 deaths per year from air rifles. So how dangerous are a few shots from a misguided child as compared to the thousands of legal paintball games and parks across Boston and the US? 'Dangerous weapon' is usually defined as capable of causing 'death or great bodily harm'. So, strictly defined, that includes just about any object that has ever harmed anyone that you can pick up or throw. Snowballs, slingshots, sleds, or Newton's favorite projectile: neighbors who don't recycle or clean up after their dog.

Then again, Newton has no shortage of money or lawyers.

Posted by [DaDerga](#) September 22, 09 01:57 PM

13. Relax it is a air soft gun. It shoots plastic balls

Posted by [Gunny](#) September 22, 09 02:04 PM

14. Plastic BBs? This is what we used to call recess. Everyone would bring in one of those Zebra pistols their grandmother bought them at the 5&10 on Mass ave and play cops and robbers. Of course we had enough courtesy to only

shoot those who were playing. There were also those guns that shot the little plastic disks. Once you lost all the disks, you used a penny instead. If this were one of the modern air guns firing metal rounds that are actually capable of some real damage then I would agree with changes.

Posted by bfm September 22, 09 02:12 PM

15. The Patriot...exactly the type of attitude on behalf of parents and others that give rise to this type of thing. Yes, pulling out a gun and shooting at a group of students is harmless. What possible tortured logic could you use to come to that conclusion?

Posted by PG13 September 22, 09 02:17 PM

16. Harmless? Are you nuts?  
So it was a BB gun with little or no chance to kill anyone, but as someone who has been shot with a BB gun it hurts, hurts a lot. The kid obviously who did this has to learn a lesson or maybe next time he brings a real gun.

Posted by fifty8th September 22, 09 02:20 PM

17. What serious school penalties can they throw at this kid? Detention? Please he will then just go to another school and start fresh. If it was after hours, let the law take the case and have the school stay out of it.

Posted by SoxSupporter September 22, 09 02:22 PM

18. "seemed to be coping" please, give me a break. yes, he probably should not have done because he could have shot someone in the eye, but other than that big deal, no need for a "attempted murder trial" here. when I was a kid boys shot guns, sling shots and fought, that's what boys do. Oh I forgot we are trying to create police state society (Pleasantville) everybody should be nice and pleasant all the time, what a joke.

Posted by me September 22, 09 02:26 PM

19. Oh please.....in my day we used to all shoot BB guns at each other all the timey - as well as have cherry bomb and bottle rocket fights.

"Hot Dog Plate.....Stayin!"

Posted by Ronnie\_from\_the\_Rose September 22, 09 02:38 PM

20. Suffering pain is not harmless. And Mr Patriot, if you or your kid had been blinded with a BB in this incident, I bet you wouldn't consider it harmless. Book 'im, Danno, assault with intent to cause harm.

Posted by Louie September 22, 09 02:42 PM

21. This has been blown way out of proportion. A bad decision to shoot an airsoft gun into a crowd at school? Yes. Worth all this worry, speculation, and outrage? No.

Boys will be boys, no one got hurt, relax.

Posted by Boner September 22, 09 03:08 PM

22. What kind of hokey town are you from that you used to shoot eachother with BB guns?!?! You can't just go around shooting people!! They hurt, you could lose your eyesight... you think that's ok?! Causing someone to run out into the street and get hit by a truck or bus and die is ok?!?! A 13 y.o. should know you don't bring weapons to school, they should know to respect a gun, even if it's a BB gun, it can still do damage. The parents are just as much to blame! The Newton School system is very open and strict about not having anything in or near school that resembles a weapon... let alone IS a weapon!!!! It should have been made perfectly clear to that kid that he was NOT allowed to bring that to school... let alone freaking shoot it at innocent kids!!!! I've had conversations with my kids to make sure they don't bring any tools they find so interesting from my husband's workshelf... maybe his parents might want to do the same!!!

Posted by Mandy September 22, 09 03:16 PM

23. As me old mum used to say, "Tis all fun and games, laddies, until someone loses an eye!"

Posted by padraic September 22, 09 03:20 PM

24. harmless?...I guess I should just pay for the damages done to my garage windows from the neighbor's kids BB gun then. Those "soft plastic balls" took

out 3 widows from a distance of over 40 feet.

Posted by YaSure September 22, 09 03:27 PM

25. Harmless? How about STUPID!! "In my day", the boys on my street growing up at least had the common sense to use BB guns in the backyard at HOME, and didn't bring them to school.

DUMB

Posted by Really? September 22, 09 03:44 PM

26. It's not a BB gun, its an airsoft gun. Huge difference. This is a young boy who was just joking around. It hurts more to get shot with a paintball rather than an a little airsoft rubber ball. Most people probably don't even know what they are.

If it was a pellet or real gun, then there would be a problem...

Posted by z0004 September 22, 09 03:57 PM

27. It's amazing how many here are missing the point. He wasn't playing a game and his targets weren't willful participants.  
We'd need to know the child's motivation to know just how serious this actually is, but you're going to tell me that if you're standing in line and you got shot with one of those pellets then you'd just laugh it off and ignore it? Or that it's alright for kids to settle their differences with guns as long as the ammunition is soft?

Posted by Dan W. September 22, 09 04:02 PM

28. Wonderful... more tax dollars spent on stupidity.

Nice way to cover your backsides Newton Police. We shouldn't even be reading about this nonsense!

Posted by funtime September 22, 09 04:11 PM

29. Harmless? My 16 year-old nephew is missing an eye, thanks to a harmless BB which was shot in his direction by his own father. It ricocheted and tore across the kid's eyeball. You would think that after losing an eye, these 2 idiots would get the message, but instead have since "advanced" to running around the woods with 38 handguns.

Posted by not-so-harmless September 22, 09 04:28 PM

30. For all of those who think this a harmless act.. GET REAL This boy obviously has some serious issues. And the kids he open fired on must have been shocked. This was an assault.. and the next time it could be a real gun. Who knows.. maybe the shooter was just practicing to see how easily it can be done.

Posted by IMHO September 22, 09 04:38 PM

31. For all of those who think this a harmless act.. GET REAL This boy obviously has some serious issues. And the kids he open fired on must have been shocked. This was an assault.. and the next time it could be a real gun. Who knows.. maybe the shooter was just practicing to see how easily it can be done. He obviously needs help now before it goes further.

Posted by IMHO September 22, 09 04:40 PM

32. This wasn't a bunch of kids playing in the backyard and they all knew they were shooting guns at each other. This was one kid who went up to a bunch of kids, who didn't know what he was up to, and shot at them. If nothing is done, is no punishment is doled out, if no therapy is recommended - I shudder to think what he will try and do next if he is already so cold towards other people.

This is not harmless, this is a stepping stone to something bigger and more dangerous. Shame on those of you that think its just "boys being boys". I am sure someone once thought the same of the two boys in Columbine.

Posted by Worried September 22, 09 04:54 PM

33. It's not about creating a "Pleasantville"... those other students weren't willing participants playing a game in someone's backyard. They were waiting for the bus and were targeted. I am pretty sure if we were all standing in line waiting for the commuter rail, or waiting in line at the movies, etc... we wouldn't be laughing off someone shooting at us.

If this were a case of kids playing in the backyard, and they all got welts from shooting at each other, then that's boys being boys. My two cousins play

shooting at each other, okay - that's boys being boys. My two cousins play wrestle all the time (until someone gets hurt and ends up crying) that's just what they do. But if one of them is playing quietly by himself and the other one comes running up and kicks him in the teeth - you can bet he's in BIG TROUBLE

Posted by Worried September 22, 09 05:00 PM

34. Same thing happened in Andover this year (middle school), but there were no charges.

And there was the same confusion about BB gun vs. airsoft gun. You can get an airsoft gun for as little as \$10 and they are not nearly as dangerous as BB guns. When I was a kid, getting hit by a BB gun would break skin.

You can also lose an eye getting poked by a pencil/stick/ruler

Still a 13 year old knows right from wrong and I'm sure he knew this was wrong -- just didn't think he would get caught.

Posted by Mike R. September 22, 09 06:39 PM

35. Although one may think that a welt is harmless, what if that hit someone's eye and that child lost his vision? A 13 year old should know it's not appropriate to take a bb gun out and start shooting others outside the home. Yeah, I think this kid should learn that actions have consequences.

Posted by Puhlease September 22, 09 07:10 PM

36. Why are bb guns or airsoft guns or, even, paintball guns sold at all? And, more importantly, why are parents allowing their kids to have them? The kids in my neighborhood only cause trouble with them - shooting at each other, other people's property, or small, harmless (helpless) animals. These guns certainly are not contributing to their upstanding citizenship. And, as if there weren't enough graffiti, now kids shoot paintballs at street signs. Who pays for the clean-up or sign replacement? We all do! And, those signs aren't cheap. It's time we all grew up and stop supplying this crap to kids. Especially in this day and age when an airsoft gun can look an awful lot like a semi-automatic rifle!

Posted by Ginger September 22, 09 08:22 PM

37. This is NOT harmless!! It doesn't matter what the kid was shooting, it could be cotton balls. It's the act that is the problem. The point is that the other kids were not expecting to be "attacked" and this kid knew it. For those who say they played like that as kids, great, I'm sure the kids they were shooting at were playing too. I think this is really serious and scary.

Posted by Lu Lu September 22, 09 09:32 PM

38. In post Columbine America, the fact that anyone can dismiss this as "harmless fun" is beyond naive and careless. If we say that "boys will be boys" and condone this kind of malicious aggression and acting out, angry young men (and women) like this one will continue to violently threaten and intimidate others in an increasingly dangerous manner. Today it is a 13 year old with a BB gun or a soft pellet gun -- who really cares which? -- tomorrow it is something far more dangerous. It is this act of shooting, of exerting power over others who are helpless and defenseless, that is so frightening. A child like that who does not receive help and suffer the consequences of his actions from both the school and the law, might very well turn into the next child who murders a classmate or a teacher or both. Perhaps this "boy just being a boy" will turn out fine, and I hope he does, but to ignore it is to invite trouble and encourage this kind of behavior. As a Newton tax-payer, parent, and teacher, I hope that the school administration and the Newton Police treat this as seriously as the law allows.

Posted by Newton Teacher September 22, 09 10:35 PM

39. BBs are metal. Toys shoot plastic.

Posted by Alex September 22, 09 11:01 PM

40. Let's not forget this is a child. We are all concerned, but this is something that can be a lesson learned. Don't treat this boy as an adult. The adults need to teach him about the ramifications of his actions. There are plenty of ways to "punish" him and teach him the error of his ways. Let's not turn into a lynch mob and forget he is only a child. I have a 13 year old, and I can assure you, this situation would scare the sense right out of her. How scary it would be to

be that age and have adults (total strangers) treating you like a common criminal for a foolish mistake. Yes, mistake. I am one who believes in intervention and second chances. Especially for a child. He is surely young enough to intervene and help him. I am not happy with what he did at all, but what scares me more is the way the "grown-ups" are handling this incident. Wow.

Posted by AMOM September 23, 09 09:19 AM

41. I was at the scene. deffinitely not harmless but just a little bit over emphasised. The kids that got shot were my friends and there not seriously injured but said it stung pretty bad. it was infact a airsoft gun but they were standing a good 10 feet away so it wouldve hurt even more. just saying u guys if u think its harmless think what u wanna but i kno it was scary and someone couldve been very hurt. knowing the shooter, he was deffinitely just playing around and not meaning to hurt anyone and deffinately regretting his actions.

Posted by Daystudent15 September 23, 09 10:28 PM

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