

Report Regarding the Death of Katherine Colon

on September 21, 2023

In the City of New Britain¹

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State's Attorney

Judicial District of Waterbury

February 24, 2024

¹ In compiling this report, this office has received invaluable assistance from the Connecticut State Police Eastern District Major Crime Squad, the CARS Unit of the Connecticut State Police and the Office of the Chief Medical Examiner. The undersigned wishes to acknowledge the cooperation of the New Britain Police Department. In particular, Eastern District Major Crime Detectives Ethan Tanksley and Jared Avery and CARS Unit Detective Mark Jesudowich must be commended for their exhaustive and professional investigation of this matter.

On September 21, 2023 at approximately 01:10 hours , New Britain Police Officer Connor Reinsch was operating a New Britain Police Department cruiser when he struck and killed pedestrian Katherine Colon on West Main Street in New Britain, Connecticut. Because the investigation involved a member of the New Britain Police Department, at approximately 03:00 hours on September 21, 2023, the investigation of Ms. Colon’s death was turned over to the Connecticut State Police (CSP) Eastern District Major Crime Squad (EDMCS) and the CSP CARS Unit for investigation and accident reconstruction. On or about September 25, 2023, the matter was assigned to the undersigned for review and possible prosecution.

As part of their investigation, members of the CSP, *inter alia*, took photos of the scene, seized and documented items of evidentiary value, interviewed witnesses, responded to the hospital where Ms. Colon had been treated, attended the post mortem examination, retrieved and analyzed video evidence, police cams and CAD communications relative to the case, and seized and towed Officer Reinsch’s patrol car from the scene. Members of the CSP later searched and examined this vehicle. Perhaps most importantly, the CARS Unit developed a detailed accident reconstruction of the collision. The following review and conclusions are a result of the undersigned’s review of this investigation, videos and applicable statutes and case law.²

² All non-civilian witnesses have been identified by name. All civilian witnesses have been referred to as “Civilian Witness.”

Police Activity Prior to 01:00 hours on September 21, 2023

At 00:54 hours on September 21, 2023, New Britain Police received a 911 call regarding a report of a residential burglary. The complainant reported that an individual had broken into her garage and took a motorcycle, tools and speaker. The caller further stated that her eleven-year-old daughter had been awakened by someone trying to enter their garage which was located under the primary bedroom. The child stated that she had seen the individual, who was dressed all in black, crouching down near the garage, and heard banging. Upon checking the garage, the caller stated that she observed an open window, missing items and saw a man exiting. The caller stated that she had a protective order and felt that the intruder might be a former domestic partner. Police were dispatched to the scene. The victim reported that a motorcycle and a "pit bike" had been stolen from the closed garage.

At approximately 00:55 hours, Officer Reinsch was dispatched to a report of a "group of kids on dirt bikes around the area." This complaint was later determined to be unfounded. At 01:10:21 hours, a request came from dispatch for "more units" to respond to a nearby location to look for a red pick-up truck which was registered to a suspect possibly involved in the burglary and theft of the motorcycle and "pit bike" from the garage. In response to this dispatch, Reinsch turned his cruiser around in front of Jimmy's Quality Smoke Shop located at 64 West Main Street, New Britain and proceeded westbound on West Main Street and past the intersection of Curtis Street. Given the nature of the dispatch, and pursuant to New Britain Police Department policy, Reinsch determined that the incident should be classified as a "Level 2" incident, and did not activate his emergency siren or strobe lights, although his headlights and other non-emergency

vehicle lights were activated and working (See Appendix A). At approximately 01:12 hours, Reinsch radioed dispatch and reported that he had struck a pedestrian and requested assistance and an ambulance for a "Level One" emergency. The officer told dispatch that he had immediately stopped his vehicle upon striking the woman. Upon observing that she was unresponsive, he reported that he had begun performing life-saving measures.

Weather and Roadway Conditions

As part of their investigation, the CSP researched the weather conditions during the time period in question and obtained weather data from the nearby Hartford-Brainard Airport (KHFD) which is approximately nine miles from the collision scene. Utilizing this information, it was determined that at the time of the collision, “the temperature was approximately 53 degrees Fahrenheit, the wind was calm, conditions were fair, there was an absence of precipitation, and visibility was estimated at ten miles.”³ Based on this data, the CARS Unit determined that weather conditions did not play any role in the collision.

³ CSP, “Collision Analysis-CARS Supplemental Report” Detective Mark Jesudowich, 12/16/2023, p. 1-43, at 3.

The Officer's History

Officer Connor Reinsch had been employed as a patrol officer by the City of New Britain Police Department since October of 2021. He had no history of disciplinary action.

The Cruiser

At the time of the incident, Reinsch was operating a New Britain Police Department cruiser which was a 2017 Ford Police Interceptor Utility Vehicle bearing CT registration 216NB. This was a marked police vehicle with the word "Police" on the front edge of the hood, "New Britain Police" and an image of a shield on the left and right side doors, "Emergency Dial 911" on the left and right sided quarter panels, "New Britain Police" on the left portion of the rear end, and the vehicle number "28" on the left front corner, right front corner and right portion of the rear end. A subsequent examination of this vehicle by the Connecticut State Police CARS Unit revealed that the cruiser was in good condition with no defects or mechanical problems observed. Damage to the cruiser was observed to be on the cruiser consistent with a pedestrian collision "in an area between the vehicle's centerline and its right headlight housing, with damage extending rearward onto the top of the hood. The contact damage included damage to the mounted push bumper, front grille, and hood."⁴ (Appendix 15)

⁴ *id.* at 1.

The Officer's Statements

Officer Reinsch is seen and heard on body cam footage taken at the scene. Reinsch is heard on his body cam at 1:15:02 hours stating, "I was coming down...I didn't see fucking shit...I saw some dude on the side of the road in tan...I looked at him cause he was leaning over...I looked back up and fucking...same time I was driving and...I didn't see her...I had no idea she was ...I had no idea, I didn't fucking see her dude." He can also be heard on the body cams of other responding officers making similar statements. At one point, in response to a question by an EMT, he stated that he thought that he was operating the cruiser at between 40-50 mph. He also said at one point that he was "doing his GPS" at the time of the accident. ⁵(From examining the cruiser cam which shows the officer's movements within the car for 30 seconds prior to the collision, we know that this statement regarding the GPS is incorrect. The video clearly shows both of the officer's hands and the GPS for the 30-second period prior to the time of impact, and before he could have seen Ms. Colon, and he was not entering information into the GPS during this time period.)

On January 4, 2024, EDMCS Detective Ethan D. Tanksley took a written statement from the officer. Reinsch stated the following (see Appendix C) :

...On Thursday, September 21, I was operating Unit 28 in my assigned section 14 where the accident occurred. At approximately 0100 hours I was traveling eastbound on West Main Street near Lexington Street where Sergeant Nelson called for an additional unit to head to (address deleted) to intercept an active burglary suspect from (address deleted.) I radioed to Sergeant Nelson that I would head to that location... I then entered the (address deleted) into my Garmin GPS, which is mounted on the front windshield of

⁵ CSP Report, Det, Ethan Tanksley, 1-31, at 23.

my cruiser and turned around to head westbound on West Main Street. Due to the nature of the call, I determined that a Code 1 (emergency lights and sirens) was not needed or tactically advantageous and continued to (address deleted) in a timely manner at Code 2. Code 2 is the normal response without lights and sirens. I remember the roadway was dry, the lighting was dark, and the weather was clear.

As I was heading westbound, I observed a male in a tan colored coat to be hunched over on the side of the road near the St. George Greek Orthodox Church (301 West Main.) I would note that as I was heading eastbound on West Main Street before I turned around, I observed this male party to be in this same location, hunched over near the road. Through my police training and experience, I know parties to be postured in this manner are typically on some type of narcotic, tend to overdose, and most likely need medical attention. I turned my head to the right to get better look at the male. As I glanced at the male I believe I slowed before striking an unknown object in the middle of the road. As I looked forward, I observed a female in all black clothing on the hood of my marked NBPD cruiser # 28. I then immediately hit my brakes, got out of my car, and observed the woman to be lying on the ground motionless. I called for New Britain Emergency Services (NBEMS) Code 1 (emergency lights and sirens) and informed that I had struck a pedestrian with my cruiser. Without hesitation I checked the female for a pulse and could not find one. I immediately began chest compressions on the female until Officer Podgurski arrived on scene and took over life-saving measures.

NBEMS arrived and took over life-saving measures. The female was then transported to the Hospital of Central Connecticut where I was later informed, she had died.

At this time, I was escorted to the rear of Sergeant Bonilla's marked NBPD cruiser until I was taken to the Hospital of Central Connecticut to have my vitals checked...I would note that while driving westbound on West Main Street, at no time did I observe the female to be walking around or in the roadway. I also did not observe a crosswalk in the area where the accident had occurred.

Post Collision Activity

At approximately 01:12:30 hours, New Britain Police Officer Charmaine Podgurski arrived at the accident and observed Reinsch performing chest compressions on an unresponsive female later identified as Katherine Colon. Podgurski relieved Reinsch and took over performing chest compressions on the unresponsive Ms. Colon. Ms. Colon was then transported to the Hospital of Central CT located at 100 Grand Street New Britain. Shortly after arrival at 01:52 hours, she was pronounced deceased by Dr. Lisa Zhang. Since Ms. Colon was alone and was not carrying a purse, cell phone or identification of any type, police were unable to identify her for several hours after her death. After an identification was made through a fingerprint comparison conducted at the Office of the Chief Medical Examiner, Ms. Colon's next of kin was notified of her death on September 21, 2023 shortly after 14:00 hours. At the time of the collision, Ms. Colon was dressed in dark clothing including black pants, a black long sleeve sweatshirt with light writing on the front worn over a white tee shirt, black socks and a pair of multi-colored crocs. One hundred dollars cash was recovered from the scene. This money was found in the street in the area of the collision. Although this cannot be proven, it appears that it might belong to Ms. Colon.

(See Appendix D)

The Autopsy

An autopsy of the decedent was performed at the office of the Chief Medical Examiner on September 21, 2023 by Assistant Medical Examiner Donald E. Turbiville, MD. The cause of death was determined to be “Blunt Force Trauma of the Head, Torso, and Extremities.” The manner of death was listed as “Accident (Struck by a Police Car) “. The blunt force trauma of the head was documented to be “a laceration of the scalp and an abrasion with exposed calvaria. Abrasions were documented on the left ear helix, right upper eyelid, lower right face, and the right bridge of the nose. Numerous abrasions were seen on the chest, torso, back, extremities and abdomen. She had numerous fractured bones including breaks of her ribs and vertebrae and a “complete transection of the spinal cord.” She also had breaks to both femurs and the Medical Examiner observed breaks to the tibiae and fibula bones.⁶

As part of the autopsy, blood samples were taken from the victim and submitted for analysis. These samples were analyzed by Justin O. Brower, Ph.D., Forensic Toxicologist of the NMS Labs. The testing revealed that MS Colon had a number of intoxicating substances in her system including Alcohol, Benzoylgonine, Cocaine, Cocaethylene, Fentanyl and Norfentanyl. The readings obtained are as follows⁷:

Ethanol: 89mg/dL (Femoral Blood)
Blood Alcohol Concentration (BAC) : 0.089
Benzoylgonine : 2100
Cocaine : 100
Cocaethylene : 100
Fentanyl : 17
Norfentanyl: 12
Ethanol : 111 (Vitreous Fluid)

⁶ Autopsy of Katherine Colon, 09/21/2023, Donald E. Turbiville, M.D., M.E. Case No. 23-18195.

⁷ *id.* CARS ACCIDENT REPORT RECONSTRUCTION at 15-17.

Dr. James Gill, Chief Medical Examiner of the Office of the Chief Examiner, later explained that the effects of ingesting any intoxicating substance especially when combined with other substances can vary by individual, but that Ms. Colon was legally intoxicated at the time of the accident, and her judgment would have been affected, and she would have been less aware of her environment.

Video Timeline

The following timeline has been established by the CSP through an examination of cruiser and body cam footage taken that evening⁸:

Body Cam/Cruiser Video Footage

- 01:10:05 Reinsch turns his vehicle around near Jimmy's Quality Smoke Shop at 64 West Main Street
- 01:10:53 Reinsch is seen traveling westbound on West Main Street. A man can be seen on the sidewalk adjacent to the westbound shoulder of West Main Street. The male appears to be leaning towards the roadway.
- 01:10:55 Reinsch is seen striking the female pedestrian (At this time the cruiser camera appears to fall and the remainder of the recording on the cruiser camera is a dark screen.)
- 01:10:55 Reinsch stops the vehicle.
- 01:11:00 Reinsch exits the vehicle
- 01:11:03 Reinsch locates the unresponsive female, in the supine position, partially in the westbound lane of travel of West Main Street, and partially in the adjacent shoulder.
- 01:11:17 Reinsch performs a sternum rub on the chest of the unresponsive female.

⁸ CSP, "New Britain Police Department Body Worn Camera Recordings" Det., Ethan Tanksley, 11/10/2023, p.1-7).

01:11:20 Reinsch administers chest compressions on the chest of the female.

01:12:00 Reinsch checks the pulse of the unresponsive female

01:12:18 A second police officer arrives (Podgurski) and Reinsch can be heard saying, "Dude, I didn't see her. I didn't fucking see her."

01:12:30 The second officer takes over administrating chest compressions on the female.

01:15:02 Reinsch can be heard saying, "I was coming down...I saw some dude on the side of the road in tan, ...I looked at him cause he was leaning over...I looked back up, I was doing my GPS...same time I was driving...I didn't see her, I had no idea she was...I had no idea, I didn't fucking see her dude."

01:16:40 Another officer arrives on scene and administers chest compressions to the female.

01:17:26 Podgurski can be seen checking the pulse of the female.

01:18:21 The female is put on a gurney and into the ambulance.

Bank of America Video

Detectives from the EDMC squad also observed a camera which was located on the Bank of America on the south side of West Main Street, west of Lexington Avenue. Detective Tanksley reviewed the footage taken on September 21, 2023 between the hours of 00:30 until 01:30. He stated he did not observe Ms. Colon or the accident on the video and did not see anything of evidentiary value.

The "City Camera"

A surveillance video was obtained from the City of New Britain camera which was mounted on a pole located along the southeastern corner of West Main Street's intersection with Vine Street (hereinafter referred to this camera as the "City Camera.") The camera was located approximately 398 feet to the west-southwest of the area of impact with the camera facing an east-northeasterly direction. This camera also captures the presence of overhead lights. This camera shows Ms. Colon before, during and after the collision. *It should be noted that the time stamp on this video is off by approximately 2 minutes twenty seconds from the time stamp shown on the other videos so that the times stamps on the video must be adjusted accordingly.*

CSP Detectives created the following timeline based upon images recorded by this "City Camera"⁹:

01:09:56 An unidentified male figure dressed in a light-colored hooded sweatshirt is seen walking in a westerly direction on the sidewalk within the westbound roadside of West Main Street as he continues across the intersection with Grove Hill and toward the area of impact.

⁹ CSP, "Collision Analysis-CARS Supplemental Report" Detective Mark Jesudowich, 12/16/2023, p. 1-43, at 17-22.

- 01:10:36 The same male deviates and walks in a southerly direction into the westbound direction of travel at the approximate area of impact. The male lingers within the roadway at the approximate area of impact where he stops.
- 01:10:56 The male then returns to the sidewalk within the westbound roadside and resumes walking in a westerly direction.
- 01:11:08 The male reverses his direction on the sidewalk and proceeds back toward the area of impact while walking in an easterly direction.
- 01:11:09 The cruiser operated by Reinsch appears within the eastbound lane of West Main Street at the intersection of Curtis Street. The vehicle continues eastbound on West Main Street past the man and continues in an easterly direction out of range of the camera.
- 01:11:20 The unidentified male deviates from his eastbound direction of travel and walks in a southerly direction back into the westbound shoulder and westbound travel lane of West Main Street at the approximate area of impact. The unidentified male again lingers within the roadway at the approximate area of impact where he periodically stops and also bends down.
- 1:12:06 The dark figure, consistent with and presumed to be Katherine Colon, appears walking in a southerly direction along Grove Hill. It could not be discerned if the dark figure was walking on a sidewalk or on the paved portion of Grove Hill.
- 1:12:10 The dark figure, consistent with and presumed to be Katherine Colon, continues walking in a southerly direction onto West Main Street where the figure proceeds to cross over to the area of the white painted eastbound edge line.

- 1:12:13 The unidentified male walks back onto the sidewalk within the westbound roadside of West Main Street and proceeds to intermittently walk in a westerly direction.
- 1:12:16 The dark figure, consistent with and presumed to be Katherine Colon, arrives at the eastbound shoulder where the figure's lateral movement across West Main Street ceases. During this time, the dark figure could not conclusively be discerned to be standing still or walking.
- 1:12:22 The dark figure, consistent with and presumed to be Katherine Colon, becomes obscured from view by the street signs located within the eastbound roadside of West Main Street. While the dark figure is obscured from view, no figures are captured by the city camera utilizing the sidewalk within the eastbound roadside. The City Camera's view of the eastbound sidewalk between Grove Hill and the area of impact is unobstructed.
- 1:12:38 The unidentified male again reverses direction on the westbound sidewalk of West Main Street and walks back toward the area of impact in an easterly direction.
- 01:12:44 Katherine Colon's figure emerges from behind the street sign within the eastbound roadside of West Main Street where she remains constantly visible within the eastbound shoulder and along the white painted eastbound edge line. During this time the figure cannot be conclusively discerned to be standing still or walking.

- 01:12:47 The unidentified male again deviates from the eastbound direction of travel and walks in a southern direction into the westbound roadside and westbound shoulder of West Main Street at the approximate area of impact.
- 01:13:03 The headlights of Reinsch's Ford Explorer become visible as it travels westbound on West Main Street in the area of Walnut Hill Road.
- 01:13:05 Katherine Colon steps forward from the eastbound edge line as she begins to walk across the travel lanes of West Main Street towards the westbound roadside.
- 01:13:15 Ms. Colon continues to walk across West Main Street toward the westbound roadside and the figure becomes obscured from view due to the backlighting from the approaching cruiser's headlights.
- 01:13:17-18 Approximate time of the collision within the westbound lane.
- 01:13:22 Both the body of Ms. Colon and the cruiser come to rest.
- 01:14:00 The unidentified male is seen walking in a westerly direction on the sidewalk within the westbound roadside of West Main Street, and continues past the location of Katherine Colon and the cruiser.

Witness Statements

Detectives from the EDMCS conducted a neighborhood canvass, but were unable to locate any witnesses who saw the collision. However, a nearby resident, Civilian Witness 1 (CW1) reported that although she did not see the collision, she did hear a loud bang. She then reported that her sister (who also did not witness the accident) then looked out of her window and observed an officer performing chest compressions and saw several other police vehicles and an ambulance at the scene. After the arrival of the other officers who took over the chest compressions, the witness said that her sister reported that she had observed an officer sitting on nearby steps obviously upset and crying. (This officer has been identified as Connor Reinsch.)

On 12/26/2023, two members of the New Britain Police Department, Officer Belifiore and Detective Bjorklund, responded to the Hospital of Central Connecticut after learning that a patient, Civilian Witness 2 who was in police custody, had been making statements regarding an accident on September 21, 2023 involving her friend "Katherine." Officer Belifiore's and Detective Bjorklund's body worn cameras captured the statements made by CW2. She stated that she and Katherine had been at "Fast Track," and that someone had taken Katherine's purse. (Fast track is a transportation center which is located approximately 7/10's of a mile from the area of the accident scene. She stated that Katherine was highly intoxicated and that she was going to "Lincoln Street to get her purse." CW2 stated that Ms. Colon was "nodding out" and described the nodding out as "a whole half body nod." She said that Katherine was "high out of her mind" and was "on fentanyl." When asked to describe Ms. Colon's clothing that night, she said "I know that her Crocs were colorful." (At the time of the accident Ms. Colon was wearing

multi-colored clog-type shoes.”) She also stated that she declined to give Katherine a ride that night because she said she was going on a date and was afraid that Katherine would “OD” in the car.¹⁰ (See Appendix E) *It should be noted that CW2 was in the hospital and in police custody at the time of this statement, and refused to provide a written statement because she stated that she did not “want to put her name” on it, so her statement is not under oath, but is on the body cam video. It should also be noted that this witness did know the type color of the shoes that Ms. Colon was wearing, the fact that she did not have her purse and that she had ingested fentanyl.*

¹⁰ Statement of CW2 (see appendix E)

The Accident Reconstruction¹¹

As part of their investigation, the CARS Unit of the CSP produced a detailed accident reconstruction. The following is a summary of its findings and quotes from this forty-three-page report. (see Appendix F) The report states that Officer Connor Reinsch of the New Britain Police Department was operating a New Britain Police Department cruiser in a westerly direction on West Main Street, New Britain along the eastern side of the intersection with Lexington Street. A pedestrian, Katherine Colon, was struck by the cruiser and was projected in a westerly direction. Ms. Colon came to final rest within the paved portion of West Main Street along the western side of the intersection with Lexington Street.¹² (See Appendix G)

According to this report, West Main Street is oriented in an east/west direction, has a posted speed limit of 25 mph, and contains overhead lighting. At the time of the collision, all three of the overhead lights located on West Main Street were working and illuminated. The first light was on the northeastern corner of West Main Street's intersection with Grove Hill, located approximately 162 feet to the east of the area of impact. Another light was located on the eastbound roadside of West Main Street, located approximately 61 feet to the east-southeast of the area of impact. The third light was on the northern portion of West Main Street's intersection with Lexington Street, located approximately 62 feet to the west of the area of impact.¹³

¹¹ All statements, conclusions and quotes in this section are taken directly from the CSP, "Collision Analysis-CARS Supplemental Report", *id.* 1-43.

¹² *id.* at 2.

¹³ *id.* at 4-6.

West Main Street's intersection with Lexington Street is a three-way "T" intersection. Access into the intersection from the northbound lane of Lexington Avenue from the Northbound lane of Lexington Avenue is controlled by a stop sign and white painted stop bar. Access into the intersection from both the eastbound and westbound lanes of West Main Street is uncontrolled.¹⁴

The westbound roadway of West Main Street consists of an uphill grade of approximately 5 % as it approaches its uncontrolled right-side intersection with Grove Hill. The roadway then decreases (flattens) and continues through its uncontrolled left side intersection with Lexington Avenue with a reduced uphill grade of approximately 1%. This grade decrease, although not technically the top of the hill, creates a "hillcrest" which can affect the ability of an observer on one side of the hillcrest to observe an object on the opposite side of the road.¹⁵

Based upon the examination of the CARS photographs and the cruiser video, from the perspective of Reinsch, the hillcrest was found to obscure from his view the surface of the roadway where Katherine Colon was walking until the cruiser was approximately 200 feet from the point of impact. In other words, the hillcrest hindered the ability of the officer to see Ms. Colon beyond a distance of approximately 200 feet. Looking at the roadway from the perspective of Ms. Colon or a 5 foot 6 inch pedestrian, based upon the photos, the effect of the hillcrest on her ability to observe an approaching vehicle was described as only "marginal". Thus, the CARS Unit concluded that that the hillcrest "did not hinder the ability of Katherine Colon to detect the oncoming Ford Explorer."¹⁶

¹⁴ *id.* at 4.

¹⁵ *id.* at 4-6.

¹⁶ *id.* at 34-38.

The CARS Unit also concluded that there was “backlighting” from the traffic signal lights suspended over the intersection with Curtis Street. They were overhead street lights located to the west of Curtis Street, commercial lights from the Bank of America located within the eastbound roadside, and a commercial light from Angelo’s Market located within the westbound roadside. Their report concludes that this backlighting hindered “the ability of Connor Reinsch to detect and identify Katherine Colon within the roadway.”¹⁷

The report also dealt with the possible effect of the unidentified male pedestrian located near the scene of the collision. From video images, it appears that this male was wearing dark pants and a light-colored sweatshirt. The report concludes that “it would not be unexpected for the unidentified male pedestrian to ‘attract’ the officer’s attention away from the location of Katherine Colon. Noting that Ms. Colon was only visible in the cruiser video for 2-3 seconds prior to the impact, the report concludes that the ability to see Ms. Colon was hindered by a number of factors including the “effects of backlighting, the varying degree of the obscurement of Katherine Colon by the hillcrest, the dark clothes worn by Katherine Colon, and the presence of the unidentified male within a precarious position within the westbound roadside.”¹⁸

A. Pre-Crash Activity of the Cruiser

The New Britain cruiser being operated by Officer Reinsch was equipped with both an airbag control module (ACM) and an event data recorder (EDR). An EDR “is a device in a vehicle

¹⁷ *id.* at 34-38.

¹⁸ *id.*

that can record technical vehicle and occupant information for a brief period of time (seconds, not minutes) before, during and after a crash event.” This information can include:

1. Pre-crash vehicle dynamics and system status: e.g., speed, ignition count,
2. Driver input e.g., acceleration, braking, steering,
3. Vehicle crash signature: e.g., delta-v (velocity change) vs. time.
4. Restraint usage and deployment status, and
5. Post-crash data: e.g. roll rate, deployment times, subsequent events.¹⁹

On September 22, 2023, CSP detectives from the CARS Unit examined the ACM of the cruiser and determined that the airbags had not deployed on the evening in question. The CARS Unit also determined that the EDR had also not recorded any data from the collision. They concluded, “Not all collision sequences result in a generated EDR event(s). The absence of a generated event(s) indicated that the Ford Explorer’s collision with the body of Katherine Colon was not sufficient magnitude to trigger the EDR’s recording thresholds as indicated in its Data Limitations. Based upon the extent of the collision damage observed the front end of the Ford Explorer, as well as my (the author’s) training and experience, the absence of a generated EDR event (s) for the Ford Explorer was determined to be consistent with the dynamics and the magnitude of the collision sequence.”²⁰

The speed of the cruiser prior to the impact was determined using four different methods to estimate the Explorer’s speed. The CARS Unit first used the “time-distance” analysis derived from the time in which it took for the Ford Explorer to travel a known distance.” The CARS determined:

The known distance utilized from time in which it took for the Ford Explorer to travel a known distance. The Known distance utilized for this analysis was the gap in the solid white painted westbound edge (fog) line of West Main Street located at its intersection with Grove Hill.

¹⁹ *id.* at 13-15.

²⁰ *id.*

Using the scaled forensic map generated for this collision scene, as well as the elevation data recorded by GNSS measurements along the roadway, the length of the actual surface distance of this gap was measured to be approximately 74 feet 0.5 inches. The time in which it took the Ford Explorer to travel this known distance was obtained from the Ford Explorer's MVR video by counting the number of video frames captured while traveling across this gap, and then dividing the number of frames by the frame rate obtained from the video's Codec data. Since the frames do not precisely align with the beginning or the ending location of the westbound edge line, a +/- of 1 frame for each location was applied. This method resulted in a total +/- of 2 frames for this analysis. Based on this methodology, the time distance analysis calculated that the average pre-impact speed of the Ford Explorer as it traveled along this gap in the westbound edge line was between 51.7 and 60.0 mph. The gap in its westbound edge line was located approximately, 95 feet 8 inches to 169 feet 8 inches prior to the area of impact.²¹

The CARS Unit also determined the speed of the cruiser utilizing another method using the cruiser's GPS derived speed. The GPS data was analyzed from approximately 01:10:38 hours and 01:10:56 hours which was the estimated time of the collision. GPS data showed that the cruiser was not operating at a constant speed and showed that it changed speed approximately 13 times during the time period in question. They concluded:

The Ford Explorer's GPS derived speed was compared to its calculated time-distance average speed between 51.7 mph and 60.0 mph while traveling along the gap in the westbound edge line at West Main Street's intersection with Grove Hill. At the onset of the gap in the westbound edge line, the GPS derived speed displayed a value of 56 mph. At the conclusion of the gap in the westbound edge line, the GPS derived speed displayed a value of 52 mph...The GPS derived speed displayed at the Ford Explorer's impact with the body of Katherine Colon was 48 mph.²²

The CARS Unit also calculated the speed of the cruiser by using the Searle and Toor Equations. In this method, the speed of the vehicle is determined by examining the physical evidence at the scene. Calculations using the Searle's Equation utilize the distance that a pedestrian is thrown upon impact to estimate speed. By employing this method, the CARS Unit concluded that the

²¹ *id.* at 28-30.

²² *id.*

speed of the vehicle was between 47.4 mph and 49.2 mph during the time period in question. CSP CARS Unit detectives also used the Toor's Equation to estimate the speed of the Explorer. This is also a method for determining the speed of a vehicle in pedestrian/ vehicle collisions. Using this equation, the cruiser's speed was determined to be between 46.2 and 53.4 mph.²³

Thus , the CARS Unit employed a variety of methods to estimate the speed of the cruiser at the time of impact which ranged from a low of 46.2 mph to a high of 60.0 mph.

(B) Pre-impact movements of Katherine Colon

An attempt was also made to estimate the speed of Katherine Colon's movement across West Main Street from the City camera at the time in question. This process was difficult because of the lack of discernible landmarks. However, they were able to provide an estimate using the forensic maps. They concluded:

...the time period during which Katherine Colon walked from the eastbound edge line to the area of impact, approximately 12-13 seconds, and the roadway dimensions obtained from the forensic map of the scene, a range of walking speeds was able to be calculated. The shortest (minimum) possible distance between the eastbound edge line and the area of impact was a perpendicular path (90 degrees relative to the roadway's heading) measured to be approximately 17 feet 5 inches. Using the maximum walking time of 13 seconds, a minimum walking speed of 1.3 feet per second (0.9 mph) was calculated. The longest (maximum) distance between the eastbound edge line and the area of impact was measured from the edge of the eastbound line and the onset of its gap at the intersection with Lexington Street. The distance measured to be approximately 34 feet 6 inches along an angled path of approximately 31 degrees (relative to the road's headway). Utilizing the minimum walking time of 12 seconds, a maximum walking speed of 2.9 feet per second (2.0 mph) was calculated. Katherine Colon's range of walking speeds between 0.9 and 2.0 mph while attempting to cross West Main Street, was compared to the referenced age-specific walking speed data for 40-50 year old females (based on 128 samples)...The slowest speed was determined to be 4.11. ft per second (2.80) mph, the average

²³ *id.*

speed was determined to be 5.60 ft per second (5.60 mph) and the fastest speed was found to be 6.76 feet per seconds or (4.6 mph.)²⁴

Katherine Colon's movements on the cruiser camera were only recorded for approximately 2-3 seconds. It was determined that she was not walking in the shortest manner since she was not walking perpendicular to the roadway at a 90 degree angle. Rather, it appears that she was walking across the street at a 45 degree angle which increased the time it took her to cross the roadway by 41 percent.²⁵

The cruiser camera also shows that Ms. Colon did not appear to react in any manner to the approaching cruiser even though the vehicle had its lights on. She did not in any way attempt to move, brace for impact, flinch, avoid the impact or move out of the way. (This information could substantiate CW2's account that the decedent was intoxicated which is also consistent with the report of the OCME.)²⁶

Prior to the collision, the Ford Explorer, being operated by Connor Reinsch, was traveling within the westbound lane of West Main Street as it traveled towards the collision scene. The Ford Explorer was being operated with both of its functional headlights illuminated. The Ford Explorer's police lighting was not in use; neither its steady burning cruise lights, nor its flashing emergency lights. While approaching the collision scene, the Ford Explorer accelerated to a speed which was in excess of the posted speed limit of 25 mph. The time-distance analysis determined that while traveling between 95 feet 8 inches and 169 feet 8 inches prior to the area of impact, the Ford Explorer was traveling at an average speed ranging between 51.7 mph and 60.0 mph.

²⁴ *id.* at 30-32.

²⁵ *id.*

²⁶ *id.*

This range of speed was also consistent with the Ford Explorer's PS derived speed from the MVR video's metadata. The MVR video's metadata also indicated that the Ford Explorer's service brake was continuously activated during the approximate 3 second period immediately preceding the time of impact. The percentage of the brake activation throughout this 3 second time period, relative to a full brake application, was not recorded and is therefore unknown.²⁷

Prior to the collision, the pre-impact movement of pedestrian Katherine Colon was observed on the City Camera. "Based upon the facts and circumstances discussed in the analysis section of the city camera's video, this investigation determined that the dark figure, consistent with and presumed to be Katherine Colon, was in fact Katherine Colon. Katherine Colon's pre-impact movement within the roadway of West Main Street consisted of taking approximately 6 seconds to walk across West Main Street from Grove Hill to the white painted eastbound edge line of West Main Street, followed by an additional 49 seconds in which she walked in a westerly direction along the area of the eastbound shoulder of West Main Street from Grove Hill to where she re-enters the eastbound travel lane near Lexington Street, followed by an additional 12-13 seconds in which she walked in a general northeasterly direction within the eastbound and westbound lanes to this shoulder, eastbound travel lane, westbound travel lane, and westbound roadsides of West Main Street. Although not consistent with her observable movement, due to the figure of Katherine Colon being concealed from view during 22 seconds of her 49 seconds of movement in a westerly direction along the eastbound shoulder, it was recognized that during this time there exists the possibility that Katherine Colon may have made one or more incursions

²⁷ *id.*

into the grassy buffer area of the eastbound roadside located between shoulder and the eastbound sidewalk.”²⁸

“The pre-collision visibility analysis evaluated multiple factors affecting the ability of Katherine Colon and Connor Reinsch to sufficiently detect and identify the other to the extent that the need for an evasive response would be triggered. The analysis determined that Katherine Colon’s ability to sufficiently detect and identify the Ford Explorer as a potential hazard was more advantageous than Connor Reinsch’s ability to sufficiently detect and identify Katherine Colon. Despite Katherine Colon’s more advantageous ability to sufficiently detect and identify the oncoming Ford Explorer as a potential hazard, her movements captured by the MVR video up to the time of impact were observed to be absent of any discernable evasive or reactionary type actions consistent with Katherine Colon being alerted to, or aware of the readily visible oncoming Ford Explorer. While traveling in a westerly direction within the center portion of the westbound travel lane of West Main Street, the center portion of the Ford Explorer’s front end collided with Katherine Colon. At impact, Katherine Colon was determined to be located within the center portion of the eastbound travel lane approximately 29 feet to the east of West Main Street’s intersection with Lexington Street. Katherine Colon was determined to be walking at a speed between 0.9 mph and 2.0 mph. At the time of the impact, both Searle equations and the Toor wrap equation were used to calculate the Ford Explorer’s movement at the time of impact and indicated a speed of 49 mph.”²⁹

²⁸ *id.*

²⁹ *id.*

The CARS Unit also concluded that the impact could be described as a “wrap collision dynamic”, stating:

Based upon the movement of impact captured by the MVR video, the identification of a series of rub off marks where the accumulated film of dust and/or road debris was wiped away from the Ford Explorer’s hood, windshield, and the right front fender, as well as Katherine Colon’s post impact trajectory captured by the city camera video, the impact between the front end of the Ford Explorer and Katherine Colon, was determined to be a pedestrian collision classified as a wrap dynamic. As a result of the wrap collision dynamic, the body of Katherine Colon wrapped onto the top of the Ford Explorer and Katherine Colon, was determined to be a pedestrian collision classified as a wrap dynamic. As a result of the wrap collision dynamic, the body of Katherine Colon wrapped onto the top of the Ford Explorer’s hood, slid across the hood to the front windshield, and then slid off the right side of the hood and right front fender. After sliding off the right front fender, Katherine Colon became momentarily airborne before falling to the ground where she proceeded to slide and/or tumble across the westbound travel lane and westbound shoulder. The body of Katherine Colon came to final rest approximately 129 feet 11 inches including all phases of the wrap projection; the carry phase on top of the Ford Explorer’s hood, the airborne phase upon separation from the hood, the falling to the ground phase, and the slide and/or tumble phase along the surface of the roadway. The body of Katherine Colon came to final rest along the west bound edge (fog) line of West Main Street along the western side of the intersection with Lexington Street. Katherine Colon’s upper torso, oriented toward a northeasterly direction, was located within the westbound shoulder, and her legs landed within the right portion of the westbound travel lane of West Main Street.

After colliding with Katherine Colon, Connor Reinsch initially steered the Ford Explorer towards its left, momentarily encroaching into the eastbound travel lane before steering the Ford Explorer back towards its right. The Ford Explorer was brought to a controlled final rest within the westbound travel lane of West Main Street along the western side of the intersection with Lexington Street, with the front end of the Ford Explorer oriented facing an east-northwesterly direction. The Ford Explorer was located approximately 143 feet 11 inches to the west of the area of impact.

As a result of the injuries sustained during the collision sequence, the pedestrian, Katherine Colon was transported by a New Britain Emergency Medical Services ambulance to the Hospital of Central Connecticut New Britain General Campus where she was pronounced deceased on September 21, 2023, at 01:52 hours.³⁰

³⁰ *id.* at 40.

The Conclusions of the CARS Report

After an exhaustive investigation, the CARS Unit determined that Katherine Colon:

Made a series of unsafe and improper movements which were the causative factors for the collision, placing herself in unnecessary danger. This determination was based upon the accumulation of the following actions:³¹

At the time of impact, Katherine Colon was determined to have been continuously standing and/or walking within the eastbound shoulder, eastbound travel lane, westbound travel lane, and westbound shoulder of West Main Street for approximately 1 minute 7 seconds.

- Katherine Colon did not utilize either of the painted crosswalks located at West Main Street's intersection with Curtis Street and also at West Main Street's intersection with Park Place/Russel Street when she initially crossed West Main Street at its intersection with Grove Hill.
- Katherine Colon, wearing dark clothing in a dark area and completely obscured by backlighting in that part of the roadway, appeared suddenly and out of nowhere in the middle of the street without the aid of a crosswalk.
- Katherine Colon did not utilize the sidewalk either within the eastbound or westbound roadside of West Main Street while walking from Grove Hill towards Lexington Street.
- Katherine Colon did not utilize either of the painted crosswalks located at West Main Street's intersection with Curtis Street and also at West Main Street at the time of the collision.
- Katherine Colon prolonged her time within the travel lanes of West Main Street by walking at a reduced speed, between 0.9 mph and 2.0 mph, when she attempted to cross West Main Street at the time of collision. The figure of Katherine Colon was previously observed to cross West Main Street at its intersection with Grove Hill at a walking speed of approximately 3.5 mph. Katherine Colon was completely unaware that the cruiser was approaching and continued to walk slowly and unsteadily directly into its path.

³¹ *id.* at 41-43.

- Katherine Colon failed to identify the on-coming Ford Explorer as a hazard along its approach during the approximate period of 14 seconds when it was determined to be capable of being visible from Katherine Colon's position. During this time, the Ford Explorer had a high degree of visibility, and as the predominantly visible object located to the east of the collision scene. Katherine Colon failed to make any discernible evasive action in order to avoid the impending impact with the oncoming Ford Explorer. Katherine Colon had no reaction to the oncoming cruiser even when it appeared to be no more than two or three feet in front of her. She did not raise her eyes to look at the cruiser before impact.

- Katherine Colon was walking in the roadway while under the influence (positive toxicology findings for); Ethanol, Benzoylcegonine, Cocaine, Coeca ethylene, Fentanyl, and Norfentanyl. Impairment from alcohol and drug combinations can result in failing to recognize a hazard, making an improper response to a hazard, and/or having a delayed response to a hazard.

The CARS Unit also examined the actions of Officer Reinsch in regards to the incident and concluded that the speed of his vehicle which was concluded to be in excess of 25 mph in violation of Connecticut Statute 14-218a was listed as a contributory factor. Reinsch was estimated as traveling between 51.7 mph and 60.0 mph prior to the collusion and at the time of impact between 46.2 mph and 53.4 mph.³²

³² *id.* at 43.

Applicable Law

The legislature has recognized that under certain limited conditions, emergency vehicles may be permitted greater latitude than non-emergency vehicles in obeying traffic laws. CGS 14-283 provides:

(b) (1) The operator of any emergency vehicle may (A) park or stand such vehicle, irrespective of the provisions of this chapter, (B) except as provided in subdivision (2) of this subsection, proceed past any red light, stop signal or stop sign, but only after slowing down or stopping to the extent necessary for the safe operation of such vehicle, (C) exceed the posted speed limits or other speed limits imposed by or pursuant to section 14-218a, 14-219 or 14-307a as long as such operator does not endanger life or property by so doing, and (D) disregard statutes, ordinances or regulations governing direction of movement or turning in specific directions.

However, this statute does not confer complete immunity upon such operators. Instead, it provides:

(c) The exemptions granted in this section shall apply only when an emergency vehicle is making use of an audible warning signal device, including, but not limited to, a siren, whistle or bell which meets the requirements of subsection (f) of section 14-80, and visible flashing or revolving lights which meet the requirements of sections 14-96p and 14-96g, and to any state or local police vehicle properly and lawfully making use of an audible warning signal device only.

(d) The provisions of this section shall not relieve the operator of an emergency vehicle from the duty to drive with due regard for the safety of all persons and property.

Since Officer Reinsch did not have his emergency lights or sirens activated at the time of the collision, the emergency vehicle provisions of CGS 14-283 do not apply and an analysis of Reinsch's conduct must be made under a standard of an ordinary operator.

There are a number of criminal offenses which allow for the institution of criminal charges when a person accidentally kills another when operating a motor vehicle including Manslaughter

in the First Degree (CGS 53a-55), Manslaughter in the Second Degree (CGS 53a-56), Reckless Endangerment in the First Degree (CGS 53a-63), Misconduct with a Motor Vehicle (CGS 53a-57), Negligent Homicide with a Motor Vehicle (CGS 14-222a), and Reckless Driving (CGS Sect. 14-222).

CGS 53a-55 provides that "A person is guilty of manslaughter in the first degree when under circumstances evincing an extreme indifference to human life, he recklessly engages in conduct that creates a grave risk of death to another person, and thereby causes the death of another person." Manslaughter in the first degree, a class B felony is punishable by a prison term of up to 20 years, a fine of up to \$15,000, or both. Under CGS 53a-56, A person is guilty of Manslaughter in the Second Degree (a lesser included offense of Manslaughter in the First degree) when he recklessly causes the death of another person. Manslaughter in the second, a class C felony, is punishable by a prison term of up to 10 years, a fine of up to \$10,000, or both. A person is guilty of Reckless Endangerment in the First Degree under CGS 53a-63 when such "person with extreme indifference to human life, recklessly engages in conduct which creates a risk of serious physical injury to another person" and is a Class A Misdemeanor punishable by up to one year of incarceration.

There are also a number of criminal offenses specific to the operation of a motor vehicle that can be charged when an operator's actions result in the death of a person.³³ CGS 53a-57 provides that "A person is guilty of misconduct with a motor vehicle when, with criminal negligence in the operation of a motor vehicle, he causes the death of another person" and is a class D felony punishable by a prison term of up to five years, a fine of up to \$5,000, or both. A

³³ The charge of Manslaughter in the Second Degree with a Motor Vehicle, CGS 53a-56b will not be discussed since it applies when an operator is driving under the influence of an intoxicating substance. Since there is no evidence of that in this case, there will be no further discussion of this section.

person guilty of Reckless Driving under CGS 14-222, a lesser included offense of Misconduct with a Motor Vehicle, occurs when a person operates a motor vehicle “at such a rate of speed as to endanger the life of any person other than the operator of such motor vehicle or at a rate of speed greater than eighty-five miles per hour “ and is punishable by up to 30 days incarceration and fined not more than three hundred dollars or both.

CGS 53a-3 (13) provides that, “A person acts ‘recklessly’ with respect to a result or to a circumstance described by a statute defining an offense when he is aware of and consciously disregards a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that disregarding it constitutes a gross deviation from the standard of conduct that a reasonable person would observe in the situation.” “Criminal Negligence” is defined in CGS 53a-3(14) as, “A person acts with “criminal negligence” with respect to a result or to a circumstance described by a statute defining an offense “when he fails to perceive a substantial and unjustifiable risk that such result will occur or that such circumstance exists. The risk must be of such nature and degree that the failure to perceive it constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation.” “Extreme Indifference to Human Life” is not defined by statute, but case law has held that it occurs “ A person acts recklessly with respect to a result or to a circumstance described by statute defining an offense when he is aware of and consciously disregards a substantial, unjustifiable risk that such result will occur or that such a circumstance exists. In other words, recklessness involves a subjective realization of a risk and a conscious decision to ignore it. The risk must be substantial and unjustifiable.” *State v. Sotomayor*, 61 Conn App 15 (2001).

In the instant case, Officer Reinsch is alleged to have been operating his vehicle at a rate of speed greater than the posted speed limit of 25 mph. There are no other indications of reckless or illegal behavior. Estimates of his speed range from “between 51.7 mph and 60.0 mph prior to the collision and at the time of impact between 46.2 mph and 53.4 mph.” This speed taken alone cannot be said to constitute an “extreme indifference to human life” especially given the road conditions, weather, time and anticipated traffic in the area. Thus, it is not possible to prove beyond a reasonable doubt that Reinsch’s committed the offense of Manslaughter in the First degree under CGS 53a-55 or Reckless Endangerment in the First Degree under 53a-63 which both require a person act with an “extreme indifference to human life.” The next issue is whether he operated his cruiser “recklessly” to allow prosecution under the statute of Manslaughter in the Second Degree under CGS 53a-56. Again, this speed under the circumstances outlined above do not “constitutes a gross deviation from the standard of care that a reasonable person would observe in the situation” and thus, this statute is also not applicable in this case.

The next question is whether or not Reinsch’s constitutes “Misconduct with a Motor Vehicle” under CGS 53a-57. This statute requires that the operator act with “criminal negligence” which is defined as a “gross deviation” from the standard of conduct of a reasonable person and that the operator’s conduct results in the death of another. The State would not be able to prove that his speed alone establishes such a finding beyond a reasonable doubt. Even if the state could prove that Reinsch’s conduct was a “gross deviation” from the standard of care required, it still must show that this conduct was the proximate cause of her death.

A determination must then be made as to whether or not his conduct can be proven under the requirements of CGS 14-222, “Reckless Driving.” It has been held that “reckless driving

does not lie in speed alone, but in that, and other circumstances, which together show reckless disregard of consequences. State v. Andrews, 108 Conn 209, 214 (1928). In addition, the officer's speed alone does not qualify for the charge of Reckless Driving under CGS 14-222. Based on the totality of the circumstances, the State cannot sustain its burden of proof to establish beyond a reasonable doubt that his conduct violates any of the above statutes. Moreover, it is not demonstrated that his speed alone under the circumstances of the case sufficiently establishes "reckless indifference for human life, criminal "recklessness" or "criminal negligence."

Negligent Homicide with a Motor Vehicle in violation of CGS 14-222a occurs when "any person, who in the consequence of the negligent operation of a motor vehicle, causes the death of another shall be fined not more than three thousand five hundred dollars or imprisoned for more than three years of both." Negligent Homicide with a Motor Vehicle is a lesser included offense of "Misconduct with a Motor Vehicle". The standard of conduct required in this offense to sustain a conviction is only that of "ordinary negligence" which occurs when someone deviates from the standard of care or conduct a person should reasonably follow under the circumstances.

In State v. Lin Qi Si, 184 Conn App 402 (2018), the Appellate court dealt with the issue of when a decedent's negligence can be considered as a defense to the charge of Negligent Homicide. In Lin Qi Si, the defendant was operating a commercial bus when he struck a female who was crossing the roadway at 2:52 pm. The victim and a male coworker were crossing in a marked crosswalk which was controlled by a signal that was either flashing red or had turned red during their time walking in the crosswalk. The incident happened during the daylight hours and the weather conditions were described as dry and clear. There were no obstructions to the

defendant's line of sight as he approached the two individuals in the crosswalk. The defendant had previously observed the pair so he knew they was in the area. The crosswalk which the victim crossed led to an employee garage so that it should have been presumably anticipated that pedestrians would be in the area. Although the driver looked to his left to see if any other vehicles were approaching, by his own admission, he did not look to his right towards the crosswalk when he turned into the unobstructed crosswalk where the victim and her co-worker were walking. When the male saw the bus approaching, he attempted to run out of the way falling in the process.

In *Lin*, the court held that contributory negligence on the part of the decedent is not ordinarily a defense to the charge of Negligent Homicide unless it negates a finding that the operator was the proximate cause of the decedent's death.³⁴ "Proximate Causation" was defined by the court as "when it substantially and materially contributes, in a natural and continuous sequence, unbroken by an efficient, intervening cause, to the resulting death."³⁵

In *Lin Qi Si*, the Court delineated several factors might negate a finding that the defendant's actions were the proximate cause of the decedent's death and stated:

Furthermore, we must observe that there is no evidence in the record supporting a finding that the instructions guided the jury to discount any fact or set of facts Inconsistent with the defendant's guilt. **The evidence presented did not establish that the decedent's negligent conduct contributed so substantially and materially to her own death that the defendant could not have been a proximate cause of the death. There was, for example, no evidence that the decedent darted into the street from a place where she could not have been seen or her actions could not have been anticipated by a reasonably prudent bus driver exercising due care under the circumstances. Instead, overwhelming evidence was presented that the decedent was established in the roadway, having walked in the crosswalk, in front of at least three lanes of westbound traffic, while the defendant was turning his bus in her direction.**

³⁴ Lin at 417.

³⁵ *id.* at 412.

Two eyewitnesses testified that she was more than half way across Sandy Desert Road when the bus struck her. An expert opined that she was in the crosswalk at the time of impact and was closer to her destination across the roadway than to the point where she had entered the crosswalk. Photographs of the scene supported his opinion. There were, moreover, no external factors documented in the record, such as other vehicles, inclement weather, or mechanical problems with the bus that might have been found to negate the defendant's negligence or to reduce its causative contribution to the decedent's death to the point that it was not a proximate cause of the death. It was a clear day and the defendant's vision was unobstructed. The defendant admitted that he looked at the light in front of him, not at the cross-walk to his left, as he began to make his fatal left turn (emphasis added).

The most persuasive fact in favor of the defendant's trial theory was the uncontested evidence that the decedent crossed the street against the pedestrian crosswalk signal. However, this fact alone was not so powerful as to reduce the defendant's causative contribution to the decedent's death to the point that it was no longer substantial or material. Even if the jury found that the decedent crossed the street unlawfully, that would at most have suggested that her negligence contributed substantially and materially to, and thus proximately caused her death, not that it was the sole proximate cause of her death. The defendant failed to see the decedent in the roadway with no evidence in the record as to why, in the exercise of reasonable care, he could not have done so in time to avoid striking her when he made his turn. Therefore, we conclude that the jury's finding that the defendant's negligence was a proximate cause of the decedent's death was supported by over-whelming evidence.³⁶ *Id.* at 414

However, the State must still be able to prove that the conduct in question was the "proximate cause" of the death of the individual in question beyond a reasonable doubt. Likewise, in *State v. Pope*, 6 Conn. Cir. Ct. 712, 714, (1972), the court held specifically that while "contributory negligence is not a defense in a prosecution for negligent homicide with a motor vehicle case where ordinary negligence is one of the required elements, unless such negligence on the part of the decedent is found to be the sole proximate cause of his death."

In the present case, perhaps the best evidence of what occurred on the evening in question is the video taken on Reinsch's cruiser cam. It is important to note that this video is

³⁶ *id.* at 414.

taken from Reinsch's perspective of what he could or could not have seen that evening. It becomes apparent in watching this video Reinsch had, at most, 2-3 seconds to react to the presence of Ms. Colon in the roadway. After watching the video repeatedly, and even knowing exactly what to watch for and where Ms. Colon was located and where she was headed, her presence cannot be detected sooner because of her dark clothing and her presence in a dark area virtually completely obscured by the backlighting in that part of the roadway. The video shows that she appeared suddenly and "out of nowhere" in the middle of the street. According to the CARS report, Ms. Colon should have been able to see the approaching cruiser for at least ten seconds, and yet she continued to walk slowly in front of the police vehicle at a 45 degree angle which maximized the length of time it took her to cross the street. The man in the "beige shirt" who was located on the sidewalk street roughly parallel to Ms. Colon, and in the direction of where she was walking also diverted the officer's attention. This man is clearly readily visible on the video at an earlier time due to his light colored clothing and his presence in a lighted area. Indeed, the evidence showed that Reinsch has already slowed down *prior* to seeing Ms. Colon because he saw this man.

The video clearly shows that Ms. Colon was completely unaware that the cruiser was approaching. She continued to walk slowly and directly in its path. In fact, even when the cruiser appears to be no more than 2 or 3 feet in front of her, she shows absolutely no reaction. The video clearly shows her face, and it is without question that Ms. Colon did not even raise her eyes to look at it, and appeared entirely unaware of its presence, lights or sounds even when it was less than a yard away. A witness has also claimed to have observed her shortly before the crash, stumbling and acting in a highly intoxicated manner, and stated that she feared that Ms.

Colon was going hit by a car. According to the toxicology testing, Katherine Colon was under the influence of several intoxicating substances which would have been highly likely to have impaired her ability to judge the safety of her actions, and process what was happening around her. Her alarming and unusual lack of reaction could certainly be inferred to be the result of the ingestion of these intoxicating substances.

There are also other factors which must be considered. As shown on the dashboard cam and the "City Camera," Ms. Colon was not in a crosswalk when she crossed the street which made it less safe for her to attempt to cross the roadway. She also crossed the street in an unusually slow manner and at a less safe forty-five degree angle which maximized her time in the middle of the street. According to the "City Camera" and the CARS report, she spent a full 10 to 12 seconds in the street before she was struck by the officer. Video footage taken by the "City Camera" in the time before the collision also shows that for at least 1 minute 7 seconds, she was continually standing or walking in the roadway. At one point the "City Camera" captures what is believed to be her image, appearing to sway unsteadily while attempting to step into the roadway minutes before the collision.

According to our law, in order to prosecute any individual for the any of the above listed crimes, the accused's conduct must be shown to be the proximate cause of the victim's injuries or death. Several of the factors delineated by the Liu court which can negate such a finding of proximate causation include a decedent's failure to use a crosswalk, conditions which obstructed a driver's view, and a victim's unexpected movement into a street, which are all present in the instant case. There are also additional factors to be considered in this case. Ms. Colon was wearing dark clothing in a darkened area of the street making it extremely difficult for any

oncoming vehicle's operator to see her. She appeared to be unaware of her surroundings and didn't react in any way even when she was within a few feet of the lit and moving cruiser, and even continued to walk into its path. Given all these factors taken together, the State cannot prove that Reinsch's actions were the proximate cause of her death beyond a reasonable doubt. There are simply too many significant and intervening factors to prove the unbroken chain of causation required for a finding of proximate cause beyond a reasonable doubt. Thus, using the factors set forth in Lin and others, the State would be unable to meet its burden of proof beyond a reasonable doubt in any prosecution.

Conclusion

Katherine Colon died tragically during the early morning hours of September 21, 2023 when she was struck by a New Britain Police cruiser driven by Officer Connor Reinsch who was on his way to aid in the investigation of a burglary. The loss to her family and friends is undoubtedly immeasurable. After a thorough investigation and analysis of existing law, the State cannot sustain its burden of proof beyond a reasonable doubt to sustain a conviction for any of the applicable statutes and thus, will not be instituting criminal charges against Connor Reinsch for the death of Ms. Colon.

Respectfully submitted,

Maureen Platt
State's Attorney
Judicial District of Waterbury

Report Regarding the Death of Katherine Colon
on September 21, 2-23
in the City of New Britain

List of Appendixes

Appendix A

Appendix B

Appendix C


Appendix D

Appendix E

Appendix F

Appendix G

Appendix A

	NEW BRITAIN POLICE DEPARTMENT	Distribution ALL PERSONNEL	General Order Number 5.02
	POLICY AND PROCEDURE GENERAL ORDER	Original Issue Date 01/26/2020	Reissue/Effective Date 01/26/2020
Order Title: VEHICLE OPERATIONS	Accreditation Standard: POSTC: 1.7.14, 1.7.15, 1.7.16	Section 5	
Rescinds:	Section Title PATROL FUNCTIONS		
Christopher Chute, Chief of Police			

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE

The purpose of this policy is to establish guidelines to direct the safe operation of New Britain Police Department vehicles by police personnel.

II. POLICY

It shall be the policy of the New Britain Police Department (“Department”) that all personnel operate Department vehicles in accordance with state statutes and Department policies and procedures. Personnel responding to calls for service are expected to arrive promptly and safely. All Department personnel shall operate Department vehicles with due regard for the safety of persons and property at all times and shall be ever mindful of the reasonableness of their actions. When operating under emergency conditions, officers shall carefully balance the risks involved in such operations against the public’s interest in maintaining safety.

III. DEFINITIONS

Authorized emergency vehicle: A police vehicle equipped with operable emergency equipment to include a siren and red and blue flashing lights while such vehicle is being operated by sworn police personnel answering an emergency call or in pursuit of fleeing law violators.

Code 2 response: A non-emergency response traveling with the flow of traffic. Non-emergency calls for which a Code 2 response is appropriate including, but are not limited to:

- a) Crimes reported after the fact where no imminent danger is reported to exist;
- b) Burglary alarms without a confirmed perimeter breach;
- c) Non-violent shoplifters in custody;
- d) Minor offenses not of a potentially life threatening or physically dangerous nature;

- e) Property damage motor vehicle accidents that do not create an immediate public hazard or a serious traffic problem;
- f) 911 hang ups/abandoned calls without specific information;
- g) All other calls that do not require an emergency response;
- h) At the direction of a supervisor; or
- i) When directed by a supervisor.

Code 1 response: An emergency response with emergency lights and an audible siren activated in compliance with CGS § 14-283, including but not be limited to:

- a) Crimes in progress or crimes that just occurred when an expedited response might reasonably lead to the apprehension of suspects still in the area;
- b) Active domestic assaults;
- c) Robberies in progress, robberies just occurred, and robbery alarms;
- d) Life threatening or physically dangerous situations;
- e) Motor vehicle accidents with injuries;
- f) Motor vehicle pursuits when conducted in compliance with New Britain General Order 3.06;
- g) An officer's call for assistance;
- h) When directed by a supervisor.

Communications: The New Britain Public Safety Telecommunications Center (PSTC) or personnel staffing the New Britain.

Pursuit: An attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.

Supervisor: A person designated by the New Britain Police Department to have supervisory control over the operation of Department vehicles during a police response.

Fleet Supervisor: The supervisor designated by the Chief of Police to oversee the maintenance, administration and assignment of all agency vehicles.

IV. PROCEDURES

A. Requirements and Restrictions

1. License requirements: No person shall operate a Department vehicle of any kind unless they have a valid Connecticut Driver's license to operate such vehicle. Employees who have an expired, suspended, or otherwise invalid license will notify a supervisor and not be permitted to operate any departmental vehicle.

2. Occupant restraint systems: When operating police vehicles, or privately owned vehicles while on duty, operators, passengers, and prisoners shall wear available seatbelts or restraint devices. Operators will ensure that all occupants, including prisoners, have their seatbelts fastened prior to the vehicle being operated. Any child, required by State Statute to be restrained in a child restraint seat, shall be secured in a child restraint seat.
3. Officer use of seat safety belts: Sworn personnel shall wear a seat safety belt while operating, or as a front seat passenger of, a city-owned vehicle. Personnel shall not operate a city-owned vehicle if the operator's seat safety belt is inoperable. Personnel shall not modify, remove, deactivate, or otherwise tamper with the vehicle seat safety belts except during an emergency situation, or with the permission of the Chief of Police. The following are exceptions to this requirement:
 - a. Authorized emergency vehicles while responding to an emergency call.
 - b. Physically disabled or impaired person who carry with them a written physician's statement with justification for the exemptions. (Employees shall provide a copy of the physician's written statement to the Personnel Unit.)
 - c. For tactical situations such as an officer operating in an undercover capacity where the use of a seatbelt will compromise the officer's identity.
4. Vehicle check: Operators will conduct a check of their assigned vehicle to ensure critical vehicle equipment, including the radio, lights, siren, and mobile camera systems are functioning properly prior to the beginning of their shift. Operators will also inventory their assigned vehicle to verify the presence of all equipment necessary for their assignment. Prior to the start of shift, and following the transport of a passenger, officers shall check the rear passenger compartment for weapons and/or contraband. On a monthly basis, sergeants shall conduct vehicle and equipment inspections of all vehicles in operation by personnel under their command. The employee shall be present during the inspection. An email will be submitted to their respective Division Commanders upon completion of the inspection. At the end of each shift, personnel shall refuel their vehicles, inspect for and remove any evidence, trash, personal equipment, and leave the vehicle interior in clean condition.
5. Vehicle maintenance: Employees operating a vehicle are responsible for inspecting the vehicle and its equipment for functionality and cleanliness. Malfunctioning or deficient equipment shall be reported to the officer's immediate supervisor and the Traffic Safety Unit on a vehicle repair form. The employee shall also inspect the vehicle for damage. Any employee discovering unreported damage to a department vehicle shall immediately report it to their immediate supervisor. No person shall operate a Department

vehicle that has a deflated tire or when there is evidence of an apparent mechanical defect. Should the member fail to note and properly report any defect, which is discovered after his/her shift, it will be assumed that it occurred during his/her tour of duty and he/she will be held accountable. Vehicles will periodically be removed from service in accordance with monthly maintenance schedules.

6. Disabled Vehicles: When a vehicle becomes disabled, the employee shall notify the Dispatch Center and his or her supervisor. Dispatch shall notify the appropriate towing agency, as required. In addition, the respective employee shall complete a vehicle repair form.
7. Personal use: New Britain Police Department employees will not use Department vehicles for their personal use except with the express permission of the Chief of Police or the Chief's designee.
8. Pushing/Towing: Unless properly equipped, no person shall use a Department vehicle for the purpose of pushing or towing another vehicle, nor shall a departmental vehicle be towed by another vehicle except by the towing facilities provided by the Department.
9. Passengers: Generally, private citizens shall not be permitted to "ride along" in police vehicles that are being used in the performance of duty unless the citizen's presence is necessary in the furtherance of police work.
10. Unattended vehicles: Vehicle ignitions shall be locked and the key removed upon leaving the vehicle. When leaving the vehicle for more than a brief period, the doors shall be locked. Whenever a police vehicle is left at a garage for repairs, the officer shall remove the key from the ignition and leave it with authorized garage personnel. All weapons shall be removed from the vehicle prior to it being left at the garage. Vehicles shall not be left unattended with engines running unless required for the performance of the employee's duties.

B. Responsibilities of Sworn Police Personnel

1. Safe operation: The driver of any Department vehicle shall operate said vehicle in a reasonable and safe manner, exercising due caution and judgment, in compliance with all motor vehicle laws and regulations.
2. Code 2 response: Upon receiving a non-emergency call for service, assigned personnel shall respond in a Code 2 manner, obeying all motor vehicle laws while driving with the normal flow of traffic to the assigned location.

3. Change in response: Sworn police personnel may upgrade or downgrade their response, based on developing information or at the direction of a supervisor, to Code 1 or Code 2 protocols.
4. Travel conditions: Officers shall be cognizant of weather and road conditions, modifying their response from Code 1 to Code 2 when conditions dictate such action is necessary.
5. C.G.S. § 14-283: All sworn personnel shall possess a complete and thorough knowledge of Connecticut General Statute § 14-283, Rights of Emergency Vehicles, and shall comply with its provisions at all times.
6. Responsibility of police personnel to stop for a stopped school bus: The exemptions in C.G.S. § 14-283 do not apply with regard to a school bus that is actively displaying flashing red lights. Under C.G.S. § 14-279, sworn police personnel operating an authorized emergency vehicle shall immediately bring such vehicle to a stop not less than ten feet from the front when approaching and not less than ten feet from the rear when overtaking or following any registered school bus on any highway or private road or in any parking area or any school property when such bus is displaying flashing red signal lights, except at the specific direction of a traffic officer. Emergency vehicles shall not proceed until such school bus is no longer displaying its red flashing lights. This includes the prohibition of vehicular turns at an intersection of two or more highways toward a school bus receiving or discharging passengers.
7. Code 1 response: Upon receipt of an emergency call for service that requires a Code 1 response, assigned personnel shall activate the police vehicle's audible siren and emergency lights and shall utilize them during their response. The audible siren and emergency lights are tools used by law enforcement to expedite their response to calls for assistance and to warn motorists of their presence. However, police officers responding to calls, regardless of their seriousness, must exercise due caution in their response and their actions must meet the test of reasonableness.
 - a. Sworn personnel shall proceed to the scene and must obey all traffic rules and regulations. Officers may rely on the exceptions contained within C.G.S. § 14-283 only to the extent necessary for the performance of their duties. In such cases, officers will use extreme caution as civilian operators and/or pedestrians will not always see, hear or heed the lights and siren of the approaching emergency vehicle. The exemptions granted in C.G.S. § 14-283 shall only apply when an emergency vehicle is making use of an approved audible warning signal device and approved visible flashing or revolving lights.

- b. Sworn personnel shall drive at reasonable speeds, consistent with road, weather, traffic and light conditions. Officers must also take into account the area in which they are driving, and the type of call to which they are responding when making decisions regarding the safest method to proceed.
- c. Sworn personnel operating Code 1 to emergency calls may turn off their lights and/or sirens for officer safety and suspect apprehension reasons as they get close to a scene. However, once the warning lights and audible siren are turned off, they are no longer operating within the requirements of CGS § 14-283 and no longer have the rights of emergency vehicles.


C. Dispatchers

When receiving a request for police service, the Dispatcher will be responsible for getting as much information as possible about the call for service/incident.

D. Supervisors/Commanders Responsibilities

1. Response codes: Supervisors and commanders shall upgrade or downgrade response codes for responding officers based on, but not limited to, their training and experience, their knowledge of the history of a particular response location, the people involved, the road, weather and traffic conditions as well as the number of officers already on scene.
2. Code 1 responses: Supervisors and commanders are responsible for continually monitoring Code 1 responses and taking steps to ensure the safety of their subordinates and the public. Primary responsibility rests with the patrol supervisor on duty. In the event that the patrol supervisor is not available, any other supervisor or commander monitoring the call shall intercede as required.
3. Vehicle maintenance: Each commanding officer is responsible for reporting vehicle maintenance issues for vehicles operated by officers under their command to the fleet officer to ensure that appropriate repairs are made prior to operating the vehicle.
4. Training: Commanders and supervisors shall constantly reinforce the contents of this general order by ensuring that regular training sessions at roll call are conducted and documented at least once annually. Training records will be forwarded to and maintained by the Training Division

5. Crashes: When a motor vehicle crash involving police vehicle(s) is reported, the appropriate supervisor shall be responsible for ensuring the following occurs:
 - a. Any officer who is injured as a result of an on duty crash will receive immediate and appropriate medical care.
 - b. If the operator of the damaged Department vehicle is injured, the supervisor shall take the necessary steps to protect the vehicle and its contents from theft or further damage.
 - c. Any officer involved in an on duty automobile crash shall submit a written report of the incident as soon as possible.
 - d. Motor vehicle crashes involving agency vehicles shall be investigated by the operator's supervisor in accordance with proper crash investigation procedures as outlined in Directive 5.08. Upon completion of the investigation, a report will be submitted to the Chief of Police, which sets forth the findings. Supervisors shall initiate the appropriate disciplinary action against personnel who are found to have violated any element of this policy.
 - e. A determination will be made as to the extent of damage to the vehicle and the ability for it to be operated safely. When determined to be inoperable, the vehicle will be removed to the garage for inspection and repair.
 - f. Supervisors will be notified and respond to any crash involving a police vehicle from another agency or any City of New Britain vehicle.
 - g. The Traffic Safety Supervisor will review all completed crash investigations involving agency vehicles to assure completeness and impartiality.
6. Discipline: Any officer involved in an automobile crash deemed to be his/her fault by improper driving or any other reason shall be subject to such disciplinary action or any other action deemed appropriate by the Chief of Police.

	NEW BRITAIN POLICE DEPARTMENT POLICY AND PROCEDURE GENERAL ORDER	Distribution	General Order Number
		ALL PERSONNEL	5.26
		Original Issue Date	Reissue/Effective Date
		MM/DD/YY	MM/DD/YY
Order Title: BODY WORN CAMERAS		Accreditation Standard:	Section
		POSTC: 3.5.4	5
		Section Title PATROL FUNCTIONS	
Rescinds:		Christopher Chute, Chief of Police	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

I. PURPOSE

The purpose of this policy is to establish New Britain Police Department guidelines and limitations for the use and management of body-worn camera systems including the use, management, storage and retrieval of digital multimedia video files stored on or generated from the use of department issued or approved body-worn camera equipment including but not limited to:

- Creating video and audio records to contribute to the accurate documentation of critical incidents, police-public contacts, crime and accident scenes, and arrests.
- Preserving visual and audio information for use in current and future investigations in accordance with applicable guidelines referenced herein.
- Capturing crimes in-progress, whether committed against the police officer or the community, and to preserve evidence for presentation in court.
- Documenting police response to an incident.
- Aiding in the documentation of victim, witness or suspect statements pursuant to an on-scene response and/or documentation of the advisement of rights, and consents to conduct a lawful search, when applicable.
- Reducing the number of false complaints made against a police officer in the course and scope of his or her official police duties.

II. POLICY

The New Britain Police Department is committed to the belief that on-officer body-worn camera system is an important and valuable tool for law enforcement. On-officer video is essentially audio-video documentation of a police officer's investigative and enforcement activities from the perspective of the officer's person. The use of on-officer video is expected to result in greater transparency, more effective prosecution, and improved protection against false allegations of excessive use of force, misconduct or racial profiling.

The use of body-worn camera systems provides documentation of law enforcement interaction with the public by providing recorded evidence of actions, conditions and statements that may be used for court proceedings, internal review, or review by the public through formal request. Goals of a body-worn camera system include officer safety, to accurately document events during the course of an incident, to provide prosecutors with the best evidence for court proceedings, and to determine the accuracy of complaints made against New Britain Police Department officers. The New Britain Police Department will utilize the Axon camera system.

This New Britain Police Department has adopted the use of body-worn systems in order to accomplish several objectives, including:

- a. **Strengthening police accountability** by documenting incidents and encounters between officers and the public.
- b. **Resolving officer-involved incidents and complaints** by providing an objectively independent record of events.
- c. **Improving agency transparency** by allowing the public to see video evidence of police activities and encounters in accordance with applicable laws regarding public disclosure.
- d. **Identifying and strengthening officer performance** by using footage for officer training and monitoring when appropriate and consistent with the law.
- e. **Improving evidence documentation** for investigation, prosecutions, and administrative reviews of employee performance and/or civil actions.

Officers are prohibited from erasing, altering, or tampering with any mobile audio or video equipment or attempting to erase, alter or tamper with any video or audio equipment, including intentionally stopping/starting a recording.

III. DEFINITIONS

Evidence.com Software: A secure video file management system required for downloading, storing, and retrieving video files recorded with the Axon camera.

Body-Worn Camera (BWC): A body-worn audio/video recording system primarily consisting of a camera with mic and a removable battery pack that is worn by the Police Officer to capture digital multimedia evidence during the course and scope of their police duties. Referred to as either "Body worn camera" (BWC) or "WiFi wearable camera" throughout this document. The New Britain police currently use the Axon Body Camera.

In-car Camera: A vehicle borne camera system mounted in New Britain Police Department marked cruisers consisting of a video camera, hard mounted screen and controls, and in vehicle storage. Referred to as "in-car video" throughout this document. The New Britain police currently use the WatchGuard system.

Administrative Search Warrant: Any search warrant that is executed from an office setting with in the police department and does not have potential for confrontation or use of force. Examples of these warrants include, but are not limited to, financial, internet or telephone records, served through electronic means, or the execution of warrants on cellular telephone or electronic devices already in the possession or care of the New Britain Police Department.

Digital Storage Media: Any medium used to store digital media for evidence purposes, such as CD, DVD, USB, or other storage media.

Event Tags: The labeling identifier for various calls for service used within the ETM and on the BWC systems.

Evidence Transfer Management (ETM): ETM is the transfer of media from the body-worn and dashboard cameras to a secured server or other reliable secured storage source. The method of evidence transfer management for body-worn and dashboard cameras shall be approved by the Chief of Police.

Retention Rules: A set of rules within the Evidence.com system that apply to the various Event Tags. This system allows for the automatic and immediate assignment of general retention guidelines of recorded events that fall within the retention for the Freedom of Information Act and State Library of records requirements. These may adjusted after the fact by the Chief of Police's system designee.

IV. PROCEDURES

A. General

1. The New Britain Police Department has authorized the use of body-worn camera systems. The Department will use the camera systems to document events and capture data, which will be preserved in a secure server at the New Britain Police Department. Once captured, these recordings cannot be altered in any way, and are protected with multiple layers of encryption. The New Britain Police Department has adopted the use of body-worn camera systems to accomplish the following objectives:
 - a. To enhance officer safety.
 - b. To accurately document statements and events during the course of an incident.
 - c. To enhance the officer's ability to document and review statements and actions for both internal reporting requirements and for courtroom preparation/testimony.
 - d. To preserve visual and audio information for use in current and future investigations.
 - e. To provide an impartial measurement for self-critique and field evaluation during officer training or coaching and mentoring sessions.
 - f. To enhance the public trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings.
2. All department issued or approved body-worn cameras equipment and media associated with the body-worn cameras, data, images, video/audio and metadata captured, recorded, or otherwise produced by the body-worn and dashboard cameras shall not be viewed, copied, released, disclosed, or disseminated in any form or manner outside the parameters of this policy pursuant to the department's FOI policy and practice.
3. Each New Britain police officer shall use body worn camera equipment while interacting with the public in such sworn member's law enforcement capacity in accordance with the department's policy, if adopted by the department and based upon the guidelines established by the POST Council and DESPP.
4. This policy does not govern the use of surreptitious/covert recordings devices used in undercover operations

B. Operational Use

1. Body-worn cameras shall be operated in accordance with the manufacturer's guidelines and New Britain Police Department training and policies.
2. The body-worn cameras shall be worn at all times by the assigned officer.
3. Officers assigned to Investigative Services or other special assignments operating in that capacity shall carry their department issued body-worn camera and have it fully functional, charged and available for use. Detectives should make every attempt to utilize the body-worn camera in accordance with this policy, but it is recognized that due to the sensitive nature of their work it is not always prudent. Detectives unsure if and when to deploy their body-worn camera should consult with their immediate supervisor and/or their States Attorney.
4. Issued or approved body-worn cameras shall be operated in accordance with the manufacturer's recommended guidelines, department training and department policies and procedures.
5. Prior to each shift, officers shall test and inspect the body-worn camera for any physical damage and to ensure the system is fully charged and operational. Only fully charged and operational systems shall be used.
6. If problems are encountered with any component of the system, the body-worn camera shall not be used, and the officers shall arrange for repair or replacement through established departmental procedures. The officer shall immediately be provided with a replacement body-worn camera.
7. Malfunctions, damage, loss, or theft of any part of the body-worn camera shall be immediately reported to a supervisor. The officers shall immediately be provided with a replacement body-worn camera.
8. Officers issued or assigned a body-worn camera shall wear such camera on their outmost garment and shall position it above the midline of his/her torso when in use.
9. Uniformed Officers – At the beginning of each shift the officer ensure their body worn camera is linked to their assigned patrol vehicle in accordance with training. Once linked, the body worn camera will then be placed back on the officer.
10. While it is generally implied that words and/or actions performed in the presence of a police officer have no expectation of privacy, if asked the officer will inform the person they are being recorded. This should be documented in the officer's report.

11. Police officers issued or assigned a body-worn and dashboard cameras shall activate the camera while interacting with the public in a law enforcement capacity. For the purposes of this policy, “interacting with the public in a law enforcement capacity,” means that a police officer is in personal contact with one or more members of the public, the purpose of which is to conduct a self-initiated investigation into, or to respond to a third-party complaint involving, the possible commission of any offense, violation or infraction.

12. This policy is not intended to describe every possible situation in which a body-worn camera should be used. Sound judgment and discretion shall dictate when a body-worn camera is activated; however, officers should record the following types of incidents unless unsafe, impossible or impractical to do so:
 - a. Vehicle and pedestrian investigative detentions and stops;
 - b. Observed unlawful conduct;
 - c. Pursuits (including foot pursuits);
 - d. Use of force;
 - e. High-risk situations;
 - f. Advising an individual of Miranda rights;
 - g. Statements made by suspects, victims, or witnesses;
 - h. Interviews with suspects, victims, or witnesses;
 - i. Vehicle searches;
 - j. K-9 deployments;
 - k. Physical arrest of persons;
 - l. Transportation and processing or prisoners;
 - m. Observed items of evidentiary value;
 - n. Service of a Search Warrant;
 - o. Service of an Arrest Warrant;
 - p. An encounter initiated by a private person (flag down);
 - q. Any contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording;
 - r. Any other circumstances where the officer believes recording an incident would be appropriate.

Note: At no time shall police officers disregard officer safety or the safety of the public for the purpose of activating or utilizing the body-worn and dashboard cameras.

13. The camera should generally be used during incidents that create reasonable suspicion in the mind of a reasonable police officer that a crime has been committed, is being committed, or will be committed in the future.

14. Officers, who do not activate their body-worn cameras in situations where they were required to as outlined above, may be subject to discipline. If a citizen

complaint is made and the officer does not activate his body-worn camera as required, it will be a factor examined when determining final resolution of the investigation.

15. Once a body-worn camera is activated, it shall not be intentionally turned off until the incident has reached a conclusion. Additional police officers arriving on a scene that have been issued or assigned a body-worn and dashboard cameras shall also record the interaction with the public and shall also continue to record until the completion of the incident. For purposes of this policy, conclusion of an interaction with the public occurs when a police officer terminates his/her law enforcement contact with a member of the public. If it becomes necessary to discuss issues surrounding an investigation with a supervisor or another officer in private, the officer may turn off their body-worn camera; thereby preventing their private conversation from being recorded.
16. The use of a body-worn camera does not replace the need for required documentation. All incident/supplemental reports shall be completed, regardless of the video that has been captured.
17. Whenever an officer records an incident or any portion of an incident, which that officer reasonably believes will likely lead to a citizen complaint, the officer shall immediately bring it to the attention of his/her supervisor.
18. In situations requiring a report and/or citation, officers SHALL document the use of a body-worn camera in the following manner:
 - a. Within the synopsis AND narrative portions of an incident report.
 - b. Within a supplemental report.
 - c. As a notation on a citation.
19. Officers wearing a body-worn camera may use the system to capture statements from victims, witnesses, and suspects in place of utilizing a digital recorder. The use of a body-worn camera for such purposes shall be documented in the same manner as above.
20. Once video is captured and downloaded, officers shall identify the data file within the following manner:
 - a. By entering the full case number (ten-digit) within the Case Number field. If no case number exists, the Case ID field may be left blank.
 - b. Selecting the appropriate category. In the event more than one category is applicable, the category with the longer retention rate SHALL be selected.

- c. Entering applicable details within the Comment field. The comments should include sufficient information to identify/retrieve the file, such as case type, location, suspect/driver name, etc. If an officer needs the file maintained as evidence, this shall be noted in the comment field.
- d. Officers who are assigned a camera within a group (i.e., "Sergeants") will note their name and rank within the Comment field.

C. Operational Prohibitions / Restrictions

1. Officers shall not modify, tamper, dismantle, or attempt to make repairs to the body-worn cameras. Any officer, who intentionally disables or damages any part of the body-worn camera, or who fails to activate or deactivate the system required by this policy without justifiably reason, will be held accountable and subject to criminal and/or internal disciplinary action.
2. Officers will not enable a password protected lock on the device in case a situation arises that another officer or supervisor needs to retrieve recorded evidence from the device.
3. Department-issued body worn cameras are intended for official Departmental use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in disciplinary action.
4. Officers will typically not allow citizens to review recordings; however, officer discretion is allowed to replay the recording for citizens at the scene in order to mitigate possible complaints.
5. To respect the dignity of others, members utilizing body-worn cameras will make reasonable efforts to avoid recording persons who are nude, or when sensitive areas are exposed.
6. Body-worn cameras SHALL NOT be activated in places where a reasonable expectation of privacy exists, such as locker rooms, dressing rooms, or restrooms unless there is a call for service in that area where law enforcement response is needed.
7. Except as otherwise required by this policy, no police officer shall use body-worn or dashboard recording equipment to intentionally record:
 - a. A communication with other law enforcement agency personnel, except as the officer performs his or her duties;
 - b. An encounter with an undercover officer or informant
 - c. When an officer is on break or is otherwise engaged in a personal activity;
 - d. A person undergoing a medical or psychological evaluation, procedure

- or treatment;
 - e. Any person other than a suspect to a crime if an officer is wearing his/her issued or approved body-worn camera in a hospital or other medical facility setting; or
 - f. In a mental health facility, unless responding to a call involving a suspect to a crime who is thought to be present in the facility.
 - g. Any private conversation to which the officer is not a party; or
 - h. Any telephonic conversation unless specifically authorized by law while in the performance of their official duties.
 - i. A strip search
 - j. In a locker room, changing room or restroom, unless confronting a violent or assaultive suspect or in an incident involving the anticipated use of force.
8. The intentional recording of confidential informants and undercover officers is prohibited, unless authorized by a supervisor.
 9. Non-work related personal activity shall not be recorded.
 10. Under no circumstances shall any recordings be used or shown for the sole purpose of bringing ridicule or embarrassment upon any person.
 11. Officers shall not use body-worn cameras to make surreptitious recordings of other department members, except as necessary in the course of a criminal investigation or for department administrative investigations, and only with the consent of the Chief of Police.
 12. Officers **SHALL NOT** make copies of any recording for their personal use and are prohibited from using a recording device (such as a camera phone or secondary video camera) to record media from the server or any device utilized to view data recorded on body-worn cameras.
 13. Officers are prohibited from using their personal phone or smart device for body-worn camera applications.
 14. Any uploading or converting digital recordings for use on any type of social media is prohibited.
 15. Officers shall not record individuals who are lawfully engaging in a protest or other First Amendment protected right of speech or demonstration, unless there is at least reasonable suspicion of criminal activity, or to serve any other legitimate law enforcement purpose.
 16. In incidents involving an officer's use of force (as defined in General Order 3.01: Use of Force - General) officers may review their video of the incident before the officer has completed his/her force investigation report. Once the

officer has completed his/her use of force report he/she may also view the video with the Supervisor conducting the force investigation. Any discrepancies or additional information determined by the review of the video will be documented and explained by the Supervisor in his/her evaluation of force report.

17. Deactivation of BWC Under Certain Circumstances

- a. Although generally, body-worn cameras should remain activated until the conclusion of an incident, officers may deactivate the body-worn cameras should they determine that, based upon the circumstances; the investigation could be significantly hampered if the recording were to continue. Whenever possible, police officers should consult with supervisors before making the decision to deactivate their body-worn cameras.
- b. Whenever possible, a police officer who deactivates the body-worn cameras during the course of an event in which this policy otherwise requires recording, shall both record on the camera the reason for the interruption or termination of recording prior to deactivating the body-worn cameras, and document such event in their report.

18. When circumstances prevent a police officer from activating a body-worn camera or cause a camera to be deactivated in accordance with the guidelines established within this policy, the officer shall activate or reactivate their cameras as soon as practical.

19. If any malfunctioning or unintentional failure to record in accordance with this policy occurs, the officer shall document the reason and notify their supervisor regarding the lack of recording. Such documentation shall be in a manner determined by the Chief of Police.

D. End of Shift Procedures

1. Officers shall ensure that all files from an issued or approved body-worn cameras are securely downloaded and retained in accordance with this policy, with sufficient frequency so as to ensure that there remains adequate data storage available for recording future incidents.
2. Officers shall ensure the recorded video is stored, downloaded, transferred or otherwise saved and labeled/cataloged as evidence in the following circumstances:
 - a. Any incident where an arrest is made or may be made, and/or a search is conducted;

- b. An event that captures an officer's reportable use of force in the discharge of their official duties;
- c. Any interaction with the public where the officer determines that it would be prudent to retain the recording for longer than the minimum retention period set forth in this policy.
- d. An event that is a major motor vehicle or criminal incident involving death, serious injury, or catastrophic property damage.

E. Deletion of Unintentional Recordings

- 1. In the event of an unintentional activation of the body-worn camera during non-enforcement or non-investigative activities, e.g. restroom or meal break, other areas where reasonable expectation of privacy exists: officers may request recording deletion.
- 2. The unintended recording will be noted using the "Accidental Activation" category dropdown box. Actual deletion will require two-party authorization. One of those parties will be the Chief of Police or their designee; the other will be the agency Administrator. Authorization will be noted by each party in the comment field within Evidence.com for that video.

F. Accountability, Review and Security

- 1. All body-worn camera users will be responsible for monitoring system effectiveness and making recommendations for operational improvement and policy revision.
- 2. The New Britain Police Department will ensure officers, detectives, supervisors, and non-law enforcement court personnel have access to recorded events for legitimate law enforcement purposes or other articulated reasons.
- 3. Officers authorized under this policy may review video as it relates to:
 - a. Their involvement in an incident for the purposes of completing a criminal investigation and preparing official reports.
 - b. Prior to courtroom testimony or for courtroom presentation.
 - c. Providing a statement pursuant to an administrative inquiry/investigation.
 - d. For training purposes.
- 4. A supervisor may review a specific incident contained on digital media for the purpose of training, critique, early intervention inquiries, civil claims,

administrative inquiry, or other articulated reasons.

5. Evidence.com automatically time/date stamps each recording and upload of same by the assigned officer name. Uploaded video that is deemed to be evidentiary in nature shall be transferred to the AXON cloud server as soon as practical by the video administrator.
6. All digital media collected using body-worn cameras is considered a record of the New Britain Police Department. Access to recordings shall be granted to authorized users only. It is the responsibility of authorized users to keep their username and password confidential. Accessing, copying, or releasing any recordings for other than official law enforcement purposes is strictly prohibited, except as required by law.
7. Evidentiary copies of digital recordings will be accessed and copied from the AXON cloud server for official law enforcement purposes only.
8. The release of requested digital media through written public records request will be subject to the same statutory exemptions from disclosure as any other department records classified under Connecticut State Statute.
9. The New Britain Police Department's video administrator will conduct quarterly audits to verify and deactivate users who are no longer authorized.

G. Supervisory Responsibilities

1. Supervisory personnel shall ensure that officers equipped with body-worn cameras utilize them in accordance with policy and procedures defined herein.
2. Supervisors shall periodically inspect issued or approved body-worn camera equipment assigned to officers to ensure proper operability per testing protocols provided through training and manufacturer's recommendations.
3. Supervisors will periodically review the ETM to ensure videos are not uncategorized.
4. Supervisors or other persons designated by the Chief of Police may periodically review issued or approved body-worn and dashboard cameras recordings of traffic stops and citizen contacts in accordance with this policy as well as reports generated as a result of these incidents to:
 - a. Ensure body-worn and dashboard cameras equipment is operating properly;
 - b. Ensure that police officers are utilizing the body-worn and dashboard cameras appropriately and in accordance with policies and procedures;

and

- c. Identify any areas in which additional training policy revisions or guidance is required.
5. Should circumstances require the immediate retrieval of a digital recording (e.g., serious crime scenes, agency shootings, department-involved accidents), a supervisor shall respond to the scene to secure the body-worn camera system and maintain chain of custody.
6. In the event of a damaged or malfunctioning BWC, the Supervisor shall re-issue the officer another BWC for use in the field. This will be taken from administrative personnel before taking another patrol officer's BWC from service. The Supervisor is responsible for notifying the duty-Lieutenant of the damage and/or malfunction. The Chief's ETM designee will be responsible for repairs once notified of the need.
7. Supervisors shall ensure that all body-worn and dashboard cameras video files are appropriately preserved in accordance with this policy.

H. Chief of Police Responsibilities

1. The Chief of Police shall designate one or more department members to oversee and administer the storage and management of all digital multimedia video files generated by the use of issued or authorized dashboard cameras.
2. The Chief of Police may authorize body-worn camera policy that provides additional guidelines and training requirements not mandated by this policy, provided that it does not conflict with state or federal law or the provisions set forth in this policy.
3. The Chief of Police shall ensure the body-worn camera data collection and storage is purged from the systems operation storage and/or software program in accordance with the State of Connecticut Library Records of Retention schedule and department policy.
4. The Chief of Police shall ensure that body-worn camera video files that are subject to a preservation request or court order are appropriately catalogued and preserved.
5. The Chief of Police shall approve the method of evidence transfer management (ETM) from the body-worn cameras to a secured storage server, cloud, website or other secured digital media storage.

I. Retention of Video

1. Whenever practical, officers should download video utilizing the Evidence.com software. At the end of their shift, officers SHALL place the body-worn camera into the docking station. This will allow remaining evidence to be transferred from the system to the server, and for the battery to be charged. The system should not be removed from the dock until the data has been uploaded, and the battery is fully charged.
2. Digital multimedia files shall be maintained in an approved storage location, such as a server, storage device, cloud storage, website or other approved secure storage media, authorized by the Chief of Police.
3. Digital multimedia files will be retained for 90 days from date of download. (Insert system) will automatically delete any video after that period unless otherwise marked. Digital multimedia files as evidence will be maintained according to the retention schedule set by the Connecticut State Library - Office of the Public Records Administrator.
4. Digital multimedia files shall be preserved while a case remains open and under investigation, or while criminal or civil proceedings are ongoing or reasonably anticipated, or in accordance with the State Records of Retention schedule, whichever is greater.
5. Nothing in these guidelines shall require the New Britain Police Department to store such data for a period longer than one year, except in the case where the Department knows the data is pertinent to any ongoing civil, criminal or administrative matter.
6. All other digital multimedia files reproduced for evidentiary purposes or otherwise caused to be preserved shall be maintained for a minimum of four (4) years.
7. Digital multimedia files shall be preserved in accordance with any specific request by representatives of the Division of Criminal Justice, Municipal Attorney, Officer of the Attorney General, retained counsel and other authorized claims representatives in the course of their official duties.
8. Digital multimedia files shall be preserved in response to oral, electronic or written preservation requests from any member of the public where such requests indicate that litigation may be reasonably anticipated.
 - a. All such preservation requests shall promptly be brought to the attention of the recipient's supervisor and the Municipal Attorney's office.

9. The CID personnel assigned to the records division will be responsible for retention/redaction for any authorized preservation/release requests.
 - a. Records Video Court Evidence Liaison and or CID personnel assigned to the records division will be responsible for complying with authorized Freedom of Information Act (FOIA) requests to include retention and redaction of digital media.
 - b. Records Video Court Evidence Liaison and or CID personnel assigned to the records division will serve as a Liaison to the State's Attorney's office and will to ensure that the States Attorney's Office is familiar with the digital retention and redaction capabilities of the digital media storage system.

J. Releasing or Duplicating Body-Worn Camera Recordings

- a. Processing Freedom of Information Act (FOIA) requests:
 - a. All FOIA requests for body-worn cameras downloaded data files shall be processed through the office of the Chief of Police or their designee.
 - b. Duplicating Body-worn cameras Downloaded Data Files
 - i. When a police officer who is required to produce a digital multimedia video file pursuant to a subpoena or other court order, the Chief of Police or other designee shall arrange, prior to the date of the court appearance, for a copy of the required portion of the original video file to be duplicated.
 - ii. The original video file, as well as any duplicate copy, shall be held as evidence in accordance with this policy.

K. Authorized Personnel Access to Digital Multimedia Files

1. General access to digital multimedia files shall be granted to authorize personnel only. Accessing, copying, or releasing any digital multimedia video files for other than official law enforcement purposes is strictly prohibited, except as otherwise required by state and federal statues, policies and procedures.
 - a. The Chief of Police or designee(s) may review specific body-worn and dashboard cameras downloaded data files for the purpose of training, performance review, critique, early intervention inquiries, civil claims, administrative inquiry, or other articulable reason.
 - b. New Britain police officer may review a recording from their body-worn

camera recording equipment in order to assist such officer with the preparation of a report or otherwise in the performance of his or her duties.

- c. If a New Britain police officer is giving a formal statement about the use of force, or if the officer is the subject of a disciplinary investigation in which a recording from body-worn camera recording equipment is being considered as part of a review of an incident, the officer shall have the right to review such recording in the presence of their attorney or labor representative. Further, such officer shall have the right to review recordings from other police officers' body-worn and/or dashboard recording equipment capturing the police officers' image or voice during the incident under review.
2. Under no circumstances shall any individual with access to body-worn digital multimedia files be allowed to use, show, reproduce or release recordings for the purpose of ridicule or embarrassment of any police officer or any other individual, or for other non-law enforcement related purposes. This includes disclosure of any portion of a body-worn cameras video file to a media organization unless such disclosure has been approved by the Chief of Police or designee.
 3. Digital multimedia files may be reviewed by individuals other than the recording police officer in any of the following situations:
 - a. By a department member investigating or adjudicating a complaint regarding a specific act of officer conduct;
 - b. By technical support staff for purposes of assessing proper functioning of the body-worn cameras;
 - c. By the Internal Affairs Unit or other Unit or person(s) designated by the Chief of Police, when participating in an official misconduct investigation concerning a specific act or officer conduct alleged in a complaint of misconduct;
 - d. By a sworn law enforcement officer who is participating in a criminal investigation;
 - e. By the City of New Britain's legal representative;
 - f. Any other personnel designated by the Chief of Police.
 - g. New Britain officers may review a recording from their own issued or assigned body-worn recording equipment in order to assist such officer in providing a statement as a witness to events which are the subject of a department internal administrative inquiry, including officer shooting investigations;

- h. By representatives of the Division of Criminal Justice, City of New Britain's Attorneys, Office of the Attorney General, retained counsel and other representatives authorized by the municipality, such as municipal insurance carriers, in the course of their official duties; or
- i. By other department personnel as authorized by the Chief of Police or designee

L. Training

1. The Training Officer will maintain the department approved body-worn camera system training curriculum.
2. Only officers who have successfully completed departmentally approved training in accordance with statutes in the use of the equipment, and in the retention of data created by such equipment are authorized to use body-worn cameras.
3. Only those officers who have received training in the retention of data created by dashboard cameras are authorized to activate and utilize the dashboard camera equipment.
4. The Training Officer shall be responsible for providing:
 - a. Basic user training
 - b. Periodic refresher training
 - c. Scenario based/firearms/remedial training includes usage of body-worn cameras
5. The Training Officer is responsible for updating the course of training as necessitated by changes in policy or equipment.
6. System users are encouraged to report to the Training Officer any event that may be considered valuable for training purposes.
7. Every police officer must receive training on body-worn cameras policy and the proper care and maintenance of the equipment at least annually.

Appendix B



2300378175 (1)



2300378175 (2)



2300378175 (3)



2300378175 (4)



2300378175 (5)



2300378175 (6)



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2300378175 #(15)



2300378175 #(16)

Appendix C



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
DIVISION OF STATE POLICE



Victim/Witness Statement

Date: 1/3/24	Time Started: 0913	Time Ended: 0920	CFS #: 2300378175
Location: New Britain Police Department, 10 Chestnut Street, New Britain, CT.		Statement taken by: Detective Tanksley #980	

I, Connor D. Reinsch Date of Birth: 10/06/1996
of 10 Chestnut Street Town/City: New Britain State: CT_06051

I make the following statement, without fear, threat or promise. 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-157b and is punishable by law

I have been a police officer in New Britain since October of 2021. On the night of the accident, I was assigned 3rd shift, C squad (2300-0700). On Thursday, September 21, I was operating unit 28 in my assigned section 14 where the accident occurred.

At approximately 0100 hours I was traveling eastbound on West Main Street near Lexington Street when Sergeant Nelson called for an additional unit to head to 46 Viets Street to intercept an active burglary suspect from 211 Batterson Drive.

I radioed to Sergeant Nelson that I would head to that location. Sergeant Nelson advised that I was going to be looking for two dirt bikes / pit bikes in the bed of a red pickup truck, at the above stated location. At this time, I was near the area of Washington Street on West Main Street. I then entered the Viets Street address into my Garmin GPS, which is mounted on the front windshield of my cruiser and turned around to head westbound on West Main Street. Due to the nature of the call, I determined that a code 1 (emergency lights and sirens) was not needed or tactically advantageous and continued to Viets Street in a timely manner at code 2. Code 2 is the normal response without lights and sirens. I remember the roadway was dry, the lighting was dark, and the weather was clear.

As I was heading westbound, I observed a male in a tan colored coat to be hunched over on the side of the road near the Saint George Greek Orthodox Church (301 West Main Street). I would note that as I was heading eastbound on West Main Street before I turned around, I observed this male party to be in this same location, hunched over near the road. Through my Police training and experience I know parties to be postured in this manner are typically on some type of narcotic, tend to overdose, and most likely need medical attention. I turned my head to the right to get a better look at the male. As I glanced at the male, I believe I slowed before striking an unknown object in the middle of the road. As I looked forward, I observed a female in all black clothing on the hood of my marked NBPD Cruiser #28. I then immediately hit my breaks, got out of my car, and observed the woman to be lying on the ground motionless. I called for NBEMS Code 1 (emergency lights and sirens) and informed that I had struck a pedestrian with my cruiser. Without hesitation I checked the female for a pulse and could not find one. I

CDK
E



STATE OF CONNECTICUT
 DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
 DIVISION OF STATE POLICE



immediately began chest compressions on the female until Officer Podgurski arrived on scene and took over life saving measures.

NBEMS arrived and took over life saving measures. The female was then transported to the Hospital of Central Connecticut, where I was later informed, she had died.

At this time, I was escorted to the rear of Sergeant Bonilla's marked NBPD cruiser until I was taken to it the Hospital of Central Connecticut to have my vitals checked.

My cruiser camera (MDRS) and body worn camera was operating at previous calls and throughout the entire incident as I was as I drove on West Main Street, at the time of the accident and following the accident.

Nothing of note occurred during my prior tour of duty as unit 17 on September 19th from 2300-0700.

I would note that while driving westbound on West Main Street, at no time did I observe the female to be walking around or in the roadway. I also did not observe a crosswalk in the area where the accident occurred.

*CDP
 EJ*

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.

Victim/Witness Name: <i>Coma! Reinsch</i>	Victim/Witness Signature: <i>[Signature]</i>	Date: <i>01/03/2024</i>
Parent/Guardian Name: <i>Det Tankley / Det Tully</i>	Parent/Guardian Signature: <i>Det Tully 930</i>	Date: <i>01/03/24</i>

Appendix D



2300378175 #(1)



2300378175 #(2)



2300378175 #(3)



2300378175 #(4)



2300378175 #(5)



2300378175 #(6)



2300378175 #(7)



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2300378175 #(21)

Appendix E



STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-683-E) (REVISED 2/3/06)

2300378175 Cont.

Page 5 of 31

WITNESS STATEMENT: **CW1**

On 10/12/23, while conducting a neighborhood canvass, I met [REDACTED] (DOB: [REDACTED]) at [REDACTED] West Main Street, in the City New Britain, CT. On 10/12/23, at approximately 1819 hours, I obtained a typed and signed statement from [REDACTED], in which she stated the following:

"I own the building at [REDACTED] West Main Street, New Britain, CT. I have been staying at the property where my business is for two or three months. A couple of weeks ago, maybe on 09/22/23, I was at home, up late talking with my family. At around 1:30 in the morning, I heard a boom. My sister told me something happened outside. My sister said that a woman was on the floor and a police officer was trying to help her. My sister could see what was happening on West Main Street from the window. She said the police were pushing on her chest and trying to wake her up. My sister also said that a police officer was sitting on steps. My sister said the police officer was upset and crying. When I went outside I saw an ambulance. I also saw two men walking away from the area, but I don't know if they saw the accident or were with the woman who was on the floor. One of the men was black and the other was Hispanic. My sister, [REDACTED], does not speak English. She did not see the accident, she just heard it, and saw the police after. I did not see the accident either. Maybe three days later, the family of the woman came back. I went outside and I told the family that I was sorry for their loss. [REDACTED]

WITNESS INTERVIEW: **CW2**

On 01/08/24 I was notified of an interview conducted by New Britain Police Department personnel, pertaining to the investigation. On 01/12/24, at approximately 1045 hours, I met with New Britain Police Captain Matthew Butkiewicz and obtained a copy of a New Britain Police Department 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 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 ETHAN D TANKSLEY/	INVESTIGATOR I.D.#: 0980	REPORT DATE: 01/17/2024	
SUPERVISOR SIGNATURE: /SGT BRETT A LANGEVIN/	SUPERVISOR I.D.#: 0161		



**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-683-E) (REVISED 2/3/06)**

2300378175 Cont.

and body camera recordings on a zip drive.

The Supplement Report (IR23-027783-S11) of Detective Bjorklund documented the Detective's assignment on 12/26/23 to respond to the Hospital of Central Connecticut at 100 Grand Street, in New Britain to meet with and interview a patient, [REDACTED] (DOB: [REDACTED]). [REDACTED] had been admitted to the Hospital as a patient while in police custody. Upon Detective Bjorklund's arrival at the Hospital, [REDACTED] was with Officer Belfiore. The report documented that [REDACTED] had made verbal statements regarding an accident on 09/21/23 and her friend "Katherine". Detective Bjorklund's interview was recorded by her assigned AXON body worn camera.

While reviewing the body worn camera recording of Officer Belfiore (File labeled "Belfiore BWC"), I observed the video to be labeled "AXON BODY 3 X60341861" in the upper right hand corner. I observed the video date and time stamp to be 2023-12-26 17:31:34 - 0500 at the start of the video. I observed the start of the video to depict a female patient, later identified as [REDACTED], in a Hospital room bed. I observed that the video did not have any audio until 17:32:32. While reviewing the recording, I also observed the following:

17:33:31: [REDACTED] verbally stated that they were coming from "Fast Track" and that "somebody had took her purse and she was going to pick up her purse."

17:33:50: [REDACTED] verbally stated, "she never made it to get her purse".

17:34:05: [REDACTED] verbally stated, "I pulled into a parking lot and drove by and I was like, 'Are you okay?', and she was like, 'No'. I couldn't take her with me. I mean, what am I going to do, put her in the car with me? She's all fucked up."

17:34:17: [REDACTED] verbally stated that the female she is referring to is named Katherine and also said, "We call her flaca.", "Flaca means skinny."
(Flakka or alpha-PVP is also a designer drug commonly known as bath salts).

17:34:37: [REDACTED] verbally stated, "I didn't want her to OD in my hands.", and "She was just walking to get her purse."

17:34:55: [REDACTED] verbally stated, "She was going to get her purse on Lincoln Street.", and "She was

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INVESTIGATOR SIGNATURE: /DET ETHAN D TANKSLEY/	INVESTIGATOR I.D.#: 0980	REPORT DATE: 01/17/2024	
SUPERVISOR SIGNATURE: /SGT BRETT A LANGEVIN/	SUPERVISOR I.D.#: 0161		



**STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
INVESTIGATION REPORT (DPS-683-E) (REVISED 2/3/06)**

2300378175 Cont.

nodding out non stop." [REDACTED] explained that Katherine was nodding out every two steps and described the nodding out as "a whole half body nod".

17:36:01: [REDACTED] verbally stated, "I knew something ... that she was going to OD or get hit by a car, I knew something would happen because the way she was, she was so out of it. She was so determined that there had to be drugs in her purse."

17:37:04: When asked by Officer Belfiore what Katherine was wearing, [REDACTED] verbally stated, "I know her Crocs were colorful."

(On 09/21/23, at the time of the accident, Katherine Colon was wearing multi-colored clog-type shoes.)

While reviewing the body worn camera recording of Detective Bjorklund (File labeled "Bjorklund BWC"), I observed the video to be labeled "AXON BODY 3 X60A03340" in the upper right hand corner. I observed the video date and time stamp to be 2023-12-26 21:21:09 -0500 at the start of the video. I observed the start of the video to depict the hallways of the Hospital as the Detective approached the patient's room. I observed that the video did not have any audio until 21:22:09. While reviewing the recording, I also observed the following:

21:22:18: Detective Bjorklund met with [REDACTED]. [REDACTED] was lying down in a Hospital room bed.

21:22:57: The female patient identified herself as [REDACTED]

21:23:20: [REDACTED] verbally confirmed she had been speaking about her deceased friend Katherine or "Flaca". [REDACTED] also said she met Katherine over the summer, "when she [REDACTED]"

21:24:13: In regards to the night Katherine passed away, [REDACTED] said that Katherine was "high out of her mind" and she was "just with" Katherine. [REDACTED] also said she thought Katherine "nodded out in the street." [REDACTED] said, "She was on the fentanyl."

21:24:30: When asked if she saw Katherine the night of the accident, [REDACTED] said, "I was just with her.", and clarified that she had seen Katherine 10 minutes earlier.

21:24:40: [REDACTED] verbally stated, "I drove by her. I said, 'You okay?' She said, 'No'. I couldn't put her in the car ... I was going on a date. So I was going to my date's house, I didn't want to put her in the

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INVESTIGATOR SIGNATURE: /DET ETHAN D TANKSLEY/	INVESTIGATOR I.D.#: 0980	REPORT DATE: 01/17/2024	
SUPERVISOR SIGNATURE: /SGT BRETT A LANGEVIN/	SUPERVISOR I.D.#: 0161		



STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC SAFETY-
 INVESTIGATION REPORT (DPS-683-E) (REVISED 2/3/06)

2300378175 Cont.

Page 8 of 31

car. I didn't want her to overdose with me." [REDACTED] also said, "I definitely think that she was walking just nodded out in the middle of the road. The way she was, every two steps she was out of it." [REDACTED] also said, "It's fucked up two lives."

21:25:31: [REDACTED] expressed that she did not wish to provide a written statement because she did not "want to put her name."

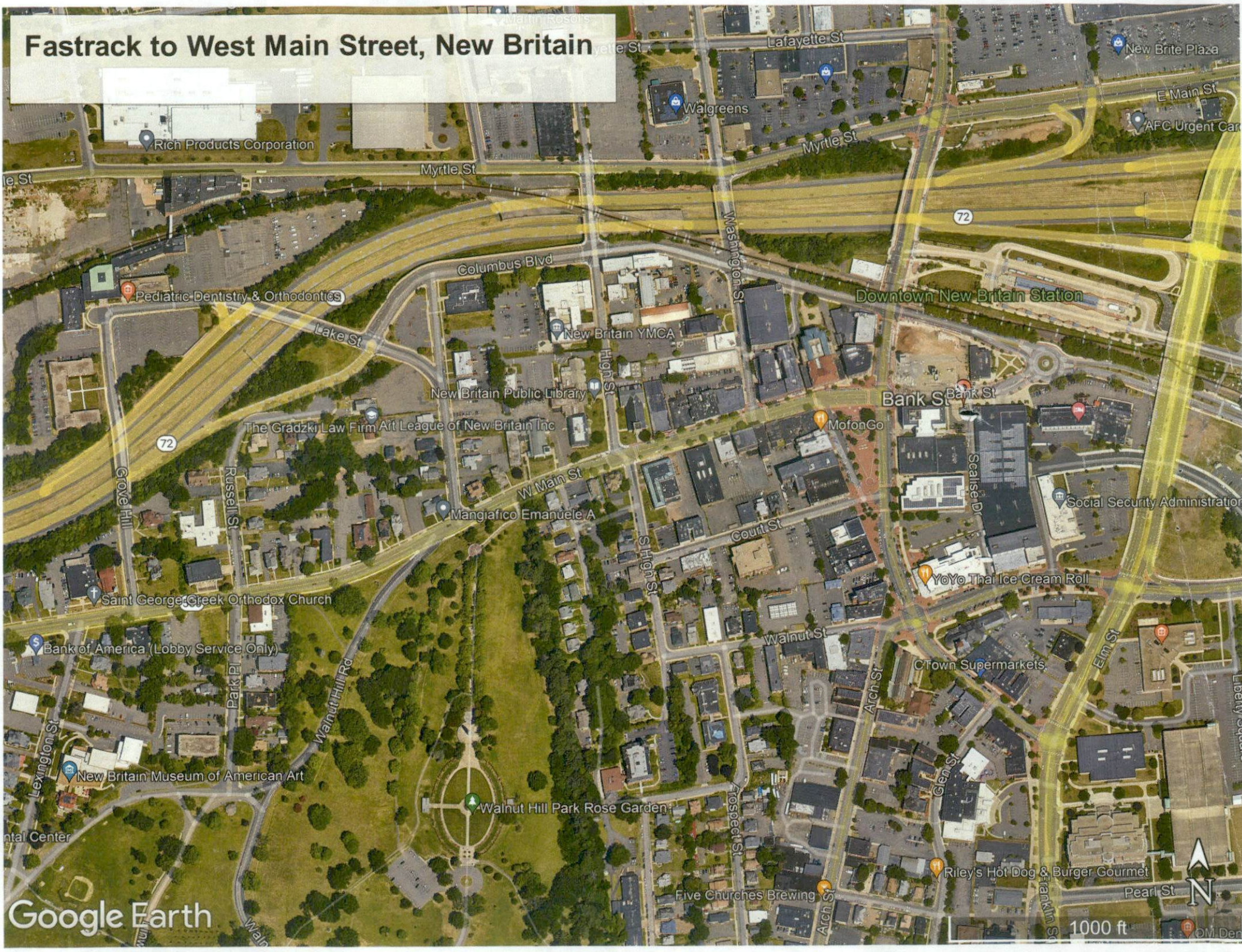
21:25:40: [REDACTED] verbally stated, "She was out of it. She was gone, you know? And I don't think it was his fault."

21:26:32: [REDACTED] verbally stated, "She couldn't take a step without, and not just like nodding out, like folding over nodded out. [REDACTED] also said, "She was by herself."

I, THE UNDERSIGNED, AN INVESTIGATOR HAVING BELIEVED 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 ETHAN D TANKSLEY/	INVESTIGATOR I.D.#: 0980	REPORT DATE: 01/17/2024	
SUPERVISOR SIGNATURE: /SGT BRETT A LANGEVIN/	SUPERVISOR I.D.#: 0161		

Fastrack to West Main Street, New Britain



Appendix F



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

Report Type: Report #: 2300378175 - 00473325

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

Attachments:

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

CFS NO 2300378175	INCIDENT DATE 09/21/2023	TIME 01:10	INCIDENT DATE 09/21/2023	TIME	PRIMARY OFFICER TANKSLEY, ETHAN D.	BADGE NO 0980
INVESTIGATING OFFICER JESUDOWICH, MARK K.		BADGE NO 1200	TYPE OF EXCEPTIONAL CLEARANCE Not Applicable		CASE STATUS Active	
INCIDENT ADDRESS West Main St St/ New Britain 06053					APARTMENT NO	TOWN CD T089

COLLISION ANALYSIS - CARS SUPPLEMENTAL REPORT

OVERVIEW

On September 21, 2023, at approximately 0110 hours, a motor vehicle versus pedestrian collision was reported in the city of New Britain on West Main Street in the area of its intersection with Lexington Street. The collision resulted in fatal injuries to the pedestrian. The involved motor vehicle, its operator, and the pedestrian were identified as follows:

A white and black, 2017 Ford Explorer Police Interceptor, four door sport utility vehicle, bearing Connecticut municipal registration 216NB with Vehicle Identification Number (VIN) 1FM5K8AR5HGC63482. The Ford Explorer Police Interceptor was a marked police vehicle registered to the city of New Britain. The Ford Explorer Police Interceptor was marked with the word "Police" on the front edge of the hood, "New Britain Police" and an image of the New Britain Police shield on the left and right side doors, "Emergency Dial 911" on the left and right side quarter panels, "New Britain Police" on the left portion of the rear end, and the vehicle number "28" on the left front corner, right front corner, and the right portion of the rear end. The vehicle was also equipped with emergency vehicle warning equipment consisting of both flashing lights and an audible siren. However, since neither the flashing lights nor the audible siren were activated, the configuration of this emergency vehicle warning equipment is not applicable to this collision sequence and therefore will not be detailed. *[Throughout the remainder of this report, the 2017 Ford Explorer Police Interceptor will also be referred to as the "Ford Explorer."]*

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 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 MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

Ford Explorer was operated by Connor D. Reinsch (10/06/1996). At the time of the collision, Connor Reinsch was an on-duty New Britain Police Officer performing patrol related functions.

The pedestrian was identified as Katherine M. Colon (06/29/1983). At the time of the collision, Katherine Colon's exterior garments consisted of a black, long sleeved sweatshirt with a light colored design on its front/chest area, black pants, black socks, and multi-colored Crocs clogs footwear (the clogs were made of sturdy rubber, and are a type of slip-on shoe).

At the request of the New Britain State's Attorney's Office, State Police - Eastern District Major Crime (EDMC) personnel, in conjunction with the State Police - Collision Analysis and Reconstruction Squad (CARS), assumed the investigative responsibilities.

My assignment as a CARS Detective was to prepare an analysis and reconstruction of the collision. The scope of my investigation was strictly limited to a reconstruction of the collision sequence and to determine any causative and/or contributing factor(s) for this collision. The procurement of witnesses, collection of statements, and collection of evidence was the responsibility of the EDMC personnel. Additional responding CARS personnel were Sergeant DiCocco #108, Detective Hackett #428, Detective Bronson #532, and Detective Ferreira #789.

The preliminary investigation revealed that the Ford Explorer, being operated by Connor Reinsch, was traveling in a westerly direction on West Main Street along the eastern side of the intersection with Lexington Street. The pedestrian, Katherine Colon, was walking within the roadway of West Main Street at the same location. While traveling in a westerly direction, the front end of the Ford Explorer collided with Katherine Colon. As a result of the impact, Katherine Colon was projected in a westerly direction. Katherine Colon came to final rest within the paved portion of West Main Street along the western side of the intersection with Lexington Street. At final rest, the body of Katherine Colon was positioned on top of the white painted westbound edge (fog) line of West Main Street. Katherine Colon's upper torso, oriented toward a northeasterly direction, was located within the westbound shoulder, and her legs were located within the right portion of the westbound travel lane. The Ford Explorer was also located at final rest on West Main Street along the western side of the intersection with Lexington Street. The Ford Explorer was located within the left portion of the westbound travel lane of West Main Street with its front end oriented facing a west-northwesterly direction.

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCOCO/	SUPERVISOR I.D.#: 0108		



As a result of the injuries sustained during the collision sequence, the pedestrian, Katherine Colon, transported by a New Britain Emergency Medical Services ambulance to the Hospital of Central Connecticut New Britain General Campus where she was pronounced deceased on September 21, 2023, at 0152 hours.

WEATHER CONDITIONS

The documented weather conditions at the approximate time of the collision were obtained from the hourly observation reports at the Hartford-Brainard Airport (KHFD). Hartford-Brainard Airport is located approximately 9 miles to the northeast of the collision scene. The hourly observation reports recorded on September 21, 2023, at 0053 hours and 0153 hours are summarized below, as the collision was reported between these times at approximately 0110 hours. This collision occurred during a period of darkness, as sunrise on September 21, 2023, was at 0637 hours.

	<u>Obs. Report @ 0053 hours</u>	<u>Obs. Report @ 0153 hours</u>
-Temperature:	53 degrees Fahrenheit	52 degrees Fahrenheit
-Wind:	Calm	Calm
-Conditions:	Fair	Fair
precipitation:	None Reported	None Reported
-Visibility:	10.00 miles	10.00 miles

It was determined that the weather conditions at the time of the collision were neither a causative nor a contributing factor for this collision sequence. However, during the on-scene investigation, it was noted that the presence of a light breeze did affect the positioning of some items of physical evidence. Specifically, the light breeze was observed to be sufficient to cause the tufts of Katherine Colon's hair to move across the pavement. Due to this observed movement, a specific location for each identified tuft of hair was not obtained.

References:

<https://w1.weather.gov/data/obhistory/KHFD.html>

<https://www.wunderground.com/history/daily/us/ct/hartford/KHFD/date/2023-9-21>

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



HIGHWAY CONFIGURATION AND DESCRIPTION

The collision sequence was located in the city of New Britain on West Main Street along the eastern side of its intersection with Lexington Street. At the time of the CARS investigation, the roadway surface along the area of the collision sequence was observed to be dry and was free of standing water, potholes, and other foreign obstructions.

West Main Street is a two lane divided roadway that generally travels in an east/west direction along its length between the Plainville town line and its intersection with Main Street. West Main Street is an unsigned state roadway, Route 555 East/West, that is maintained by the State of Connecticut Department of Transportation.

At the area of the collision, West Main Street is oriented in an east/west direction, has a posted speed limit of 25 mph, and contains overhead street lighting. At the time of the collision, all three of the overhead street lights located on West Main Street within the mapped portion of the collision scene were confirmed to be illuminated. These three overhead street lights were located as follows:

- On the northeastern corner of West Main Street's intersection with Grove Hill, located approximately 162 feet to the east of the area of impact,
- On the eastbound roadside of West Main Street, located approximately 61 feet to the east-southeast of the area of impact, and
- On the northern portion of West Main Street's intersection with Lexington Street, located approximately 62 feet to the west of the area of impact.

West Main Street's intersection with Lexington Street is a three-way "T" intersection. Access into the intersection from the northbound lane of Lexington Street is controlled by a posted stop sign and white painted stop bar. Access into the intersection from both the eastbound and westbound lanes of West Main Street is uncontrolled.

For a vehicle traveling in the westbound lane of West Main Street, as it approaches the collision scene, the roadway is relatively straight and is oriented in a westerly direction. The roadway consists of an uphill grade of approximately 5% as it approaches its uncontrolled right side intersection with Grove Hill. The roadway grade then decreases (flattens) and continues through its uncontrolled left side intersection with Lexington Street with a reduced uphill grade of approximately 1%. Although this grade decrease is not technically the top of the hill, as the roadway measurements indicate that it

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

continues along an uphill grade of approximately 1%, throughout the remainder of this report this area roadway will be referred to as the "hillcrest." For a westbound traveling vehicle, from left to right the roadway consists of an eastbound roadside, a concrete curb, a paved eastbound shoulder, a solid white painted edge (fog) line, a paved eastbound travel lane, a double solid yellow painted center line, a paved westbound travel lane, a solid white painted edge line, a paved westbound shoulder, a concrete curb, and a westbound roadside. The eastbound roadside consists of commercial properties, buildings, and driveways, and also contains the intersection with Lexington Street. The eastern edge of the intersection with Lexington Street is located approximately 29 feet to the west of the area of impact. A concrete sidewalk is located within the eastbound roadside, runs parallel to West Main Street, and extends across Lexington Street by means of a white painted crosswalk. The sidewalk within the eastbound roadside is separated from West Main Street by a manicured grass buffer area. The westbound roadside consists of religious, residential, and commercial properties, and also contains the intersection with Grove Hill, which is located approximately 135 feet to the east of the area of impact. A concrete sidewalk is located within the westbound roadside, runs parallel to West Main Street, and extends across Grove Hill by means of a white painted crosswalk. The sidewalk within the westbound roadside is separated from West Main Street by a manicured grass buffer area.

The approximate dimensions of West Main Street at the area of impact are as follows:

<u>Feature</u>	<u>Width</u>
Eastbound sidewalk:	4 feet 9 inches
• Eastbound roadside, grass buffer area:	6 feet 1 inch
• Eastbound shoulder:	8 feet 2 inches
• Eastbound travel lane:	10 feet 10 inches
• Westbound travel lane:	12 feet 5 inches
• Westbound shoulder:	7 feet 6 inches
• Westbound roadside, grass buffer area:	6 feet 7 inches
• Westbound sidewalk:	4 feet 11 inches

At the area of the collision scene, there are no marked crosswalks that traverse West Main Street to connect the sidewalks within its eastbound and westbound roadsides. The nearest sidewalks that traverse West Main Street are located to the east of the collision scene at West Main Street's intersection with Russel Street and Park Place, and to the west of the collision scene at West Main Street's intersection with Curtis Street. Both of these traversing sidewalks are approximately 0.1 miles from the area of impact.

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



For a vehicle traveling within the westbound lane of West Main Street while approaching the collision scene, roadway conditions potentially hindering a westbound traveling operator's sight were observed, and also documented by the approach photographs, specifically Photographs #1-3 and #91-93 presented in the Scene Photographs - CARS Supplemental Report, Document #2300378175-00473327. [Throughout the remainder of this report, these scene photographs will be referred to as "CARS Photograph(s)."] The roadway conditions potentially hindering a westbound traveling operator's sight were identified as the following:

- The line of sight distance is limited by the presence of the hillcrest,
- While traveling up the incline prior to Grove Hill, backlighting is present from roadway light sources. These light sources include the traffic signal lights suspended over the intersection with Curtis Street and overhead street lights located to the west of Curtis Street. These backlighting sources appear directly on top of the hillcrest within the westbound travel lane, and
- While traveling up the incline prior to Grove Hill, backlighting is also present from commercial lights from the Bank of America located within the eastbound roadside, and Angelo's Market located within the westbound roadside. These backlighting sources appear directly on top of the eastbound roadside, eastbound shoulder, westbound shoulder, and westbound roadside.

(The effects of these conditions, combined with other visibility related factors, are discussed in further detail within the Visibility Analysis section.)

It was determined that neither the roadway configuration, nor its surface condition, were a causative factor for this collision sequence. However, the roadway configuration consisting of a hillcrest, and the backlighting sources appearing directly on top of the roadway along its hillcrest, were determined to be a contributing factor in this collision sequence which hindered the ability of Connor Reinsch to observe the pedestrian, Katherine Colon, as she was walking across West Main Street.

FORENSIC MAPPING

The collision scene evidence and related environment were forensically mapped with the use of a Small Unmanned Aircraft System (sUAS) employing Pix4D photogrammetry mapping software and a Global Navigation Satellite System (GNSS).

The GNSS mapping instrument and sUAS consisted of the following:

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



- Carlson BRX7 GNSS Rover – Serial Number D2214710801179
Carlson RT4 Tablet – Serial Number 337629
- Autel EVO 2 Pro Unmanned Aircraft System – HA9921441741

The sUAS mission consisted of a double-grid, pre-programmed flight pattern which was flown at an altitude of 100 feet. The sUAS was operated by Detective Hackett #428, a licensed remote pilot. Ground control points (GCPs) were placed in the scene and were geolocated using the GNSS. A reference measurement of 100 feet was created between GCP1 and GCP2 using a tape measure and surveying nails. The GCPs and their respective coordinates were used to georeference and calibrate the aerial photographs. The mission resulted in the capturing of aerial photographs in order to produce an orthomosaic forensic map and point cloud of the collision scene. The aerial photographs were transferred to a digital versatile disc recordable (DVD+R) and sent to the Department of Emergency Services and Public Protection – Photography Unit for archival purposes.

The GNSS rover was positioned on the reference point (GCP1) as to conduct a 180 second fixed average. In addition, a reference measurement protocol was followed, whereby two independent measurements were taken to the known distance of 100 feet between GCP1 and GCP2. One measurement was taken at the start of the forensic mapping and another at its conclusion. For each data point obtained within the collision scene, the rover was within a fixed solution at the time of the operation and capture. The attached GNSS Points List and GNSS Raw Data File denote the GNSS data points taken during the forensic mapping.

Utilizing FaroZone 3D software, a scaled forensic map was subsequently prepared which depicted an aerial view of the scene.

AREA OF IMPACT

In the case of motor vehicle versus pedestrian collisions, the area of impact is not always identifiable as a particular item of roadway evidence, such as a tire scrub mark, a tire deflection point, or a shoe scuff, as these types of roadway evidence are not always generated. For collisions in which the area of impact is not identifiable via a particular item of roadway evidence, a systematic documentation of the roadway evidence is employed. Generally, vehicle fragments from the collision damage, such as glass, plastic, and/or paint chips, will be deposited along the roadway in a conical shape that radiates

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



outward from the area of impact, and in the direction of travel of the motor vehicle at the time of the collision. Physical evidence from the pedestrian will also generally be deposited within its own conical shaped area that also radiates outward from the area of impact, and also in the direction of travel of the motor vehicle at the time of the collision. The items separated from the pedestrian must be further evaluated based upon the particular item and the collision dynamic. For instance, headwear often becomes immediately separated from a pedestrian and will typically fall to the ground at or near the area of impact, footwear can be projected in any direction by the mechanics of a swinging leg, and hair or other light items can be displaced by air movement from weather conditions or passing vehicles.

Area of Impact Based Upon the Physical Evidence

Based upon the documentation of the physical evidence identified within the collision scene, to include the conical shaped areas of black paint chips and black plastic fragments from the Ford Explorer, as well as the conical shaped area of evidence caused by and/or separated from the body of Katherine Colon, an analysis of the physical evidence indicated that the area of impact was consistent with being located within the westbound travel lane of West Main Street to the east of its intersection with Lexington Street, and in the area of the first (easternmost) identified black paint chip.

Area of Impact Based Upon the Video Evidence

Based upon the review of the dash camera video from the Ford Explorer, or mobile video recorder system (MVR), at the time Katherine Colon was impacted by the Ford Explorer she was observed to be walking within the center portion of the westbound travel lane of West Main Street. Specifically, Katherine Colon was positioned to the east of the painted "CNG" lettering located within the westbound shoulder, and to the west of the Museum of American Art street sign located within the westbound roadside. The locations of the "CNG" lettering and the Museum of American Art street sign are identified in the forensic map.

Area of Impact Determination

Based upon the analysis of the pattern of physical evidence and the available MVR video from the

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Ford Explorer, the area of impact between the Ford Explorer and Katherine Colon was determined to be located within the center portion of the westbound travel lane of West Main Street approximately 5 feet to the east of the first (easternmost) identified paint chip. This determined area of impact was located between the painted "CNG" lettering and the Museum of American Art street sign, and was also consistent with the conically dispersed patterns of the identified physical evidence from the Ford Explorer and from Katherine Colon.

PHYSICAL EVIDENCE

Examination of the collision scene revealed evidence to include, but not limited to; vehicle fragments, paint chips, biological material, a cross transfer mark, clothing items, and the final rest locations of the Ford Explorer and the body of Katherine Colon.

Ford Explorer

Located within the center portion of West Main Street, the first/onset of five (5) black paint chips were identified. This first black paint chip was located approximately 24 feet 6 inches to the east of the intersection with Lexington Street, as indicated by the end of the double solid yellow painted center line. Relative to this first paint chip, the four (4) additional paint chips were located within the westbound travel lane and westbound shoulder inside a conical shaped area extending between the westerly and south-southwesterly directions. These black paint chips were determined to be caused by damage sustained to the Ford Explorer during its impact with Katherine Colon, and were consistent with the peeling and cracking paint identified on the hood of the Ford Explorer during its post collision inspection.

Located within the center portion of West Main Street, the first/onset of twelve (12) black plastic fragments were identified. This first black plastic fragment was located approximately 14 feet 5 inches to the east of the intersection with Lexington Street, as indicated by the end of the double solid yellow painted center line. Relative to this first black plastic fragment, the eleven (11) additional black plastic fragments were located within the eastbound travel lane, westbound travel lane, and westbound shoulder inside a conical shaped area extending between the west-southwesterly and west-northwesterly directions. These black plastic fragments were determined to be caused by

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



damage sustained to the Ford Explorer during its impact with Katherine Colon, and were consistent with the damage observed to the front grille of the Ford Explorer during its post collision inspection.

The Ford Explorer was brought to a controlled final rest on West Main Street along the western side of the intersection with Lexington Street, approximately 143 feet 11 inches to the west of the area of impact. The Ford Explorer was located within the left portion of the westbound travel lane of West Main Street with its front end oriented facing a west-northwesterly direction.

Katherine Colon

Located within the westbound shoulder was a multi-colored left clog-type shoe. The clog was determined to become separated from Katherine Colon's left foot during her collision sequence with the Ford Explorer.

Located within the northern portion of the crosswalk that extends across Lexington Street at its intersection with West Main Street, was a multi-colored right clog-type shoe. The clog was determined to become separated from Katherine Colon's right foot during her collision sequence with the Ford Explorer.

Located within the intersection of West Main Street and Lexington Street, encompassing the northern portion where the westbound travel lane of West Main Street extends through the intersection, was a black sock. The black sock was determined to become separated from Katherine Colon's foot during her collision sequence with the Ford Explorer.

Located within the intersection of West Main Street and Lexington Street, encompassing the northern portion where the westbound travel lane of West Main Street extends through the intersection, two areas of biological material were identified. The easternmost area of biological material was measured to extend approximately 1 foot 5 inches in a westerly direction. The westernmost area of biological material was an irregularly shaped area with a discernable streak extending in a westerly direction. These areas of biological material were determined to be caused by the body of Katherine Colon as it slid and/or tumbled across the roadway while traveling to final rest after being impacted by the Ford Explorer.

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

Located within the right portion of the westbound travel lane of West Main Street, a cross transfer mark was identified. A cross transfer mark is caused when two objects come in contact with each other and their contact results in the exchange of materials between the two objects. The cross transfer mark was measured to extend approximately 3 feet 0 inches in a westerly direction and was determined to be caused by Katherine Colon's clothing as she slid and/or tumbled across the roadway while traveling to final rest after being impacted by the Ford Explorer.

Located within the westbound travel lane and westbound shoulder of West Main Street were multiple tufts of dark colored, wavy hair. The specific locations of the tufts of hair were not marked due to their observed movement across the pavement due to the presence of a light breeze. The tufts of hair were determined to become torn from Katherine Colon's head as she slid and/or tumbled across the roadway while traveling to final rest after being impacted by the Ford Explorer.

Located within the westbound shoulder of West Main Street, an area of biological material was identified. This area of biological material was determined to be from Katherine Colon's upper body injuries while at final rest.

Located within the right portion of the westbound lane of West Main Street, an additional area of biological material was identified. This area of biological material was determined to be from Katherine Colon's lower body injuries while at final rest.

Based upon the location of the areas of biological material, statements provided by New Britain Police Officers, and a review of body worn camera videos, Katherine Colon came to final rest within the paved portion of West Main Street along the western side of the intersection with Lexington Street, approximately 129 feet 11 inches to the west of the area of impact. At final rest, the body of Katherine Colon was positioned on top of the white painted westbound edge (fog) line of West Main Street. Katherine Colon's upper torso, oriented toward a northeasterly direction, was located within the westbound shoulder, and her legs were located within the right portion of the westbound travel lane.

POST COLLISION EXAMINATION – FORD EXPLORER

Vehicle Inspection

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



On September 22, 2023, at approximately 0934 hours, I conducted a post collision inspection of the Ford Explorer where it was secured inside an exterior lot at the State Police Fleet Operations located at 47 Mill Hill Road in Colchester. During the post collision inspection, the vehicle's braking system, steering system, exhaust system, suspension system, and tire conditions were examined along with other vehicle parts and accessories. A post collision inspection report form was completed. The post collision inspection revealed no abnormalities or mechanical defects that would have been the causation or a contributing factor in the collision sequence.

Damage Profile

The Ford Explorer was observed to have a distinct area of contact damage located along its front end. Contact damage is any deformity caused by direct contact with another vehicle or object. Specifically, the area of contact damage was located between the Ford Explorer's centerline and its right headlight housing, with the contact damage extending rearward onto the top of the hood. The contact damage included damage to the mounted push bumper, front grille, and hood.

The lower, horizontal bar of the push bumper was bent, with a discernable crease located along its right side. The upper, horizontal bar of the push bumper was severed along its right side. The damage to the push bumper was determined to be consistent with its impact with the lower torso of Katherine Colon.

The contact damage to the front grille was located approximately along its centerline. The front grille was constructed with black plastic and was observed to be fractured. The fractured plastic pieces were detached from the grille creating discernable gaps in the grille. The damage to the front grille was determined to be consistent with its impact with the lower torso of Katherine Colon. The black plastic vehicle fragments located within the roadway were determined to be consistent with the damage sustained to the Ford Explorer's front grille.

The contact damage to the Ford Explorer's hood was located approximately between its centerline and the right headlight housing, with the contact damage extending rearward from the hood's leading edge to the area of its trailing edge adjacent to the windshield. The hood was crushed in a rearward direction along the right-center portion of its leading edge. Peeling and cracking of the black paint along this portion of the hood was observed. The center portion of the top of the hood was also

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



crushed in a downward direction. This crush damage included a torn piece of metal, peeling and chipping of the black paint, and scrape marks extending generally along the Ford Explorer's longitudinal axis. The damage to the hood was determined to be consistent with its impact with the upper torso of Katherine Colon. The black paint chips located within the roadway were determined to be consistent with the damage sustained to the Ford Explorer's hood.

Contact Evidence

The Ford Explorer was also observed to have a distinct pattern of contact evidence. Contact evidence indicates a lesser degree of contact between another vehicle or object which was not of sufficient magnitude to cause discernable damage to the contacted area. The contact evidence was located along the Ford Explorer's hood, windshield, and right front fender, and consisted of a series of ruboff areas where the accumulated film of dust and/or road debris was wiped away. The series of ruboff areas extended rearward from the front portion of the hood's contact damage, onto the right-center portion the windshield along its base, and back onto the right rear portion of the hood where it extended forward and toward the right side onto the right front fender. This contact evidence was determined to be consistent with being caused by contact with the body of Katherine Colon.

Recall Lookup

An open recall search through the National Highway Traffic Safety Administration database (<https://vinrcl.safercar.gov/vin/>) revealed that there were no open/incomplete recalls for the Ford Explorer at the time of the collision sequence.

EVENT DATA RECORDER ANALYSIS – FORD EXPLORER

Most modern vehicles are equipped with an airbag control module (ACM) containing an event data recorder (EDR). An EDR is a device or function in a vehicle that can record technical vehicle and occupant information for a brief period of time (seconds, not minutes) before, during, and after a crash event. This information can include:

- Pre-crash vehicle dynamics and system status: e.g., speed, ignition count,

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

- Driver inputs: e.g., acceleration, braking, steering,
- Vehicle crash signature: e.g., delta-v (velocity change) vs. time,
- Restraint usage and deployment status, and
- Post-crash data: e.g., roll rate, deployment times, subsequent events.

The EDR is capable of recording the crash events as either non-deployment or deployment type events and can record multiple events associated with the same collision. Vehicle manufacturers and the National Highway Traffic Safety Administration (NHTSA) have conducted validation testing relating to the data contained within an EDR. The data contained within an EDR has proven reliable through such testing and can aid in establishing the circumstances in which the collision occurred.

Utilizing the Bosch Crash Data Retrieval (CDR) System, the CARS detectives have the ability to image the data contained within a vehicle's EDR so that it can be analyzed as part of the collision investigation. All original data remains contained within the EDR unit during the imaging procedure, as the Bosch CDR tool is designed to repeatedly image the data from the EDR without compromising the integrity of the unit or the information sought to be collected.

On September 22, 2023, at approximately 0925 hours, I performed an imaging of the Ford Explorer's restraint control module (RCM), which is the Ford Motor Company's term for the ACM. The imaging was performed where the vehicle was secured inside the exterior lot at the State Police Fleet Operations located at 47 Mill Hill Road in Colchester.

The imaging was performed under the authorization of the signed written consent obtained from Captain Matthew Butkiewicz of the New Britain Police Department. The imaging was performed using the Bosch CDR tool, utilizing cable #F00K108287 and adapter #F00K108784, which were connected to the vehicle's Diagnostic/Data Link Connector (DLC)/On-Board Diagnostic II (OBD II) port. Power to the vehicle was supplied directly from the vehicle's functioning electrical system/battery. At the time of the imaging, no occupant safety restraints were observed as being deployed, and the size of the mounted tires matched the factory recommended tire size of 245/55R18, as indicated on the Tire and Loading Information label affixed along the Ford Explorer's right side B-pillar. The data from the Ford Explorer's EDR was imaged by version 23.2 of the Bosch CDR software, and was translated by version 23.3 into the attached fourteen (14) page report.

No crash events were recorded by the Ford Explorer's EDR. Not all collision sequences result in a generated EDR event(s). The absence of a generated event(s) indicated that the Ford Explorer's

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



collision with the body of Katherine Colon was not of sufficient magnitude to trigger the EDR's recording thresholds as indicated in its Data Limitations. Based upon the extent of the collision damage observed to the front end of the Ford Explorer, as well as my training and experience, the absence of a generated EDR event(s) for the Ford Explorer was determined to be consistent with the dynamics and the magnitude of this collision sequence.

MEDICAL EXAMINER'S REPORT - KATHERINE COLON

On September 21, 2023, at approximately 0922 hours, the autopsy of Katherine Colon was performed at the Office of the Chief Medical Examiner (OCME) located at 11 Shuttle Road in Farmington, Connecticut. The autopsy was performed by Assistant Medical Examiner Donald E. Turbiville, M.D. Per the request of the State Police, the OCME provided copies of the Report of Autopsy and the Toxicology Report. The OCME case number is 23-18195. A detailed analysis of the Report of Autopsy and the Toxicology Report was completed by EDMC Detective Tanksley #980, and is presented in the Autopsy and Toxicology Results Supplemental Report, Document #2300378175-00457034. An overview of the findings is presented below:

Report of Autopsy

Cause of Death

Blunt Force Trauma of Head, Torso, and Extremities

Manner of Death

Accident (Struck by Police Car)

Toxicology Report

The positive findings of the Toxicology Report were as follows:

<u>Compound</u>	<u>Result</u>	<u>Units</u>	<u>Matrix Source</u>
-Ethanol	89	mg/dL	Femoral Blood

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

Table with 4 columns: Substance, Concentration, Units, and Sample Type. Rows include Blood Alcohol Concentration (BAC), Benzoyllecgonine, Cocaine, Cocaethylene, Ethanol, Fentanyl, Norfentanyl, and Ethanol.

Toxicology Report - Reference Comments:

- Benzoyllecgonine is an inactive metabolite and chemical breakdown product of cocaine. Effects following cocaine use can include euphoria, excitement, restlessness, risk taking, sleep disturbance, and aggression.
• Effects following cocaine use can include euphoria, excitement, restlessness, risk taking, sleep disturbance, and aggression.
• Cocaethylene is a transesterification artifact formed in vivo when cocaine and alcohol are in the circulation at the same time.
• Fentanyl is a prescription opioid commonly used as an anesthetic/analgesic.
• Norfentanyl is the primary metabolite of the synthetic narcotic analgesic fentanyl.

Typical Effects of Blood Alcohol Concentration Levels (NHTSA.GOV)

- .02 Some loss of judgment; relation, slight body warmth, altered mood.
.05 Exaggerated behavior, may have loss of small-muscle control (e.g., focusing your eyes), impaired judgment, usually good feeling, lowered alertness, release of inhibition.
.08 Muscle coordinate becomes poor (e.g., balance, speech, vision, reaction time, and hearing),

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harder to detect danger; judgment, self-control, reasoning, and memory are impaired.

Clear deterioration of reaction time and control, slurred speech, poor coordination, and slowed thinking.

.15 Far less muscle control than normal, vomiting may occur (unless this level is reached slowly or a person has developed a tolerance for alcohol), major loss of balance.

VIDEO ANALYSES

Video recordings were seized by EDMC Detectives which capture the collision scene prior to, during, and after the collision sequence. For the purposes of this reconstruction effort, only the portions of those videos pertaining directly to the collision sequence will be analyzed and discussed within this supplemental report.

City of New Britain Overhead Camera - West Main Street and Curtis Street

A surveillance video was obtained from the city of New Britain's camera which was mounted on a pole located along the southeastern corner of West Main Street's intersection with Vine Street. The camera was located approximately 398 feet to the west-southwest of the area of impact, with the camera facing an east-northeasterly direction. *[Throughout the remainder of this supplemental report, this camera will be referred to as the "city camera."]* The city camera captures the roadway conditions, to include the presence of overhead street lights. All three of the overhead street lights located within the mapped portion of the collision scene were captured as being illuminated. The city camera video also captures the pre-collision operation of the Ford Explorer, the pre-collision movement of Katherine Colon, and the collision between the Ford Explorer and Katherine Colon.

The pre-collision movement of Katherine Colon has been separated into the following two stages:

The "continually visible" stage consists of the period in which the dark figure of Katherine Colon is continually visible on the city camera while lingering (walking, standing, and/or remaining) within the eastbound shoulder and eastbound travel lane. This stage begins at the timestamp of approximately 01:12:44 hours when the dark figure of Katherine Colon emerges from behind the eastbound street signs and she is continually visible while walking, standing, and/or remaining within the eastbound

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

roadside and eastbound shoulder. The stage ends at approximately 01:13:15 hours while the dark figure of Katherine Colon is walking across the eastbound lane and into the westbound lane, toward the area of impact, at which point her figure becomes indistinguishable due to the backlighting from the approaching Ford Explorer's headlights.

The "presumed" stage consists of the period immediately preceding Katherine Colon's "continually visible" stage, during which time a dark figure is temporarily obscured from view by the street signs located in the eastbound roadside. Based on the location, movement, and time period, this dark figure was determined to be consistent with, and presumed to be, that of Katherine Colon. The "presumed" stage begins at the timestamp of approximately 01:12:06 hours when the dark figure appears walking in a southerly direction on Grove Hill. After crossing the travel lanes of West Main Street, the dark figure lingers along the eastbound edge line of West Main Street for approximately 6 seconds before becoming obscured from view behind the street signs within the eastbound roadside of West Main Street. The stage ends at the onset of Katherine Colon's "continually visible" stage at approximately 01:12:44 hours when the dark figure of Katherine Colon emerges from behind the street signs.

A summary of applicable events captured by the city camera video are presented below. Each event includes the approximate timestamp [hours] from the bottom right corner of the city camera video.

[01:09:56] An unidentified male figure dressed in a light colored, hooded sweatshirt becomes visible. The unidentified male is captured walking in a westerly direction on the sidewalk within the westbound roadside of West Main Street as he continues across the intersection with Grove Hill and toward the area of impact.

[01:10:36] The unidentified male deviates from his westbound direction of travel and walks in a southerly direction into the westbound shoulder and westbound travel lane of West Main Street at the approximate area of impact. The unidentified male lingers within the roadway at the approximate area of impact, where he periodically stops.

[01:10:56] The unidentified male then returns to the sidewalk within the westbound roadside and resumes walking in a westerly direction.

[01:11:08] The unidentified male reverses his direction on the sidewalk within the westbound roadside and proceeds back toward the area of impact while walking in an easterly direction.

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



1:09] The Ford Explorer, operated by Connor Reinsch, appears within the eastbound lane of West Main Street at the intersection with Curtis Street. The Ford Explorer continues eastbound on West Main Street, travels past the unidentified male, and continues in an easterly direction where it travels out of view of the city camera.

[01:11:20] The unidentified male deviates from his eastbound direction of travel and walks in a southerly direction back into the westbound shoulder and westbound travel lane of West Main Street at the approximate area of impact. The unidentified male again lingers within the roadway at the approximate area of impact, where he periodically stops and also bends down.

[01:12:06] A dark figure, consistent with and presumed to be Katherine Colon, appears walking in a southerly direction along Grove Hill. It could not be discerned if the dark figure was walking on a sidewalk or on the paved portion of Grove Hill.

[01:12:10] The dark figure, consistent with and presumed to be Katherine Colon, continues walking in a southerly direction onto West Main Street where the figure proceeds to cross over to the area of the white painted eastbound edge line.

[2:13] The unidentified male walks back onto the sidewalk within the westbound roadside of West Main Street and proceeds to intermittently walk in a westerly direction.

[01:12:16] The dark figure, consistent with and presumed to be Katherine Colon, arrives at the eastbound shoulder where the figure's lateral movement across West Main Street ceases. During this time, the dark figure could not be conclusively discerned between standing or walking.

[01:12:22] The dark figure, consistent with and presumed to be Katherine Colon, becomes obscured from view by the street signs located within the eastbound roadside of West Main Street. While the dark figure is obscured from view, no figures are captured by the city camera utilizing the sidewalk within the eastbound roadside. The city camera's view of the eastbound sidewalk between Grove Hill and the area of impact is unobstructed.

[01:12:38] The unidentified male again reverses direction on the westbound sidewalk of West Main Street and walks back toward the area of impact in an easterly direction.

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCCHO/	SUPERVISOR I.D.#: 0108		



[01:12:44] Katherine Colon's figure emerges from behind the street signs within the eastbound roadside of West Main Street where she then remains continually visible within the eastbound shoulder and along the white painted eastbound edge line. During this time the figure of Katherine Colon cannot be conclusively discerned between standing or walking.

[01:12:47] The unidentified male again deviates from his eastbound direction of travel and walks in a southerly direction into the westbound roadside and westbound shoulder of West Main Street at the approximate area of impact. The unidentified male lingers within this area, where he periodically stops and bends down.

[01:13:03] The headlights of the Ford Explorer become visible as it travels westbound on West Main Street in the area of Walnut Hill Road.

[01:13:05] Katherine Colon steps forward from the eastbound edge line as she begins to walk across the travel lanes of West Main Street toward the westbound roadside.

[01:13:15] Katherine Colon continues to walk across West Main Street toward the westbound roadside as her figure becomes obscured from view due to the backlighting from the approaching Ford Explorer's headlights.

[01:13:17 - 01:13:18] Approximate time of the collision within the westbound lane of West Main Street.

[01:13:22] Both the body of Katherine Colon and the Ford Explorer come to final rest.

[01:14:00] The unidentified male is visible walking in a westerly direction on the sidewalk within the westbound roadside of West Main Street, and continues past the areas of final rest of Katherine Colon and the Ford Explorer.

Based upon the analysis of the city camera video, a dark figure consistent with and presumed to be Katherine Colon, is observed to first walk onto the paved portion of West Main Street at its intersection with Grove Hill at approximately 01:12:10 hours. The dark figure proceeds to cross West Main Street, taking approximately 6 seconds to reach the area of the white painted eastbound edge line, traveling a lateral distance across the roadway of approximately 30 feet 6 inches, for a minimum walking speed of

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

approximately 3.5 mph (5.08 ft/s). The lateral movement of the dark figure across West Main Street ceases along the area of the white painted eastbound edge line for approximately 6 seconds, during which time the dark figure could not be conclusively discerned between standing or walking. The dark figure then becomes obscured from view by the street signs within the eastbound roadside of West Main Street at approximately 01:12:22 hours.

Approximately 22 seconds after the dark figure, consistent with and presumed to be Katherine Colon, becomes obscured from view by the street signs within the eastbound roadside of West Main Street, the continually visible figure of Katherine Colon emerges from behind these same street signs. The figure of Katherine Colon is then observed to be standing and/or walking within the eastbound shoulder of West Main Street along the area of the eastbound edge line. Katherine Colon remains in the area of the eastbound edge line for approximately 21 seconds, during which time she could not be conclusively discerned between standing or walking.

Approximately 2 seconds after the headlights of the westbound Ford Explorer first become visible on the city camera, while the Ford Explorer travels in the area of Walnut Hill Road, Katherine Colon makes her initial movement into the eastbound travel lane of West Main Street as she begins to walk across the roadway toward the westbound roadside. Katherine Colon is captured walking across the eastbound and westbound travel lanes of West Main Street for approximately 12-13 seconds at which she is then struck by the westbound traveling Ford Explorer.

Despite walking for approximately 12-13 seconds while attempting to cross the eastbound and westbound travel lanes of West Main Street, Katherine Colon was unable to travel the lateral distance of 23 feet 3 inches, measured between the eastbound and westbound edge lines, to the relative safety of the westbound shoulder. At the area of impact, Katherine Colon was approximately 5 feet 9 inches to the south of the westbound edge line, having only traveled a lateral distance across West Main Street of approximately 17 feet 6 inches during the 12-13 seconds of walking time. By contrast, the dark figure, consistent with and presumed to be Katherine Colon, previously required approximately 6 seconds to completely cross the lateral distance of the roadway while walking from Grove Hill to the eastbound edge line of West Main Street. The roadway width at this location, including the westbound shoulder, was measured to be approximately 30 feet 6 inches.

While remaining continually visible, Katherine Colon's total elapsed time in which she remained standing and/or walking within the paved portion of West Main Street was approximately 33 seconds.

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



Based on the facts and circumstances, to include the location, movement, and time period, this investigation determined that the dark figure, consistent with and presumed to be Katherine Colon, was in fact Katherine Colon. Based on this determination, the total elapsed time in which Katherine Colon remained standing and/or walking within the paved portion of West Main Street was approximately 1 minute 7 seconds. Although not consistent with her observable movements, it was recognized that during the 1 minute 7 seconds time frame, there exists the possibility that Katherine Colon may have made one or more incursions into the grassy buffer area of the eastbound roadside during the 22 second period in which she was obscured from view by the street signs.

Mobile Video Recorder - Ford Explorer

The dash camera video, or mobile video recorder system (MVR), from Connor Reinsch's Ford Explorer was obtained from the New Britain Police Department. [Throughout the remainder of this supplemental report, the dash camera video obtained from Connor Reinsch's Ford Explorer will be referred to as the "MVR video."] The MVR video captures the roadway conditions, to include the presence of overhead street lights. All three of the overhead street lights located within the mapped portion of the collision scene were observed to be illuminated. Furthermore, the overhead street lights located to the east of the area of impact, extending back to Walnut Hill Road, were also all illuminated. The MVR video captures the pre-collision operation of the Ford Explorer, a portion of the pre-collision movement of Katherine Colon, and the collision between the Ford Explorer and Katherine Colon. The MVR video also includes the following applicable metadata: date and time, GPS coordinates, GPS derived speed, brake activation, and police light activation.

A summary of applicable events captured by the MVR video are presented below. Each event includes the approximate timestamp [hours] at the top of the MVR video.

[01:08:18] The Ford Explorer turns right (eastbound) onto West Main Street from Lexington Street. The Ford Explorer proceeds eastbound on West Main Street.

[01:08:38] The unidentified male figure from the city camera is visible walking in a westerly direction on the sidewalk located within the westbound roadside of West Main Street.

[01:08:46] The unidentified male figure is visible reversing his direction and walks back in an easterly

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direction on the sidewalk.

[01:08:53] The eastbound traveling Ford Explorer travels past the unidentified male, and through the forthcoming collision scene.

[01:09:51] The eastbound traveling Ford Explorer makes a U-turn on West Main Street at its intersection with Washington Street. The Ford Explorer proceeds to travel westbound on West Main Street.

[01:10:45] The Ford Explorer is traveling in a westerly direction within the westbound lane in the vicinity of 223 West Main Street. As determined in the following section, this time corresponds with Katherine Colon's first step into the eastbound travel lane as she attempted to cross West Main Street.

[01:10:52] The metadata of the Ford Explorer's MVR video indicates that the service brake becomes activated and remains activated until after the collision with Katherine Colon. The percentage of the brake activation, relative to a full brake application, is not recorded.

[01:10:52] The unidentified male figure becomes visible within the westbound roadside.

[0:53] Katherine Colon begins to become discernable within the left-center portion of the westbound travel lane.

[01:10:54] Katherine Colon becomes visible within the left-center portion of the westbound travel lane,

[01:10:55] The Ford Explorer collides with the body of Katherine Colon.

Correlation of the City Camera Video and the MVR Video

Based upon the analysis of both the city camera video and the MVR video, the event in which the unidentified male figure reversed his direction on the sidewalk was clearly captured by both videos. The event was captured at a timestamp of 01:11:08 hours on the city camera video, and 01:08:48 hours on the MVR video. This timestamp offset of approximately 2 minutes 20 seconds was used to correlate the two videos.

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCCHO/	SUPERVISOR I.D.#: 0108		



Using this correlation, at the timestamp in which Katherine Colon was observed to take her first step into the eastbound travel lane as she attempted to cross West Main Street, at approximately 01:13:05 hours, the Ford Explorer's corresponding timestamp was approximately 01:10:45 hours. At this timestamp, the Ford Explorer was traveling within the westbound lane in the area of 223 West Main Street. At this location the hillcrest of West Main Street, located between Grove Hill and the area of impact, is visible on the MVR video.

Ford Explorer MVR Video Snapshots

The following snapshot images were obtained from the Ford Explorer's MVR video utilizing the snapshot function of the VLC media player, version 3.0.20. The locations of these snapshots were selected to correspond either with specified scene photographs, or with a location and/or time period specific to the reconstruction. The MVR video snapshots are attached to this report.

MVR Snapshot #1, depicts a view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane in the vicinity of 223 West Main Street. This view corresponds with the time at which Katherine Colon was observed on the city camera video to take her first step into the eastbound travel lane as she attempted to cross West Main Street. The hillcrest at the area of the collision scene is visible.

MVR Snapshot #2, depicts a view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane of West Main Street prior to the area of impact. This view depicts the backlighting from multiple light sources, including the traffic signal lights suspended over the intersection with Curtis Street, the overhead street lights located to the west of Curtis Street, and the commercial lights from the Bank of America located within the eastbound roadside. These backlighting sources appear directly on top of the hillcrest.

MVR Snapshot #3, depicts a second view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane of West Main Street prior to the area of impact. This view depicts the backlighting from multiple light sources, including the traffic signal lights suspended over the intersection with Curtis Street, the overhead street lights located to the west of Curtis Street, and the commercial lights from the Bank of America located within the eastbound roadside. These

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



backlighting sources appear directly on top of the hillcrest.

MVR Snapshot #4, depicts a view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane of West Main Street, approximately 300 feet prior to the area of impact. This view corresponds with the scene photograph labeled as CARS Photograph #1. The unidentified male is visible within the westbound roadside.

MVR Snapshot #5, depicts a view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane of West Main Street, approximately 250 feet prior to the area of impact. This view corresponds with the scene photograph labeled as CARS Photograph #2. The unidentified male is visible within the westbound roadside.

MVR Snapshot #6, depicts a view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane of West Main Street, approximately between 200 feet and 150 feet prior to the area of impact. This view corresponds to the approximate area in which Katherine Colon begins to become discernable along the left-center portion of the westbound travel lane. The unidentified male is visible within the westbound roadside.

MVR Snapshot #7, depicts a view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane of West Main Street, approximately 150 feet prior to the area of impact. This view corresponds with the scene photograph labeled as CARS Photograph #3. Katherine Colon is partially discernable within the left-center portion of the westbound travel lane. The unidentified male is visible within the westbound roadside.

MVR Snapshot #8, depicts a view from the Ford Explorer's MVR while traveling in a westerly direction within the westbound lane of West Main Street, approximately 150 feet prior to the area of impact. This view corresponds with the scene photograph labeled as CARS Photograph #4. The unidentified male is visible within the westbound roadside. Katherine Colon is visible within the left-center portion of the westbound travel lane.

PEDESTRIAN COLLISION TYPE

Based upon the moment of impact captured by the MVR video, the identification of a series of ruboff

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



marks where the accumulated film of dust and/or road debris was wiped away from the Ford Explorer's hood, windshield, and right front fender, as well as Katherine Colon's post impact trajectory captured by the city camera video, the impact between the front end of the Ford Explorer and Katherine Colon was determined to be a type of pedestrian collision classified as a "wrap" dynamic. A wrap dynamic is the most common pedestrian collision type and occurs when the vehicle's principal impact force is applied below the center of gravity of the pedestrian. The pedestrian's body then wraps over the hood until achieving a portion of the vehicle speed. The pedestrian's body then separates, becomes airborne, falls to the ground, and slides and/or tumbles to final rest.

SPEED ANALYSIS

The pre-impact speeds of the Ford Explorer and Katherine Colon were both evaluated. This evaluation included multiple methodologies, each of which is detailed below.

Ford Explorer: Time-Distance, Pre-Impact Calculated Speed

[Reference the attached Calculations Worksheet "Ford Explorer Pre-Impact Speed Analysis" for the calculations, methodology, and equations used for this time-distance analysis.]

The pre-impact speed of the Ford Explorer was calculated using a time-distance analysis derived from the time in which it took for the Ford Explorer to travel a known distance. The known distance utilized for this analysis was the gap in the solid white painted westbound edge (fog) line of West Main Street located at its intersection with Grove Hill. Using the scaled forensic map generated for this collision scene, as well as the elevation data recorded by GNSS measurements along the roadway, the length of the actual surface distance of this gap was measured to be approximately 74 feet 0.5 inches. The time in which it took the Ford Explorer to travel this known distance was obtained from the Ford Explorer's MVR video by counting the number of video frames captured while traveling across this gap, and then dividing the number of frames by the frame rate obtained from the video's Codec data. Since the individual frames do not precisely align with the beginning or the ending location of the westbound edge line, a +/- of 1 frame for each location was applied. This method resulted in a total +/- of 2 frames for this analysis. Based on this methodology, the time-distance analysis calculated that the average pre-impact speed of the Ford Explorer as it traveled along this gap in the westbound edge line was between 51.7 mph and 60.0 mph. The gap in the westbound edge line was located

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



approximately 95 feet 8 inches to 169 feet 8 inches prior to the area of impact.

Ford Explorer: MVR Video's GPS Derived Speed

The Ford Explorer's MVR video includes a displayed GPS derived speed (metadata). The refresh rate of the displayed GPS derived speed was evaluated during an approximate 17 second timeframe between the timestamps of 01:10:38 hours and 01:10:55 hours (approximate time of the collision). During this timeframe the Ford Explorer was visually discernable as generally not traveling at a constant speed, as it included periods of both acceleration and deceleration. During this timeframe, the Ford Explorer's displayed GPS coordinates refreshed approximately 18 times, and its GPS derived speed changed approximately 13 times.

The Ford Explorer's GPS derived speed was compared to its calculated time-distance average speed between 51.7 mph and 60.0 mph while traveling along the gap in the westbound edge line at West Main Street's intersection with Grove Hill. At the onset of the gap in the westbound edge line, the GPS derived speed displayed a value of 59 mph. In between the onset and conclusion of the gap in the westbound edge line, the GPS derived speed displayed a value of 56 mph. At the conclusion of the gap in the westbound edge line, the GPS derived speed displayed a value of 52 mph.

Based upon the refresh rate of the GPS derived speed, as well as its comparison to the Ford Explorer's average speed obtained using a time-distance analysis, the GPS derived speed displayed on the MVR video was determined to be representative of the Ford Explorer's actual speed.

The GPS derived speed displayed at the Ford Explorer's impact with the body of Katherine Colon was 48 mph.

Ford Explorer: Impact Speed via the Searle and Toor Equations

[Reference the attached Calculations Worksheets "Ford Explorer Impact Speed via the Searle Equations," and "Ford Explorer Impact Speed via the Toor Equation" for the calculations, methodology, and equations used for these empirical analyses.]

The physical evidence identified at the scene was analyzed to calculate the speed of the Ford Explorer

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



at the time it impacted Katherine Colon. One range of empirical-based impact speeds for the Ford Explorer was calculated using the Searle equations, and second range was calculated using the Toor equation.

Searle Equations

The Searle equations, published in SAE Paper #831622, allow for a range of predicted projection speeds for a given throw distance resulting in a minimum and maximum speed. The distance that the pedestrian is thrown forward is an indicator of the striking vehicle's speed at impact, or the speed required to project the pedestrian from the area of impact to final rest. The minimum and maximum Searle equations resulted in a calculated impact speed for the Ford Explorer ranging between 47.4 mph and 49.2 mph.

Toor Equation

In 2000, Amrit Toor et. al. developed a comprehensive method for assessing the vehicle impact speed in a vehicle versus pedestrian collision. The total throw distance was examined for 106 forward projections and 202 wrap trajectories. In 2002, a slightly modified model was presented to include new data from more than 42 additional real-world collisions. In 2003, Amrit Toor and Michael Araszewski published SAE Paper #2003-01-0883: Theoretical vs. Empirical Solutions for Vehicle/Pedestrian Collisions. The developed equations are specific to the classification of the vehicle/pedestrian collision. Furthermore, the 85th percentile prediction intervals are used in cases where the balance of probabilities is acceptable. The 15th to 85th percentile prediction interval using the Toor wrap trajectory equation resulted in a calculated speed at impact for the Ford Explorer ranging between 46.2 mph and 53.4 mph.

Ford Explorer: Speed Summary

Based upon the physical evidence identified at the scene, the Searle equations and the Toor wrap equation each produced a calculated range of impact speeds for the Ford Explorer that were consistent with the Ford Explorer's GPS derived speed displayed at impact, as well as the pre-impact speed calculated for the Ford Explorer from the time-distance analysis.

<u>Speed (mph)</u>	<u>Methodology</u>	<u>Location</u>
51.7 - 60.0	Time-Distance	Pre-Impact (95 ft. 8 in. to 169 ft. 8 in.)

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



48	GPS Derived	Area of Impact
- 49.2	Searle Eqs.	At Impact
46.2 - 53.4	Toor Wrap Eq.	At Impact

Katherine Colon: Pre-Impact Movement Captured by the City Camera Video

The pre-impact movement of Katherine Colon was captured by the city camera surveillance video. The east-northeasterly facing camera was mounted on a pole located along the southeastern corner of West Main Street's intersection with Vine Street, and was located approximately 398 feet to the west-southwest of the area of impact. From the vantage point of the city camera, neither Katherine Colon's walking angle(s) nor reference landmarks along her pre-impact movements could be discerned with a high degree of accuracy. However, based upon the time frames of Katherine Colon's discernable movements and the measured distances obtained from the scaled forensic map, the following range of walking speeds were able to be calculated:

Walking Laterally Across West Main Street at Grove Hill

The dark figure, that was previously determined to be Katherine Colon, required approximately 6 seconds to completely cross the lateral distance of the roadway while walking from Grove Hill to the painted eastbound edge line of West Main Street. The combined width of the westbound shoulder, westbound travel lane, and eastbound travel lane of West Main Street at this location was measured to be approximately 30 feet 6 inches. The minimum walking speed required to cover this distance, corresponding to the shortest possible distance (walking perpendicularly across the roadway at a 90 degree angle), was calculated to be approximately 5.08 ft/sec (3.5 mph).

Walking From Grove Hill Toward Lexington Street

The total time required for Katherine Colon to walk along the area of the eastbound shoulder, from the intersection with Grove Hill to where she re-enters the eastbound travel lane near the intersection with Lexington Street, was determined to take approximately 49 seconds. Due to the number of variables regarding this movement, including whether Katherine Colon crossed West Main Street from the southbound sidewalk, the paved travel lanes, or the northbound sidewalk of Grove Hill, what angle Katherine Colon crossed West Main Street, what percentage of the 49 seconds of time within the eastbound shoulder of West Main Street was spent walking vs. standing, whether Katherine Colon walked along a straight or curved path, and from what point Katherine Colon re-entered the eastbound

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



travel lane near the intersection with Lexington Street, her actual walking speed was unable to be quantified. However, based upon a presumed "maximum" distance of approximately 185 feet, measured along the eastbound edge line of West Main Street from the northbound sidewalk of Grove Hill to the onset of its gap at the intersection of Lexington Street, and the time period of 49 seconds, this distance can be covered with a walking speed of approximately 3.77 ft/sec (2.6 mph). This calculated walking speed is only presented to demonstrate the feasibility of this movement between the two locations and to support the determination that the dark figure, consistent with and presumed to be Katherine Colon, was in fact Katherine Colon.

Walking Laterally Across West Main Street at the Area of Impact

Using the total time period during which Katherine Colon walked from the eastbound edge line to the area of impact, approximately 12-13 seconds, and the roadway dimensions obtained from the forensic map of the scene, a range of walking speeds was able to be calculated. The shortest (minimum) possible distance between the eastbound edge line and the area of impact was a perpendicular path (90 degrees relative to the roadway's heading) measured to be approximately 17 feet 5 inches. Utilizing the maximum walking time of 13 seconds, a minimum walking speed of 1.3 feet per second (0.9 mph) was calculated. The longest (maximum) distance between the eastbound edge line and the area of impact was measured from the end of the eastbound edge line at the onset of its gap at the intersection with Lexington Street. This distance was measured to be approximately 34 feet 6 inches along an angled path of approximately 31 degrees (relative to the roadway's heading). Utilizing the minimum walking time of 12 seconds, a maximum walking speed of 2.9 feet per second (2.0 mph) was calculated. Katherine Colon's range of walking speeds between 0.9 mph and 2.0 mph while attempting to cross West Main Street, was compared to the referenced age-specific walking speed data for 40-50 year old females (based on 128 samples):

Slowest	Average	Fastest
<u>ft./sec (mph)</u>	<u>ft./sec (mph)</u>	<u>ft./sec (mph)</u>
4.11 (2.8)	5.60 (3.8)	6.76 (4.6)

Reference: M. Reade and T. Becker (Institute of Police Technology and Management), *Fundamentals of Pedestrian/Cyclist Traffic Crash Reconstruction*, First Edition, July 2018.

Katherine Colon: Pre-Impact Movement Captured by the Ford Explorer's MVR Video

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCCHO/	SUPERVISOR I.D.#: 0108		



pre-impact movement of Katherine Colon was also captured by the Ford Explorer's MVR camera. The extent of Katherine Colon's pre-impact movement captured by the MVR camera is limited in duration to approximately 2-3 seconds. From the vantage point of the MVR camera, the pre-impact walking speed of Katherine Colon could not be precisely determined from a time-distance analysis due to the limited time period and the absence of reference landmarks.

However, the MVR video was able to capture the movement and mannerisms of Katherine Colon while walking within the westbound travel lane. Katherine Colon is visible walking along an angled path that was not perpendicular to the roadway. A perpendicular path (90 degrees relative the roadway's heading) is the shortest direct path of travel across the roadway. Katherine Colon was observed to be walking across the roadway in a general northeasterly direction at an angle that was visually approximated to be 45 degrees. Walking across a roadway at an angle of 45 degrees increases the required walking distance by a factor of approximately 1.41 (41%).

The MVR video was also able to capture Katherine Colon's lack of any discernable evasive action taken in order to avoid the impending impact with the oncoming Ford Explorer. The approximate 2-3 seconds of MVR video during which Katherine Colon is visible concludes approximately at the moment of impact. During the approximate 2-3 seconds of pre-impact MVR video, Katherine Colon makes no discernable deviation from her walking path, direction, and/or speed.

- There is no discernable attempt to reverse direction in order to retreat out of/away from the westbound travel lane prior to the arrival of the oncoming Ford Explorer;
- There is no discernable attempt to increase her speed in order to cross the westbound travel lane prior to the arrival of the oncoming Ford Explorer; and
- There is no discernable attempt to alter her angled crossing of the roadway to the most direct perpendicular path of travel in order to expedite her crossing of the westbound travel lane prior to the arrival of the oncoming Ford Explorer.

The MVR video also captures Katherine Colon's lack of any discernable physical reaction, or flinch, consistent with an instinctive reaction to fear, pain or surprise due to the oncoming Ford Explorer and the impending bodily impact, such as:

- There is no turning of the head or discernable change in facial expression consistent with recognition or acknowledgement of the oncoming Ford Explorer;
- There is no discernable twisting of the torso, consistent with turning away from the impact; and

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



- There is no discernable movement of the arms, consistent with bracing for the impact.

VISIBILITY ANALYSIS

Given the facts and circumstances of this collision sequence, an analysis was performed to evaluate the factors that may have affected the pre-crash visibility of both the Ford Explorer and the pedestrian, Katherine Colon. This analysis considered the permanent characteristics of the roadway (e.g., physical design), the temporary characteristics of the roadway (e.g., human related activity), the light emitting and/or reflective characteristics of the Ford Explorer and the pedestrian, and the available sight lines. Such factors are considered because in order for a driver and/or pedestrian to respond to a hazardous object or situation, the hazard must be more than simply capable of being visible. The object or situation must be sufficiently detectable and identifiable to the driver and/or pedestrian to the extent that the object or situation triggers the need for a response.

Roadway Characteristics

The following roadway characteristics are based on information gathered from all aspects of this investigation to include, but not limited to; visual observations, physical evidence, and an analysis of the city camera and MVR videos. The effect of each individual characteristic combines to create the overall pre-crash environment of the collision scene.

Roadway Characteristic: Hillcrest

As previously discussed in the Highway Configuration and Description section, the westbound roadway of West Main Street consists of an uphill grade of approximately 5% as it approaches its uncontrolled right side intersection with Grove Hill. The roadway grade then decreases (flattens) and continues through its uncontrolled left side intersection with Lexington Street with a reduced uphill grade of approximately 1%. This grade decrease, although not technically the top of the hill, creates a "hillcrest" which can affect the ability of an observer on one side of the hillcrest to observe an object on the opposite side of the hillcrest.

Based upon the examination of CARS photographs and the MVR video, from the perspective of

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

Connor Reinsch, the hillcrest was found to obscure from his view the surface of the roadway where Katherine Colon was walking until the Ford Explorer was approximately 200 feet from the area of impact. It was therefore determined that the hillcrest of the roadway hindered the ability of Katherine Colon to be detected by Connor Reinsch beyond a distance of approximately 200 feet. [See CARS Photographs #1-3, and #91-93]

CARS Photographs #64 and #96 were taken from the perspective of Katherine Colon's pre-impact location along the eastbound edge line of West Main Street adjacent to its intersection with Lexington Street. CARS Photograph #96 was taken from a height of approximately 5 feet to correspond with the approximate eye level of the 5 foot 6 inch Katherine Colon. From these photographs, the hillcrest was found to obscure from her view a portion of the roadway surface in the area of West Main Street's intersection with Park Place and Russel Street. However, the degree to which the hillcrest obscured vehicles along this area was marginal. CARS Photograph #64 depicts multiple Ford Explorer police vehicles present in this area with only the lower portion of their wheels obscured. Both CARS Photographs #64 and #96 also depict objects located within the eastbound roadside along this area, such as street sign posts, a fire hydrant, and traffic control cabinets, of which these objects are only marginally obscured from view. Based on this analysis, it was determined that from Katherine Colon's vantage point, the marginal obstruction from the hillcrest did not hinder the ability of Katherine Colon to detect the oncoming Ford Explorer.

Roadway Characteristic: Backlighting

Backlighting, or background lights can create visual clutter that can contribute to a collision when these lights align with an operator's field of vision [Visibility References #1 and #2]. Based on the examination of scene photographs and the MVR video, from the perspective of Connor Reinsch, the presence of backlighting along the area of impact was identified. The backlighting is depicted in MVR Snapshots #2-8. Due to the presence of the hillcrest along the area of impact, some of the backlighting sources appeared directly along the top portion of the hillcrest, both in line with Katherine Colon's path of travel across the roadway, and also with in line with the area of impact. These backlighting sources included the traffic signal lights suspended over the intersection with Curtis Street, overhead street lights located to the west of Curtis Street, commercial lights from the Bank of America located within the eastbound roadside, and a commercial light from Angelo's Market located within the westbound roadside.

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



The presence of the identified backlighting conditions was therefore determined to hinder the ability of Connor Reinsch to detect and identify Katherine Colon within the roadway.

Roadway Characteristic: Overhead Street Lighting

At the area of impact, West Main Street is equipped with overhead street lighting. Based upon the city camera and MVR videos, at the time of the collision sequence, the overhead street lights located immediately to the west (approximately 62 feet) and immediately to the east (approximately 61 feet) of the area of impact were both illuminated.

The presence of the illuminated overhead street lighting was determined to potentially enhance the visibility of Katherine Colon, and to increase the potential ability of Connor Reinsch to detect, recognize, and identify Katherine Colon as a hazard.

West Main Street is also equipped with overhead street lighting located to the east of the area of impact, along the approach of the westbound traveling Ford Explorer. Based upon the city camera and MVR videos, at the time of the collision sequence, the overhead street lights located to the east of the area of impact, extending back to Walnut Hill Road, were all illuminated.

The presence of the illuminated overhead street lighting was determined to potentially enhance the visibility of the Ford Explorer, and to increase the potential ability of Katherine Colon to detect, recognize, and identify Ford Explorer as a hazard.

Roadway Characteristic: Presence of an Unidentified Male Pedestrian

Based upon the review of both the city camera and MVR videos, there was an unidentified male pedestrian walking and standing within the westbound roadside in the area of the collision scene. The unidentified male pedestrian was wearing dark colored pants and a light colored hooded sweatshirt, with the hood pulled up over his head. This male pedestrian was captured on the MVR video at the time the Ford Explorer initially traveled in an easterly direction through the forthcoming collision scene, approximately 2 minutes prior to the collision sequence. During this time, the unidentified male pedestrian was walking in a westerly direction along the westbound sidewalk when he reversed direction and began to walk back in an easterly direction along the westbound sidewalk. Upon the Ford Explorer's return to the collision scene, as it approached the area of impact while traveling in a

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



westerly direction, the unidentified male pedestrian was captured standing within grassy buffer area of vestbound roadside, between the paved shoulder and the sidewalk, with a discernable lean of his upper body toward the roadway. The unidentified male was standing approximately 25 feet in a northeasterly direction from the area of impact, and was located to the east of the "Museum of American Art" street sign.

Based on the examination of MVR video, from the perspective of Connor Reinsch, the unidentified male pedestrian was not positioned directly in front of the backlighting sources, such as was the case for Katherine Colon. Furthermore, the unidentified male's clothing included a light colored sweatshirt. Pedestrians wearing lighter colored clothing can be identified from farther away than if wearing darker clothing. [Visibility Reference #3]. This disparity in the visibility by clothing color is evident in the city camera and MVR videos, both of which were able to more prominently capture the unidentified male pedestrian's light colored sweatshirt, as compared to the unidentified male's dark colored pants and Katherine Colon's dark colored clothing.

Due to the unidentified male pedestrian possibly being an expected encounter from Connor Reinsch's previous travel through the scene, the unidentified male pedestrian's relatively higher visibility due to his light colored sweatshirt, and the unidentified male pedestrian's precarious position adjacent to the westbound shoulder, this investigation concluded that it would not be unexpected for the unidentified pedestrian to attract Connor Reinsch's attention, diverting it toward the westbound roadside away from the area of the less visible and less expected presence of Katherine Colon within the roadway.

Roadway Characteristic: Presence of Uninvolved Vehicles

Based upon the review of the east-northeasterly facing city camera video and the westerly facing MVR video, the only other motor vehicle in motion at the time Katherine Colon was crossing the roadway was an uninvolved westbound vehicle traveling approximately 9 seconds behind the Ford Explorer (relative to the times in which each vehicle's headlights first become visible on the city camera video). The collision scene was therefore free of potential visual clutter created by the presence of multiple vehicles in motion.

The light traffic condition, and absence of visual clutter from other vehicles within the collision scene, was therefore determined to have no hinderance on the potential ability of Katherine Colon and Connor Reinsch (Ford Explorer) to detect, recognize, and identify each other.

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



Traffic Unit Visibility

Visibility Characteristics: Ford Explorer

Based upon the review of the city camera and MVR videos, the Ford Explorer was observed to have both headlights illuminated as it approached the collision scene while traveling in a westerly direction within the westbound travel lane. The Ford Explorer was readily visible due to its headlights being a prevailing light source.

Visibility Characteristics: Katherine Colon

Katherine Colon's exterior garments consisted of a black, long sleeved sweatshirt with a light colored design on its front/chest area, black pants, black socks, and multi-colored clog-type shoes. As previously discussed, pedestrians wearing lighter colored clothing can be identified from farther away than if wearing darker clothing. This disparity in the visibility by clothing color is evident in the city camera and MVR videos. Katherine Colon's dark colored clothing was determined to hinder the ability for her to be seen by Connor Reinsch.

Line of Sight Analysis

A line of sight analysis was performed from the perspective of the pedestrian, Katherine Colon. Typically, a sight line analysis obtains a maximum unobstructed distance from which it would be possible for an observer to detect another object. This distance is then used to calculate the corresponding time available for reactionary and/or avoidance maneuvers based upon a known or ranged vehicle speed. However, in this collision sequence, the actual time is known, as the city camera video's view of the oncoming headlights of the Ford Explorer is approximately in-line with the sight line which would have been available to Katherine Colon. Based upon the review of the city camera video, Katherine Colon would have been able to see the on-coming Ford Explorer's headlights and/or the vehicle, for a continuous period of approximately 14 seconds. During this time, the Ford Explorer's headlights were a dominant light source located to the east of the area of the collision scene.

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



Due to the multitude of factors affecting the line of sight from the perspective of the operator of the Explorer, including the effects of backlighting, Katherine Colon's unknown walking speed and specific direction, the continual increase in percentage of Katherine Colon that becomes visible as the Ford Explorer travels toward the hillcrest, and the risks associated with attempting to replicate the scenario, a conclusive numerical value for the Ford Explorer's line of sight was not obtained. However, it was noted that at approximately 2-3 seconds prior to the impact, the silhouette of Katherine Colon begins to become discernable on the Ford Explorer's infrared MVR video.

Visibility Overview/Conclusion

This visibility analysis determined that from the perspective of the pedestrian, Katherine Colon, the oncoming Ford Explorer was considered to be readily visible. The Ford Explorer's headlights and/or the vehicle was continuously visible during the period extending back from the time of impact by approximately 14 seconds. During this time, the moving Ford Explorer was the predominant object located to the east of the collision scene due to a combination of the Ford Explorer's movement and the intensity of its headlights.

This visibility analysis determined that from the perspective of Connor Reinsch, the operator of the Explorer, the visibility of Katherine Colon was considered to be hindered by multiple factors. These factors included the effects of backlighting, the varying degree of the obscurement of Katherine Colon by the hillcrest, the dark clothes being worn by Katherine Colon, and the presence of the unidentified male located within a precarious position within the westbound roadside.

This analysis therefore determined that Katherine Colon's ability to sufficiently detect and identify the Ford Explorer, to the extent that it would trigger the need for a response, was more advantageous than Connor Reinsch's ability to sufficiently detect and identify Katherine Colon to the same extent.

Visibility References:

- 1) R.W. Rivers, (2010), *Training and Reference Manual for Traffic Crash Investigation [3rd edition]*, Institute of Police Technology and Management.
- 2) N.F. Robar and G.L. Ruotolo, (2006), *Advanced Traffic Crash Analysis*, Institute of Police Technology and Management.

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCCHO/	SUPERVISOR I.D.#: 0108		



3) *Muttart, J., Bartlett, W., et. all, (2013), SAE International: Determining When an Object Enters the Headlight Beam Pattern of a Vehicle, SAE Paper #2013-01-0787.*

ANALYSIS AND CONCLUSIONS

On September 21, 2023, at approximately 0110 hours, a motor vehicle versus pedestrian collision was reported in the city of New Britain on West Main Street in the area of its intersection with Lexington Street. The collision resulted in fatal injuries to the pedestrian. The involved motor vehicle, its operator, and the pedestrian were identified as follows:

A white and black, 2017 Ford Explorer Police Interceptor, four door sport utility vehicle, bearing Connecticut municipal registration 216NB with Vehicle Identification Number (VIN) 1FM5K8AR5HGC63482. The Ford Explorer Police Interceptor was a marked police vehicle registered to the city of New Britain. The Ford Explorer Police Interceptor was marked with the word "Police" on the front edge of the hood, "New Britain Police" and an image of the New Britain Police shield on the left and right side doors, "Emergency Dial 911" on the left and right side quarter panels, "New Britain Police" on the left portion of the rear end, and the vehicle number "28" on the left front corner, right front corner, and the right portion of the rear end. The vehicle was also equipped with emergency vehicle warning equipment consisting of both flashing lights and an audible siren. However, since neither the flashing lights nor the audible siren were activated, the configuration of this emergency vehicle warning equipment is not applicable to this collision sequence and therefore will not be detailed.

The Ford Explorer was operated by Connor D. Reinsch (10/06/1996). At the time of the collision, Connor Reinsch was an on-duty New Britain Police Officer performing patrol related functions.

The pedestrian was identified as Katherine M. Colon (06/29/1983). At the time of the collision, Katherine Colon's exterior garments consisted of a black, long sleeved sweatshirt with a light colored design on its front/chest area, black pants, black socks, and multi-colored clog-type shoes.

The following conclusions were based on my training and experience, an examination of the physical evidence identified, the vehicle damage profile of the Ford Explorer, the city camera and MVR videos, and the final rest locations of the Ford Explorer and the body of Katherine Colon.

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



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

r to the collision, the Ford Explorer, being operated by Connor Reinsch, was traveling within the westbound lane of West Main Street as it traveled toward the collision scene. The Ford Explorer was being operated with both of its functional headlights illuminated. The Ford Explorer's police lighting was not in use; neither its steady burning cruise lights, nor its flashing emergency lights. While approaching the collision scene, the Ford Explorer accelerated to a speed which was in excess of the posted speed limit of 25 mph. The time-distance analysis determined that while traveling between 95 feet 8 inches and 169 feet 8 inches prior to the area of impact, the Ford Explorer was traveling at an average speed ranging between 51.7 mph and 60.0 mph. This range of speeds was also consistent with the Ford Explorer's GPS derived speed from the MVR video's metadata. The MVR video's metadata also indicated that the Ford Explorer's service brake was continuously activated during the approximate 3 second period immediately preceding the time of impact. The percentage of the brake activation throughout this 3 second time period, relative to a full brake application, was not recorded and is therefore unknown.

Prior to the collision, the pre-impact movement of pedestrian Katherine Colon was observed on the city camera. Based upon the facts and circumstances discussed in the analysis section of the city camera's video, this investigation determined that the dark figure, consistent with and presumed to be Katherine Colon, was in fact Katherine Colon. Katherine Colon's pre-impact movement within the way of West Main Street consisted of taking approximately 6 seconds to walk across West Main Street from Grove Hill to the white painted eastbound edge line of West Main Street, followed by an additional 49 seconds in which she walked in a westerly direction along the area of the eastbound shoulder of West Main Street from Grove Hill to where she re-enters the eastbound travel lane near Lexington Street, followed by an additional 12-13 seconds in which she walked in a general northeasterly direction within the eastbound and westbound lanes to the area of impact. The cumulative time in which Katherine Colon continuously remained within the eastbound shoulder, eastbound travel lane, westbound travel lane, and westbound shoulder was approximately 1 minute 7 seconds. During this time, Katherine Colon did not utilize any of the marked crosswalks, nor did she utilize either of the sidewalks located within the eastbound and westbound roadsides of West Main Street. Although not consistent with her observable movement, due to the figure of Katherine Colon being concealed from view during 22 seconds of her 49 seconds of movement in a westerly direction along the eastbound shoulder, it was recognized that during this time there exists the possibility that Katherine Colon may have made one or more incursions into the grassy buffer area of the eastbound roadside located between the eastbound shoulder and the eastbound sidewalk.

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



The pre-collision visibility analysis evaluated multiple factors affecting the ability of Katherine Colon and Connor Reinsch (Ford Explorer) to sufficiently detect and identify the other to the extent that the need for an evasive response would be triggered. The analysis determined that Katherine Colon's ability to sufficiently detect and identify the Ford Explorer as a potential hazard was more advantageous than Connor Reinsch's ability to sufficiently detect and identify Katherine Colon. Despite Katherine Colon's more advantageous ability to sufficiently detect and identify the oncoming Ford Explorer as a potential hazard, her movements captured by the MVR video up to the time of impact were observed to be absent of any discernable evasive or reactionary type actions consistent with Katherine Colon being alerted to, or aware of, the readily visible on-coming Ford Explorer.

While traveling in a westerly direction within the center portion of the westbound travel lane of West Main Street, the center portion of the Ford Explorer's front end collided with Katherine Colon. At impact, Katherine Colon was determined to be located within the center portion of the westbound travel lane approximately 29 feet to the east of West Main Street's intersection with Lexington Street. Katherine Colon was determined to be walking at a speed between 0.9 mph and 2.0 mph. At the time of the impact, both the Searle equations and the Toor wrap equation were used to calculate the Ford Explorer's speed at impact to be between 46.2 mph and 53.4 mph. The GPS derived speed of the Ford Explorer's MVR at the time impact indicated a speed of 48 mph.

Based upon the moment of impact captured by the MVR video, the identification of a series of ruboff marks where the accumulated film of dust and/or road debris was wiped away from the Ford Explorer's hood, windshield, and right front fender, as well as Katherine Colon's post impact trajectory captured by the city camera video, the impact between the front end of the Ford Explorer and Katherine Colon, was determined to be a pedestrian collision classified as a wrap dynamic. As a result of the wrap collision dynamic, the body of Katherine Colon wrapped onto the top of the Ford Explorer's hood, slid across the hood to the front windshield, and then slid off the right side of the hood and right front fender. After sliding off the right front fender, Katherine Colon became momentarily airborne before falling to the ground where she proceeded to slide and/or tumble across the westbound travel lane and westbound shoulder. The body of Katherine Colon came to final rest approximately 129 feet 11 inches from the area of impact. The distance of approximately 129 feet 11 inches included all phases of the wrap projection; the carry phase on top of the Ford Explorer's hood, the airborne phase upon separation from the hood, the falling to the ground phase, and the slide and/or tumble phase along the surface of the roadway. The body of Katherine Colon came to final rest along the westbound edge

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



(fog) line of West Main Street along the western side of the intersection with Lexington Street.

Katherine Colon's upper torso, oriented toward a northeasterly direction, was located within the westbound shoulder, and her legs were located within the right portion of the westbound travel lane of West Main Street.

After colliding with the body of Katherine Colon, Connor Reinsch initially steered the Ford Explorer toward its left, momentarily encroaching into the eastbound travel lane before steering the Ford Explorer back toward its right. The Ford Explorer was brought to a controlled final rest within the westbound travel lane of West Main Street along the western side of the intersection with Lexington Street, with the front end of the Ford Explorer oriented facing a west-northwesterly direction. The Ford Explorer was located approximately 143 feet 11 inches to the west of the area of impact.

As a result of the injuries sustained during the collision sequence, the pedestrian, Katherine Colon, was transported by a New Britain Emergency Medical Services ambulance to the Hospital of Central Connecticut New Britain General Campus where she was pronounced deceased on September 21, 2023, at 0152 hours.

Causative Factor

Following was identified as the causative factor in this collision:

The pedestrian, Katherine Colon, was determined to make a series of unsafe, improper, and less than optimal movements within the paved portion of West Main Street. The accumulation of these movements combined to result in a pattern of reckless usage of the highway, in violation of Connecticut General Statute 53-182, and resulted in Katherine Colon intentionally placing herself in unnecessary danger. These movements, combined with Katherine Colon's more advantageous ability to recognize the potential for a collision, and to take evasive action in order to successfully avoid the collision, were determined to result in Katherine Colon's reckless usage of the highway being the causative factor for this collision sequence. This determination was based upon the accumulation of the following actions:

- At the time of impact, Katherine Colon was determined to have been continuously standing and/or walking within the eastbound shoulder, eastbound travel lane, westbound travel lane, and westbound shoulder of West Main Street for approximately 1 minute 7 seconds.
- Katherine Colon did not utilize either of the painted crosswalks located at West Main Street's

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INVESTIGATOR SIGNATURE: /DET MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCOCO/	SUPERVISOR I.D.#: 0108		



intersection with Curtis Street and also at West Main Street's intersection with Park Place/Russel Street when she initially crossed West Main Street at its intersection with Grove Hill.

- Katherine Colon did not utilize the sidewalk either within the eastbound or westbound roadside of West Main Street while walking from Grove Hill toward Lexington Street.
- Katherine Colon did not utilize either of the painted crosswalks located at West Main Street's intersection with Curtis Street and also at West Main Street's intersection with Park Place/Russel Street when she attempted to cross West Main Street at the time of the collision.
- Katherine Colon prolonged her time within the travel lanes of West Main Street by not walking perpendicularly across the roadway (the shortest and quickest possible distance) when she attempted to cross West Main Street at the time of the collision.
- Katherine Colon prolonged her time within the travel lanes of West Main Street by walking at a reduced speed, between 0.9 mph and 2.0 mph, when she attempted to cross West Main Street at the time of the collision. The figure of Katherine Colon was previously observed to cross West Main Street at its intersection with Grove Hill at a walking speed of approximately 3.5 mph.
- Katherine Colon failed to identify the on-coming Ford Explorer as a hazard along its approach during the approximate period of 14 seconds when it was determined to be capable of being sufficiently visible from Katherine Colon's position. During this time, the Ford Explorer had a high degree of visibility, and was the predominantly visible object located to the east of the collision scene.
- Katherine Colon failed to make any discernable evasive action in order to avoid the impending impact with the oncoming Ford Explorer.
- Katherine Colon was walking in the roadway while under the influence of (positive toxicology findings for); Ethanol, Benzoylcegonine, Cocaine, Cocaethylene, Fentanyl, and Norfentanyl. Impairment from alcohol and drug combinations can result in poor decision making and lowered alertness. Such impairment can also result in failing to recognize a hazard, making an improper response to a hazard, and/or having a delayed response to a hazard.

Contributing Factors

The following were identified as contributing factors in this collision sequence (listed in no specific order or rank):

The operator of the Ford Explorer, Connor Reinsch, was determined to be traveling in excess of the posted speed limit of 25 mph, and in violation of Connecticut General Statute 14-218a. Prior to impact, the Ford Explorer was calculated to be traveling between 51.7 mph and 60.0 mph. At the time

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SUPERVISOR SIGNATURE: /SGT MARK J DICOCO/	SUPERVISOR I.D.#: 0108		



of impact, the Ford Explorer was calculated to be traveling between 46.2 mph and 53.4 mph. Due to excess speed of the Ford Explorer, Connor Reinsch had a diminished ability to sufficiently detect, identify, and successfully avoid a collision with Katherine Colon. As a vehicle's speed increases, a corresponding increase also occurs for the distance traveled by the vehicle during each phase of the operator's progression from the location of possible detection of the hazard, to the location of actual detection of the hazard, and to the location of the onset of an evasive braking and/or swerving maneuver. The increase in distance traveled for each of these phases reduces the remaining distance available for the braking and/or swerving evasive maneuver. Furthermore, as a vehicle's speed increases, the distance required for the vehicle to successfully perform the actual braking and/or swerving maneuver also increases.

The roadway configuration consisting of a hillcrest, and the backlighting sources appearing directly on top of the hillcrest, were determined to be contributing factors in this collision sequence which hindered the ability of Connor Reinsch to observe the pedestrian, Katherine Colon, as she was walking across West Main Street.

End of Supplemental 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 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 MARK K JESUDOWICH/	INVESTIGATOR I.D.#: 1200	REPORT DATE: 12/16/2023 02:14 pm	
SUPERVISOR SIGNATURE: /SGT MARK J DICOCOCO/	SUPERVISOR I.D.#: 0108		

Appendix G



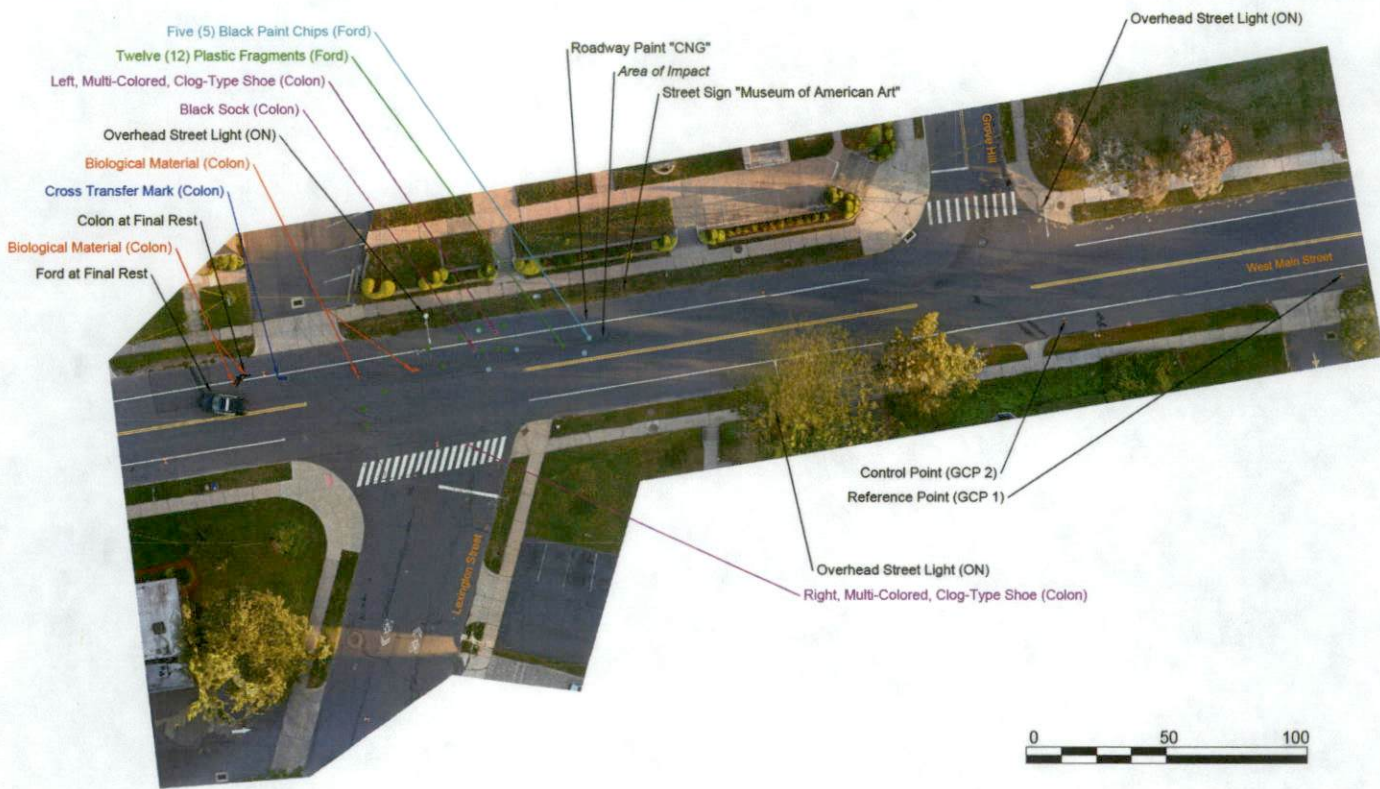
Connecticut State Police

Collision Analysis and Reconstruction Squad



Case Number: 2300378175
Created By: Det. Jesudowich #1200

Location: West Main Street, New Britain
Collision Date: September 21, 2023



West Main Street, New Britain, CT

Write a description for your map.

Legend

- Angelo's Market
- Bank of America (Lobby Service Only)
- Barbara Malz DDS Family Dentistry
- Center
- Church
- Feature 1





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