

State of Connecticut
OFFICE OF INSPECTOR GENERAL



Report Concerning the Use of Deadly Force by the Bridgeport Police Department
On February 4, 2024, Resulting in the Death of Jonathan Mark Lewis Bell

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Inspector General

TABLE OF CONTENTS

INTRODUCTION	4
INVESTIGATION.....	5
STATEMENTS	5
SCENE	16
FIREARMS EVIDENCE.....	27
DIGITAL EVIDENCE.....	31
AUTOPSY	34
CONFIDENTIAL INFORMANT	35
FINDINGS	36
LEGAL STANDARD	38
ANALYSIS.....	41
CONCLUSION	45

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Bridgeport Police Department

Ansonia Police Department

*Department of Emergency Services and Public Protection, Connecticut State Police Central
District Major Crime Squad*

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Office of the Chief Medical Examiner

INTRODUCTION

On February 4, 2024, at approximately 5:00 p.m. at or near 265 Division Street, Ansonia Connecticut, Bridgeport Police Officers Matthew Hoffman¹, Wilberto Rivera-Colon², and Sergeant Christopher Robinson³ fatally shot Jonathan Mark Lewis Bell. As required by statute⁴, the Office of Inspector General (OIG) investigated this officer-involved shooting. The results of the investigation are contained in this report.

The investigation establishes that on February 4, 2024, members of the Bridgeport Police Department Tactical Narcotics Team (TNT) had information from a confidential informant (CI) that an individual identified only as “JB” was a narcotics dealer who was always in possession of a gun. At approximately 4:15 p.m., the CI notified Officer Matthew Hoffman that JB was coming to the CI’s residence. TNT officers initiated an operations plan to conduct a motor vehicle stop of JB whom the CI stated was operating a silver/grey Mercedes-Benz SUV. The CI notified Officer Hoffman of JB’s arrival. Officer Hoffman asked the CI if the CI had seen a gun, and the CI stated that the gun was in JB’s “waist strap.”

Officers positioned in the area observed the Mercedes traveling westbound on Grand Street, Bridgeport. When the vehicle turned onto Oakview Circle, Officer Hoffman activated the lights and sirens on his police cruiser in order to conduct a motor vehicle stop. The operator, later identified as Jonathan Mark Lewis Bell, ignored the lights and sirens and entered a parking lot and then drove through the backyard of an apartment building and back into traffic. The Mercedes then proceeded through Bridgeport city streets and onto Route 8 northbound with police in pursuit. The pursuit proceeded through five towns and ended when the Mercedes crashed into a house at 265 Division Street, Ansonia.

Officer Hoffman and Officer Luis Ortiz were in the lead pursuing police vehicle. When the Mercedes crashed, Officer Hoffman’s cruiser struck the Mercedes’ driver’s door. The Mercedes initially tried to back away from the house but was blocked by Sergeant Christopher Robinson’s police vehicle. Officer Wilberto Rivera-Colon arrived on scene moments later. The

¹ On February 4, 2024, Matthew Hoffman was a 35-year-old Caucasian male. He had been a Bridgeport police officer for 4 years nine months. He had no disciplinary history.

² On February 4, 2024, Wilberto Rivera-Colon was a 34-year-old Hispanic male. He had been a Bridgeport police officer for 3 years four months. He had no disciplinary history.

³ On February 4, 2024, Christopher Robinson was a 49-year-old year old Caucasian male. He had been a Bridgeport police officer for 25 years four months. He had no disciplinary history.

⁴ As relevant here, General Statutes §51-277a(a)(1) provides: “Whenever a peace officer, in the performance of such officer’s duties, uses physical force upon another person and such person dies as a result thereof or uses deadly force, as defined in section 53a-3, 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 force by the peace officer was justifiable under section 53a-22.”

officers took positions around the Mercedes and directed the occupants to show their hands. Officer Hoffman was near the driver's side window and Officer Rivera went to the passenger side. A woman in the passenger seat, later identified as Bell's girlfriend, was holding her hands up and appeared to be afraid. In order to distract Bell, Sergeant Robinson broke the Mercedes' front and rear driver's side windows. Bell then smashed out the shattered glass with his hand. Bell appeared to have a crack pipe in his mouth. Officer Rivera-Colon then opened the passenger door and pulled Bell's girlfriend out of the Mercedes. At this time, Bell quickly moved to his right toward the passenger seat. Officer Hoffman, believing that Bell was reaching for a gun, fired his gun one-time striking Bell. Officer Rivera-Colon misinterpreted Officer Hoffman's shot as coming from Bell and returned fire. Hearing gunshots, Sergeant Robinson assumed that Bell was firing at police and fired into the Mercedes. Both Officers Hoffman and Rivera-Colon fired additional times.

Following the shooting, Bell was pulled from the car. He had sustained multiple gunshot wounds. Police searched him but did not find a gun. No gun was found in the front seat area of the Mercedes or on Bell's girlfriend.⁵ At the time that he was fatally shot, Bell was unarmed.

The investigation has determined that the police tactics in several respects were flawed, and the justifiability of the shooting is questionable, but there is insufficient evidence to support a criminal prosecution.

INVESTIGATION

Statements

Officer Matthew Hoffman

Officer Matthew Hoffman provided the OIG with a signed sworn statement dated April 10, 2024. The statement may be summarized as follows:

On February 4, 2024, Officer Hoffman was assigned to the Bridgeport Police Department Tactical Narcotics Team (TNT). He received information from a confidential informant (CI) that a narcotics dealer nicknamed "JB" was enroute to the area of Oak Street and Grand Street in Bridgeport to conduct a narcotics transaction. In his statement, Officer Hoffman indicated that the CI had previously provided information that was credible and reliable that had resulted in the seizure of contraband and the arrest of narcotics dealers.

⁵ A pellet rifle was located in the back cargo area of the SUV and two pellet pistols was recovered from the spare tire well. None of these items were accessible to Bell at the time he was shot.

The CI told Officer Hoffman that JB “is always in possession of a firearm” and that the CI has witnessed JB in possession of a firearm every time he has met him in the past. The CI also indicated that JB was involved in recent armed robberies and a shooting on Park Avenue. Based on this, officers considered JB to be armed and dangerous.

Using the information from the CI, TNT officers initiated an operations plan to conduct a motor vehicle stop of JB’s vehicle in the area of Oak Street. The CI notified Officer Hoffman of JB’s arrival and said that he was operating a silver/grey Mercedes SUV (CT Reg BF74468). Officer Hoffman specifically asked the CI, “Did you see the gun?” to which the CI replied, “Yes, it’s in his waist strap.” After the CI told officers that JB was leaving the area, Officer Hoffman observed the vehicle traveling westbound on Grand Street. It turned onto Lexington Avenue and made an eastbound turn onto Oakville Circle. At this point, Officer Hoffman activated the overhead lights and sirens of his police cruiser in order to conduct a motor vehicle stop. The operator ignored the lights and sirens and turned into a parking lot. The vehicle drove around a building and back onto traffic via North Avenue.

The vehicle then drove through Bridgeport and onto Route 8 northbound. Officer Hoffman continued to follow the vehicle with lights and sirens activated. The vehicle ignored the attempted motor vehicle stop and drove erratically. The Mercedes exited the highway in the area of Ansonia/Derby and continued onto city streets. The vehicle ultimately struck a house at 265 Division Street, Ansonia. Officer Hoffman drove onto the house’s yard and collided with the driver’s door of the Mercedes SUV.

Officer Hoffman exited his police cruiser, unholstered his firearm, pointed it at the operator, and shouted, “Let me see your hands” multiple times. The operator attempted to reverse the vehicle but could not get traction as the tires continued to spin backwards. Ultimately, the Mercedes became blocked in by another police vehicle. The operator was moving around frantically inside the vehicle. Officer Hoffman could not see the operator’s hands and he disregarded all verbal commands.

Upon cover units arriving, Officer Hoffman heard an officer state, “He has a gun.”⁶ Officer Hoffman did not approach the vehicle. He utilized his police vehicle as cover. While continuing to command the operator to show his hands, Officer Hoffman observed a female in the passenger seat. She appeared to be in distress and was yelling with her hands straight in the air. She made eye contact with Officer Hoffman and showed her hands in an apparent attempt to comply with the commands. The operator continued to shuffle his hands downward

⁶ This statement was made by Sergeant Christopher Robinson. It was based on the informant information and not any actual observations by Sergeant Robinson, although in context it could have been misperceived as being based on his actual observation. All of the officers on scene at that point knew the informant information that had been put out on the police radio, there was no need to remind them of that.

while looking at his waist area. Officer Hoffman continued to shout, “show me your hands; do not reach.”

The statement continues:

“The operator continued to move his hands around within the front seat of the vehicle disregarding all verbal commands as I began to fear he was attempting to utilize the firearm on his person. Sergeant Robinson approached the vehicle at this time and utilizing an unknown item broke a hole within the driver’s side window. The suspect then punched out the glass window with an unknown object in his right hand. I continued to shout verbal commands “show me your hands, don’t do it” as I believed his frantic movements within the vehicle were an attempt to produce a firearm. I stated to surrounding units, “he is reaching” so that officers were aware of the situation unfolding. The suspect briefly lifted one hand showing a double middle finger stating “fuck you” towards me before again putting his hands below the window where I could no longer see them. The suspect continued to look around the front and side of the vehicle in a panicked manner as I was continuing to attempt to de-escalate the situation by pleading with him to “show us your hands.” As I maintained a visual on the suspect, officers on the adjacent side of the vehicle opened the passenger side door and began removing the female front seat passenger. I briefly witnessed Officer Ortiz fall at which point the suspect turned his entire body to the right side in an abrupt movement in what I believed was an attempt to brandish the firearm toward Officer Ortiz’s direction. It should be noted that at this time, with the passenger door completely open, Officer Ortiz was left completely exposed and in immediate sight of the suspect. Simultaneously, I heard multiple officers shouting “he’s reaching” on the adjacent side of the vehicle. Fearing that the suspect was about to shoot given his sudden and explosive movements toward the rear/right side of the vehicle as well as the placement of his hands near his waist area followed by a full extension of his right arm, I fired one round toward the suspect to stop him from using deadly force.”

Officer Hoffman then heard several more shots and believed that the operator was firing toward officers on the passenger side of the vehicle. He retreated toward the rear of his police cruiser to take cover. The suspect was no longer moving. Upon realizing that the suspect was struck by gunfire, Officer Hoffman called for medics.

Sergeant Robinson directed Officer Hoffman to back up his police cruiser. Officers then removed the suspect from the vehicle. While clearing the vehicle for possible suspects/passengers/weapons, Officer Hoffman saw a firearm scope. Officer Ronald Montero removed a rifle style firearm from the back seat of the vehicle.⁷

⁷ Officer Montero’s body-worn camera depicts him finding the pellet rifle. It was not located in the Mercedes-Benz SUV’s back seat but rather in the back cargo area behind the back seat. To view that portion of his BWC, click [here](#).

Later, Officer Hoffman was transported by ambulance to Saint Vincent's Hospital for evaluation and treatment.

Officer Wilberto Rivera-Colon

Officer Wilberto Rivera-Colon provided a signed sworn statement to the OIG dated April 10, 2024. The statement may be summarized as follows:

Officer Rivera-Colon had been with the Bridgeport Police Department since September 14, 2020. He was assigned to the patrol division. On February 4, 2024, while on patrol, he heard over the police radio that TNT Officers Hoffman and Ortiz reported that they had attempted a felony motor vehicle stop when the suspect engaged them in pursuit. Officers Hoffman and Ortiz further advised that the suspect vehicle contained firearms and narcotics and was driving onto Route 8 northbound. Officer Rivera-Colon proceeded to Route 8 to join the pursuit.

As Officer Rivera-Colon approached Shelton, he learned that the suspect vehicle was traveling southbound on Bridgeport Avenue in Shelton possibly going to Route 8 south. Officer Rivera-Colon got off Route 8 at Exit 11 in Shelton and turned left onto Huntington Street. Other police vehicles were stationed near the entrance to Route 8 south. Officer Rivera-Colon then saw a silver/grey Mercedes-Benz SUV turn onto Huntington Street. The Mercedes nearly collided with Officer Rivera-Colon's police vehicle before entering the Route 8 northbound entrance. Officers Hoffman and Ortiz were behind the Mercedes. Officer Rivera-Colon took over the radio communication advising dispatch several times of the suspect vehicle's location and direction of travel.

The suspect vehicle got off at Exit 16 in Derby and onto Pershing Drive in an eastbound direction. Officer Rivera-Colon turned left onto Division Street and continued the pursuit. He heard the TNT officers radio dispatch that the suspect vehicle had crashed. Officer Rivera-Colon observed that the suspect's vehicle appeared to have crashed into the porch of a house at 265 Division Street.

Officer Rivera-Colon exited his patrol vehicle. The operator of the suspect vehicle attempted to reverse the vehicle, but the tires continued to spin on the lawn area. Sergeant Robinson arrived and positioned his police vehicle to the rear of the suspect vehicle. Officer Rivera-Colon and other officers yelled verbal commands toward the suspect such as, "Show me your hands," "Don't move," "Stop reaching." The male operator was making moves inside the vehicle as he was not complying.

Officer Rivera-Colon attempted to shut off the vehicle siren so the suspect could better hear the verbal commands. He then repositioned himself near Sergeant Robinson's police

vehicle. He then, along with Officer Ortiz, repositioned himself to the passenger side of the suspect vehicle.

The statement continues:

“As I was looking toward the vehicle, I observed a female in the passenger seat of the suspect vehicle. The female appeared to be crying, scared, and attempting to comply with our orders. She appeared to be trying to exit the vehicle, but it seemed as if the male suspect had reached towards her possibly to prevent her from exiting the vehicle and keeping her as a hostage. I then heard the shatter of a glass window on the suspect’s driver-side window and took the opportunity to remove the female out of harm’s way. I opened the passenger door with my left hand and told the female to exit the vehicle and get on the ground while guiding her with my left arm and keeping the male operator in my view with my duty weapon aimed toward the male suspect with my right arm. I ordered the male party to “keep his hands where we could see them.” I then heard what sounded like Officer Hoffman verbally command the male not to reach as the male turned towards his right side in my direction and reached towards what I believed was the center pocket on his hoodie/waistband area reaching for what I believed was a firearm. I yelled out “he’s reaching” and I immediately heard a gunshot and returned one round of fire at the suspect as I believed that he had shot at me. I then heard another gunshot and repositioned myself toward the rear passenger side of the vehicle. I then fired another round to stop the threat as I now believed the male party was shooting at officers.”

Officer Rivera-Colon then observed the female on the ground and in distress. He heard several gunshots. He guided the female in between cars and Officer Ortiz then escorted her to a marked patrol car. Officer Rivera-Colon advised dispatch that shots had been fired. Other officers then began arriving on scene and began to assist with providing aid to the wounded party.

Officer Rivera-Colon then lost feeling and control of his left leg. He thought that he had been wounded – but other officers examined him and verified that he had not been wounded. He assisted in putting up crime scene tape and later was transported to Saint Vincent’s Hospital.

Sergeant Christopher Robinson

Sergeant Christopher Robinson provided the OIG with a signed sworn statement dated April 10, 2024. That statement may be summarized as follows:

On February 4, 2024, at approximately 5:00 p.m., Sergeant Robinson was at the Bridgeport Police Department. He heard over the radio that TNT Officers L. Ortiz and M. Hoffman were attempting to stop a silver Mercedes SUV in the area of Oak Street in Bridgeport.

The TNT unit reported that the subject being pursued had firearms. Sergeant Robinson headed out of the office, activated the lights and siren on his police vehicle, and headed toward Route 8 northbound. The TNT unit advised that there were two firearms in the vehicle and a large amount of narcotics.

Sergeant Robinson traveled up Route 8 but was far behind the pursuit. After some confusion off Exit 12, he ultimately saw the pursuit near Exit 14. Sergeant Robinson heard that the subject was getting off Route 8 at Exit 16. He was uncertain where the TNT officers went, but then heard a radio broadcast that there was a crash. He drove under a bridge and saw officers attempting to make a felony stop on an SUV that was pushed against the front porch of a house. The suspect was spinning the tires of the SUV. Sergeant Robinson positioned his vehicle directly behind the suspect vehicle preventing it from moving.

Inside the vehicle, Sergeant Robinson saw a woman in the passenger seat. As he exited his vehicle, Sergeant Robinson and other officers repeatedly yelled, "Stop! Get your hands up! Hands up!" The suspect held up his middle finger to the window and Sergeant Robinson believed that he was saying "fuck you." The suspect kept reaching down near the center console area. He had a deranged look in his eyes and appeared angry. The female appeared frightened. There was a brief exchange of words between the suspect and the female. It appeared to be an argument. Sergeant Robinson could see that the female's hands were up, and she was not holding anything.

The statement continues:

"As officers were attempting to open the passenger door, I could see the driver was looking back at them and he began to move around. I knew I had to distract [him] so they could get her out safely. I used an emergency window breaking device tool to puncture the driver side window front window and then proceeded to break the rear driver side window to distract him and see better into the vehicle's back seat area.

"As soon as I broke out the first window, and began actively breaking the back driver side window, the suspect angrily pivoted left towards me, and I heard a loud pop sound, and the glass flew out at me. When the glass flew in my face, I thought he just fired a shot at me through the window.

"I quickly jumped back to get out of the immediate line of fire, re-access and then re-engage with my gun drawn preparing to shoot at him but I was worried about crossfire. I heard someone yell "he's reaching!" and began hearing multiple gunshots.

"I observed the suspect actively reaching for something on his right side. His body came up as he was also turning to the right passenger side facing the officers with the female.

"I heard another loud gunshot fired and heard a female screaming. I was advancing back to the rear of my vehicle for cover fearing I was going to get shot and I saw what looked like Officers go down to the ground on the right side of the vehicle in the driveway area.

"I continued to hear the female screaming louder and louder as if in serious pain and believed either she was shot and/or officers were shot by the suspect. I could not see the woman or the officers at this time and feared they were shot.

"The suspect in the vehicle was still actively moving around inside the car and I believed he was trying to shoot us. I tried to fire a shot, but my gun jammed. I recall trying to rack my gun and it was not firing. I then heard another gun shot and the back window blow out. I feared he was now shooting at me and fired a shot through the back area of the window."

Sergeant Robinson saw that the driver was leaning over in a slumped position. Officer Hoffman backed up his police vehicle and the suspect was taken out of the car and medics were called. Sergeant Robinson checked the passenger side of the vehicle for firearms. He located what appeared to be a sight for a firearm and a used crack pipe. He did not find any firearms.

Officer Monteiro found what looked like a rifle from the back seat area of the vehicle. Sergeant Robinson was transported to Saint Vincent's Hospital for medical evaluation.

Officer Luis J. Ortiz

Officer Luis J. Ortiz gave a signed sworn statement to the OIG dated April 10, 2024. The statement may be summarized as follows:

Officer Ortiz had been a member of the Bridgeport Police Department since February 29, 2016. He had been assigned to the Tactical Narcotic Team (TNT) since November 6, 2023.

On February 4, 2024, Officer Ortiz learned that Officer Hoffman had received confidential informant (CI) information that a man known as "JB" was going to be in the area of Oak Street and Grand Street. The CI was believed to be credible. The CI communicated via cell phone to Officer Hoffman that JB was a known drug dealer who was always in possession of a weapon. JB was described as a white male who operates a silver Mercedes-Benz SUV or a blue or grey Honda CRV.

A plan was devised to conduct a felony stop of JB at a location away from the area of Oak Street and Grand Street. Officer Ortiz and Hoffman responded to the area. They were in a marked Bridgeport Police Department vehicle equipped with lights and sirens. Both officers were wearing Bridgeport PD uniforms. The CI provided real-time updates to Officer Hoffman via cell phone. The CI advised Officer Hoffman of JB's arrival and that he was operating the silver

Mercedes-Benz SUV. The CI described JB as a white male wearing a snapback style hat. The CI also confirmed that JB was carrying a firearm in his waistband.

The CI advised that JB was driving away from the parking lot of the apartment complex. The officers activated their lights and sirens and attempted to stop the Mercedes as it drove on Oakview Circle. The vehicle took off on city streets and then onto Route 8 northbound. Officers Hoffman and Ortiz pursued. The operator attempted to elude police by traveling into the exit lane and then moving to the left at the last moment. He got off at Exit 12 and took several turns before re-entering Route 8 northbound. The operator exited Route 8 in Ansonia. He continued to flee and came to a stop after crashing into a house. The police car occupied by Officers Hoffman and Ortiz crashed into the driver's side of the Mercedes-Benz and came to a stop.

Officer Ortiz saw a white male looking through the driver-side window. He was moving within the vehicle and Officer Ortiz could not see his hands.

The statement continues:

"Being that we were provided credible and reliable information that the operator was in possession of a firearm, coupled with the fact that he fled from Officer Hoffman and I, I exited our police vehicle, unholstered my firearm, and pointed it towards the operator of the vehicle. Multiple clear and loud verbal commands were given by officers for the operator to show us his hands. The operator failed to put his hands up and recklessly accelerated in reverse in an attempt to flee again. I observed the tires of the Mercedes-Benz spinning in the grass and moments later, another marked police vehicle was positioned directly behind the Mercedes-Benz which prevented it from recklessly reversing. I went around the police vehicle that was behind the Mercedes-Benz to cover the passenger side of the vehicle. As I went around the Police vehicle, I could hear Officers still giving loud verbal commands for the operator to put his "hands up." While standing behind cover with my firearm pointed towards the passenger side of the vehicle, I observed Officer Rivera approach the front passenger door of the Mercedes-Benz and open it. I observed that there was a female sitting in the front seat who appeared to be extremely afraid and was crying. She appeared to be compliant to the commands that were being yelled by Officers as I observed that both her hands were up and shaking frantically. I observed that Officer Rivera was attempting to remove her from the vehicle, at which point I left my position and went to assist Officer Rivera. While attempting to assist Officer Rivera in removing the female from the vehicle I heard what I recognized to be gunfire. As I stepped backward and away from the Mercedes-Benz to get behind cover, I fell on the ground. At this time, I believed we were being shot at and while on the ground I used my arms to pull myself behind cover. I repositioned myself behind the cover and pointed my firearm back towards the Mercedes-Benz. While reassessing and scanning the Mercedes-Benz from my position with my gun pointed towards it, I no longer heard gunfire."

Officer Ortiz returned to the passenger side of the Mercedes-Benz and observed that the female did not have any weapons in her hands. He escorted her away. She denied having any weapons on her person. She was detained inside a Bridgeport police vehicle. Other police personnel arrived along with the Connecticut State Police. Ultimately, Officer Ortiz was transported to Saint Vincent's Hospital for medical evaluation.

Sergeant Michael Carter

Sergeant Michael Carter provided a sworn signed statement to the OIG dated April 10, 2024. The statement may be summarized as follows:

In early January, Officer Hoffman was contacted by a confidential informant (CI) regarding a narcotics dealer known as "JB." The CI had been deemed credible and reliable based on previous work for the Bridgeport TNT. The CI described JB as a white male in his late 30's who had been to jail. The CI was scared of JB and had witnessed him commit violent acts. JB had previously told the CI that he wasn't going back to jail and would do whatever was needed to prevent that, even shoot it out with the cops. The CI said that JB pulled a gun on him in the bathroom of a McDonalds on Park Avenue in Bridgeport and told the CI that JB was the only one that the CI was going to buy from. The CI also reported that he witnessed JB pistol whip a person over \$40. The CI said that JB always carries a firearm. The CI also said that JB was responsible for a shot fired on Park Avenue at another dealer.

On February 4, 2024, Sergeant Carter was working as a supervisor within the Bridgeport Police Department as well as the Bridgeport TNT. He was supervising the TNT officers on duty. At approximately 4:15 p.m., the CI contacted Officer Hoffman and said that JB was insistent on meeting the CI and was coming to his residence on Oak Street in Bridgeport. Sergeant Carter and the TNT officers devised a plan where they would conduct a motor vehicle stop of JB after he met with the CI. Sergeant Carter set up in a lot on North Avenue and had a view of Oak Street. Officers Hoffman and Ortiz took a position with an unobstructed view of Oak Street and Grand Street.

The CI reported that JB was at North Avenue and Park Avenue. After a couple of minutes, Sergeant Carter radioed Officer Hoffman that a silver Mercedes turned south on Oak Street. The CI confirmed that this was the target vehicle. During the meeting, the CI confirmed that JB was in possession of a firearm that was in his waistband. JB left the residence and returned to his vehicle waiting there for approximately five minutes prior to driving south on Oak Street. Officers Hoffman and Ortiz activated their lights and sirens near Lexington Avenue. JB refused to pull over and led officers on a pursuit through the streets of Bridgeport and onto Route 8. The pursuit ended in Ansonia when the suspect vehicle crashed into a house.

The statement continues:

“Once I determined that officers began pursuing JB’s vehicle, I switched over to channel 1 to monitor the officers’ transmissions. It was Sunday early evening; traffic was light, and the road surface was dry. TNT officers radioed over Channel 1 that they were in pursuit of a vehicle and that the occupant was in possession of a firearm and narcotics. TNT Officers continually updated their direction of travel and traffic conditions. Officers remained calm and were in control of their vehicle. Given the information regarding JB and his propensity for violence, that he was in possession of a firearm that he would use, not knowing the identity of JB and concerned about the safety of the public and the CI, I made the decision to monitor the pursuit and not order termination.”⁸

Sergeant Carter did not engage in the pursuit but continued to monitor the officers’ transmissions. When Sergeant Carter arrived on scene, officers had JB (later identified as Jonathan Bell DOB 3/8/82) on the ground. Sergeant Carter ascertained that officers had shot Bell and medics were enroute. Bell was transported to Griffin Hospital. The involved officers were transported to Saint Vincent’s Hospital for treatment and observation.

Jonathan Bell’s Girlfriend

On February 4, 2024, at approximately 7:25 p.m., OIG inspectors interviewed Bell’s girlfriend. A summary of that interview follows:

Bell’s girlfriend stated that she had been driving around today with her boyfriend, Jonathan Mark Lewis Bell. They were smoking crack cocaine in the car and listening to music.

They went to an apartment building in Bridgeport for Jonathan to see a friend. When Jonathan came out of the apartment building and returned to the car, Bell’s girlfriend saw him take a hit from his crack pipe and drive away. Jonathan pulled into a parking lot. Bell’s girlfriend saw blue and red lights behind them. She began questioning Jonathan about what he did. Jonathan said that he had a gun inside the car and was not going back to jail. Bell’s girlfriend had seen the gun in the past and described it as a 380 pistol with a broken chamber and black tape wrapped around it.⁹ She said that she saw the gun today inside a green fanny pack that was inside the car. Bell’s girlfriend said that she told Jonathan to hide the gun in the back because she did not want it near them in the front of the vehicle. Bell’s girlfriend was not sure where Jonathan placed the gun.

Bell’s girlfriend stated that Jonathan kept asking her to hand him the crack pipe. She described his eyes as black. Jonathan said that he was not going back to jail; he had a gun and

⁸ The pursuit was contrary to the Bridgeport Police Department Policy and Procedure regarding vehicle pursuits as well as POSTC standards. It should have been terminated. See *infra*.

⁹ A pellet pistol generally matching this description was recovered from the tray above the spare tire well in the Mercedes SUV. See photo at page 22.

drugs in the car. Bell's girlfriend believed that Jonathan had a couple of bundles of heroin and crack cocaine in the car. She said Jonathan used drugs and sold them.

Jonathan took off driving from the police and she was screaming that he was going to kill them. He just kept going. Jonathan was trying to take a hit from his crack pipe as he swerved in and around cars. Bell's girlfriend saw that the car's speedometer displayed speeds of 110 to 120 miles per hour. She had never seen Jonathan drive like that. She believed that he almost hit several cars on the highway and might have clipped one of them. At one point, Bell's girlfriend questioned whether the police were allowed to chase them in the way that they were. Jonathan said that the police were supposed to let up on them and let them go. She said that he was only making things worse and that they were going to jail.

They crashed the car into a house in Ansonia. Jonathan then tried to move the car. He yelled at her that he was not going to jail and asked for the crack pipe. During this time, the police were yelling for them not to move. Bell's girlfriend recalled the glass window broke on the car, her door opened, officers put her on the ground, handcuffed her, and dragged her away. She heard gunshots after being removed from the vehicle, but did not see the shooting.

Prior to that, Jonathan looked at the police officers and said, "fuck you." The officers kept yelling at them to put their hands up and stop moving. Jonathan looked at her, grabbed her hand and said, "Listen, let them shoot us. I love you. We can go out in a bang. We can be together."

Witness 1

On February 8, 2024, OIG inspectors interviewed Witness 1 at his residence in Bridgeport. Witness 1 had contacted the Ansonia Police Department indicating that he wanted to provide information about the officer-involved shooting in Ansonia.

Witness 1 told inspectors that he had known Jonathan Bell for about a year and a half. Jonathan and his girlfriend lived with Witness 1.

Witness 1 related that Jonathan had served in the United States Marines and his state of mind was all over the place from his combat tours in the military. Jonathan was not able to reconcile what happened in Iraq. He would talk about his war experience and would often have nightmares.

In Witness 1's opinion, Jonathan had a "Fuck it" attitude and did not want to go back to jail. Witness 1 suspected that Jonathan did it on purpose and believed the incident was a suicide by cop, which is why he fired off the shot.¹⁰

Witness 1 stated that Jonathan used crack and weed and sold drugs to support his habit and his girlfriend's habit. While Witness 1 never saw Jonathan with a gun, he knew that he had one. Witness 1 related that another person who was staying with him saw Jonathan with a gun in a green zipper bag. Jonathan's girlfriend told Witness 1 that Jonathan never brought the gun inside the apartment. Witness 1 stated that Jonathan was a felon and should not have a gun.

Scene

The Connecticut State Police Central District Major Crime Squad (CDMCS) processed the scene at 265 Division Street, Ansonia as well as the 2010 Mercedes-Benz GLK 350 SUV (CT registration BF74468). The scene at 265 Division Street was processed on February 5, 2024 pursuant to the consent of the property owner. The Mercedes-Benz SUV was processed on February 8, 2024 pursuant to a search and seizure warrant.

The house at 265 Division Street was a single-family residence located on the north side of Division Street,



265 Division Street

¹⁰ Witness 1 was under the incorrect impression that Jonathan Bell had fired upon police officers.

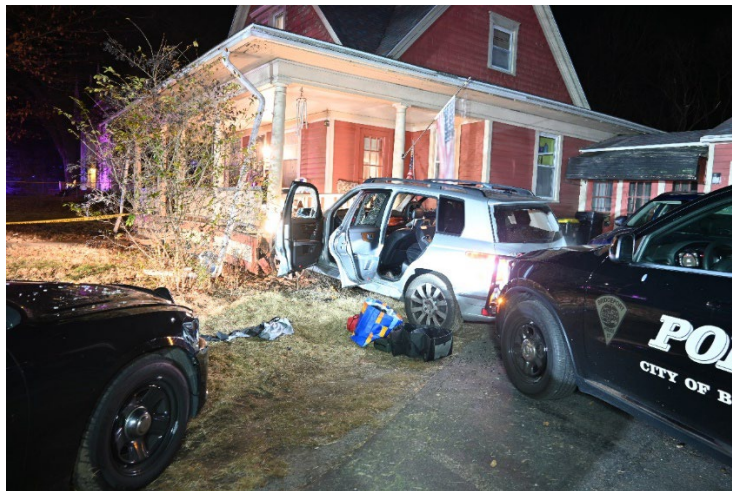
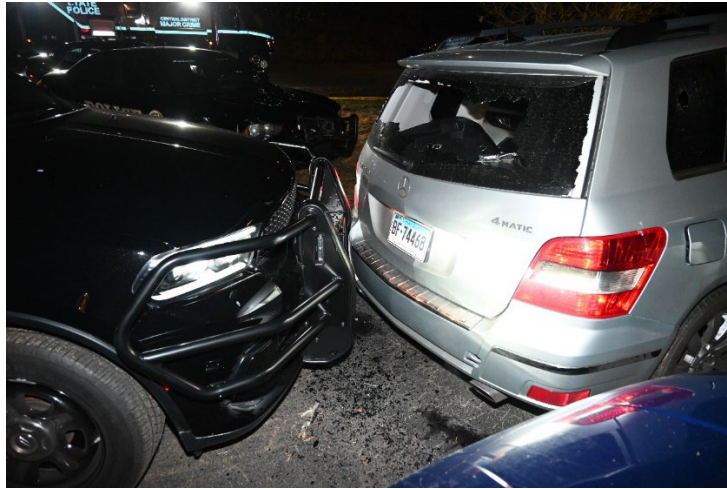
Detectives observed that the Mercedes-Benz SUV had collided with the front porch of the house. There were police vehicles around the SUV and civilian vehicles parked in the driveway.



- A. Civilian's Hyundai SUV
- B. Civilian's Ford Fusion
- C. Mercedes-Benz operated by Bell
- D. Sergeant Robinson's police car
- E. Officer Hoffman's police car
- F. Officer Rivera-Colon's police car



Sergeant Robinson's police vehicle was directly behind the SUV blocking its ability to back away from the porch.



Officer Hoffman's police vehicle had been moved back from the driver side of the SUV. The push bar was damaged due to the collision with the SUV.



CDMCS detectives seized four smoking pipes. One from the front lawn near where Bell was pulled from the SUV.



A second smoking pipe was recovered from the front passenger floor of the SUV.



A third smoking pipe was located on the SUV's driver side front floor.



A fourth smoking pipe was recovered from the SUV's front passenger side floor.



Detectives seized three pellet guns from the SUV. A Gamo Swarm Whisper pellet gun was located on the driver side rear seat which was folded forward. This item had been moved from the SUV's rear cargo area where Officer Monteiro found it.



Two pellet guns were located in the rear cargo area lower storage compartment above the spare tire well – a Markarov pellet gun that resembled a semi-automatic pistol and a Crosman Airgun that resemble a revolver.





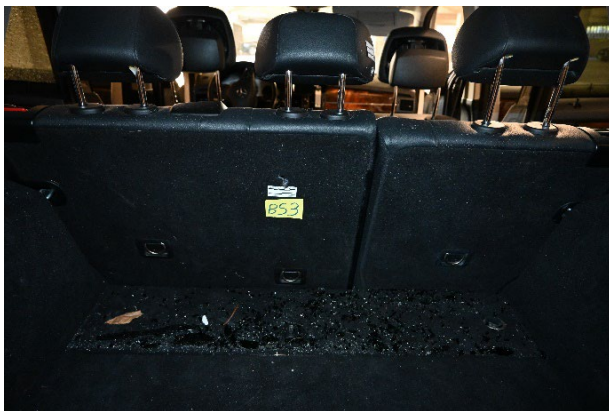
Detectives also located two knives in the SUV. One was found in the back pocket of the front passenger seat and another under the front passenger seat.



Examination of the Mercedes-Benz SUV revealed evidence of several bullet strikes both inside and outside the vehicle. There were two bullet strikes in the driver's door.



A bullet strike was located in the rear seat.



A bullet strike was located in the rear seat headrest.



A bullet strike was located in the rear seat.



Detectives examined Bell's clothing that also showed multiple bullet strikes.





Detectives did not locate a firearm anywhere in the Mercedes-Benz SUV.¹¹ The pellet guns and knives located inside the vehicle were not within Bell's reach.

¹¹ Given the incongruity between the CI's track record of reliability and the failure to find a gun in the SUV, OIG inspectors considered the possibility that Bell discarded the gun during the pursuit. Upon viewing videos of the pursuit, an area on Beard Sawmill Road in Shelton was identified as a potential spot where Bell could have tossed the gun from the SUV. It was in this area that pursuing police vehicles briefly lost sight of the SUV. On December 13, 2024, OIG inspectors did a grid search of the area in and around Old Stratford Road, Shelton that included Beard Sawmill Road. Inspectors made a visual search assisted by a metal detector. No weapon was recovered. OIG inspectors had earlier contacted the Shelton Police Department to see if anyone had turned in a gun found in the search area. No firearm had been turned into the Shelton PD. It is also possible that the CI mistook the pellet pistol recovered from the tray in the spare tire well of the Mercedes for a genuine firearm and that Bell hid it after leaving the CI's residence.

Firearms Evidence

As relevant to this investigation, CDMCS detectives seized the following firearm evidence:

Exhibit #1 – Federal 45 expended shell casing seized from the front lawn of 265 Division Street underneath Bridgeport Police Vehicle #656, a Dodge Charger.



Exhibit #6 – Federal 45 Auto expended shell casing seized from the driveway of 265 Division Street north of the passenger side rear tire of Bridgeport Police Vehicle #403, a Dodge Durango.



Exhibit #7- Federal 45 Auto expended shell casing seized from the driveway of 265 division Street under the driver side front tire of a blue Ford Fusion (CT registration 3AKGX4).

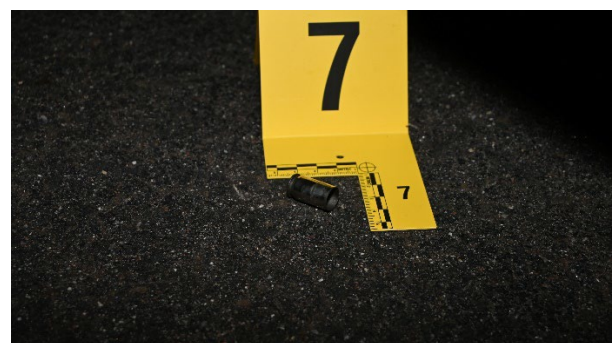


Exhibit #8 – Federal 45 Auto expended shell casing located under passenger side rear door of a blue Hyundai Tucson (CT registration BH20267).



Exhibit #10 – Projectile seized from the dashboard in the area of the “A Pillar” of the Mercedes-Benz SUV.



Exhibit #14 – Federal 45 Auto expended shell casing seized from the front lawn of 265 Division Street underneath Bridgeport Police Vehicle #656, a Dodge Charger.



Exhibit #23 – Projectile seized from the inside of a “Target” bag on rear passenger seat of the Mercedes-Benz SUV.



Exhibit #29 – Projectile seized during autopsy of Bell.

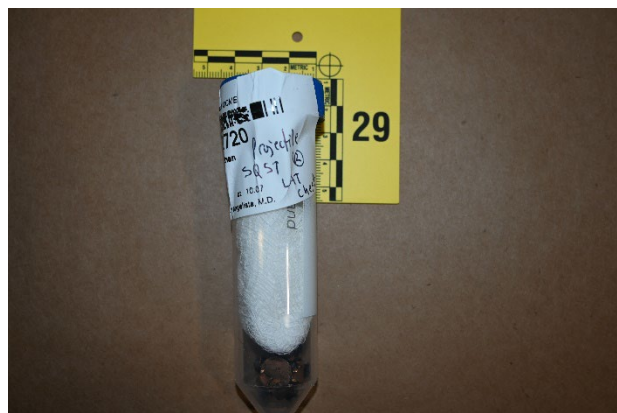


Exhibit #30 – Projectile seized during autopsy of Bell.

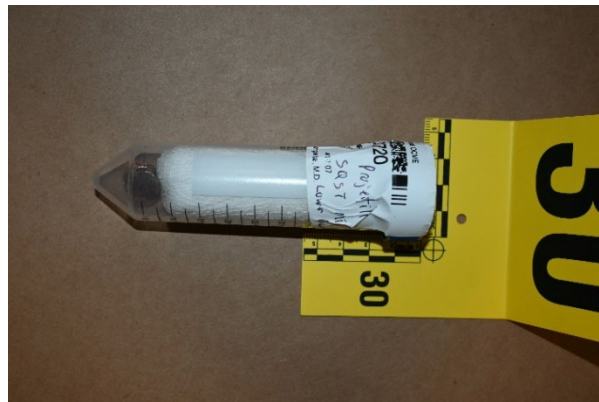


Exhibit #40 – Smith & Wesson MP45 Semi Auto Pistol S/N NCP 1776 with one 10 round magazine with 9 unfired shots seized from the duty belt of Sergeant Robinson.



Exhibit #41 – Federal expended shell casing seized from Exhibit #40 (duty pistol - Failure to Eject).

Exhibit #44 – Smith & Wesson MP45 Semi Auto Pistol S/N 35779 A with one 10 round magazine containing 8 rounds and 1 previously chambered round seized from the duty belt of Officer Rivera-Colon.



Exhibit #47 – Smith & Wesson MP45 Semi Auto Pistol S/N NBZ 0952 with one 10 round magazine containing 8 unfired rounds and 1 previously chambered round seized from the duty belt of Officer Hoffman.



The above evidence was submitted to the Forensic Science Laboratory's Firearms Unit for a functionality test on the submitted firearms and a comparison analysis on the expended shell casings and projectiles. The Firearms Unit determined that:

1. The three firearms submitted (Exhibit #40, Exhibit #44, and Exhibit #47) were confirmed to be functioning properly.
2. Exhibit #6 (expended shell casing), Exhibit #41 (expended shell casing), and Exhibit #23 (projectile) were confirmed to have come from Exhibit #49 (Sergeant Robinson's duty weapon).
3. Exhibit #7 (expended shell casing), Exhibit #8 (expended shell casing), and Exhibit #10 (projectile) were confirmed to come from Exhibit #44 (Officer Rivera-Colon's duty weapon).
4. Exhibit #1 (expended shell casing), Exhibit #14 (expended shell casing), Exhibit #29 (projectile), and Exhibit #30 (projectile) were confirmed to come from Exhibit #47 (Officer Hoffman's duty weapon).

Digital Evidence

The relevant digital evidence consists of (1) Officer Matthew Hoffman's Mobile Vehicle Recorder (MVR), (2) Officer Hoffman's Body Worn Camera (BWC), (3) Officer Wilberto Rivera-

Colon's MVR, (4) Officer Rivera-Colon's BWC, and (5) Sergeant Christopher Robinson's BWC. Sergeant Robinson's police vehicle was not equipped with a dashboard camera. Officer Luis Ortiz was in Officer Hoffman's police vehicle. Officer Ortiz was wearing a BWC but did not activate it.

Officer Matthew Hoffman

MVR

Start: Bell's Mercedes-Benz SUV is driving on city streets in Bridgeport. When police attempt a motor vehicle stop, the SUV flees around an apartment building and ultimately onto Route 8 northbound.

06:15: SUV gets off highway in Shelton, Exit 12.

08:52: SUV gets back onto Route 8 northbound.

12:25: SUV gets off Route 8 at Exit 16 and drives into Ansonia. Drives wrong way on Pershing Drive.

13:37: Police car crashes into side of the SUV that has struck the porch of a house. Bell is in driver's seat.

13:47: Sergeant Robinson blocks in SUV.

14:19: Sergeant Robinson breaks driver side window.

14:21: Bell smashes out window with his hand.

14:23: [It appears that woman is pulled from car].

14:27: Sergeant Robinson shines his flashlight into driver side window.

14:28: Bell moves to his right.

14:30: [It appears that Bell was shot here].

14:50: Final Shot.

To review this portion of Officer Hoffman's MVR recording, click [here](#).

MVR – Frame-by-Frame

Start: The video starts with Officer Hoffman's police vehicle approaching the SUV that has crashed into the porch of the house.

09:42: Officer Rivera is seen moving toward the passenger side of the SUV.

11:43: Sergeant Robinson breaks the driver side window.

14:23: Sergeant Robinson shines his flashlight into the car.

To review the frame-by-frame version of a portion of Officer Hoffman's MVR, click [here](#).

BWC

Start: No sound. Mercedes SUV stopped. Bell in driver's seat.

00:09: Sergeant Robinson breaks driver side window.

00:16: Woman pulled out of front passenger seat. Bell has crack pipe in his mouth.

00:18: Sergeant Robinson shines flashlight into driver's window.

00:19: Bell moves abruptly to his right. [Officer Hoffman likely fires here]

00:30: Sound starts.

01:36: Bell's body pulled from SUV.

02:06: "I fired as well."

02:29: "Where's the female? He was passing her something. Did you check her?"

03:07: "What the fuck was he reaching for?"

03:30: [Officers searching SUV]

03:49: "Check everything."

To view Officer Hoffman's BWC, click [here](#).

BWC – Frame-by-Frame

To view a frame-by-frame version of a portion of Officer Hoffman's BWC, click [here](#).

Officer Wilbert Rivera-Colon

MVR

11:08: Police car stops to rear of Officer Hoffman's police vehicle.

11:15: Officer Hoffman aiming his gun at driver's side of SUV.

11:43: Officer Rivera seen on passenger side of SUV.

11:48: Sergeant Robinson breaks windows.

11:51: Officer Hoffman fires.

13:08: Officer Hoffman backs up his police vehicle so that Bell can be removed.

To view this portion of Officer Rivera-Colon's MVR, click [here](#).

BWC

10:50: Stops car and exits.

11:30: Approaches passenger door of SUV. "You want me to open it?"

11:33: Opens door. Woman Screaming.

"Get out of the fuckin car." "Don't fuckin reach." "Get on the fuckin ground."

11:39: Shot

11:40: Shot, shot.
11:41: Shot
11:45: "Shots fired. Shots fired."
11:48: Shot
12:12: Pulls woman away.
12:41: Opens door to SUV.
13:10: "Where's the gun. Look for the gun."
13:15: "He reached. He reached into his pocket."
13:18: "I heard shots fired. I thought you guys were being shot at."
13:20: "I think he shot. He reached in his pocket."
14:19: "What the fuck was he reaching for."

To view this portion of Officer Rivera-Colon's BWC, click [here](#).

BWC – Frame-by-Frame

To view a frame-by frame version of a portion of Officer Rivera-Colon's BWC, click [here](#).

Sergeant Christopher Robinson

BWC

Start: Sergeant Robinson is in his police vehicle approaching the scene at Division Street.
00:47: "Alright, he has a gun."
1:08: Approached the driver's window and breaks it.
1:19: Shots (multiple)
03:10: "I thought he was shooting at you guys."

To view Sergeant Robinson's BWC, click [here](#).

Autopsy

On February 5, 2024, Associate Medical Examiner Frank Evangelista performed an autopsy examination of Jonathan Mark Lewis Bell. Doctor Evangelista's findings were:

FINAL DIAGNOSIS: GUNSHOT WOUNDS OF HEAD AND TORSO
CAUSE OF DEATH: GUNSHOT WOUNDS OF HEAD AND TORSO
MANNER OF DEATH: HOMICIDE

The autopsy report describes four gunshot wounds to the head, chest, and back.

Head

There is an entrance gunshot wound on the cheek of the right side of the face. The path of this wound perforates the jawbone and extends upward exiting at the socket of the left eye.

Chest and Back

There is an entrance gunshot wound on the left side of the chest. The path enters the left lateral chest, perforates the middle lobe of the right lung and right rib. A metallic projectile is recovered within the subcutaneous soft tissue of the right side of the chest.

There is an entrance gunshot wound to the mid left upper back. The path of this wound enters the mid left upper back and exits the mid left upper back. No projectile is recovered along this wound path.

There is an entrance gunshot wound on the left lower back. The path of this wound extends upward and to the right with injury to the soft tissue of the lower back. A single metallic projectile is recovered from the soft tissue of the mid lower back.

Toxicology

Bodily fluid samples were sent to NMS Labs in Horsham PA for analysis. The results were positive for benzoylecgonine (a cocaine degradation product) at a level of 3900 ng/mL. This level is three times the level seen in impaired drivers and persons admitted to the emergency room for cocaine-related medical complaints.

The toxicology results were positive for cocaine at a level of 400 ng/mL that also exceeds the level of persons admitted to the emergency room for cocaine-related medical complaints. The results were also positive for fentanyl, 4-ANPP (a fentanyl metabolite), norfentanyl (a fentanyl metabolite), and morphine.

Confidential Informant

I examined the records of the Bridgeport Police Department regarding the confidential informant used in this case. The CI was registered as a confidential informant by Officer Hoffman on December 4, 2023. On that day, the CI acknowledged receipt of various instructions pertaining to the CI's informant activities including the obligation to report all facts to the investigator and not to fabricate, withhold anything, or shade the truth.

During the week of December 4, 2023, the CI provided Officers Hoffman and Ortiz information regarding two persons involved together in the sale of narcotics in Bridgeport. One

dealer focused on the sale of crack cocaine and the other on the sale of heroin/fentanyl. The CI agreed to make a controlled purchase of heroin/fentanyl and crack cocaine from the dealers. Officers searched the CI, provided the CI with the buy money, and continuously observed the CI as the CI entered the target premises. He returned to an agreed location and turned over the drugs to the officers. One package tested positive for crack cocaine and the other tested positive for fentanyl.

I am persuaded that the credibility and reliability of the CI was demonstrated by the CI's willingness to be formally identified as an informant in the Bridgeport Police Department records and the CI's successful controlled purchase of narcotics from two persons that the CI identified as dealers.

FINDINGS

The investigation supports the following findings of fact:

1. On February 4, 2024, officers of the Bridgeport Police Department Tactical Narcotics Unit (TNT) were positioned in the area of Oak and Grand Streets in Bridgeport. A confidential informant (CI) had told TNT Officer Matthew Hoffman that a narcotics dealer referred to as "JB" was coming to meet the CI at the CI's residence.
2. TNT Officer Hoffman maintained cell phone contact with the CI who reported that JB had arrived in a silver Mercedes-Benz SUV (SUV). The CI also reported that JB had a gun in his waistband.
3. When the CI told Officer Hoffman that JB had left in the SUV, the TNT officers attempted a motor vehicle stop. The SUV did not stop but sped away first on city streets in Bridgeport and then onto Route 8 northbound. TNT Officers Hoffman and Ortiz pursued in a marked Bridgeport Police Department cruiser with lights and sirens activated.
4. The pursuit continued up Route 8 to Exit 12 in Shelton. In her interview, Bell's girlfriend stated that she looked at the speedometer and the SUV was traveling at speeds in excess of 100 miles per hour.
5. The SUV got off Route 8 at Exit 12 and did a loop on Shelton streets before re-entering Route 8 northbound. The TNT officers continued the pursuit. They were joined by Officer Wilfredo Rivera-Colon who followed in a marked police cruiser.
6. At Exit 16, the SUV got off Route 8 and onto Pershing Drive. The pursuit proceeded up Pershing Drive with the vehicles traveling the wrong way in the lane for oncoming traffic. The

SUV turned left onto Division Street in Ansonia. The pursuit ended when the SUV crashed into an occupied house at 265 Division Street.

7. Officer Hoffman's police vehicle collided with the driver's door of the SUV. The driver, later identified as Jonathan Mark Lewis Bell, attempted to back away from the house but the SUV's tires could not get traction. The vehicle was quickly blocked in from behind by Sergeant Christopher Robinson's police vehicle.

8. Officer Hoffman exited his police vehicle, unholstered his firearm, and took a position near the SUV's driver's door. From there he could see the movements of the persons inside the SUV. Sergeant Robinson was moving around to various positions on the driver's side of the SUV.

9. Officer Wilberto Rivera-Colon arrived moments after Officers Hoffman and Ortiz. He exited his cruiser and moved to the passenger side of the SUV where he could see a female, later identified as Bell's girlfriend, in the passenger seat. Officer Ortiz also moved to the passenger side of the SUV.

10. Bell was uncooperative and belligerent. He displayed his middle finger at the officers and yelled "Fuck you." Despite numerous commands, he declined to show both his hands.

11. In an effort to distract Bell so that the female could be removed from the SUV, Sergeant Robinson used a window breaking device to break the driver side window of the SUV. Bell responded by smashing out the glass with his fist. During this time, Officer Rivera was able to pull Bell's girlfriend out of the SUV and onto the ground.

12. At about the time Bell's girlfriend was being removed from the SUV, Bell made an abrupt move forward, down, and to his right. Believing that he was reaching for a gun, Officer Hoffman fired one round from his department issued handgun.

13. Officer Rivera-Colon heard the shot fired by Officer Hoffman and, believing that it came from Bell, returned fire.

14. Sergeant Robinson, believing that Bell was firing upon officers, fired his weapon into the SUV. During this time, Officer Hoffman fired an additional round into the SUV.

15. Bell sustained gunshot wounds to his head, chest, and torso. The medical examiner ruled his death a homicide. The toxicology analysis of Bell's blood was positive for benzoylecgonine (a cocaine degradation product), cocaine, fentanyl, 4-ANPP (a fentanyl metabolite), norfentanyl (a fentanyl metabolite), and morphine.

16. Bridgeport officers made a thorough search of Bell's person, Bell's girlfriend's person and the front seat area of the SUV where Bell was reaching. No gun was recovered.

17. When questioned about the incident by OIG inspectors, Bell's girlfriend related that just before she was pulled from the SUV, Bell had grabbed her hand and said, "Listen, let them shoot us. I love you. We can go out in a bang. We can be together."

18. CDMCS detectives seized firearms evidence from the scene and received recovered projectiles from the autopsy of Bell. The two expended shell casings located near Officer Hoffman's police vehicle and the two projectiles recovered during the autopsy were fired from Officer Hoffman's duty weapon. The two expended shell casings recovered near the civilian vehicles parked on the passenger side of the Mercedes-Benz SUV together with the projectile recovered from the Mercedes' dashboard were fired from Officer Rivera-Colon's duty weapon. The expended shell casing located near Sergeant Robinson's police vehicle and the projectile recovered from the Target bag in the rear seat of the Mercedes-Benz SUV were fired from Sergeant Robinson's duty weapon as was the shell casing that failed to eject from Sergeant Robinson's duty weapon.

19. There was no gun on or near Bell when he was fatally shot.

LEGAL STANDARD

Statute

The use of force by a police officer is governed by General Statutes §53a-22. The version of that statute in effect on February 4, 2024, in relevant part, provides:

(b) [A] peace officer ... is justified in using physical force upon another person when and to the extent that he or she reasonably believes such use 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) (1) ... a peace officer ... is justified in using *deadly physical force* upon another person for the purposes specified in subsection (b) of this section only when his or her actions are objectively reasonable under the circumstances, and:

(A) He or she reasonably believes such to be necessary to defend himself or herself or a third person from the use or imminent use of deadly physical force; or

(B) He or she (i) has reasonably determined that there are no available reasonable alternatives to the use of deadly physical force, (ii) reasonably believes that the force employed creates no unreasonable risk of injury to a third party, and (iii) reasonably believes such force is necessary to (l) effect an arrest of a person whom he or she reasonably believes has committed or attempted to commit a felony that involved the infliction of serious physical injury, and if, where feasible, he or she has given warning of his or her intent to use deadly force ..." (Emphasis added).

The statute further provides:

"For the purpose of evaluating whether the actions of a peace officer ... are reasonable under subdivision (1) of this subsection, factors to be considered include, but are not limited to, whether (A) the person upon whom deadly force was used possessed or appeared to possess a deadly weapon, (B) the peace officer ... engaged in reasonable de-escalation measures prior to using deadly physical force, and (C) any unreasonable conduct of the peace officer ... led to an increased risk of an occurrence of the situation that precipitated the use of force." §53a-22(c)(2).

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).

A police officer is also justified in deadly force to when he or she reasonably believes such force is necessary to arrest a person whom the officer reasonably believes has committed a felony that involved the infliction of serious physical injury, provided there are no reasonable alternatives to the use of deadly force, the force employed creates no unreasonable risk of injury to a third party, and, where feasible, the officer has given warning of the intent to use deadly force.

Vehicle Pursuits

The Police Officer Standards & Training Council (POSTC) has promulgated a model pursuit policy that provides:

“A police officer may only engage another vehicle in a pursuit if the officer has reasonable suspicion to believe that the driver or occupant has committed or is attempting to commit a crime of violence, or there are exigent circumstances that warrant the need to apprehend the suspect in a timely manner because of the potential for harm to the public if the apprehension does not occur. The officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.”
General Notice 19-04.

The Bridgeport Police Department has a substantially identical policy. See General Order 3.06.

Both policies define “Crime of Violence” as “an offense in which physical force, the attempted use or threatened use of physical force, is used against another person(s) for the purpose of injuring, damaging or abusing another person(s), or any offense that is a felony and that involves a substantial risk that physical force against another may be used in the course of committing the offense.”

Reasonableness

A police officer’s use of deadly force must be objectively reasonable. §53a-22 (c)(1).

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.* at 198.

The United States Supreme Court has explained this test as follows: “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. ... [T]he 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).

Burden of Proof

In evaluating whether an officer's use of deadly force was justified, the law places the burden on the prosecutor to prove beyond a reasonable doubt that the officer's use of deadly force was **not** justified. See Connecticut Criminal Jury Instructions 2.8-6.

The law further provides that if there is something in the evidence or lack of evidence that leaves in one's mind a reasonable doubt as to officer's justification, the officer must be given the benefit of that doubt. *Id.*, 2.2-3.

ANALYSIS

The analysis in this matter is impeded by a couple of facts. Officer Ortiz did not activate his body worn camera. This was a violation of Connecticut law.¹² It precluded a precise determination of where he was at the time Officer Hoffman fired the first shot. In addition, Officer Hoffman's decision to delay activating his BWC until he exited his police vehicle meant that there was no sound recorded for the first thirty seconds of recording. It was during these thirty seconds that he fired his gun the first time – but you cannot hear the shot.

Pursuit

The pursuit was contrary to established police policy. Such policy restricts pursuits to situations where (1) there exists reasonable suspicion that the suspect has committed a crime of violence, or (2) exigent circumstances present a grave danger to the public. During the pursuit, the Bridgeport Dispatch informed the State Police that the pursuit was based on Bell's possession of a gun and narcotics. Possession of a firearm is not a crime of violence. Possession of narcotics is not a crime of violence. Bell's presumed drug sale to the CI did not present a grave and immediate danger to the public.

Moreover, even if the offense under investigation had been a crime of violence, the high speed, reckless, and harrowing driving by both Bell and the pursuit officers was a clear danger to the public – particularly driving in the lane for on-coming traffic in Ansonia. The pursuit only ended when the SUV crashed into an occupied residence posing a serious risk of injury to the occupants.

¹² General Statutes §29-6d(c)(1) ("Each police officer shall use body-worn recording equipment while interacting with the public in such sworn member's law enforcement capacity ...").

The pursuit should have been terminated by the pursuing officers themselves or their superiors at the Bridgeport PD.¹³

Justification

The information provided to the police leading up to the shooting put them on alert that they were confronting a dangerous situation. Their CI, whom they deemed reliable, told them that “JB” (Bell) was a violent drug dealer who always carried a gun. Indeed, the very afternoon of February 4, 2024, the CI told police that he had seen a gun in Bell’s waist strap. The operation plan to stop Bell’s car to apprehend him with a gun and/or drugs seemed viable until Bell refused to stop.

One vexing question in this investigation is, why didn’t the police find a gun in the front seat area of the SUV? Was the CI lying? Was the CI mistaken? Did Bell toss the gun during the pursuit? None of these explanations are satisfactory. The CI had a good track record for reliability. It would be foolhardy for the CI to so boldly lie to the police. The CI’s report about Bell having a gun was not qualified or ambiguous. The CI did not say “he might have a gun.” The CI said, “I saw the gun and it is in his waist strap.” Bell’s girlfriend was in the SUV during the pursuit and said nothing about Bell tossing a gun.¹⁴ A possible explanation is that the gun displayed by Bell was not a genuine firearm, but the pellet pistol found in the spare tire well of the Mercedes. Bell could have placed it there after meeting the CI but before the pursuit. In any event, I believe that it was reasonable for the police to believe that Bell had a gun.

Bell’s flight suggests his consciousness of guilt and desperation to get away. The ill-conceived pursuit, however, likely put the pursuing officers in a high stress state that was not conducive to good decision making. The pursuit only ended when Bell lost control of the Mercedes-Benz SUV and crashed into the porch of the occupied house at 265 Division Street, Ansonia. Officer Hoffman likewise crashed his police vehicle into the SUV’s driver’s door. It appears that not even these collisions stopped Bell’s efforts to escape as evidenced by his attempts to reverse the SUV. Sergeant Robinson’s maneuver blocking in the SUV finally immobilized it and its occupants Bell and Bell’s girlfriend.

As stated above, I believe that it was an error not to terminate the pursuit long before the SUV crashed into the Ansonia house. I further believe the police committed a second error when they did not use the immobilization of the SUV as an opportunity to evaluate the situation. They had distance and cover, and they could have attempted steps to de-escalate the situation and convince Bell to surrender.

¹³ It is noted that while Bell’s girlfriend estimated the speed of the SUV to exceed 100 mph during the pursuit, at no time did any of the pursuing officers report the speed to dispatch. This was contrary to Bridgeport PD General Order 3.06, IV, D, 3g (pursuing officers to report to dispatch the speed of the pursuit).

¹⁴ OIS inspectors considered the possibility that Bell tossed a gun from the SUV during the pursuit. See note 10.

Instead, the officers swarmed the SUV. Given the information that Bell was armed, this approach amounted to officer-created jeopardy. There was no margin for error. All of Bell's movements inside the SUV were seen through the prism of his being armed and dangerous. This greatly increased the risk that any movement by Bell would be immediately construed (or misconstrued) as a grab for a gun.

There was no meaningful effort at de-escalation. Shouting at Bell to "Show your hands," while necessary to ensure the safety of the officers, did not have a de-escalating effect. It is true that Bell was uncooperative and hostile. Despite the officers' commands he refused to show his hands. He gave officers the finger and swore at them. After Sergeant Robinson broke the driver side window, Bell aggressively punched out the window glass with his bare hand. It is also true that the officers made no effort to overcome his hostility and engage Bell in a dialogue.

All the above is the context within which the shooting occurred. The moment of truth was Bell's sudden and abrupt movement down and to his right. Officer Hoffman thought that he was reaching for a gun and fired his gun to stop the perceived threat. The pivotal question is whether this belief was objectively reasonable. The informant information and Sergeant Robinson's declarative (and incorrect) comment "Alright, he has a gun" made it reasonable to believe that Bell likely had access to a gun in the SUV. But was it reasonable to believe that he was reaching for a gun at that moment? The movement was away from Officer Hoffman and not toward him. Officer Hoffman's stated belief, however, was that Bell posed a danger to Officer Ortiz who was near the passenger door of the SUV. On this point, the evidence is in conflict. Officer Hoffman's statement is that Officer Ortiz fell before Officer Hoffman fired and was vulnerable to being shot by Bell. Officer Ortiz, however, stated that he heard the shot and then fell as he was moving away from the SUV seeking cover. Sergeant Robinson also stated that Officer Ortiz fell after he heard the first shot.

It is relevant that Officer Hoffman never saw an object in Bell's hand. He did not see a gun or another object that could be misconstrued as a gun. The fact is that Bell did not have a gun on or near him when he was shot.

Officer Hoffman did not perceive that Bell was unarmed. It is the failure to perceive the risk that Bell was unarmed that is the crux of potential criminal liability. Was such failure to perceive that risk negligent in the sense that a reasonable police officer would have perceived such a risk? From the passenger side of the SUV, Officer Rivera-Colon interpreted Bell's hand movement toward his waist as a reach for a gun. Does that affect the reasonableness of Officer Hoffman's belief or was Officer Rivera-Colon also so caught up in the moment that he, like Officer Hoffman, automatically interpreted every movement by Bell as a reach for a gun?

What about the actions of the other two officers who uncritically assumed that the gunshot that they heard came from Bell? Should they have at least taken a moment to verify

their assumption before opening fire into the SUV? Would a reasonable officer have acted in a more deliberate fashion?

The law restricts police use of deadly force to situations where police are defending themselves or third persons from the “use or imminent use of deadly physical force.” §53a-22(c)(1)(A). Bell was not actually using deadly force. Accordingly, the question of justification comes down to whether Bell’s actions were reasonably perceived by Officer Hoffman as a threat of imminent use of deadly force. “Imminent” means about to occur at any moment. Webster’s II, New College Dictionary. Given this definition, did Officer Hoffman act too quickly? He probably did. The threat had probably not reached the stage of imminence. There are a host of reasons why Officer Hoffman could have acted too soon: (1) he was in an emotionally charged state from the pursuit and the collision, (2) the police lights and sirens added to the stress level, (3) no effort was made to evaluate the situation once the SUV was immobilized; instead the officers ran up to the SUV increasing the risk of danger to everyone, (4) the comments by other officers that, “he has a gun” and “he’s reaching” raised his already high anxiety level, (5) he believed Bell had ready access to a gun, and (6) Bell’s belligerence suggested that Bell would harm officers if he got the chance.

The police, however, needed more than Bell’s quick movement to justify shooting him. He was unarmed and their belief that he was reaching for a gun was premature and arguably not objectively reasonable. For these reasons, some people would see the shooting as not justified. I have vacillated on this question myself.

There is, however, an adage in the law that is relevant here: It is not what you believe, but what you can prove. In the present context, it is what you can prove beyond a reasonable doubt.

Bell did make a quick and unexpected movement down and to his right. In the tense environment that prevailed requiring split-second decisions, is it not out of the question that a reasonable police officer would believe, as Officer Hoffman did, that Bell was reaching for a gun. Bell’s fatalistic comments to his girlfriend about allowing the police to shoot them so that they could go out together are concerning. Was he at some level trying to provoke the police?

Our jury instructions give jurors guidance in examining the question of what constitutes reasonable belief:

“The act of (name of person) leading to the defendant’s use of defensive physical force need not be an actual threat or assault. The test is not what the other person actually intended, but what the other person’s act reasonably caused the defendant to believe was the other person’s intention.”

Connecticut Criminal Jury Instructions, §2.8-1.

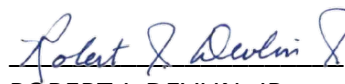
In other words, Bell's sudden abrupt movement to his right need not have been an actual effort to grab a gun. The test is not what Bell intended but what his act caused Officer Hoffman to reasonably believe. Applying this test and mindful of the burden of proof, my view is that there is insufficient evidence to support a prosecution in this matter.

There should, however, be consequences to the litany of substandard police work documented in this report. In this regard, I have confidence that the command staff of the Bridgeport Police Department and its Internal Affairs Division will take appropriate action.

CONCLUSION

The investigation establishes that the police actions in this matter were, in several respects, flawed. The evidence does not, however, meet the legal standard to prove an unjustified shooting. The Office of Inspector General will take no further action in this case.

Submitted this 3rd day of February 2025.


ROBERT J. DEVLIN, JR.
INSPECTOR GENERAL