

STATE OF CONNECTICUT
OFFICE OF INSPECTOR GENERAL



REPORT CONCERNING USE OF DEADLY FORCE BY THE NAUGATUCK POLICE
DEPARTMENT ON SEPTEMBER 14, 2020

Robert J. Devlin, Jr.
Inspector General

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Acknowledgments

The Office of Inspector General acknowledges the assistance provided to this investigation by the Connecticut State Police Western District Major Crime Squad, the Department of Emergency Services and Public Protection Forensic Science Laboratory, the Naugatuck Police Department, and Fairfield Judicial District State's Attorney Joseph T. Corradino.

INTRODUCTION

On September 14, 2020, at approximately 8:00 p.m. on the Route 8 Exit 27 northbound onramp, Naugatuck Police Sergeant Nicholas Kehoss discharged his firearm three times at a Dodge Charger operated by Roznovsky Machado. All three bullets hit the vehicle, but none hit Machado who was the only occupant.

Fairfield Judicial District State's Attorney Joseph T. Corradino submitted a preliminary status report regarding this incident. On November 3, 2021, pursuant to General Statutes §51-277a(a)(1), the Office of Inspector General assumed responsibility for the investigation.¹ The details of the investigation are contained in this report.²

Briefly stated, the investigation establishes that, at the time that he discharged his firearm, Machado's Dodge Charger had rammed Sergeant Kehoss' police vehicle pushing it into Sergeant Kehoss and was driving directly at him. Accordingly, I conclude that, under the circumstances presented, Sergeant Kehoss justifiably used deadly force.

¹ As relevant here, General Statutes §51-277a(a)(1), provides, "Whenever a peace officer, in the course of such officer's duties uses ... deadly force ... upon another person, the Division of Criminal Justice shall cause an investigation to be made and the Inspector General shall have the responsibility of determining whether the use of physical force was justified under section 53a-22."

² The timeline for this investigation is summarized as follows:

- 9/14/20: Date of incident;
- 9/14/20: State's Attorney requests the Connecticut State Police Western District Major Crime Squad to investigate the use of force incident;
- 9/15/20: Western District Major Crime Van and detectives commence investigation;
- 9/15/20: Chief State's Attorney Richard J. Colangelo, Jr. appoints Fairfield Judicial District State's Attorney Joseph T. Corradino to lead the investigation;
- 9/16/20: State's Attorney Joseph T. Corradino submits a Preliminary Status Report regarding the incident;
- 1/28/21: Western District Major Crime Squad forwards all reports regarding their investigation to the Fairfield Judicial District State's Attorney's Office;
- 6/7/21: Naugatuck Police Department provides disciplinary file for Nicholas Kehoss to the Fairfield Judicial District State's Attorney's Office;
- 6/8/21: Naugatuck Police Department provides disciplinary file for Kevin Zainc to the Fairfield Judicial District State's Attorney's Office;
- 6/14/21: Naugatuck Police Department submits all reports to the Fairfield Judicial District State's Attorney's Office;
- 10/8/21: Robert J. Devlin, Jr. is sworn in as Inspector General;
- 11/3/21: Office of Inspector General assumes responsibility for the investigation;
- 11/5/21: State's Attorney Corradino transfers file to the Office of Inspector General.

INVESTIGATION

SCENES

On Monday September 14, 2020, at approximately 8:00 p.m., Naugatuck Police Detective Kevin Zainc³ conducted a motor vehicle stop on the Route 8 northbound entrance ramp from Maple Street in furtherance of a narcotics investigation. The suspect vehicle was a 2019 Dodge Charger, color orange, bearing Ohio registration HQJ2680 operated by Roznovsky Machado.⁴ Naugatuck Police Sergeant Nicholas Kehoss⁵ arrived to back up Detective Zainc. Kehoss initially parked his patrol vehicle behind Zainc's patrol vehicle but later moved his vehicle diagonally in front of the Charger. During the course of the stop, Machado fled the scene in the Charger striking Kehoss' vehicle and causing injury to Kehoss. It was during this time that Kehoss fired his handgun at the Charger. Machado fled the scene north on Route 8. Both Kehoss and Zainc unsuccessfully gave chase. Kehoss was later transported to St. Mary's Hospital where he was treated for minor injuries and released. The Western District Major Crime Squad (WDMCS) processed the involved officers, Kehoss' patrol vehicle, the scene, and the Dodge Charger for physical and trace evidence related to the use of force incident.

Sergeant Nicholas Kehoss

Kehoss had a small abrasion approximately 1 inch in length on the posterior side of his left forearm. He also had a contusion approximately 2 inches in diameter on his lateral thigh.

³ Detective Kevin Zainc is a white male who, on September 14, 2020, was 41 years old and had been a Naugatuck police officer for 15 years. According to Naugatuck Police Department records, as of September 14, 2020, his police training was up to date and his disciplinary history reflected one complaint for use of excessive force that was deemed legally reasonable but resolved by written reprimand for a technical violation of Naugatuck Police Department procedure.

⁴ Roznovsky Machado is a Hispanic male who, on September 14, 2020, was 24 years old.

⁵ Sergeant Nicholas Kehoss is a white male who, on September 14, 2020, was 33 years old and had been a Naugatuck police officer for 10 years. According to Naugatuck Police Department records, as of September 14, 2020, his police training was up to date and his disciplinary history reflected no complaints involving dishonesty or use of excessive force.



Sergeant Kehoss' Injuries

The WDMCS detectives obtained Kehoss' outer clothing that he was wearing at the time of the incident. The uniform shirt had an approximate 16-inch long dirt/dust transfer pattern on the right side of the back of the shoulder area. An examination of the uniform cargo pants found a 1.5-inch scuff on the left cargo pocket 2 feet 4 inches from the cuff. A dirt/dust transfer on back of the left cuff extended about 5 inches up the pant leg.

WDMCS detectives examined Kehoss' duty belt and pistol. The handgun was a Sig Sauer P320 semi-automatic 9mm pistol (s/n: 58J087073) that had been reportedly loaded with a round in the chamber and 14 cartridges in the magazine. The capacity of the magazine was 17 rounds. The duty ammunition carried by both Kehoss and Zainc were Speer 9mm Luger cartridges with nickel-plated casings. The pistol was equipped with a working flashlight. The duty belt contained two 17 round magazines each containing 17 cartridges. The belt contained a Taser X26 series EDW with two attached unfired cartridges.



Sergeant Kehoss' Sig Sauer P320

WDMCS detectives photographed Zainc and noted no injuries. He was equipped with the same model duty pistol as Kehoss. His Sig Sauer P320 (s/n: 58J087080) was loaded with 18 Speer 9mm cartridges (17 +1) and his two magazines from his duty belt were fully loaded with 17 cartridges each. The detectives returned the pistol and duty belt to Zainc.

Sergeant Kehoss' Vehicle

At approximately 1:40 a.m. on September 15, 2020, WDMCS detectives examined Kehoss' vehicle at the Naugatuck Police Department. The vehicle was a 2019 Ford Interceptor in Naugatuck Police Department markings. The vehicle bore registration AW21846 and VIN 1FM5K8AR5KGB45911. The exterior of the vehicle was covered by a light layer of dirt and road grime and detectives observed a void of this layer of dirt on the left rear corner of the vehicle. The void extended from the bottom of the bumper cover to approximately 2 feet 6 inches from the ground. Detectives located a small concave dent containing a vertical 2-inch long scratch above this void approximately 3 feet 5 inches from the ground. Detectives further noted minor contact damage from an apparent sideswipe on the right corner of the rear bumper. The location of the area of damage was between approximately 1 foot 10 inches and 2 feet 6 inches from the ground. The damaged area contained orange colored paint transfer. A search of the interior of the vehicle revealed nothing of evidentiary value and the vehicle examination ended at 2:05 a.m.



Sergeant Kehoss' Police Vehicle

Northbound Ramp to Route 8

WDMCS detectives located the scene on and around the Route 8 northbound entrance ramp approximately 460 feet from the intersection of Maple Street in Naugatuck. At the time that the WDMCS processed the scene on September 15, 2020, at 2:20 a.m., the temperature was approximately 46 degrees Fahrenheit and the pavement was dry. The roadway was illuminated by dim sodium vapor-type lights affixed to the underside of the bridge carrying Route 8 over the entrance ramp. A brighter LED light pole located approximately 30 feet from the site of the motor vehicle stop provided additional light.

The entrance ramp was a paved single lane roadway that was relatively straight and level for about 500 feet before curving to the left uphill to join the northbound lanes of Route 8. The pavement was approximately 25 feet wide and was bordered on the right (east) by a concrete curb, an overgrown 4 foot wide grass area, and a large retaining wall. A single acceleration skid in the dirt/sand along the right shoulder marked the area of the motor vehicle stop. The skid measured about 12 feet in length, curved toward the travel portion of the ramp, and apparently was made by right side tire(s). The area off the left (west) side of the roadway was a mix of grass, dirt and rough concrete pavement. This area contained concrete supports for the bridge overhead and was bordered on the west side by the Naugatuck River.

Just north of the acceleration mark, off to the left (west) side of the ramp were a set of rolling tire marks that travelled through the dirt/pavement area under the bridge, and between two bridge supports, before turning back onto the entrance ramp north of the area of the stop. The path of the tire marks was approximately 153 feet long and detectives observed no discernable tread pattern along its length. A large rock had been struck and displaced along its

path between the two tracks. Detectives suspected that this contact might have caused damage to the underside of the vehicle that struck it.

WDMCS detectives seized three expended nickel plated 9mm Luger cartridge casings found in the dirt/grass area off the left (west) side of the road just north of the beginning of the aforementioned tire tracks. These casings bore Speer headstamps and were seized as exhibits 7, 8 and 9. Detectives searched the roadway and areas adjacent to the shoulder from Maple Street to the northbound lanes of Route 8 and located no additional items of evidence.

Processing concluded at 3:50 a.m. Detectives transported all seized items to WDMCS headquarters and secured in the Major Crimes evidence room. The scene was released and Major Crimes' detectives departed at approximately 3:55 a.m. on September 15, 2020.



2019 Dodge Charger

On September 23, 2020, at approximately 10:20 a.m., WDMCS detectives processed a 2019 Dodge Charger for physical and trace evidence. The vehicle had been located on September 15, 2020, at 41 Vine Street, Waterbury, CT and transported to CSP Western District Headquarters, Litchfield, via flatbed wrecker.

The vehicle was a 2019 Dodge Charger four-door sedan, color orange, it was a rental car registered to EAN Holdings LLC (Enterprise). Detectives processed the vehicle pursuant to a search warrant.

The vehicle's doors were unlocked and the key was present. The exterior of the vehicle was clean. Detectives observed minor contact damage on the right side of the front bumper and the front license plate mount was broken and hanging by one screw. The damaged area contained black colored paint transfer and white colored scuffs and measured between 1 foot 5 inches and 1 foot 10 inches from the ground. A small amount of black colored transfer was found on the front side of the right side mirror; the mirror was not, however, displaced. Minor contact damage was found on the rocker panel under the right front door. The right rear passenger window had been broken out, and broken glass was found in the rear passenger compartment. Glass fragments in the top window track indicated that the window had been closed at the time that it was broken. The black colored upholstered interior was relatively clean and uncluttered.



2019 Dodge Charger

WDMCS detectives documented and examined three bullet trajectories.

Bullet "A" – entered the right side of the windshield approximately 4 feet above ground level at a slight downward angle (approximately 9 degrees) and slightly from right to left (approximately 10 degrees). The projectile penetrated the left side of the rear passenger seat back. Detectives recovered a deformed projectile from the back seat and seized it as exhibit 15.



Bullet Track "A"

Bullet "B" - perforated the right front door approximately 2 feet 7 inches above ground level. The oblong hole measured approximately $\frac{1}{2}$ x $\frac{3}{4}$ inches and possessed a shape consistent with the side profile of a bullet. The projectile entered at a slight upward angle (approximately 5 degrees) and from back to front (approximately 25 degrees). The projectile then penetrated the left side of the dashboard. The dashboard was taken apart; however, no projectile was recovered.



Bullet "C" – perforated the right rear window before penetrating the headliner dimpling the sheet metal of the roof. The trajectory was upward and from back to front. No bullet or fragment was recovered from the roof as it had most likely fallen into the hollow 'B' pillar. An examination of the glass fragments in the back seat found pieces containing radial and concentric fracture lines consistent with a projectile.



Detectives seized other items but later determined them to be of no evidentiary value to the investigation. The processing of the Charger concluded on September 23, 2020, at 12:35 p.m.

FORENSICS

WDMCS detectives submitted the three cartridge casings recovered at the scene of the motor vehicle stop to the Department of Emergency Services and Public Protection Forensic Laboratory requesting that the lab conduct a forensic examination to confirm that Sergeant Kehoss fired the casings from his duty weapon.

TFC Veronica Carpenter test fired Kehoss' Sig Sauer P320 semi-automatic pistol and found it to be operable. Jennifer Robisheaux, Forensic Examiner 2, microscopically compared the test fired cartridge casings to the three seized casings. Based on similar class characteristics and sufficient agreement of individual characteristics, her conclusion was that the test fired cartridge casing and three seized casings were all fired from Kehoss' Sig Sauer.

HOSPITAL RECORDS

Sergeant Kehoss signed a release authorizing St. Mary's Hospital, 56 Franklin Street, Waterbury, CT, to release records of his treatment on or about September 14, 2020, to WDMCS detectives. St. Mary's provided the records that indicate, in part, that the patient (Kehoss) reported aches and pains, the worst being in his left leg. The doctor prescribed a course of treatment and the patient was released that same day.

WITNESS STATEMENTS

Kevin Zainc

Detective Zainc submitted a written statement regarding the events of September 14, 2020, to WDMCS detectives. Attorney Ronald Pugliese, Zainc's union attorney, assisted him in preparation of the statement. The statement may be summarized as follows:

Zainc states that he is a member of the Naugatuck Police Department and has been since May 13, 2005. At present, he is a detective and is part of a federal task force with the Drug Enforcement Administration. On September 14, 2020, he was working an overtime shift as a uniformed patrol officer. He wore his issued police uniform and operated in a marked police car.

While working his shift, Zainc observed what he believed to be a hand-to-hand narcotics transaction between an unidentified individual and the operator of a Dodge Charger. At that time, Zainc recognized the operator of the Dodge Charger to be Roznovsky Machado whom Zainc believed was a person involved in the illegal distribution of narcotics and was known to have a suspended Connecticut driver's license. Zainc saw Machado turn onto Maple Street and then immediately turn onto the Route 8 northbound ramp where Zainc initiated a motor vehicle stop.

Zainc approached the Dodge Charger and engaged in conversation with Machado. Machado was not able to provide a license or any paperwork for the vehicle. Based on the conversation with Machado and his demeanor, Zainc believed that Machado would attempt to flee the scene. Zainc shared that belief with Sergeant Kehoss who had arrived to back him up.

Zainc states: "Based on Machado's criminal history, the observed hand to hand transaction of illegal narcotics, leading this detective to believe that there is evidence of the crime in the vehicle, Sergeant Kehoss positioned his vehicle in front of Machado's vehicle in an attempt to deter him from fleeing. Machado put his vehicle in reverse, backed up, [and] abruptly pulled forward striking Sergeant Kehoss' cruiser. As a result of the collision caused by Machado, Sergeant Kehoss' police vehicle was pushed in a manner that cause him to be struck

by his own cruiser. In one fluid motion Machado's vehicle continued on the direction of Sergeant Kehoss. At this time, I heard gunfire and determined Sergeant Kehoss was engaging the vehicle. I didn't draw my weapon to engage the vehicle because it was driving away from my position and the vehicle was positioned directly between me and Sergeant Kehoss, putting Sergeant Kehoss in my line of fire. Machado's vehicle was observed swerving of (sic) the left side of the ramp, just missing Sergeant Kehoss by a small margin, and proceeding to travel at a high rate of speed across the dirt and gravel through the pillars under the highway."

Kevin Zainc's statement is available [here](#).

Nicholas Kehoss

Sergeant Nicholas Kehoss submitted a written statement regarding the events of September 14, 2020. Attorney Ronald Pugliese, Kehoss' union attorney, assisted Kehoss in the preparation of the statement. The statement may be summarized as follows:

Sergeant Nicholas Kehoss has been a member of the Naugatuck Police Department since August 27, 2010, and received a promotion to the rank of sergeant in June 2019.

On September 14, 2020, at approximately 8:04 p.m., Kehoss was working as a patrol supervisor. He was wearing his regulation police uniform that has Naugatuck Police Department patches on each shoulder and a cloth gold Sergeant's badge sewn on the left side of his uniform shirt. On his duty belt, he carried several pieces of equipment including his department Sig Sauer firearm. Kehoss was on routine patrol at the time in the area of Elm Street operating the Sergeant's patrol vehicle that is a marked black and white vehicle clearly lettered as a Naugatuck Police patrol car equipped with lights and siren.

Detective Zainc radioed that he had stopped a vehicle on the Maple Street onramp to Route 8 north. Zainc radioed his location and the vehicle's license plate. The vehicle matched the information associated with the plate that came back to a 2019 Dodge Charger with Ohio registration HQJ268. Dispatch advised that the vehicle was registered to "EAN Holdings" which Kehoss knew from experience as an "Enterprise" rental vehicle.

Detective Zainc is a member of the department's Detective Bureau, which is normally a plain-clothes assignment. This night, however, he was working patrol overtime in a standard police uniform, very similar to the uniform Kehoss wore. Detective Zainc was also operating a marked patrol car, Car #3, which is a black and white police patrol unit lettered and equipped similarly to the patrol car Kehoss was operating.

Detective Zainc radioed for an additional unit to assist him on the stop, so Kehoss responded to that location with the flow of traffic to assist and provide backup. Detective Zainc

is a member of the DEA (Drug Enforcement Agency) task force and that coupled with him stopping a rental vehicle, which Kehoss knew from experience to be a common method of transportation for individuals trafficking narcotics, made Kehoss believe that he was investigating drug activity.

Kehoss arrived and parked behind Detective Zainc's patrol vehicle, which was directly behind the Dodge Charger. Detective Zainc had activated the overhead lights and illuminated the suspect vehicle with his patrol vehicle takedowns and spotlight. Kehoss approached by walking along the passenger side of Detective Zainc's cruiser. Detective Zainc was at the passenger side of the Charger speaking to the operator. Kehoss approached and stood behind the Charger watching the operator. Additionally Kehoss used his hand held flashlight to provide additional illumination of the interior of the vehicle and the operator. From where Kehoss was standing, he could smell a strong odor of burned marijuana, which seemed to be coming from the Dodge, as there were no other vehicles stopped. The operator appeared to be nervous and was holding his cell phone in one hand and looking around the vehicle for paperwork. Detective Zainc appeared to be attempting to determine the operator's name, but the operator did not seem to be very cooperative. Kehoss later learned that the operator's name was Roznovsky Machado. I could hear Detective Zainc informing Machado why he was stopped. Kehoss heard Detective Zainc explain to Machado that he observed some suspicious activity that looked like Machado was making a "hand to hand" transaction. Machado denied such activity. After gathering the available information from Machado, Detective Zainc returned to his patrol vehicle.

Based on what he observed and the body language Machado displayed, Detective Zainc believed that Machado was probably going to "take off." After a brief discussion on how to avoid this, Kehoss stated to Detective Zainc that Kehoss should block him in to prevent him from fleeing. This would allow them to continue their investigation in a safe manner. Detective Zainc agreed and Kehoss returned to his patrol vehicle.

The statement continues: "I then pulled my patrol vehicle in front of Machado's vehicle angled to the right across the front of the Dodge's front bumper. I positioned my vehicle so that my passenger side was approximately three feet from the front bumper of Machado's front bumper. I opened my driver's door with intentions of assisting Detective Zainc with having Machado exit his vehicle. As I closed my driver's-side door, I could hear Detective Zainc yelling "Don't do it don't do it" which prompted me to unholster my department issued handgun. I did not immediately know what was happening on the other side of my vehicle. Machado could have been displaying a handgun, about to run on foot, or engaging Detective Zainc in an altercation.

"As I walked to the rear of my vehicle, to round the back of it and see what was happening, I heard tires screeching on the pavement. I was then struck by the driver's-side rear

panel of my patrol vehicle. Machado had rammed my vehicle on the passenger side causing it to strike me. The force of the impact caused me to be knocked to the ground, landing in the middle of the highway onramp. As this happened, I was looking right at the grill of the Dodge, which was coming right at me. I believed I was about to be run over and killed by the fleeing vehicle. I fired one round from my handgun in the direction of Machado's oncoming vehicle as I was falling backwards and fired again while in a semi-seated position, bracing the impact of the pavement with my left arm and elbow and firing with my right hand. I do not recall how many rounds I fired. Once I felt the threat of the vehicle striking me had passed, I stopped firing. I believe I struck the windshield of the vehicle with at least one round."

Machado was able to get back on the roadway and accelerate onto Route 8 northbound. Zainc and Kehoss got back into their patrol vehicles and attempted to stop Machado. Kehoss lost sight of the vehicle in the area of the Interstate 84 interchange.

Kehoss suffered minor injuries when he was knocked to the ground. He suffered scrapes and bruises to his left forearm and elbow and significant bruising and swelling to his left hip and thigh area. The patrol vehicle Kehoss was operating sustained damage to its passenger side from the impact with Machado's vehicle.

Nicholas Kehoss' statement is available [here](#).

Roznovsky Machado

On Friday September 18, 2020, WDMCS detectives met with Roznovsky Machado in the lockup area of the Waterbury Superior Court. After being advised of his rights, Machado signed a Notice and Waiver of Rights form and agreed to speak to the detectives. His recorded statement is summarized as follows:

Machado stated that he got off the highway on the exit 27 ramp and saw the police cars there. He said he had his seatbelt on and was not speeding. He took a left turn at the light and went to see a friend near Maple Street. He spoke with the friend for a little while and then left and was about to get back on the highway when he was pulled over on the ramp. The cop came up and Machado gave the officer his name. Machado said, "The guy was calm, ya know he was cool, for the most part. He wasn't disrespectful." Machado said that he was alone in the car and the officer was speaking to him through the passenger door window. He said that the officer told him to "sit tight." The officer stopped and talked to his buddy. Machado heard "gonna run." Machado stated, "I don't know what made them think that I was gonna stay." A WDMCS detective asked, "So, did you want to run?" Machado replied, "Yeah." There was another cop there but Machado did not speak with him. The other cop pulled up front of him.

Machado stated, “When he pulled up in front of me, I was like yeah now I am really leaving. That’s when I wanted to run.” Machado related that the Watertown police did that to him too; they blocked him in and arrested him for “a whole bunch of misdemeanors.”

When the officer pulled in front of him, Machado immediately put his car in reverse. As he was reversing, the other officer was flashing him with his flashlight but he was already in the midst of getting out. He had plenty of room to reverse and get out of there. He did not drive up the ramp because the officer was shooting at him once he tried to leave, so he swerved off the road onto dirt then he had to “weave around and get back on the highway.” Machado did not know if he was shot. He was on the phone with his sister. “I told my little sister, I’m gonna take him. She said nah don’t, not police. My brother-in-law is a police officer.”

Machado stated the he heard the officer outside his car say that he tried to run him over. Machado denied hitting the officer or his vehicle. He repeated his explanation that he placed his car in reverse and had to go into the dirt area because he could not go up the ramp. He stated, “I was not trying to hurt any police. I wasn’t trying to run over no cops ya know.”

The WDMCS asked Machado what was his main reason for throwing his car in reverse. He stated, “I wasn’t going to jail. I’m already pending on two ... a lotta cases.” He said one case involved having a gun in his car and he takes full responsibility for that. He further stated that the officer was probably scared, but he wasn’t coming for him. Machado denied suffering any injury.

Roznovsky Machado’s recorded statement is available here, <https://vimeo.com/656580981>

DIGITAL EVIDENCE

Department of Transportation Cameras

On September 15, 2020, at 2:00 a.m., WDMCS detectives canvassed the area for possible surveillance video of the incident. They determined that cameras mounted on traffic control lights at the intersection of Maple Street and Oak Street appeared to have a potential view of the incident that took place on the onramp to Route 8 north. Naugatuck Police Lieutenant Tony Bastos advised detectives that the Connecticut Department of Transportation (DOT) controlled those cameras.

WDMCS detectives contacted DOT personnel and inquired whether the cameras at the intersection of Maple Street and Oak Street captured any video of the incident. DOT personnel stated that the cameras were “Live View” cameras only and had no recording ability and therefore stored no historical data.

Private Security/Surveillance Video

During their investigation, WDMCS detectives attempted to find but did not locate any private security/surveillance video.

Dash Cameras

At the time of the incident neither the police cruiser operated by Sergeant Kehoss nor the one operated by Detective Zainc were equipped with a dash camera.

Body Worn Cameras (BWC)

Detective Zainc

Detective Zainc’s BWC, video dated 9/15/20, notes a start time of 00:04:08Z. The video is nine minutes and thirty seconds long. The following is a summary of that video.

The video begins with Zainc seated in his stopped police vehicle. He then exits his car and approaches an orange Dodge Charger that is stopped in the right shoulder of the roadway. Zainc approached the passenger side to the Charger and begins speaking to the operator – the only apparent occupant of the car – through a partially rolled down front passenger window. Zainc asks the operator to provide his license, registration and insurance for the vehicle. The operator did not produce a photo identification but identified himself as Roznovsky Machado and provided a date of birth and Waterbury address. Machado asks why he was pulled over and Zainc replied that he (Zainc) watched what he perceived to be a hand-to-hand transaction involving the orange Charger. Zainc then asks Machado to try to find the car’s rental agreement and tells him to “sit tight” and that he is going to run his name in the computer. Zainc then walks back to his patrol car. As he walks to his car, Zainc passes Sergeant Kehoss who is standing to the rear of the Charger and says, “He’s gonna take off.” Kehoss and Zainc talk for a moment and decide to remove Machado from his vehicle.

At the 3:27 time mark on the video, Zainc exits his patrol car and begins to walk back to the orange Charger. Once out of his car, Zainc’s body worn camera is directed toward the Charger and you can see that Kehoss has moved his police cruiser and pulled it at an angle in front of the Charger so that it could not move forward. As Zainc continues toward the Charger (at the 3:33 time mark), the Charger moves in reverse creating distance from the Kehoss

vehicle. Zainc is heard saying, “Yo! Don’t do it; don’t do it” as Machado places his vehicle in drive, turns to the left and begins to accelerate quickly. At the 3:36 time mark, the Charger moves forward and strikes the Kehoss vehicle on its rear passenger side with enough force to cause the police vehicle to move and strike Kehoss who had just walked to the rear driver’s side of his vehicle. At the 3:37 time mark, you hear a single gunshot as you see Kehoss fall out of view and see the Charger continuing to accelerate around Kehoss’ vehicle.

Zainc now turns to his right causing the camera to move away from incident. At the 3:38 time mark, you hear two gunshots in quick succession. At the 3:39 time mark, Zainc’s camera turns back on the scene where you see Kehoss lying on the pavement on the left shoulder of the ramp. At this time, you also see the orange Charger fleeing the area travelling in the dirt area off the left shoulder of the on ramp. The Charger travels between the two concrete abutments before returning to the paved portion of the ramp and continuing north on Route 8.

Zainc’s camera then shows him moving toward Kehoss who is now getting onto his feet and reporting on the radio that shots had been fired. Zainc then turns and moves to his patrol vehicle, which he enters and drives onto Route 8 northbound. The remainder of the video documents Zainc’s efforts to locate the Charger.

The total elapsed time from when the Charger begins to back up to when it passes Kehoss while he is on the ground is approximately six seconds.

Zainc’s body worn camera recording is available here, <https://vimeo.com/656618329>

Sergeant Kehoss

Naugatuck Police also provided to WDMCS Van personnel a DVD-R containing the video captured by the BWC worn by Kehoss. The video provided is dated 9/15/20 and notes a start time of 00:04:35Z.

The video is eleven minutes and eleven seconds long. The audio turns on at the 00:30 time mark and remains on for the video’s duration. The following is a summary of that video.

The video begins with Kehoss responding to Detective Zainc’s location in his police vehicle. He pulls up behind Zainc’s patrol vehicle, comes to a stop, and places his vehicle in park at the 00:20 time mark. He then exits his vehicle and proceeds towards the orange Dodge Charger where Zainc is seen standing by the passenger door speaking with the operator later

identified as Roznovsky Machado. Kehoss positions himself between the Charger and Zainc's patrol vehicle while Zainc interacts with Machado.

At the 02:30 time mark, Zainc concludes his initial interaction with Machado, leaves the passenger area of Machado's vehicle and walks past Kehoss on his way to his patrol car. Kehoss stays behind the Charger for a few moments before walking to the passenger side of Zainc's vehicle and speaking to him. They discuss pulling a car in front of Machado and getting Machado out of his vehicle. Kehoss walks to his patrol vehicle, enters it, and drives forward parking in front of Machado's vehicle on an angle so it appears to block Machado from moving forward or further into the right shoulder. Kehoss' vehicle is placed in park at the 03:21 time mark in the video.

Kehoss then exits his vehicle. As he is exiting, Zainc can be heard saying, "Yo! Don't do it; don't do it." Just as Zainc finishes this statement, the camera shows Kehoss moving around the driver side rear corner of his police vehicle and immediately shows the Charger's headlamps and the Charger driving directly at Kehoss. This occurs at the 03:26 time mark in the video. At what appears to be the same moment, the Charger strikes Kehoss' vehicle. Kehoss appears to fire a single round and he is knocked to the road surface after his vehicle is pushed into him from the impact from the Charger. While knocked down on the road surface, at the 03:28 time mark, Kehoss fires two more rounds in quick succession at the Charger as it drives past him on the dirt shoulder on the left side of the road. Kehoss then gets up off the ground and, at 03:31 time mark, calls "Shots fired" on his radio. He then moves to his vehicle, enters it, and proceeds to drive up the ramp onto the Route 8 north. The remainder of the video documents Kehoss driving while attempting to locate the Charger.

The total elapsed time from when Kehoss exits his vehicle to when the Charger passes him while he is on the ground is approximately six seconds.

Kehoss' body worn camera recording is available here, <https://vimeo.com/656614855>

NAUGATUCK POLICE DEPARTMENT INVESTIGATION

The Naugatuck Police Department conducted their own investigation examining Roznovsky Machado's conduct. They ultimately obtained an arrest warrant charging him with attempted assault in the first degree in violation of General Statutes §53aa-49 and §53a-59

together with related charges. On September 18, 2020, Machado came to the Naugatuck Police Department and turned himself in on this warrant.

NAUGATUCK POLICE DEPARTMENT USE OF FORCE POLICY

On September 14, 2020, the Naugatuck Police Department had in effect written policies and procedures regarding officers' use of force. The policy provides, inter alia, the following:

"Officers shall only use the amount of force necessary and reasonable to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves or others from harm."

Procedure 12.1.23 relates to an officer's use of deadly force and states that such force is justified when the officer believes such to be necessary to "defend the officer or a third person from the imminent threat of death or serious bodily injury." Procedure 12.1.24 contains deadly force restrictions and states the following regarding shooting at or from moving vehicles:

"Officers are prohibited from discharging their firearms at or from a moving vehicle ... unless the officers reasonably believe deadly force is necessary to defend the officer ... from the use or imminent use of deadly force ...

"Officers shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming vehicle, officers must attempt to move out of its path and should generally avoid placing themselves in situations where the use of deadly force is more likely."

FINDINGS

The investigation reasonably supports the following findings of material fact.

1. On September 14, 2020, at approximately 8:00 p.m., Detective Kevin Zainc and Sergeant Nicholas Kehoss were on duty as members of the Naugatuck Police Department. Both were wearing Naugatuck Police Department uniforms and operating marked Naugatuck Police Department police vehicles.
2. At that time and while on patrol, Zainc pulled over an orange 2019 Dodge Charger being operated by Roznovsky Machado. Earlier, Zainc had seen what he perceived as a hand-to-hand drug transaction involving someone in the Charger. The Charger was stopped near the corner of Maple Street and Oak Street on the northbound onramp to Route 8.

3. Machado was unable to produce a driver's license and could not produce any registration or insurance information for the vehicle. During their interchange, Machado asked Zainc why he had pulled him over. Zainc advised him that it was because of the hand-to-hand transaction that Zainc saw.

4. Kehoss responded to the scene to assist Zainc and parked his police vehicle behind Zainc's vehicle. He exited his car and took a position behind the Charger. He observed Zainc interacting with Machado. As Zainc walked back to his patrol car, he stopped and spoke briefly with Kehoss. Zainc told Kehoss that he suspected that Machado might take off. This prompted Kehoss to move his police vehicle to a position diagonally in front of the Charger to prevent an escape. Machado had overheard Zainc tell Kehoss that he thought Machado might run and when he saw Kehoss move his vehicle and block him in, he made the decision to flee.

5. After moving his vehicle in front of the Charger, Kehoss exited and walked to the driver side rear of his vehicle. He heard Zainc yelling, "Don't do it; don't do it." Not knowing exactly what was happening, Kehoss unholstered his Sig Sauer firearm.

6. Zainc observed Machado put the Charger in reverse and move back several feet. This prompted him to call out to Machado, "Don't do it; don't do it." The Charger sped forward colliding with the passenger rear side of the Kehoss police vehicle and causing that vehicle to strike Kehoss. Zainc heard one gunshot as the Charger accelerated past the police vehicle and onto the dirt area next to the onramp.

7. As the Charger pushed the police vehicle into Kehoss knocking him to the ground and in an effort to stop the car from running over him, Kehoss fired three rounds at the Charger. The bullets hit the car but not Machado who drove onto the dirt area adjacent to the onramp, passed through two concrete support columns, and got back on to the Route 8 onramp heading north.

8. Connecticut State Police Western District Major Crime investigators observed skid marks in the dirt area consistent with Machado's observed path of travel. They also noted injuries on Kehoss and dirt stains on his uniform consistent with having been knocked down as he described. Investigators further noted that both the Charger and police car had damage and paint transfer consistent with the collision as described by Zainc and Kehoss.

9. Zainc's body worn camera recorded the Charger moving backward and then accelerating into the Kehoss' police vehicle. Kehoss' body worn camera recorded him being knocked down and the Charger driving at him. At this point, he fires one shot and then two more as the Charger passes by him.

10. Firearms analysis determined that Kehoss' department-issued Sig Sauer P320 fired the three recovered cartridge casings. Examination of the Charger determined that it sustained three bullet strikes that penetrated the vehicle's front windshield, right front door and right rear window.

LEGAL STANDARD

The use of force by a police officer is governed by General Statutes §53a-22. The version of that statute in effect on September 14, 2020, in relevant part, provided:

“(a) For purposes of this section, a reasonable belief that a person has committed an offense means a reasonable belief in facts or circumstances which if true would in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of force to make an arrest or prevent an escape from custody. A peace officer ... who is effecting an arrest pursuant to a warrant or preventing an escape from custody is justified in using the physical force prescribed in subsections (b) and (c) of this section unless such warrant is invalid and known by such officer to be invalid.

(b) Except as provided in subsection (a) of this section, a peace officer ... is justified in using physical force upon another person when and to the extent that he or she reasonably believes such to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom he or she reasonably believes to have committed an offense unless he or she knows that the arrest or custody is unauthorized; or (2) defend himself or herself or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.

(c) A peace officer ... is justified in using *deadly force* upon another person for the purposes specified in subsection (b) of this section only when he or she reasonably believes such to be necessary to : (1) *Defend himself or herself or a third person from the use or imminent use of deadly physical force ...*” (Emphasis added).

General Statutes §53a-22.

Accordingly, a police officer is justified in using deadly physical force upon another person when the officer reasonably believes such force to be necessary to defend the officer or a third person from the use or imminent use of deadly physical force. “Deadly physical force” means “physical force that can be reasonably expected to cause death or serious physical injury.” General Statutes §53a-3(5). “Serious physical injury” means “physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment

of health or serious loss or impairment of the function of any bodily organ.” General Statutes §53a-3(4).

The reasonableness of a police officer’s belief under §53a-22 is evaluated pursuant to a subjective-objective formulation. *State v. Smith*, 73 Conn. App. 173, 185, 807 A.2d 500, cert. denied 262 Conn. 923, 812 A.2d 865 (2002). Under this test, the first question is whether, on the basis of all of the evidence, the police officer in fact honestly believed that deadly force was necessary to defend himself/herself or a third person. *Id.* If it is determined that the police officer honestly believed that deadly force was necessary, the second part of the test asks whether the police officer’s honest belief was reasonable from the perspective of a reasonable police officer in the officer’s circumstances. *Id.*, 198.

The United States Supreme Court has explained this test in a civil rights case: “The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on scene rather than with the 20/20 vision of hindsight. . . .The calculus of reasonableness must embody allowance of the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.” *Graham v. Connor*, 490 U.S. 386, 396–97, 109 S. Ct. 1865, 104 L. Ed. 2d 443 (1989).

ANALYSIS

Under Connecticut law as applicable here, a determination as to whether a police officer’s use of deadly force was objectively reasonable requires consideration of four questions:

1. Did the officer, as a matter of fact, actually – that is honestly and sincerely – believe that he or she was facing either the actual use or imminent use of deadly force when the officer used deadly force?

2. Was that actual belief reasonable in the sense that a reasonable police officer in the officer’s circumstances at the time of the officer’s actions, viewing those circumstances from the officer’s point of view, would have shared that belief?

3. Did the officer, as a matter of fact, actually –that is honestly and sincerely –believe that the use of deadly force was necessary to defend himself or herself from such threat?

4. Was that actual belief reasonable, in the sense that a reasonable police officer in the officer’s circumstances at the time of the officer’s actions, viewing those circumstances from the officer’s point of view, would share the belief that deadly force was necessary?

Sergeant Kehoss actually believed that he was facing death or serious physical injury had he been run over by Machado's accelerating Dodge Charger automobile. Such actual belief was not exaggerated or unfounded and a reasonable police officer in the same circumstances at the time would have felt the same way. Sergeant Kehoss also actually believed that discharging his firearm at the oncoming Charger was the only readily available feasible means to defend himself from the threat that he faced. Such belief was reasonable because a reasonable police officer in the same circumstances at the time would have shared that belief.

CONCLUSION

Based on my investigation of this incident, the factual findings supported by that investigation, and the applicable law, I conclude that Sergeant Kevin Kehoss' use of deadly force was objectively reasonable and therefore justified.

Submitted this ____ day of _____, 2021.

ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL

ADDENDUM RECOMMENDATIONS

Based upon the investigation, the Office of Inspector General makes the following recommendations:

Dash Cameras

In September 2020, Naugatuck Police Department vehicles were not equipped with dash cameras. It is likely that, if such cameras were available, they would have recorded images relevant to the investigation. Detective Zainc's police car, in particular, faced the area where Machado backed up and then sped forward toward Sergeant Kehoss. Camera coverage from that vantage point would likely have recorded a key aspect of the incident.

Recommendation: All Naugatuck police vehicles should have dash cameras.⁶

DOT Cameras

Investigators identified DOT cameras near the intersection of Maple Street and Oak Street that had a line of sight to the Route 8 onramp where the incident occurred. Whatever images were captured by such cameras were unavailable to investigators because the cameras were "live view" only and do not record. This apparently is the situation with respect to all DOT cameras.

Recommendation: State officials should study the feasibility of recording and storing (for some period) images captured by DOT cameras.

Officer Proximity to Subject Vehicles

Sergeant Kehoss, after moving his police vehicle diagonally in front of the Charger to block it, walked to the rear of his vehicle putting himself generally in front of the Charger. This may have been contrary to Naugatuck Police Department procedure that provides, "Officers shall, as a rule, avoid tactics that could place them in a position where a vehicle could be used against them." Procedure 12.1.24. Had Kehoss instead moved around toward the front of his police vehicle, it seems less likely that he would have been put in harm's way by Machado's escape.

Recommendation: Police officer training in this area.

⁶ Public Act 21-8, effective January 1, 2022, mandates body and dashboard cameras for all officers interacting with the public.

APPENDIX

Detective Kevin Zainc Statement

Sergeant Nicholas Kehoss Statement

Roznovsky Machado Statement: <https://vimeo.com/656580981>

Detective Kevin Zainc – Body Worn Camera: <https://vimeo.com/656618329>

Sergeant Nicholas Kehoss – Body Worn Camera: <https://vimeo.com/656614855>



**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-302-E) (REVISED 2/3/06)**

Report Type: Report #: 2000401105 - 00254253

Initial Report: Prosecutors Report: Supplement: Re-open: Assist: Closing:

Attachments:

Statements: Teletype: Photos: Sketchmap: Evidence: Other:

CFS NO 2000401105	INCIDENT DATE 09/15/2020	TIME 00:02	INCIDENT DATE 09/15/2020	TIME	PRIMARY OFFICER FLYNN, WILLIAM A.	BADGE NO 0644
INVESTIGATING OFFICER FLYNN, WILLIAM A.		BADGE NO 0644	TYPE OF EXCEPTIONAL CLEARANCE Not Applicable		CASE STATUS Active	
INCIDENT ADDRESS 00000 Exit 27 Rt 8 N Naugatuck 06770				APARTMENT NO	TOWN CD T088	

STATUS CODE C=COMPLAINANT V=VICTIM A=ARRESTEE J=JUVENILE H=OTHER M=MISSING W=WITNESS O=OFFENDER D=DRIVER S=SUSPECT P=POLICE OFFICER T=TOT

STATUS	NAME	SEX	RACE	D.O.B.	TELEPHONE	OP STATE & NO.
P	Kevin, Zainc	M	W	07/28/1979	Bus (203) 729 - 5222	CT
211 Spring St Naugatuck CT						

STATEMENT OF KEVIN ZAINC (Police Officer)

Interviewee:

Kevin Zainc, DOB 07/28/79

211 Spring Street

Naugatuck CT.

Location:

The written statement was obtained in a conference room at the Naugatuck Police Department located at 211 Spring Street in the Town of Naugatuck. The statement review began on 10/08/20 at approximately 0858 hours and ended on 10/08/20 at approximately 0920 hours. Present for this review was his union attorney Ronald Pugliese.

Written Statement:

Kevin Zainc had, before this meeting, prepared a written account of the events of September 14, 2020 with the assistance of his union attorney Ronald Pugliese.

After reviewing the prepared statement, I asked Zainc if there was anything that he wished to add. Zainc

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT: I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1)MY PERSONAL OBSERVATION AND KNOWLEDGE; OR (2)INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT; OR (3)INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.			
INVESTIGATOR SIGNATURE: /DET WILLIAM A FLYNN/	INVESTIGATOR I.D.#: 0644	REPORT DATE: 10/08/2020 03:00 pm	
SUPERVISOR SIGNATURE: /SGT JOSEF M DUVA/	SUPERVISOR I.D.#: 0252		



stated that he did not.

Zainc then swore to the truthfulness and accuracy of the statement and signed the document. Attorney Pugliese then signed the document as a witness.

Kevin Zainc states, in part, that he is a member of the Naugatuck Police Department and has been since May 13, 2005. He is presently assigned as a detective in the detective bureau and is part of a federal task force with the Drug Enforcement Administration. On the day of the incident he was working an overtime shift as a uniformed patrolman, as such, he was wearing his issued police uniform and operating in a marked patrol car.

While working this shift, Zainc states he observed what he believed to be a hand to hand narcotics transaction between an unidentified individual and the operator of an orange Dodge Charger. At that time he recognized the operator of the Dodge to be Roznovsky Machado. He is known by Zainc to illegally distribute heroin, fentanyl, crack cocaine and is known to have a suspended driver's in the State of Connecticut. He observed Machado turn onto Maple Street and then an immediate right onto the Route 8 North bound on ramp where he initiated a vehicle stop.

Zainc approached the vehicle and engaged in conversation with Machado who was not able to provide a license or paperwork for the vehicle. Based on the conversation with Machado and his displayed demeanor, Zainc believed that Machado would attempt to flee the scene and shared that belief with Sergeant Kehoss who had arrived to back him up.

Zainc writes, "Based on Machado's criminal history, the observed hand to hand transaction of illegal narcotics, leading this Detective to believe that there is evidence of the crime in the vehicle, Sergeant Kehoss positioned his vehicle in front of Machado's vehicle in an attempt to deter him from fleeing. Machado put his vehicle in reverse, backed up, abruptly pulled forward striking Sergeant Kehoss' cruiser. As a result of the collision caused by Machado, Sergeant Kehoss' police cruiser was pushed in a manner that caused him to be struck by his own cruiser. In one fluid motion Machado's vehicle continued in the direction of Sergeant Kehoss. At this time, I heard gun fire and determined Sergeant Kehoss was engaging the vehicle. I didn't draw my weapon to the engage the vehicle because it was driving away from my position and the vehicle was positioned directly between me and Sergeant Kehoss, putting Sergeant Kehoss in my line of fire. Machado's vehicle was observed swerving of the left side of the ramp, just missing Sergeant Kehoss by a small margin, and proceeded to travel at a high rate of speed across the dirt and gravel through the pillars under the highway".

Kevin Zainc's written statement is attached to this report.

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT: I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1) MY PERSONAL OBSERVATION AND KNOWLEDGE; OR (2) INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT; OR (3) INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.			
INVESTIGATOR SIGNATURE: /DET WILLIAM A FLYNN/	INVESTIGATOR I.D.#: 0644	REPORT DATE: 10/08/2020-03:00, pm	
SUPERVISOR SIGNATURE: /SGT JOSEF M DUVA/	SUPERVISOR I.D.#: 0252	/SGT JOSEF M DUVA/	



Attachments:

Detective Kevin Zainc's written statement: this document (5 pages) was completed and submitted to the Major Crime Tab in LEAS and is referenced under 2000401105-00240899.

CASE STATUS: Case Active

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT: I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1)MY PERSONAL OBSERVATION AND KNOWLEDGE: OR (2)INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT:OR (3)INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.

INVESTIGATOR SIGNATURE: /DET WILLIAM A FLYNN/	INVESTIGATOR I.D.#: 0644	REPORT DATE: 10/08/2020 03:00 pm	
SUPERVISOR SIGNATURE: /SGT JOSEF M DUVA/	SUPERVISOR I.D.#: 0252		

Naugatuck Police Department

STATEMENT

Date: 10/08/2020	Time Started: 08:58	Time Ended: 09:00 00:00	CFS #: 2000024719
Location: 211 Spring Street		Statement taken by: ZAINC, KEVIN E.	

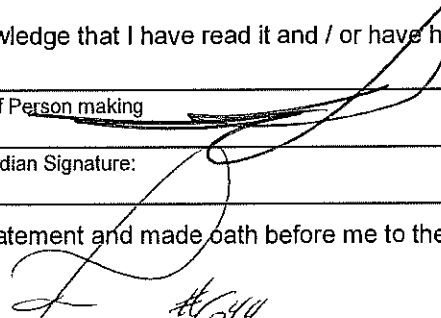
I, Kevin Zainc Date Of Birth: 07/28/1979
of Naugatuck P.D. Town/City: Naugatuck, CT

I, make the following statement, without fear, threat or promise, knowing that it may be used against me in Court. I have been advised of my right to remain silent, that I have a right to consult with an attorney prior to any questioning and to have the attorney present during the questioning, that if I do talk to the police, I can terminate the questioning at any time, that if I cannot afford an attorney, one will be appointed for me by the Court. I understand the above Rights and, at this time, waive them. I have been advised that any statement(s) made herein which I do not believe to be true and which statement is intended to mislead a public servant in the performance of his/her official function, is a crime under C.G.S. Section 53a-157.


I, Detective Zainc, have been a member of the Naugatuck Police Department since May 13, 2005 and have not been employed by any other police departments. I was assigned to the Detective Bureau on January 1, 2013 where I conducted many narcotics investigations. Furthermore, I was assigned to a federal task force with the Drug Enforcement Administration (DEA) in September of 2018, where I am still currently assigned. My position is generally a plain clothes assignment and I am responsible for both overt and undercover narcotic investigations. Prior to being assigned to the Detective Bureau, I was a canine handler working with a dog trained solely in narcotics detection. On the evening of September 14, 2020, I was working overtime covering the patrol shift.

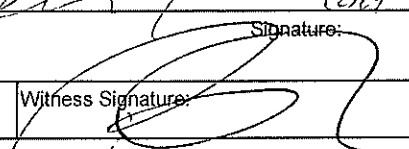
I was wearing my regulation police patrol uniform, consisting of BDU style uniform shirt and pants, with standard Naugatuck Police Department patches on each shoulder. I was wearing an external bulletproof vest carrier designed to look like a uniform shirt that has a cloth style silver Patrolman's badge sewn on the left side, with my name on the right; clearly displayed. I was wearing a standard issue canvas police duty belt with several pieces of equipment including my department Sig Sauer firearm, magazine holder, a yellow Taser, my portable radio, pepper spray, a baton, flashlight, disposable glove pouch, and handcuffs. I was on routine patrol at the time in the downtown area operating patrol vehicle number 3, which is a marked black and white patrol vehicle, clearly lettered as a Naugatuck Police patrol car and equipped with flashing red and blue lights and a siren.

By affixing my signature to this statement, I acknowledge that I have read it and / or have had it read to me and it is true to the best of my knowledge & belief.

Name of Person making Statement: <u>Detective Zainc</u>	Signature of Person making Statement: 	Date: <u>10/08/2020</u>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By:  #6644
Name: _____ Signature: _____ Date Signed: _____

Witness Name: <u>Atty Harold J. Pellegrino JR</u>	Witness Signature: 	Date: <u>10/8/20</u>
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Naugatuck Police Department

STATEMENT

Statement of Kevin Zainc (Cont.)

CFS #: 2000024719

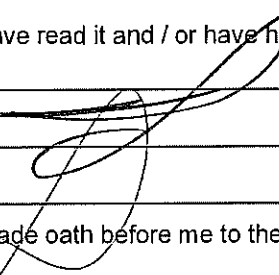
On 09/14/2020 at approximately 2004 hours I was monitoring traffic on the exit 27 off ramp off of Route 8 South. I observed an orange 2019 Dodge Charger bearing OH registration HQJ-2680, traveling South on the exit ramp. The vehicle was being operated by a male known to this Detective as Roznovsky Machado D.O.B. 12/18/1995. Machado was the sole occupant of the vehicle. Machado is known to reside at 22 Division Street First Floor in Waterbury, CT. Machado is known to this Detective to illegally distribute heroin, fentanyl, and crack cocaine. Machado is known to have eight pending criminal cases dating back to 2017, consisting of illegal sale of narcotics, illegal possession of a firearm, running from the police, interfering/resisting, probation violations, burglary, and larceny. Machado is also known to this Detective to have a suspended driver's license in the State of Connecticut.

At this time, the above described vehicle made a left turn onto Maple Street and another immediate left turn onto Oak Street. I observed the vehicle travel North on Oak Street toward High Street. The vehicle turned around and parked on the Street facing South in the area of 66 Oak Street. I observed an individual approach the driver's side of the vehicle and, based on my training and experience, conducted what appeared to be a hand to hand narcotics sale transaction with Machado. The interaction between Machado and the unidentified individual was brief, which is also indicative of a hand to hand transaction involving illegal narcotics.

At the completion of the transaction, the above described vehicle traveled South on Oak Street toward Maple Street. The vehicle made a right turn onto Maple Street and another immediate right turn onto the Maple Street on ramp to Route 8 North.

Based on the above-mentioned facts and circumstances, I activated my overhead lights and audible siren. The vehicle pulled to the right side of the on ramp. I immediately requested a second patrol unit due to my knowledge of Machado's criminal history and observation of what I believed to be an illegal narcotics transaction. Prior to approaching the vehicle, I observed Machado moving all over the interior of the vehicle. Machado was observed leaning over toward the front passenger seat and he was bent over enough that I could only see the top of his head through the rear window. The motion I observed, based on my training and experience, was consistent with an individual attempting to conceal illegal contraband or a

By affixing my signature to this statement, I acknowledge that I have read it and / or have had it read to me and it is true to the best of my knowledge & belief.

Name of Person making Statement: <i>Detective Zainc</i>	Signature of Person making Statement: 	Date: <i>10/03/2020</i>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By: *Det Zainc #614*

Name: _____ Signature: _____ Date Signed: _____

Witness Name: <i>Atty General J. Regan Jr</i>	Witness Signature: 	Date: <i>10/8/20</i>
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Naugatuck Police Department

STATEMENT

Statement of Kevin Zainc (Cont.)

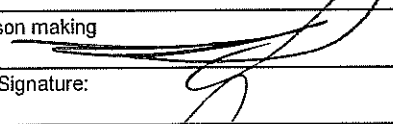
CFS #: 2000024719

weapon underneath the passenger front seat.

At this time, I approached the passenger side of the vehicle. I requested Machado's driver's license, registration, and insurance card. Machado stated he doesn't have a driver's license. I asked Machado if he has any identification on him and he said, "no". I asked Machado if he has ever had an identification or driver's license issued to him in the State of Connecticut and he said, "yes". I asked Machado for his name and date of birth, which he provided. I asked Machado for his registration and insurance card. Machado stated the vehicle is a rental and it's in his mother's name. I asked Machado for the rental agreement paperwork, but he was unable to locate the paperwork. Machado inquired as to why he was stopped, and I advised him of the hand to hand transaction I observed between himself and another individual. Machado denied there was a hand to hand transaction. Machado's demeanor changed at this time and I believed he would attempt to flee the scene.

During my conversation with Machado, Sergeant Kehoss, arrived on scene. Sergeant Kehoss was operating the patrol sergeant's vehicle, which is a marked patrol car very similar to the vehicle I was driving. Sergeant Kehoss was also wearing a standard patrol uniform very similar to the uniform I was wearing. Sergeant Kehoss and I walked away from Machado's vehicle and had a brief discussion regarding my concerns that Machado may attempt to flee. Based on Machado's criminal history, the observed hand to hand transaction of illegal narcotics, leading this Detective to believe there is evidence of the crime in the vehicle, Sergeant Kehoss positioned his vehicle in front of Machado's vehicle in an attempt to deter him from fleeing. Machado put his vehicle in reverse, backed up, abruptly pulled forward striking Sergeant Kehoss' cruiser. As a result of the collision caused by Machado, Sergeant Kehoss' police cruiser was pushed in a manner that caused him to be struck by his own cruiser. In one fluid motion Machado's vehicle continued in the direction of Sergeant Kehoss. At this time, I heard gun fire and determined Sergeant Kehoss was engaging the vehicle. I didn't draw my weapon to engage the vehicle because it was driving away from my position and the vehicle was positioned directly between me and Sergeant Kehoss, putting Sergeant Kehoss in my line of fire. Machado's vehicle was observed swerving off the left side of the on ramp, just missing Sergeant Kehoss by a small margin, and proceeded to travel at a high rate of speed across the dirt and gravel through the pillars under the highway. I observed the vehicle re-enter the on ramp ahead.

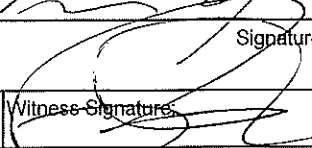
By affixing my signature to this statement, I acknowledge that I have read it and / or have had it read to me and it is true to the best of my knowledge & belief.

Name of Person making Statement: <i>Detective Zainc</i>	Signature of Person making Statement: 	Date: <i>10/08/2020</i>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By:  #644

Name: _____ Signature: _____ Date Signed: _____

Witness Name: <i>Atty General J. Resnik FR</i>	Witness Signature: 	Date: <i>10/8/20</i>
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Naugatuck Police Department

STATEMENT

Statement of Kevin Zainc (Cont.)

CFS #: 2000024719


At this time, I entered my police cruiser and began to pursue Machado's vehicle, which proceeded onto Route 8 North toward Waterbury. Machado was traveling in excess of 100 mph and I was unable to keep up with his vehicle. I last observed Machado on the off ramp from Route 8 North to Interstate 84 East. I was unable to regain a visual of the vehicle.

At this time Members of the Naugatuck Police Department and members of the Waterbury Police Department met at the Brass Mill Mall prior to approaching Machado's residence. Following the brief, all units relocated to 22 Division Street First Floor, Waterbury, CT. Upon arrival Machado's vehicle wasn't present at the address. I made contact with Machado's mother, who identified herself as Sugeily Rivera D.O.B. 06/05/1976. Rivera was positively identified by the use of her Connecticut driver's license. I advised Rivera we were looking for Machado. Rivera stated Machado wasn't currently home, but she did see him earlier in the day. I asked Rivera what her relation is to Machado and she confirmed she is his mother. I asked Rivera if we could search her residence for Machado, which she agreed. A search was conducted of the residence and confirmed Machado wasn't present. I asked Rivera what vehicle her son was driving when he left the house and she said, "an orange car". I asked Rivera if she rented the vehicle for Machado and she said, "yes".

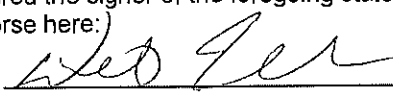
At this time, dispatcher Desmarais requested an emergency ping through T-Mobile pertaining to Machado's cell phone number {203-928-0065}. The ping was activated on 09/14/2020 at 2203 hours. The pings showed that Machado's cell phone was still in Waterbury, but the accuracy of the pings were approximately 1000 meters. Members of the Naugatuck Police Department and members of the Waterbury Police Department canvassed the areas of the pings in search of Machado and his vehicle, but neither were observed.

At approximately 1948 hours I received a ping showing Machado's phone was in the area of Queen Street, Southington, CT, just off of Interstate 84. Based on this information it was believed Machado was possibly traveling on Interstate 84 East away from Waterbury. At approximately 2003 hours I received a ping showing Machado's phone was in the area of Norden Street, New Britain, CT. The remaining pings for the night would show in this geographical area of New Britain. Based on this information members of

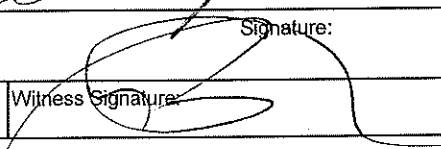
By affixing my signature to this statement, I acknowledge that I have read it and / or have had it read to me and it is true to the best of my knowledge & belief.

Name of Person making Statement: <i>Detective Zainc</i>	Signature of Person making Statement: 	Date: <i>10/08/2020</i>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By:  #014

Name: _____ Signature: _____ Date Signed: _____

Witness Name: <i>Atty General J. P. Gliscie Jr</i>	Witness Signature: 	Date: <i>10/8/20</i>
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Naugatuck Police Department

STATEMENT

Statement of Kevin Zainc (Cont.) CFS #: 2000024719

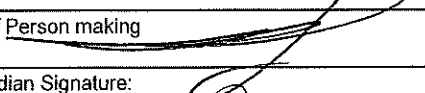
the Naugatuck Police Department Detective Bureau relocated to the area in search of Machado and/or his vehicle, but neither were located.

On 09/15/2020, Machado's vehicle, the orange 2019 Dodge Charger bearing OH registration HQJ-2680, was located behind the residence of 41 Vine Street in Waterbury, but Machado still hadn't been apprehended.

As a result of being struck by the cruiser, Sergeant Kehoss incurred minor injuries in the form of pain and heavy bruising to his left side and was transported to Saint Mary's hospital for evaluation. Sergeant Kehoss was treated for his injuries and released.

Based on the above mentioned facts and circumstances, this Detective applied for an arrest warrant to be issued for Roznovsky Antonio Machado (DOB 12/18/95) in violation of Criminal Attempt at Assault in the First Degree {CGS 53a-59}, Assault in the Second Degree {CGS 53a-60}, Reckless Endangerment in the First Degree {CGS 53a-63}, Engaging Police in Pursuit {CGS 14-283(b)4 and Evading Responsibility as stated in {CGS 14-224(b)(2)} and Operating a Motor Vehicle While Driver's License Suspended as stated in {CGS 21a-215(a)}. The arrest warrant was later issued, and Machado was subsequently arrested several days later.

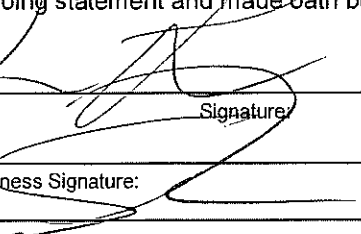
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Name of Person making Statement: <i>Detective Zainc</i>	Signature of Person making Statement: 	Date: <i>10/08/2020</i>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By:  #6114

Name: _____ Signature: _____ Date Signed: _____

Witness Name: <i>Atty. General J. Regalia Jr.</i>	Witness Signature: 	Date: <i>10/8/20</i>
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**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-302-E) (REVISED 2/3/06)**

Report Type: Report #: 2000401105 - 00237890

Initial Report: Prosecutors Report: Supplement: Re-open: Assist: Closing:

Attachments:

Statements: Teletype: Photos: Sketchmap: Evidence: Other:

CFS NO 2000401105	INCIDENT DATE 09/15/2020	TIME 00:02	INCIDENT DATE 09/15/2020	TIME	PRIMARY OFFICER FLYNN, WILLIAM A.	BADGE NO 0644
INVESTIGATING OFFICER FLYNN, WILLIAM A.		BADGE NO 0644	TYPE OF EXCEPTIONAL CLEARANCE Not Applicable		CASE STATUS Active	
INCIDENT ADDRESS 00000 Exit 27 Rt 8 N Naugatuck 06770					APARTMENT NO	TOWN CD T088

STATEMENT OF NICHOLAS KEHOSS (Police Officer)

Interviewee:

Nicholas Kehoss, DOB 06/12/87
211 Spring Street
Naugatuck CT.

Location:

The written statement was obtained in a conference room at the Naugatuck Police Department located at 211 Spring Street in the Town of Naugatuck. The statement review began on 09/18/20 at approximately 1513 hours and ended on 09/18/20 at approximately 1535 hours. Present for this review was his union attorney Ronald Pugliese.

Written Statement:

Nicholas Kehoss had, before this meeting, prepared a written account of the events of September 14, 2020 with the assistance of his union attorney Ronald Pugliese.

After reviewing the prepared statement, I asked Kehoss if there was anything that he wished to add. Kehoss stated that he did not.

Kehoss then swore to the truthfulness and accuracy of the statement and signed the document. Attorney Pugliese then signed the document as a witness.

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT: I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1) MY PERSONAL OBSERVATION AND KNOWLEDGE; OR (2) INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT; OR (3) INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.			
INVESTIGATOR SIGNATURE: /DET WILLIAM A FLYNN/	INVESTIGATOR I.D.#: 0644	REPORT DATE: 10/02/2020 11:23 am	
SUPERVISOR SIGNATURE: /SGT JOSEF M DUVA/	SUPERVISOR I.D.#: 0252		



**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-302-E) (REVISED 2/3/06)**

Nicholas Kehoss' statement relates the following:

"I, Sergeant Nicholas Kehoss, have been a member of the Naugatuck Police Department since August 27, 2010 and have not been employed by any other police departments. I was promoted to the rank of Sergeant in June of 2019. In addition to my supervisory duties, I am the supervisor of the traffic unit and the Field Training Officer (FTO) program coordinator.

On September 14th, 2020 at approximately 2004 hours I was working as the patrol shift supervisor. I was wearing my regulation police uniform, consisting of BDU style uniform shirt and pants, with the standard Naugatuck Police Department patches on each shoulder. I have a cloth style gold Sergeant's badge sewn on the left side of my uniform shirt; clearly displayed. I was wearing a standard issue canvas police duty belt with several pieces of equipment including my department Sig Sauer firearm, magazine holder, a yellow Taser, my portable radio, pepper spray, a baton, flashlight, tourniquet, disposable glove pouch and handcuffs. I was on routine patrol at the time in the area of Elm Street operating the Sergeant's patrol vehicle, which is a marked black and white vehicle, clearly lettered as a Naugatuck Police patrol car and equipped with lights and siren.

Detective Zainc, who was working patrol overtime, radioed that he had stopped a vehicle on the Maple Street onramp to Route 8 North. Detective Zainc radioed his location and the vehicle's license plate. The vehicle matched the information associated with the plate given; which came back to a 2019 Dodge Charger with Ohio registration HQJ268. Dispatch advised that the vehicle was registered to "EAN Holdings," which I know from experience as an "Enterprise" rental vehicle.

Detective Zainc is member of the department's Detective Bureau, which is normally a plain clothes assignment. However, this night he was working patrol overtime in a standard police uniform, very similar to the uniform I was wearing as described above. Detective Zainc was also operating a marked patrol car, Car #3, which is a black and white police patrol unit lettered and equipped similarly to the patrol car I was operating described above.

Detective Zainc radioed for an additional unit to assist him on this stop, so I responded to that location with the flow of traffic to assist and provide backup. Detective Zainc is a member of the D.E.A. (Drug Enforcement Agency) task force, and that coupled with him stopping a rental vehicle, which I know from experience to be a common method of transportation for individuals trafficking narcotics, made me believe he was investigating drug activity.

I arrived and parked behind Detective Zainc's patrol vehicle, which was directly behind the Dodge Charger. Detective Zainc had activated the overhead lights and illuminated the suspect vehicle with his patrol vehicle takedowns and spotlight. When I approached, by walking along the passenger side of Detective Zainc's cruiser, Detective Zainc was at the passenger side of the vehicle, speaking to the operator. I approached and stood behind the Dodge Charger, watching the operator. Additionally, I used my

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INVESTIGATOR SIGNATURE: /DET WILLIAM A FLYNN/	INVESTIGATOR I.D.#: 0644	REPORT DATE: 10/02/2020 11:23 am	
SUPERVISOR SIGNATURE: /SGT JOSEF M DUVA/	SUPERVISOR I.D.#: 0252	/SGT	



**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-302-E) (REVISED 2/3/06)**

hand held flashlight to provide additional illumination of the interior of the vehicle and the operator. From where I was standing, I could smell a strong odor of burned marijuana, which seemed to be coming from the Dodge, as there were no other vehicles stopped. The operator appeared to be nervous and was holding his cell phone in one hand, and looking around the vehicle for paperwork. Detective Zainc appeared to be attempting to determine the operator's name, but the operator did not seem to be very cooperative. I later learned the operator was identified as Roznovsky Machado (12/18/1995). I could hear Detective Zainc informing Machado why he was stopped. I heard Detective Zainc explain to Machado that he observed some suspicious activity that looked like Machado was making a "hand to hand" transaction. Machado denied such activity.

After gathering the available information from Machado, Detective Zainc returned to his patrol Vehicle.

Based on what he observed, and the body language Machado was displaying, Detective Zainc believed that Machado was probably going to "take off". After a brief discussion on how to avoid this, I stated to Detective Zainc that I should block him in to prevent him from fleeing. This would allow us to continue our investigation in a safe manner. Detective Zainc agreed and I returned to my patrol vehicle.

I then pulled my patrol vehicle in front of Machado's vehicle, angled to the right, across the front of the Dodge's front bumper. I positioned my vehicle so that my passenger side was approximately two to three feet from the front bumper of Machado's front bumper. I opened my driver's side door, with intentions of assisting Detective Zainc with having Machado exit his vehicle. As I closed my vehicle's door, I could hear Detective Zainc yelling "Don't do it, don't do it," which prompted me to unholster my department issued handgun. I did not immediately know what was happening on the other side of my vehicle. Machado could have been displaying a handgun, about to run on foot, or engaging Detective Zainc in an altercation.

As I walked to the rear of my vehicle, to round the back of it and see what was happening, I heard tires screeching on the pavement. I was then struck by the driver's side rear quarter panel of my patrol vehicle. Machado had rammed my vehicle on the passenger side, causing it to strike me. The force of the impact caused me to be knocked to the ground, landing in the middle of the highway onramp. As this happened, I was looking right at the grill of the Dodge, which was coming right at me. I believed I was about to be run over and killed by the fleeing vehicle. I fired one round from my handgun in the direction of Machado's oncoming vehicle as I was falling backwards and fired again while in a semi seated position, bracing the impact of the pavement with my left arm and elbow and firing with my right hand. I do not recall how many rounds I fired. Once I felt that the threat of the vehicle striking me had passed, I stopped firing. I believe I struck the windshield of the vehicle with at least one round.

Machado was able to get back on the roadway and accelerate onto Route 8 North. I radioed "shots fired" and Machado's direction of travel. Detective Zainc and I got back to our patrol vehicles and attempted to stop Machado. Detective Zainc was the lead vehicle with me as the secondary unit. Detective Zainc was

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SUPERVISOR SIGNATURE: /SGT JOSEF M DUVA/	SUPERVISOR I.D.#: 0252		



**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-302-E) (REVISED 2/3/06)**

able to observe the vehicle enter Waterbury on Route 8. I believe he lost sight of the vehicle in the area of the Interstate 84 interchange. I traveled onto I84 East, but exited at exit 23, Hamilton Avenue and checked the area. Detective Zainc continued on I84 East. We were not able to locate Machado or his vehicle at that time.

I suffered minor injuries when I was knocked to the ground. I suffered scrapes and bruises to my left forearm and elbow and significant bruising and swelling to my left hip and thigh area. I was evaluated by Naugatuck EMS at Police Headquarters and transported to St. Mary's Hospital by Officer Faticoni for treatment.

The patrol vehicle I was operating sustained damage to the passenger side from the impact with Machado's vehicle. The rear driver's side of my patrol car suffered damage from impacting my body.

The Route 8 North onramp was secured as a crime scene. The chain of command was notified of this incident and the Detective Bureau and the Connecticut State Police arrived to investigate further.

The incident was captured on my body worn camera and the footage was properly tagged and stored. This concludes my involvement in this incident."

Nicholas Kehoss' written statement is attached to this report.

Attachments:

Sgt. Nicholas Kehoss' written statement: this document (4 pages) was completed and submitted to the Major Crime Tab in LEAS and is referenced under 2000401105-00240899.

CASE STATUS: Case Active

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT: I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1)MY PERSONAL OBSERVATION AND KNOWLEDGE; OR (2)INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT;OR (3)INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.

INVESTIGATOR SIGNATURE: /DET WILLIAM A FLYNN/	INVESTIGATOR I.D.#: 0644	REPORT DATE: 10/02/2020 11:23 am	
SUPERVISOR SIGNATURE: /SGT JOSEF M DUVA/	SUPERVISOR I.D.#: 0252		

Naugatuck Police Department

STATEMENT

Date: 09/18/2020	Time Started: 15:13	Time Ended: 00:00	CFS #: 2000024719
Location: Police HQ		Statement taken by: KEHOSS, NICHOLAS	

I, Nicholas Kehoss Date Of Birth: 06/12/1987
of 211 SPRING ST Town/City: NAUGATUCK CT

I, make the following statement, without fear, threat or promise, knowing that it may be used against me in Court. I have been advised of my right to remain silent, that I have a right to consult with an attorney prior to any questioning and to have the attorney present during the questioning, that if I do talk to the police, I can terminate the questioning at any time, that if I cannot afford an attorney, one will be appointed for me by the Court. I understand the above Rights and, at this time, waive them. I have been advised that any statement(s) made herein which I do not believe to be true and which statement is intended to mislead a public servant in the performance of his/her official function, is a crime under C.G.S. Section 53a-157.

I, Sergeant Nicholas Kehoss, have been a member of the Naugatuck Police Department since August 27, 2010 and have not been employed by any other police departments. I was promoted to the rank of Sergeant in June of 2019. In addition to my supervisory duties, I am the supervisor of the traffic unit and the Field Training Officer (FTO) program coordinator.

On September 14th, 2020 at approximately 2004 hours I was working as the Patrol shift supervisor. I was wearing my regulation police uniform, consisting of BDU style uniform shirt and pants, with standard Naugatuck Police Department patches on each shoulder. I have a cloth style gold Sergeant's badge sewn on the left side of my uniform shirt; clearly displayed. I was wearing a standard issue canvas police duty belt with several pieces of equipment including my department Sig Sauer firearm, magazine holder, a yellow Taser, my portable radio, pepper spray, a baton, flashlight, tourniquet, disposable glove pouch, and handcuffs. I was on routine patrol at the time in the area of Elm Street operating the Sergeant's patrol vehicle, which is a marked black and white patrol vehicle, clearly lettered as a Naugatuck Police patrol car and equipped with lights and siren.

Detective Zainc, who was working patrol overtime, radioed that he had stopped a vehicle on the Maple Street onramp to Route 8 North. Detective Zainc radioed his location and the vehicle's license plate. The vehicle matched the information associated with the plate given; which came back to a 2019 Dodge Charger with Ohio registration HQJ268. Dispatch advised that vehicle was registered to "EAN Holdings,"

By affixing my signature to this statement, I acknowledge that I have read it and / or have had it read to me and it is true to the best of my knowledge & belief.

Name of Person making Statement: <i>Nicholas Kehoss</i>	Signature of Person making Statement: <i>[Signature]</i>	Date: <i>9-18-20</i>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By: *Notarized* #644 *9/18/20*
Name: _____ Signature: _____ Date Signed: _____

Witness Name: <i>Atty. General Pignone</i>	Witness Signature: <i>[Signature]</i>	Date: <i>9/18/20</i>
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Naugatuck Police Department

STATEMENT

Statement of Nicholas Kehoss (Cont.)

CFS #: 2000024719

which I know from experience is an "Enterprise" rental vehicle.

Detective Zainc is a member of the department's Detective Bureau, which is normally a plain clothes assignment. However, this night he was working patrol overtime in a standard police uniform, very similar to the uniform I was wearing as described above. Detective Zainc was also operating a marked patrol car, Car #3, which is a black and white police patrol unit lettered and equipped similarly to the patrol car I was operating described above.

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I arrived and parked behind Detective Zainc's patrol vehicle, which was directly behind the Dodge Charger. Detective Zainc had activated the overhead lights and illuminated the suspect vehicle with his patrol vehicle takedown and spotlight. When I approached, by walking along the passenger side of Detective Zainc's cruiser, Detective Zainc was at the passenger side of the vehicle, speaking to the operator. I approached and stood behind the Dodge Charger, watching the operator. Additionally, I used my hand held flashlight to provide additional illumination of the interior of the vehicle and the operator. From where I was standing, I could smell a strong odor of burned marijuana, which seemed to be coming from the Dodge, as there were no other vehicles stopped. The operator appeared to be nervous and was holding his cell phone in one hand, looking around the vehicle for paperwork. Detective Zainc appeared to be attempting to determine the operators' name, but the operator did not seem to be being very cooperative. I later learned the operator was identified as Roznovsky Machado (12/18/1995). I could hear Detective Zainc informing Machado why he was stopped. I heard Detective Zainc explain to Machado that he had observed some suspicious activity that looked like Machado was making a "hand to hand" transaction. Machado denied such activity.

After gathering the available information from Machado, Detective Zainc returned to his patrol vehicle.

By affixing my signature to this statement, I acknowledge that I have read it and / or have had it read to me and it is true to the best of my knowledge & belief.

Name of Person making Statement: <i>Nicholas Kehoss</i>	Signature of Person making Statement: <i>[Signature]</i>	Date: <i>9-18-20</i>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By: *[Signature]* Name: _____ Signature: _____ Date Signed: *9/18/20*

Witness Name: <i>Atty. Joseph Pugliese</i>	Witness Signature: <i>[Signature]</i>	Date: <i>9/18/20</i>
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Naugatuck Police Department

STATEMENT

Statement of Nicholas Kehoss (Cont.) CFS #: 2000024719

Based on what he observed, and the body language Machado was displaying, Detective Zainc believed that Machado was probably going to "take off." After a brief discussion on how to avoid this, I stated to Detective Zainc that I should block him in to prevent him from fleeing. This would allow us to continue our investigation in a safe manner. Detective Zainc agreed and I returned to my patrol vehicle.

I then pulled my patrol vehicle in front of Machado's vehicle, angled to the right, across the front of the Dodge's front bumper. I positioned my vehicle so that my passenger side was approximately two to three feet from the front bumper of Machado's front bumper. I opened my driver's side door, with intentions of assisting Detective Zainc with having Machado exit his vehicle. As I closed my vehicle's door, I could hear Detective Zainc yelling "Don't do it, don't do it," which prompted me to unholster my department issued handgun. I did not immediately know what was happening on the other side of my vehicle. Machado could have been displaying a handgun, about to run on foot, or engaging Detective Zainc in an altercation.

As I walked to the rear of my vehicle, to round the back of it and see what was happening, I heard tires screeching on the pavement. I was then struck by the driver's side rear quarter panel of my patrol vehicle. Machado had rammed my vehicle on the passenger side, causing it to strike me. The force of the impact caused me to be knocked to the ground, landing in the middle of the highway onramp. As this happened, I was looking right at the grill of the Dodge, which was coming right at me. I believed I was about to be run over and killed by the fleeing vehicle. I fired one round from my handgun in the direction of Machado's oncoming vehicle as I was falling backwards and fired again while in a semi seated position, bracing the impact of the pavement with my left arm and elbow and firing with my right hand. I do not recall how many rounds I fired. Once I felt that the threat of the vehicle striking me had passed, I stopped firing. I believe I struck the windshield of the vehicle with at least one round.

Machado was able to get back onto the roadway and accelerate onto Route 8 North. I radioed "shots fired" and Machado's direction of travel. Detective Zainc and I got back into our patrol vehicles and attempted to stop Machado. Detective Zainc was the lead vehicle with me as the secondary unit. Detective Zainc was able to observe the vehicle enter Waterbury on Route 8. I believe he lost sight of the vehicle in the area of the Interstate 84 interchange. I traveled onto I84 East, but exited at exit 23, Hamilton Avenue and checked the area. Detective Zainc continued on I84 East. We were not able to locate

By affixing my signature to this statement, I acknowledge that I have read it and / or have had it read to me and it is true to the best of my knowledge & belief.

Name of Person making Statement: <i>Nick Kehoss</i>	Signature of Person making Statement: <i>[Signature]</i>	Date: <i>9-18-20</i>
Parent/Guardian Name:	Parent/Guardian Signature:	Date:

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein. If notarized, endorse here:

Oath Taken By: *[Signature]* # *1244* Date Signed: *9/18/20*

Name: _____ Signature: _____ Date Signed: _____

Witness Name: <i>[Signature]</i> <i>Fougel Pugliese</i>	Witness Signature: <i>[Signature]</i>	Date: <i>9/18/20</i>
--	--	----------------------

