

# **Report of the State’s Attorney for the Judicial District of Hartford Concerning the Use of Deadly Physical Force on April 20, 2019, by Wethersfield Police Resulting in the Death of Anthony Vega-Cruz**

## **Introduction**

A tragic incident occurred on April 20, 2019, on the Silas Deane Highway in Wethersfield, Connecticut, when 18-year-old Anthony Vega-Cruz was pulled over for a motor vehicle offense. Mr. Vega-Cruz initially stopped when pulled over and then fled engaging Wethersfield police in a brief pursuit that ended in his death. The undersigned State’s Attorney extends heartfelt condolences to Mr. Vega-Cruz’s father, siblings, other family members and friends who continue to mourn his loss and issues this report concerning the use of deadly physical force by Wethersfield Police Officer Layau Eulizier.

Connecticut General Statutes Section 51-277a, which provides as follows:

“(a) Whenever a peace officer, in the performance of such Officer’s duties, uses physical force upon another person and such person dies as a result thereof, the Division of Criminal Justice shall cause an investigation to be made and shall have the responsibility of determining whether the use of physical force by the peace Officer was appropriate under section 53a-22. The Division shall request the appropriate law enforcement agency to provide such assistance as is necessary to determine the circumstances of the incident.

(b) In causing such an investigation to be made, the Chief State’s Attorney shall, (1) as provided in section 51-281, designate a prosecutorial official from a judicial district other than the judicial district in which the incident occurred to conduct the investigation.

(c) Upon the conclusion of the investigation of the incident, the division shall file a report with the Chief State’s Attorney which shall contain the following: (1) The circumstances of the incident, (2) a determination of whether the use of physical force by the peace Officer was appropriate under section 53a-22, and (3) any future action to be taken by the Division of Criminal Justice as a result of the incident. The Chief State’s Attorney shall provide a copy of the chief executive officer of the municipality in which the incident occurred and to...the chief of police of such municipality, as the case may be.”

On April 22, 2019, then-Chief State’s Attorney Kevin T. Kane notified the undersigned that a police use of force incident occurred in the Town of Wethersfield on April 20, 2019, and resulted in death. The investigation was therefore reassigned from New Britain State’s Attorney Brian Preleski to the undersigned. Connecticut State Police Central District Major Crime Squad (CDMCS) was assigned as the investigative agency. The following report is based upon reports and records gathered by CDMCS from Wethersfield Police Department, Manchester Police Department, the Office of the Chief Medical Examiner, results of forensic examinations by the Department of Emergency Services and Public Protection (DESPP) Forensic Science Laboratory, witness statements and reviews of dash camera video from Wethersfield Police Department and surveillance videos from Wethersfield establishments.

## **Factual Findings**

On April 20, 2019, Officer Peter Salvatore, a 5½-year officer with the Wethersfield Police Department, was assigned to patrol District 5 on the 4:00 p.m. to 12:00 midnight shift. District 5 includes the east side of Silas Deane Highway just prior to Executive Square to the south, Silas Deane Highway and Church Street to the north, Prospect Street and Wolcott Hill Road to the west and Church Street to Garden and Marsh Streets to the east. Officer Salvatore was operating Car 25, a marked Wethersfield Police Department Ford Explorer Interceptor sport utility vehicle. He was dressed in a full and clearly identifiable police uniform.

At 5:53 p.m., Officer Salvatore ran Connecticut registration marker 484YOS through the Connecticut On-Line Law Enforcement Communications Teleprocessing system (COLLECT) to obtain motor vehicle information on the marker affixed to the rear of a dark blue Infiniti. The vehicle, with its heavily tinted windows, aroused Officer Salvatore's suspicions as it traveled in his patrol area.

In a sworn statement given to Connecticut State Police on May 13, 2019, Officer Salvatore stated that he was on patrol on April 20, 2019, at approximately 5:45 p.m., in the area of Hewitt Street and Silas Deane Highway when he observed a dark-colored sedan stopped at the exit of Santander Bank with its left turn signal on. His attention was drawn to the vehicle because of its heavily tinted windows and the fact that the bank was closed. Officer Salvatore stated that he pulled into the driveway at 1177 Silas Deane Highway, which was on the same side of the street and north of Santander Bank, and watched the Infiniti turn right out of the lot and then left onto Hewitt Street, which leads to Puritan Furniture, Liberty Bank, Lazik Plus and the Hartford Medical Group, all of which were closed at the time. Officer Salvatore stated that he believed that the operator was attempting to elude him as he considered it "unusual" that the operator would travel from one closed bank to another. Surveillance video from Santander Bank captured a dark colored vehicle enter the bank driveway at 5:46:22 p.m. At 5:48:00 p.m., it appeared at the driveway again and turned on its left turn signal. At 5:49:00 p.m., the vehicle turned right and then left onto Hewitt Street.

When the vehicle didn't turn around and back onto Silas Deane Highway to head north (consistent with its earlier turn signal) within a reasonable time, Officer Salvatore stated that he drove to Hewitt Street and turned left just as the operator of the Infiniti had done. He saw the sedan parked in the middle of the parking lot where Liberty Bank and Lazik Plus are located with the rear of the Infiniti facing him. There were no other cars in the lot. Officer Salvatore stated that he believed that since it was raining those inside the vehicle would have parked closer to the bank if they were going to the ATM.

Officer Salvatore stated that he waited in the Puritan Furniture parking lot for 5 to 10 minutes before driving into the Liberty Bank parking lot where the Infiniti was parked.<sup>1</sup> In spite of his suspicions, Officer Salvatore never reported the vehicle or requested back-up from other officers to assist in dispelling his suspicions. He stated that he drove into the bank parking lot behind the

---

<sup>1</sup> Officer Salvatore's complete statement can be viewed by following this link.

Infiniti and noted the license plate to be Connecticut Registration 484YOS, and ran it through COLLECT.

Officer Salvatore's COLLECT query revealed that the marker plate was issued for a Hyundai with a registration address in Bristol and that the registration was suspended. Pursuant to Connecticut General Statutes, which prohibit the use of a motor vehicle registration plate on any vehicle other than the one for which is issued, affixing Connecticut registration 484YOS to the blue Infiniti, would support a charge of Improper Use of Marker, a Class D misdemeanor.<sup>2</sup>

Officer Salvatore left the bank parking lot and drove to the rear of the Hartford Healthcare building at 1260 Silas Deane Highway. At 5:58:20 p.m., he activated his dash camera, capturing at 5:58:35 p.m., a dark blue Infiniti sedan leaving the parking lot for Lazik Plus and Liberty Bank. There were no other cars in the lot. The vehicle had dark tinted windows and from the dash camera video it was not possible to see inside the vehicle. In his statement to Connecticut State Police, Officer Salvatore stated that he observed the Infiniti leaving the parking lot at "a higher than usual rate of speed than casually leaving the lot," however, his dash camera shows that the operator of the Infiniti sedan engaged the right signal to turn out of the parking lot and engaged the right signal again to turn onto Hewitt Street. Nothing seemed unusual about the vehicle's speed.

As the operator turned onto Hewitt Street, Officer Salvatore began to accelerate out of the Hartford Healthcare parking lot and took a left onto Hewitt Street. His dash camera showed that the Infiniti signaled to turn right, onto Silas Deane Highway. Officer Salvatore turned right onto Silas Deane Highway, and stated that he saw the Infiniti operating at a high rate of speed "weaving in and out of traffic ...." From Officer Salvatore's dash camera, the Infiniti could be seen accelerating as it traveled north in the middle lane on Silas Deane Highway, but it did not appear to be weaving. The operator appeared to be traveling at a high rate of speed and continued to pick up speed as the vehicle traveled up Silas Deane Highway. A steady flow of traffic could be seen on the dash camera video traveling on the wet roads in a northerly and southerly direction on Silas Deane Highway. The speed limit on that street, that is lined with retail establishments, banking institutions, restaurants and office space, is 35 miles per hour.

At 17:58:52, Officer Salvatore radioed dispatch:

17:58:52

Salvatore: Gonna try to have a 38 (traffic stop) momentarily, Silas and Mill. It's a bluish-black Infiniti, 484 Yankee-Oscar-Sierra, 484 Yankee-Oscar-Sierra. Just north of Silas and Mill. About a thousand (approximately an address of 1000 Silas Deane Highway).

---

<sup>2</sup> Section 14-147. Improper use of marker, registration or license.

(c) No person shall use any motor vehicle registration or operator's license other than the one issued to him by the commissioner, except as provided in section 14-18; and no person shall use a motor vehicle registration on any motor vehicle other than that for which such registration has been issued. Any person who violates any provision of this subsection shall be fined not more than five hundred dollars or imprisoned not more than thirty days or both.

Dispatcher: 10-4 (Message received)

The operator of the Infiniti engaged his right signal to move to the right lane as he got closer to the area of Marshall's plaza, at 1130 Silas Deane Highway. When the cruiser was approaching the area near CVS at 1078 Silas Deane Highway, Officer Salvatore's dash camera captured his police emergency lights (that signal motorists to pull over) on the signs posting the turn and travel lanes. His dash camera captured the brake lights of the Infiniti being engaged as the vehicle pulled over in front of Goodyear at 1020 Silas Deane Highway.

At 17:59:50, Officer Salvatore radioed Officer Martins, a K9 officer assigned to District 4:

17:59:50

Salvatore: 5 (Officer Salvatore) to 48 (Officer Martins), are you nearby?

Dispatch: I'm heading in that direction. Coming from 623 Highland (approximately 3.1 miles away).

Further north, unbeknownst to Officer Salvatore, Officer Layau Eulizier was ordering food at Wethersfield Pizza at 955 Silas Deane Highway and left the restaurant when he heard the transmission. Officer Eulizier never radioed dispatch that he would be available to respond and assist but he entered his cruiser, Car 13, a Wethersfield Police Ford Explorer Interceptor that was parked facing southbound near the entrance to the driveway of the restaurant. Officer Eulizier waited as his dash camera captured the emergency lights from Officer Salvatore's cruiser, who still had the operator of the Infiniti pulled over in front of Goodyear.

From Officer Salvatore's position directly behind the Infiniti, the tints on the back window did not allow for a view of the interior passenger compartment. The operator of the Infiniti waited approximately 20 seconds; and, as Officer Salvatore exited his cruiser and approached the Infiniti, the operator sped off in a northerly direction. Officer Salvatore notified dispatch that the operator fled.

18:00:06

Salvatore: Yeah, he's taking off. Northbound now. Silas.

Dispatch: Northbound on the Silas.

Officer Salvatore stated that he saw a cruiser ahead of him with its emergency lights activated in the southbound lane. The cruiser then approached the southbound center turn lane on Silas Deane Highway. Officer Salvatore still did not know that it was Officer Eulizier. Officer Eulizier's dash camera captured his movements on Silas Deane Highway as he drove the cruiser from the southbound lanes and crossed into the left northbound lane blocking the northbound left travel lane. Officer Salvatore's dash camera captured the Infiniti as it passed a dark colored sedan traveling northbound in the left lane apparently in an attempt to avoid hitting Officer Eulizier's cruiser that was blocking both northbound lanes of travel. The operator of the dark colored sedan

braked and stopped briefly as this incident developed ahead of him. The Infiniti, meanwhile, appeared to lose control as it crossed briefly into the southbound lane of travel.<sup>3</sup>



---

<sup>3</sup> Officer Salvatore's dash camera video can be viewed by following this link.



Sterling Jewelers  
Front Door

Officer Salvatore radioed dispatch:

18:00:18

Salvatore: He's losing control

Lt. Connolly: Is there anyone with stop sticks near the PD or anything?

The Infiniti, still out of control, then appeared to travel counter-clockwise, crossing back into the northbound lane and then in front of oncoming traffic in the southbound lanes of travel before coming to rest facing southbound in front of the entrance to the parking lot for businesses at 943-957 Silas Deane Highway. Officer Salvatore radioed dispatch:

18:00:27

Salvatore: He's stopped, he's stopped, he's stopped.

Lt. Connolly: What do you got Pete?

Officer Eulizier made a U-turn and collided into the front end of the Infiniti. From his dash camera, a passenger could be seen sitting in the front passenger's seat of the Infiniti.<sup>4</sup> Officer Eulizier got out of his cruiser, and ran towards the Infiniti, which was moving in reverse. The operator, meanwhile, turned the steering wheel to the right, to head north in the southbound lane. The southbound traffic had stopped as this incident developed immediately in front of at least three motorists.

As the operator of the Infiniti continued in an attempt to flee the scene, Officer Eulizier pursued the vehicle on foot with his gun at his side in his right hand yelling, "show me your hands, show me your hands." Officer Salvatore drove into the Infiniti, striking the left front door, apparently in an attempt to push the Infiniti away from the path of motorists traveling southbound.<sup>5</sup> Officer Eulizier stopped in front of the Infiniti's left tire as the operator tried to drive back into the northbound lane. Officer Eulizier, still yelling for the operator to show his hands, fired two rounds into the windshield on the driver's side striking the driver, 18-year-old Anthony Vega-Cruz, once in the head. Officer Eulizier radioed:

18:00:41

Eulizier: Shots Fired! Shots Fired! Shots Fired!

18:00:45

Salvatore: We have Shots Fired! Shots Fired!<sup>6</sup>

---

<sup>4</sup> Officer Eulizier's dash camera video can be viewed by following this link.

<sup>5</sup> "Citifix" surveillance video can be viewed by following this link.

<sup>6</sup> Dispatch transmissions can be reviewed by following this link.



The Infiniti began to roll across the northbound lanes as Vega-Cruz's passenger, 18-year-old Stephanie Santiago, attempted to exit the vehicle. She brought the vehicle to a stop by placing it in park and jumped out of the car. She placed her hands in the air before being ordered to the ground. She was not injured. Anthony Vega-Cruz was treated immediately at the scene and then transported to Hartford Hospital where he died on April 22, 2019.

Shortly after the shooting, Lieutenant Michael Connelly, the Wethersfield Police evening shift supervisor, arrived on scene and assigned an officer to take custody of Officer Eulizier's service weapon, gun belt and uniform to turn over to Connecticut State Police. Officer Eulizier's department-issued firearm was identified as a Glock 22 .40-caliber handgun with Serial Number LPA392. His handgun had a 15-round capacity magazine with 13 rounds in the magazine and one round in the chamber. Two rounds were missing.

On April 25, 2019, Dr. James Gill, Connecticut's Chief Medical Examiner, performed a post-mortem investigation on the body of Anthony Vega-Cruz. He identified one gunshot wound that penetrated Mr. Vega-Cruz's head. The bullet perforated the skin and soft tissues and entered the cranial cavity perforating the left frontal cerebral lobe. Dr. Gill noted the bullet's path of travel to be front to back, downward and left to right, lodging in the "fractured left petrous bone 6 inches from the top of the head and 1-1/4 inch left of the midline." The bullet was distorted and non-jacketed and had a fragment of dark cloth. It was removed, photographed, and turned over to Connecticut State Police. Dr. Gill certified the cause of death to be "Gunshot Wound of Head." The manner of death he certified as "Homicide (shot by Police)."

### **Stephanie Santiago**

Stephanie Santiago was in the front passenger seat of the Infiniti. She was 18 years old and identified herself as Anthony Vega-Cruz's girlfriend. She was interviewed by Connecticut State Police at the Wethersfield Police Department approximately 3 ½ hours after the incident. Her

interview was audio and videotaped and lasted thirty minutes and one second. Ms. Santiago was told that she was not under arrest and that she didn't have to speak to officers. She was given food, but waited until her interview was completed before eating. She spoke very softly at times and detectives used leading questions to proceed through the interview.

Ms. Santiago stated that she met Anthony at the Opportunity Academy in Hartford and that they had been dating approximately two to three months. She stated that she spent Friday evening at Anthony's home in Wethersfield where he lived with his father. She and Anthony left the house on Saturday to get dinner at a Chinese food restaurant near Panera Bread on Silas Deane Highway with Anthony driving the blue Infiniti that was parked in the driveway of the home. She could not remember the name of the restaurant, but Connecticut State Police determined from a search of her cell phone that it was the Sake Café located at 1105 Silas Deane Highway, which is in the same plaza as Panera Bread.

Ms. Santiago stated that Anthony missed the turn into the plaza that houses Panera, so he continued driving down Silas Deane Highway. She continued, "... then, that's when the cop came behind us, hit the lights and he didn't stop and they just shot him." The detectives asked her if Anthony was saying anything or if she knew why Anthony did not stop. She stated that she told him to pull over but thought that maybe he was afraid because the car was not registered. She described how Anthony lost control of the vehicle after the officer blocked the road causing him to try to drive around the officer's vehicle and how he could not go around because "cars were coming." Dash camera video captured her trying to get out of the car as it rolled to the other side of the street. She stated that she brought the car to a stop by putting it in park.<sup>7</sup>

### **Officer Layau Eulizier**

Officer Layau Eulizier discharged his firearm, striking Anthony Vega-Cruz and causing his death. Officer Eulizier was hired as a Wethersfield Police Officer in August of 2018, eight months prior to this incident. He previously served as a police officer for the Manchester Police Department from September 2014, to August 2018. On August 14, 2015, while a Manchester officer, Officer Eulizier was involved in a deadly officer-involved shooting in Bolton. The deceased in that matter robbed a bank in South Windsor and engaged police in a pursuit into Manchester and then Bolton. The suspect brandished a knife at responding officers, and Bolton Resident State Trooper Brian Contenta and Officer Eulizier discharged their service firearms in defense of the officers. It was determined that Officer Eulizier fired one round, which did not hit the suspect. A ballistics examination revealed that a projectile recovered from the scene was fired from Officer Eulizier's service firearm. The New London State's Attorney determined his use of deadly force to be appropriate.

On January 9, 2018, Manchester Police Chief Marc Montminy cited Eulizier for "Conduct Unbecoming an Employee" as a result of tactically unsafe techniques employed by Officer Eulizier as he attempted to take a suspect out of a vehicle while at the same time pointing his department issued firearm at the man. That incident also followed a motor vehicle pursuit. Chief Montminy recommended remedial training due to Officer Eulizier's demonstrated "poor performance during

---

<sup>7</sup> Stephanie Santiago's videotaped interview can be viewed by following this link.

incidents where he appears to be under stress.” Supervisors documented several incidents over a course of nine months where he did not perform to standards.

In Wethersfield, approximately one month after his hiring, a police sergeant recommended that Eulizier receive a “written instruction” for violating the vehicle pursuit policy. Specifically, Eulizier engaged in a pursuit of suspected street racers in the area of Silas Deane Highway and Jordan Lane. The sergeant wrote that Eulizier and another officer entered into five separate intersections driving through red traffic lights without making an attempt to stop and ensure that all traffic had stopped and yielded the right of way.

Officer Eulizier met with the Connecticut State Police on May 2, 2019, and gave a sworn statement concerning his use of deadly force on April 20, 2019. He stated that he watched the dash camera videos twice, but that his statement was based upon his recollection. His statement began at 9:00 a.m. and ended at 1:35 p.m.

Officer Eulizier recounted how he was ordering dinner at Wethersfield Pizza at approximately 5:58 p.m. when he heard a police radio transmission from Officer Salvatore stating that he was attempting to stop a motor vehicle and requesting back-up. He heard Officer Salvatore ask Officer Martins if he was in the area and heard Officer Martins respond that he was on the other side of town. Officer Eulizier stated that he did not know Officer Salvatore’s exact location nor the nature of the traffic stop, but that from his mobile display terminal in his cruiser he saw that Officer Salvatore had a vehicle stopped just south of his location. He began driving toward that location.

Officer Eulizier stated that the vehicle Officer Salvatore stopped fled at a high rate of speed and that he became concerned it was coming toward his cruiser and would have hit him had he not moved across the double yellow line into the northbound lane of travel. Officer Eulizier’s dash camera reveals, however, that the front end of his cruiser was in the northbound lane as the Infiniti traveled in the right lane where another dark sedan was traveling in the left northbound lane. Officer Eulizier essentially created a roadblock, which, without a supervisor’s approval, is prohibited by Wethersfield Police Department general orders.

Officer Eulizier, in his statement to Connecticut State Police, described what happened as the operator of the Infiniti lost control of the vehicle:

“... The suspect vehicle continued to lose control and spun around 180 degrees, in front of oncoming traffic, as its rear end entered the entrance to the parking lot of 955 Silas Deane Highway. I accelerated my police vehicle towards the suspect vehicle to position my patrol vehicle directly in front of it to keep it from driving forward and to further cease all erratic operation. As my cruiser approached the suspect vehicle, my cruiser impacted the front of the suspect vehicle. I was braking and must have misjudged the distance and road conditions as my intent was not to ram the suspect vehicle but to position my vehicle in front of the suspect vehicle as close as possible. When our vehicles made contact, I believed the operator of the suspect vehicle would cease operating the vehicle.

I exited my patrol vehicle, unholstered my department issued firearm, Glock 22 LPA392, and pointed it at the driver of the vehicle as I yelled the command, “Show me your hands.”

When I exited my cruiser, my intention was to wait until Officer Salvatore arrived before I approached the vehicle. I knew Officer Salvatore was only seconds away. I did not believe at this point that the suspect vehicle would move. At this point, I observed the operator of the vehicle turn the steering wheel quickly with one hand as well as reach toward the center console below. I did not know if he was reaching for something or reaching for the gear shifter. I was only focused on the driver and did not see if there was a passenger in the car. The operator continued to operate the vehicle in an erratic manner by accelerating backwards in front of oncoming traffic. I observed there was a vehicle stopped in the southbound lanes behind the suspect vehicle and I was concerned that he might accelerate towards that vehicle, so I continued on foot to keep the vehicle in my sight. As the suspect vehicle was reversing, it was turning so the front of the vehicle would have been pointing north.

As the vehicle was still moving in reverse, a police cruiser struck the suspect vehicle. I remember hearing the collision more than seeing it. I believed that it was Officer Salvatore's vehicle that hit the suspect vehicle. I could not see inside the suspect vehicle through the side windows due to heavy dark tinting. I continued around the front of the cruiser. I remember thinking that it was my cruiser that I was running in front of. I was thinking that I wanted to position myself using the front of my cruiser as cover and in a manner where I could at least see the operator of the vehicle through the windshield as all of the windows were so heavily tinted. It happened so quickly, that as I came around the front of the cruiser, I suddenly found myself directly in front of the suspect vehicle. I don't know how I ended up in the path of travel. I remember thinking that the car wasn't where I thought it was going to be when I got to the front of the cruiser. As soon as I got around the front of the cruiser and began yelling "show me your hands," the suspect vehicle accelerated. As my momentum was carrying me into the line of the suspect vehicle, I knew that there was nowhere I could go. I believed the vehicle was about to strike me. This happened so quickly and because of my momentum, I was only able to move backwards and was not able to retreat to the left or right, away from the vehicle. At this point I was inches from the front of the vehicle and I feared for my life and knew that I had to stop the operator from running me over with his vehicle. I discharged two rounds which I observed make contact with the front windshield of the suspect vehicle. I did not know if the operator was struck at the time. As I moved to the right, out of the way of the vehicle, I noted that my gun was jammed. I did not try to fire a third time, I observed the gun to be in lock-back as I was out of the path of travel. I racked it back and cleared the jam.

Immediately after discharging two rounds from my firearm, the suspect vehicle ceased its quick acceleration, came to a brief stop, and then continued to travel northbound on the Silas Deane Highway at a northeasterly angle. I broadcast over the radio that shots were fired. I observed the suspect vehicle travel onto the sidewalk and strike an advertisement sign on the property of 936 Silas Deane Highway. I immediately requested an ambulance to stage in the nearby area due to the possibility that the operator may have been struck by my discharged rounds.<sup>8</sup>

---

<sup>8</sup> Officer Eulizier's complete statement can be viewed by following this link.

Officer Eulizier stated that he had never had any contact with Anthony Vega-Cruz or Stephanie Santiago or the Infiniti that Mr. Vega-Cruz was driving.

## **Other Witnesses**

### **Witness #1**

“This afternoon I worked at Tom’s Trains, 925 Silas Deane Highway, I set the alarm, went out the front door, and locked the door. As I approached my car, I noticed that a police vehicle had stopped a car on Silas Deane Highway, on the northbound side, south of where I was parked. I also noticed that there was a Wethersfield Police SUV parked in the same lot where I was, facing south, also south of where I was parked. The police SUV that was in the parking lot looped around and drove out of the north entrance of the lot, turning south onto Silas Deane Highway. The officer that left the parking lot then turned left, north of the traffic stop, and pulled across the left, northbound lane of traffic, blocking that lane. I do not believe he pulled all the way into the right northbound lane. The police car that had left the parking lot turned northwest but the police SUV drove nose to nose with the stopped car and bumped it lightly. The officer then backed up a few feet and stopped his car. I could not see the other police vehicle while this was happening. I heard two male voices shouting get out of the car and show me your hands more than five times. As I was turning back toward the scene, I heard two gunshots. It may have been three but it was definitely at least two. I did not see the shots fired. It looked to me like the driver deliberately drove around the police car.”

### **Witness #2**

“On Saturday, 4/20/19 at around 6:00 pm, I was traveling west on Maple Street and made a left hand turn onto the Silas Deane Highway to go south. Just after making the turn, I saw a police car stopped in the right southbound travel lane with its lights on in front of me. I slowed down, not knowing if the officer had someone stopped or if there was an accident or something. I then saw another cruiser coming northbound with his lights and siren on and it appeared as though he was chasing the vehicle in front of him. As the northbound police car got closer to our location, the police car in the southbound lane pulled across a portion of the northbound lanes in what looked like an attempt to block the vehicle that the other officer was trying to stop. The vehicle they were trying to stop went around the officer who tried to block his way. As he went around the officer’s cruiser, the vehicle lost control and ended up facing northwest. The cruiser that was originally following the vehicle pulled up behind the vehicle and bumped it from behind. The cruiser that was originally in front of me then turned around and came up and bumped the vehicle on its right side near its rear end. When the second officer hit the car, it spun it around a little bit and the vehicle was then facing more northeast. The second officer to bump the vehicle exited his cruiser and ran around the back of his cruiser. The officer was now between my vehicle and his vehicle. The suspect vehicle then began moving and coming back out onto the Silas Deane Highway. The officer drew his gun and began yelling at the operator of the vehicle. Because of the noise of the sirens, I was unable to hear exactly what commands the officer was yelling. The vehicle stopped momentarily and then began moving again towards the

officer. The operator of the vehicle did not stop and drove right at the officer. The officer didn't have anywhere to go and fired what I thought was three shots at the vehicle. When the shooting happened, I was probably only about twenty five feet away from the officer. The operator of the suspect vehicle had plenty of time to stop prior to the officer firing the shots at the car. I think that the operator of the car had no intention of stopping for the police."

### **Witness #3**

"On 4/20/19 at around 6 p.m., I was working in the pizza shop and taking an order from a Wethersfield Police Officer Layau Eulizier who was at the counter. As Officer Eulizier was ordering, he put his head toward the police microphone on his shoulder and said he had to go out to a call and would return. Officer Eulizier then left the restaurant via the front door. I heard police sirens outside and then heard a loud bang which sounded like a car collision. I walked up to the front door and looked outside. Right in front of the restaurant were several Wethersfield Police cruisers. I saw Officer Eulizier standing on the highway with his gun drawn pointed at a dark blue sedan. I thought he was standing either in front of or near the front of this car. The car started moving forward, right at Officer Eulizier and I saw/heard Officer Eulizier fire two (2) shots at the front of the dark blue sedan. I got terrified at the shots and ran back to the counter of the restaurant with my husband."

### **Witness #4**

He started filling his car with gas at the Valero Gas Station at the intersection of the Silas Deane Highway and Route 3. He heard police sirens and observed that the vehicles traveling in the southbound lanes of Silas Deane Highway were slowing down or stopped. Two police cars were traveling north on Silas Deane Highway and the first police cruiser didn't stop and struck the vehicle that was involved in the incident on its front end. The second police cruiser stopped a little further north of the police car and parked in the middle of the road. Both police officers got out of their cruisers with their firearms drawn and they started yelling out commands to the driver of the vehicle to get out of the vehicle. These two police officers were wearing dark uniforms and one officer was white and the other officer was black. The driver in the vehicle got his vehicle turned and then started traveling towards the police cruiser in the center of the road. The police officers yelled at the driver to stop and then one of the police officers fired his gun twice at the driver's vehicle. When he heard the gun shots, one police officer was positioned by the driver's vehicle which they were trying to stop and the other police officer was standing towards the front of his cruiser which was parked in the center of the road. When the vehicle started traveling toward the police officer in the center of the road, it looked as though the vehicle was traveling toward the police officer on an angle. He observed the police officer in the center of the road firing two gun shots at the vehicle.

### **Witness #5**

He was driving in the southbound lane of the Silas Deane Highway in the left lane. He was stopped in traffic. He could see the gray Infiniti driving northbound on the Silas Deane Highway and two

marked police cars were behind him with lights and sirens on. The gray Infiniti looked like it already had damage on the front bumper of it. As it approached the vehicles in front of him, the gray Infiniti swerved and then went out of his sight. The two police officers followed in their vehicles and he did not see them get out of their cars. He said less than 30 seconds went by and he heard two gunshots. The gray Infiniti came back into view and drove about 5 or 10 mph until it crashed into the sign in front of the Alpine Haus. (He provided investigators with a 30 second clip of cellphone video that he recorded while on scene)

#### **Witness #6**

She was working at New England Patio and Hearth when close to 6 p.m. she was walking a customer out of the front door at the store and observed a black vehicle traveling very fast southbound on Silas Deane Highway. The vehicle was being followed closely by a Rocky Hill police cruiser. The vehicle traveled north across the southbound lanes and stopped north of her store by the beginning of the driveway at the Wethersfield Pizza parking lot. She believes it was a Rocky Hill police cruiser that stopped behind the black vehicle in the southbound lane. As the police officer exited his vehicle, he had his gun drawn and tried to run around the black vehicle. The black vehicle sped off traveling north in the southbound lane. She heard three gun shots fired and wasn't sure of the direction of where the shots came from. She stated she didn't see the line of fire when the shots were actually fired so she doesn't know who fired their gun.

#### **Witness #7**

She was at home with her 7-year-old son when she heard sirens and saw police lights while putting groceries away. She does not recall exactly what time it was but recalls it was sometime in the evening. She looked out her living room window and saw a police SUV facing toward the Sterling Jewelers parking lot. She heard a male voice saying "hands up, stop, hands up, get out of the car", at least two times. She then heard what sounded like two gunshots. She did not see what happened when the shots were fired because it was out of her view. She then saw a lot of police vehicles.

#### **Witness #8**

She was leaving the CVS parking lot at 1078 Silas Deane Highway at approximately 6:00 p.m. and made a right turn onto the Silas Deane Highway to head north. She observed a police cruiser traveling north on Silas Deane Highway at a fast speed. The cruiser had its emergency lights on but she did not hear any sirens. She continued traveling north and observed that the police officer in the cruiser had pulled another vehicle over on the right side of the road in the northbound lanes prior to Sterling Jewelers and Alpine Haus. The vehicle that was pulled over was a dark Infiniti with tinted windows. When she slowly approached the dark colored Infiniti she looked at the vehicle to see who was inside but could not see inside due to the tinted windows. After she passed both vehicles, she looked in her rear view mirror and observed the police officer opening his door to get out of his cruiser. The Infiniti then sped off passing her vehicle. It swerved across into the southbound lanes losing control and spinning around. Another police cruiser arrived at the scene from the north traveling south on Silas Deane Highway. The first police cruiser, which initially stopped the Infiniti, traveled north across the southbound lanes striking the front end of the Infiniti in order to stop it. Both police cruisers tried to box in the Infiniti. Both police officers quickly got

out of their cruisers and the Infiniti was still attempting to drive away. She did not hear the police officers give the driver any verbal commands and was not sure if she heard the officers yelling or not. The Infiniti attempted to drive away and traveled in the middle of the southbound lanes. She did not hear any gunshots until the police and Infiniti were in the middle of the southbound lanes. She observed the police officer who was to the left of the Infiniti shoot his gun as being possibly white and bald. The police officer was shooting in the direction of the Valero Gas Station. After the gunshots, the Infiniti moved slowly across the northbound lanes into the Alpine Haus parking lot and traveled to the Alpine Haus sign. She thinks she heard four or five shots. She believed the Infiniti was attempting to leave the scene. She said the incident had taken place quickly and she did not see the Infiniti lunge at the police officer where the police officer would have been put in a dangerous position. She said she was about 100 yards away from where the shooting took place.

#### **Witness #9**

This witness stated that he stopped in front of the Valero Gas Station, which was on his left side. He then heard police sirens and turned left onto the Silas Deane Highway (south) from Route 3. He stopped in front of the Valero Gas Station on Silas Deane Highway because he saw two police cruisers driving north in the southbound lane toward him. The police cruisers were following a black four-door sedan. The sedan was traveling north in the northbound lane and then north into the southbound lane. The sedan then traveled back into the northbound lanes and struck the Alpine ski store sign in the parking lot. The witness did not see anyone discharging their firearms.

#### **Witness #10**

This witness stated that just before 6:00 p.m. she, her daughter and daughter's friend were traveling northbound in the right lane on the Silas Deane Highway. When traffic ahead of her slowed down and proceeded to merge into her lane, she looked further ahead and observed a dark blue or black sedan with very, very dark tinted windows being chased by two marked police cruisers. She stated the cruisers were clearly marked but could not recall with what town name. They both had emergency lights affixed to their roofs but she could not recall if they were activated. She could not recall hearing sirens either. She believed it appeared as if the two marked cruisers were boxing the sedan in as they traveled less than 5 mph. She had a clear view of the sedan and observed the sedan pull away from the police cars and went toward the center of the road. As the sedan came to a stop two uniformed police officers exited their cruisers and approached it. One officer positioned himself directly in front of the sedan's front bumper and the second officer positioned himself flanked off of the front left quarter panel. Both had their firearms drawn. She could not provide a physical description of the first police officer but described the second as a young looking Caucasian male in good shape. She estimated that they stood pretty close to the sedan - between 15 and 20 feet away. She also cautioned that her view may have been skewed due to her vantage point. Approximately one minute after that observation, she heard gunfire.

#### **Witness #11**

This witness stated that at approximately 6:00p.m. she was watching television by herself when she heard sirens outside and then began to hear more sirens that became louder. She got up and looked out her living room window where she could see into the courtyard and part of the Silas

Deane Highway. She saw a police SUV facing north but parked on the wrong side of the roadway. She could not recall if the police car had its emergency lights activated or not. She observed a male in a police uniform running from the police car across the roadway toward the apartment complex in a northern direction. She saw his handgun was out and pointed straight ahead. She heard two or three “pops” but did not see any flash from the handgun. She lost sight of the police officer as he ran across the roadway because of the apartment building. She said she could not see what he was pointing his gun at.

### **Infiniti G35 - CT 484YOS**

The vehicle Anthony Vega-Cruz was operating on April 20, 2019, was a 2004 Infiniti G35, with a vehicle identification number of JNKCVS1F84M716852. The last registered owner of the vehicle stated that he sold the vehicle two months prior to someone who sold it at an auction in East Granby. Connecticut State Police identified the purchaser as Michael Coleman, who stated during a telephone call with police on April 25, 2019, that he bought the Infiniti at the auction on March 5, 2019, and sold it to “Big Boy,” providing him with the title. When pressed for information regarding the identity of “Big Boy,” Mr. Coleman hung up the phone. Mr. Coleman called the trooper back later to say that he sold the Infiniti to “the kid on the news.” He once again hung up when pressed for details. The Connecticut State Police located the person to whom the registration was issued. He stated the marker was on a 2013 Hyundai Elantra that had been parked at his apartment building on Park Street in Hartford for more than six months. He stated that he called Hartford Police on April 7, 2019, when he noticed that the license plate was missing, but they never responded to take his complaint. He further stated that he did not know Anthony Vega-Cruz or Michael Coleman. On May 1, 2019, Connecticut State Police received a copy of the title for the vehicle and a bill of sale for the vehicle from the attorney for the family of Mr. Vega-Cruz. The sections that identified the buyer, date sold, and selling price were left blank.

Records from COLLECT reveal that between March 6, 2019, and April 20, 2019, the marker 484YOS was run through COLLECT 17 times by various law enforcement agencies. On April 20, 2019, Officer Salvatore ran the marker first at 5:53 p.m. Wethersfield Police ran it four additional times after this incident. Approximately three weeks earlier, on April 2, 2019, at approximately 12:48 a.m., Wethersfield Police initiated a traffic stop on a dark blue Infiniti bearing marker 484YOS on Ridge Road in Wethersfield. The traffic stop was recorded on the officer’s dash camera. When the officer approached the vehicle, the operator fled.

On April 20, 2019, Officer Peter Salvatore noted the heavy tints on the Infiniti’s windows. Officer Eulizier also noted the heavy tints. Connecticut State Police analyzed the tints using a “Tint Meter” Model 100 to determine the light transmittance of the windows. A visual inspection confirmed an inability to see through the windows. The digital display reveals the percentage of visible light transmittance as compared to 100 percent, with 100 percent indication that nothing is interfering with or blocking the light path. Results of the Tint Meter analysis revealed a 4 percent light transmittance on the driver’s side front window, 5 percent light transmittance on the driver’s side rear window, 3 percent light transmittance on the passenger side front window and 4 percent light transmittance on the passenger side rear window. Connecticut General Statutes allow for no less than 35 percent light transmission.

## **Vehicle Processing**

On April 23, 2019, the Infiniti was processed State Police Troop H in Hartford after police secured a search and seizure warrant. They documented the processing with video and digital photographs. Two bullet strikes, labelled BS 1 and BS 2, were documented on the front windshield. A bullet jacket was removed from the front passenger seat (See Appendix). A plastic bag containing a substance suspected to be marijuana was seized from the center console (See Appendix); and seven partially burned marijuana cigarettes were in an ashtray. (See Appendix)

With respect to the bullet strikes, State Police performed a trajectory analysis, which determined the approximate location of Officer Eulizier's firearm at the time the shots were fired. This examination was conducted with the use of trajectory string and a trajectory laser. Bullet Strike 1 was located on the driver's side of the windshield approximately 11 1/8 inches from the vertical support that holds the windshield in place and approximately 16 1/4 inches up from the bottom edge of the windshield. Bullet Strike 2 was located on the driver's side of the windshield, approximately 16 inches from the vertical support pillar and approximately 15 3/4 inches up from the bottom edge of the windshield. The angle of the shots and the dash cameras showing the movement of the Infiniti and Officer Eulizier were used to determine the sequence of the shots.

It was determined that Bullet Strike 1 penetrated the windshield and struck Anthony Vega-Cruz in the head, above his left eye. That projectile was removed during the post-mortem investigation and turned over to state police. Bullet Strike 2, the second bullet fired, penetrated the windshield where the bullet jacket separated from the bullet core, and the bullet jacket struck the front passenger seat. The core continued into the back passenger side seat and exited the vehicle via the rear wheel well.

Based upon their analysis, state police determined that the first shot was fired approximately 4 feet 1 inch in front of the Infiniti and the second shot was fired approximately 9 inches in front of the Infiniti. Their findings were documented by photographs provided to this office.

## **Glock 22, .40 Caliber Handgun SN LPA392**

Officer Eulizier's service handgun was seized from him on April 20, 2019, and submitted to the DESPP Forensic Science Laboratory Firearms Unit for ballistics examination. Also submitted were two expended shell casings. Officer Eulizier's handgun was test fired and operated without malfunction. Microscopic comparisons of the test-fired shell casings and two .40-caliber shell casings seized from the scene confirmed that the recovered .40-caliber shell casings were fired from Officer Eulizier's handgun.

## **Wethersfield Police Department General Orders**

Wethersfield Police have instituted "general orders" that provide guidance to officers on department policies and procedures. General orders are administrative in nature. Violations lead only to departmental discipline and not criminal liability. Those applicable to the use of force incident on April 20, 2019, include the vehicle pursuit policy and "forcible stopping and roadblocks." These topics were covered during Officer Eulizier's field training period and he was

tested on both. He scored 100 percent on the vehicle pursuit exam and 95 percent on the use of force exam, both of which were administered on August 13, 2018.

**General Order 413** sets the policy and establishes the procedures concerning motor vehicle pursuits. It defines a pursuit consistent with the Uniform Statewide Pursuit Policy found in Connecticut General Statutes Section 14-283a-3(1) as: “an attempt by a police officer in an authorized emergency vehicle to apprehend one or more occupants of another motor vehicle, in which the driver of the fleeing vehicle ignores the officer’s signal and attempts to avoid apprehension by maintaining or increasing speed.” The order divides pursuits into two categories: those where the pursuit will likely result in a misdemeanor charge and those where the resulting charge will likely be a felony. The order acknowledges that “most pursuits originate as a result of a traffic violation, which are misdemeanors,” and prohibits the use of deadly force. In discussion, the order advises, “such means as barricading the roadway or using firearms are, therefore, out of the question [where the pursuit will likely result in misdemeanor charges].”

**General Order 5-413.L** provides guidance on forcible stopping and roadblocks. The policy restricts roadblocks and forcible stopping of vehicles to certain circumstances authorized by a command level officer and only during the commission of a serious felony. The order states: “barricading a roadway must be considered as a force likely to result in death or serious physical injury.

**General Order 5-413.L.2.d** restricts, during high speed pursuits, the forcing of a suspect vehicle from the roadway by driving alongside or in front of a suspect, positioning the police unit directly in front of the suspect vehicle or bumping the suspect vehicle to force the vehicle from the road. Deviations are allowed for pursuits at “greatly reduced speeds,” with exercise of “good judgment.”

**General Order 5-413.L.2.e** only permits shooting at vehicles when deadly force is necessary and as a last resort; but, “never ... in pursuing misdemeanor offenders or in cases which involve only a stolen vehicle.”

**General Order 5-413.L.2.f** allows road spikes to be used to safely stop a motor vehicle, even at high speeds, only with a supervisor’s approval and when it becomes apparent that a fleeing violator is not going to stop for police and poses a significant risk to others.

Since violations of general orders are subject only to internal discipline, a lack of communication appears to have played a role in the tragedy that developed here. Officer Salvatore never communicated the reason for stopping Mr. Vega-Cruz. Wethersfield Police Department policy makes it clear that a misdemeanor violation does not warrant a pursuit, a roadblock or the ramming of another vehicle. Officer Eulizier never communicated his location or his availability to respond, and he had already blocked the highway when a supervisor called for stop sticks. Nevertheless, those acts were not the proximate cause of the death of Mr. Vega-Cruz. “An act or omission to act is a proximate cause of the [death] when it substantially and materially contributes, in a natural and continuous sequence, unbroken by an efficient, intervening cause, to the death.” *State v. Griffin*, 251 Conn. 671, 712-13 (1999). After the pursuit, the blocking and the ramming, Mr. Vega-Cruz continued in his operation of the Infiniti.

The State's Attorney acknowledges that questions have been raised whether racial profiling was a factor in Wethersfield Police stopping Mr. Vega-Cruz. The investigation of whether profiling was a factor in the initial traffic stop was not within the purview of this report as Officer Salvatore, the officer who initiated the stop, did not use deadly force. The sole question for this investigation was whether the use of deadly physical force by Officer Eulizier was appropriate under the circumstances presented on April 20, 2019.

### **Applicable Law and Analysis**

In determining whether an officer's use of deadly physical force was appropriate, Connecticut General Statutes Section 53a-22(c) (1) provides as follows:

“A peace officer is justified in using deadly physical force upon another person...when he or she reasonably believes such to be necessary to (1) defend himself or herself or a third person from the use or imminent use of deadly physical force ....”

“Deadly physical force” is defined in Connecticut General Statutes Section 53a-3(5) as “physical force which can be reasonably expected to cause death or serious physical injury.”

“Serious physical injury,” pursuant to Connecticut General Statutes Section 53a-3(4) means, “physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily injury.”

In analyzing the “reasonableness” of an officer's beliefs that the use of deadly force was necessary, our Connecticut courts have relied upon a “subjective-objective” test. This test requires the trier of fact to first determine whether, on the basis of all the evidence, the officer honestly believed that deadly force, rather than some lesser degree of force was necessary to repel the victim's attack. *State v. Smith*, 73 Conn. App. 173, 185 (2002). If the jury determines that the officer honestly believed that deadly force was necessary, it turns to the objective part of the test, requiring the jury to determine whether the officer's honest belief was reasonable.

The United States Supreme Court has held that “the reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight .... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments, in circumstances that are tense, uncertain and rapidly evolving about the amount of force that is necessary in a particular situation.” *Graham v. Connor*, 490 U.S., 386, 396 397 (1989).

In his statement to Connecticut State Police, Officer Eulizier stated that when his cruiser collided with the Infiniti that he “believed that the operator of the suspect vehicle would cease operating the vehicle.” He continued, “I observed the operator of the vehicle turn the steering wheel quickly with one hand ... The operator continued to operate the vehicle in an erratic manner by accelerating backwards in front of oncoming traffic ... I observed there was a vehicle stopped in the southbound lanes ....” In fact, a review of the dash camera videos depict Anthony Vega-Cruz losing control of the Infiniti and spinning out in front of the southbound lane of travel. They also show the emotions of Mr. Vega-Cruz's passenger, who told him to pull over. In the “Citifix” video, one can see a gray

Audi as it backed up to avoid being in harm's way as this incident develops in front of the motorist. Officer Eulizier's belief that the lives of the motorists traveling on Silas Deane Highway were in jeopardy was reasonable.

Officer Eulizier also found himself in front of the out-of-control Infiniti. He stated that he feared for his own life and felt the need to stop the operator from running him over. "... I knew that there was nowhere I could go. I believed the vehicle was about to strike me ... I was inches from the front of the vehicle and I feared for my life and knew that I had to stop the operator from running me over with his vehicle." He then discharged two rounds from his firearm, one of which struck Mr. Vega-Cruz. Officer Eulizier's belief that deadly force was necessary to defend himself from the use of deadly force was reasonable.

## **Conclusion**

On April 20, 2019, 18 year old Anthony Vega-Cruz fled from Wethersfield Police, who pulled him over for a motor vehicle violation. In all probability, had he waited, this violation would have resulted in the issuance of a misdemeanor summons as this investigation revealed that Mr. Vega-Cruz had no criminal record and was not "wanted" by law enforcement. Instead, Mr. Vega-Cruz fled and engaged police in a brief pursuit, endangering the lives of innocent motorists, the police, as well as his passenger, Stephanie Santiago. Rather than submitting to authorities after the vehicle stopped, Mr. Vega-Cruz attempted to flee a second time. It was at that time that Officer Layau Eulizier used deadly force, having found himself inches from the front of Mr. Vega-Cruz's vehicle that was headed north in the southbound lanes. Officer Eulizier discharged his firearm in fear that the operator was about to run him over and that he would lose his own life. His belief that deadly force was needed to defend himself and others from the use or imminent use of deadly physical force was objectively reasonable and therefore justified under Connecticut General Statutes Section 53a-22 (c)(1).

Respectfully submitted,

/s/

Gail P. Hardy  
State's Attorney  
Judicial District of Hartford

March 3, 2020

## **APPENDIX**

*The Appendix items and all other linked materials herein referenced are available on the Division of Criminal Justice website, [www.ct.gov/dcj](http://www.ct.gov/dcj):*

- Statement of Wethersfield Police Officer Peter Salvatore
- Statement of Wethersfield Police Officer Layou Eulizier, Jr.

- Surveillance Camera Photo April 20, 2019, Hartford Healthcare Medical Group Camera 1 at 5:57:58 p.m.
- Surveillance Camera Photo April 20, 2019, Hartford Healthcare Medical Group Camera 4 at 5:58:32 p.m.
- Surveillance Camera Photo April 20, 2019, Hartford Healthcare Medical Group Camera 8 at 5:58:40 p.m.
- Surveillance Camera Photo April 20, 2019, Sterling Jewelers Front Door marked 4:55:43 p.m.
- Dash Camera Video from police vehicle operated by Officer Peter Salvatore
- Dash Camera Video from police vehicle operated by Officer Layau Eulizier
- Dash Camera Video from police vehicle operated by Officer Layau Eulizier
- Video from surveillance camera located at Citifix
- Wethersfield Police Department radio transmissions
- Videotape of Connecticut State Police interview of Stephanie Santiago
- Photographs from the Infiniti G35

Front view of vehicle

Driver's side view of vehicle

Passenger side view of vehicle

Windshield from outside

Windshield from outside

Rear of driver's seat

Steering wheel viewed through windshield

Driver's seat

Driver's seat

Vehicle seat

Items in vehicle

Items in vehicle

Vehicle seat

Vehicle wheel