

**ATTORNEY GENERAL'S REPORT REGARDING THE  
MARCH 29, 2019 SHOOTING DEATH OF STEVEN HALL IN BRISTOL, NEW  
HAMPSHIRE**

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**I. INTRODUCTION**

The Office of the Attorney General and the New Hampshire State Police have concluded an investigation into the fatal shooting of Steven Hall (age 52) [hereinafter, "Hall Sr."] in Bristol, New Hampshire, on March 29, 2019. The investigation determined that Steven Hall's son, Steven Hall (age 24) [hereinafter, "Hall Jr."]<sup>1</sup> fatally shot Hall Sr. while inside their shared apartment. Hall Jr. has made statements asserting a claim of self-defense. The purpose of this report is to summarize the Attorney General's findings and conclusions with regard to Hall Sr.'s death. The findings and conclusions set forth in this report are based upon information gathered during the course of the investigation, including witness interviews and recovered physical evidence.

Pursuant to RSA 626:7, I(a), when evidence is admitted establishing a defense, such as self-defense, the State must disprove such defense beyond a reasonable doubt. Based upon the investigation, New Hampshire Attorney General Gordon J. MacDonald has determined there is insufficient evidence to disprove beyond a reasonable doubt that Hall Jr. acted in self-defense. As such, no homicide charges will be brought against Hall Jr. in connection with the shooting death of Hall Sr.

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<sup>1</sup> The Halls did not refer to themselves as Hall Sr. and Hall Jr. The use of the monikers in this report is used solely to avoid confusion while referring to the two men.

## **II. SUMMARY OF THE FACTS**

At about 1:51 p.m. on March 29, 2019, Hall Jr. called 911 and reported in substance that he had shot his father. Hall Jr. further reported that the shooting occurred at an identified apartment inside a building located on Summer Street in Bristol.

Members of the Bristol Police Department responded to that residence within minutes of the 911 call, and there found Hall Sr. lying dead inside the apartment on the floor by the entrance door, and Hall Jr. sitting in a nearby chair with his hands raised. Hall Jr. was visibly upset but cooperative, and in substance admitted that he had shot his father and claimed that he did so because his father advanced at him with a knife. Several feet from Hall Sr.'s body was a bed on which police saw a black powder pistol. A knife was on the floor between Hall Sr.'s body and the bed. Hall Jr. identified the pistol as the weapon that he had fired at Hall Sr., and further reported that he was sitting on the bed when he fired the gun.

Because the incident was a homicide investigation,<sup>2</sup> the New Hampshire State Police assumed the primary investigative role, with the assistance of the Attorney General's Office. The investigation included documenting the residence where the fatal shooting occurred and collecting physical evidence at the scene. Additionally, police interviewed numerous witnesses who knew Hall Sr. and Hall Jr. There were no eyewitnesses to the fatal encounter between the two men, and there also was no surveillance footage that captured any of the incident.

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<sup>2</sup> By "homicide investigation," this report relies upon the medical conclusion made by the Office of the Chief Medical Examiner as to Hall Sr.'s manner of death. See infra. That medical determination does not affect the legal determination of culpability addressed later in this report.

### **III. THE INVESTIGATION**

#### **A. Witness Interviews**

##### **1. Hall Jr.**

Investigators first interviewed Hall Jr. about the fatal shooting of his father on the day of the incident. In all, Hall Jr. provided four separate statements to investigators. He also made statements to police officers during and immediately after their response to the 911 call, which he placed. The numerous accounts given by Hall Jr. have been largely consistent with respect to salient details. In particular, Hall Jr. recounted that he had been living with Hall Sr. for several months, and reported past physical and verbal altercations with him. With respect to the day of the shooting, the two were in their shared apartment that afternoon. Hall Jr. said that Hall Sr. had been drinking. Hall Jr. said that he was on the phone with his girlfriend, R.L, when Hall Sr. began arguing with him and telling him that he was lazy. In response, Hall Jr. said that he broke dishes using a baseball bat, and Hall Sr. told him to clean them up. Hall Jr. refused, and they continued arguing.

Throughout the majority of his statements, Hall Jr. reported in substance that at one point during the verbal argument, while Hall Jr. was sitting on a bed, Hall Sr. “came at him” wielding a hunting-style knife. Hall Jr. further claimed that as Hall Sr. approached with the knife, and prior to shooting him, Hall Jr. told Hall Sr. “to stop.” Hall Jr. claimed that his father did not stop, that he believed that his father was going to stab him, and that he as a result fired at him with his black-powder pistol, which was by the bed where he sat. Hall Jr. initially recalled that he shot Hall Sr. at least two times, and in later statements said that he could have fired three or four times.

**2. R.L.**

Investigators spoke to R.L., Hall Jr.'s then-girlfriend, whom he was speaking to by cellphone when the fatal shooting occurred. R.L. confirmed that she was speaking to Hall Jr. at the time of the shooting. She stated that she began speaking to Hall Jr. that afternoon at 1:08 p.m., and the call lasted 39 minutes. At about 1:40 p.m., she heard Hall Sr. yell at Hall Jr. The Halls then began arguing back and forth while R.L. remained on the telephone line. During this argument, R.L. heard Hall Jr. tell Hall Sr. to "back the fuck off" and "get the fuck away from me," more than five times. She said that the argument continued, and she heard both men screaming at each other. Although R.L. reported that she did not hear gunshots, she said that she heard three consecutive sounds about ½ second apart, consistent with glass breaking. She stated that after the noises, she heard Hall Sr. make a groaning noise, and she heard Hall Jr. say something to the effect of, "I told you to stop messing with me." R.L. stated that Hall Jr. then told her that he had to call the police, and he hung up.

R.L. stated that Hall Jr. and Hall Sr. did not have a good relationship and were going through a "rough patch." She also stated that Hall Jr. did not drink alcohol, but that Hall Sr. was a heavy drinker and was "never sober."

**3. Collateral Witnesses**

As part of the investigation, investigators interviewed residents who lived in the same apartment building as did the Halls. No residents reported seeing the incident. Several residents reported hearing several "banging" noises just prior to the police's arrival at the building.

Investigators also interviewed many people who knew Hall Jr., Hall Sr., or both. Although those interviews provided relevant information regarding the general relationship between the two men, none of those witnesses had direct information regarding the fatal shooting, although several mentioned that Hall Sr. excessively drank alcohol and would get belligerent when intoxicated.

## **B. 911 Call**

Hall Jr. called 911 from his cellphone at about 1:50 p.m., and stated, “[h]e’s dead, I don’t think he’s breathing.” Hall Jr. reported that he was fighting with Hall Sr., who was “drinking heavily,” when Hall Sr. “came out of his room and [swung] his knife out and [Hall Jr.] had to defend [himself].” Hall Jr. said that he shot his father in self-defense with his pistol because he “didn’t have anything else to stop him.” Although initially calm, Hall Jr. began sobbing shortly after the 911 call commenced, and cried throughout the remainder of the phone call.

## **C. Autopsy Results and Physical Evidence**

### **1. Autopsy Results**

On March 30, 2019, Chief Medical Examiner Dr. Jennie V. Duval conducted an autopsy on Hall Sr.’s body. The autopsy showed that Hall Sr. sustained four separate gunshot wounds: to his face, to his left chest, to his right front torso, and to his knee. The shot to the torso perforated Hall Sr.’s liver and heart. Dr. Duval determined that the manner of death was homicide and the cause of death was the gunshot wound to the torso. Toxicological testing revealed that at the time of Hall Sr.’s death he had a blood alcohol concentration of .192.<sup>3</sup>

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<sup>3</sup> That alcohol concentration is more than twice the legal limit to operate a motor vehicle (.08). RSA 265-A:2, I(b).

## **2. Physical Evidence**

Police recovered the revolver that Hall Jr. used to shoot Hall Sr. on the bed from where Hall Jr. said he had fired it. The revolver was a single-action “cap and ball” black powder model that could hold six rounds of ammunition. Upon inspection, five of the revolver’s chambers contained the necessary percussion caps to discharge a projectile, and all five of those caps had been fired. Investigators recovered bullets and bullet fragments from Hall Sr.’s body and from the apartment where the fatal shooting occurred.

Police also recovered a hunting-style knife on the floor several feet from Hall Sr.’s body. Hall Jr. identified that knife as the one he claimed Hall Sr. held while approaching him before he fired shots. Hall Sr.’s body was located within a few feet from the bed from where Hall Jr. said he shot at his father.

As part of the investigation, the Attorney General’s Office retained the services of crime scene investigation expert Marilyn Miller, in order to review the information obtained from autopsy results and crime scene processing and compare that information to Hall Jr.’s account of events. Dr. Miller concluded that the information that she reviewed either was generally consistent with, or not inconsistent with, Hall Jr.’s account.

## **IV. THE APPLICABLE LAW**

New Hampshire’s laws regarding physical force in defense of person, premises, and property are contained in RSA Chapter 627. Because the fatal shooting occurred inside the apartment in which both Halls resided, the following provisions of RSA 627:4 apply:

A person is justified in using deadly force upon another person when he reasonably believes that such other person [i]s likely to use any unlawful

force in the commission of a felony against the actor within such actor's dwelling . . . .

A person is not justified in using deadly force on another to defend himself . . . from deadly force by the other if he . . . knows that he . . . can, with complete safety [r]etreat from the encounter, except that he . . . is not required to retreat if he . . . is within his . . . dwelling . . . and was not the initial aggressor.

RSA 627:4, II(d) and III(a).<sup>4</sup>

The New Hampshire Supreme Court has addressed the use of deadly force used in self-defense, finding that:

[A] person is generally justified in using deadly force upon another only if such force is necessary to protect himself (or another) from the use of unlawful deadly force or an imminent threat to life or basic bodily integrity. Implicit in this rule are the notions: (1) that deadly force should be used only when, and to the extent, "necessary"; and (2) that the force used in response to the threat should not be excessive in relation to the harm threatened.

*State v. Etienne*, 163 N.H. 57, 74-75 (2011) (quotation omitted). When interpreting the self-defense statutes, the New Hampshire Supreme Court has looked to the common law for "its balance of the right to defend oneself and the restrictions upon that right based upon the general principle that the law places great weight upon the sanctity of human life in determining the reasonable necessity of killing a human being." *Id.* at 75 (quotation omitted). The law defines "deadly force" as "any assault or confinement which the actor commits with the purpose of causing or which he knows to create a substantial risk of causing death or serious bodily injury." RSA 627:9, II.

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<sup>4</sup> Hall Jr.'s fatal shooting also could be analyzed under the statutory variant for self-defense that justifies the use of deadly force when the actor reasonably believes that another "[i]s about to use unlawful, deadly force against the actor . . ." RSA 627:4, II(a). Hall Jr.'s claim that Hall Sr. approached him with a knife with a perceived intention to stab him alleges both "deadly force" under RSA 627:4, II(a) and "unlawful force in the commission of a felony [*i.e.*, first-degree assault, RSA 631:1, I(b)]" under RSA 627:4, II(d). The latter provision, which requires no perceived threat of deadly force, sets a lower threshold for the justifiable use of deadly force.

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

Finally, in any case where a person has used deadly force and claims he acted in self-defense, the State has the burden to disprove that self-defense claim beyond a reasonable doubt in order to secure a conviction. *See RSA 626:7, I(a); see also State v. McMinn*, 141 N.H. 636, 644-45 (1997).

## **V. ANALYSIS**

It is conclusively established that on March 29, 2019, Hall Jr. shot and killed Hall Sr. inside their shared apartment in Bristol. The evidence gathered from the investigation into that fatal shooting – not only Hall Jr.’s recounting of events, but also the corroborating account given by his then-girlfriend, who could hear events from her



cellphone as they contemporaneously occurred – also supports the conclusion that some form of verbal confrontation immediately preceded the shooting.

According to Hall Jr., Hall Sr. escalated that verbal confrontation when he (Hall Sr.) brandished a knife – a deadly weapon – and approached. According to Hall Jr., at that time, he believed that Hall Sr. was going to stab him with the knife, and he fired his revolver to prevent that pending attack. That claim, if credited, would support the conclusion that at the time Hall Jr. used deadly force inside his home he “reasonably believed that [Hall Sr. was] likely to use unlawful force in the commission of a felony [*i.e.*, first-degree assault, RSA 631:1, I(b)] against” him. *See* RSA 627:4, II(d). Thus, the claim would legally justify his use of deadly force, to wit, discharging his pistol.<sup>5</sup>

As to the credibility of that claim, some details of Hall Jr.’s multiple recountings to investigators differ from account to account. Moreover, the recovered ballistics evidence establishes that, despite Hall Jr.’s recollection otherwise, he fired five shots at his father. The particular firing mechanism of the weapon involved – in which the revolver’s hammer has to be manually cocked and then the trigger pulled for each individual shot – suggests that the shooting involved a timespan and methodicalness that could call into question whether Hall Jr. continued to fire even when the claimed threat against him ceased. *See Etienne*, 163 N.H. at 75 (noting that lawful use of force “should not be excessive in relation to the harm threatened.”). That being said, none of the physical evidence gathered as part of the investigation contradict Hall Jr.’s underlying claim of self-defense. Nor do the inconsistencies in his multiple accounts to investigators

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<sup>5</sup> Because, as noted, Hall Jr. was in his residence, he had no duty to retreat before using deadly physical force. *See* RSA 627:4, III(a). Accordingly, this report does not analyze whether factually Hall Jr. could have retreated safely before resorting to the use of deadly force.

conclusively undermine that claim. But given these circumstances, the evidence is not sufficient to conclude with certainty that Hall Jr.'s actions were justified under the law. Regardless, the State cannot disprove Hall Jr.'s self-defense claim, beyond a reasonable doubt.

## **VI. CONCLUSION**

Based upon the applicable law and all the facts and circumstances of this case, the Attorney General has determined that the State would be unable to disprove that Steven Hall (age 24, referred above as "Hall Jr.") acted in self-defense beyond a reasonable doubt. Because such a claim of self-defense would defeat any charges brought by the State, no homicide charges will be brought against Steven Hall in connection with the shooting death of his father, Steven Hall (age 52, referred above as "Hall Sr.").