

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF STATE POLICE

Case Number: 1900182722

Date: 05/08/2019

Time Started: 1345hrs

Time Ended: 1519hrs

H-
W- 203-230-4030

C-

WITNESS STATEMENT OF Devin C. Eaton

I, Devin C. Eaton, AGE: 29, date of birth 01/09/1990
of 2900 Dixwell Avenue, town/city of Hamden, CT 06518

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-157.

I have been employed by the Hamden Police Department since June 23, 2016. I currently hold the rank of Patrolman and am assigned to the Patrol Division. Prior to being hired in Hamden, I was employed by the New Haven Police Department as a Patrolman for approximately one year.

On April 16, 2019 I was working my regularly scheduled 2300 hours to 0700 hours shift. I was wearing my department issued uniform, carrying standard department issued equipment and driving a fully marked Ford Explorer. I was assigned to patrol area 100. Based upon the rapid progression of events, I do not recall whether or not I activated my body camera at the time of the incident. It was not until the incident was completely over that I learned my body camera had in fact been activated. I have briefly viewed my body camera footage as well as the body camera footage of the other Hamden officers and the video surveillance from the corner of Dixwell Avenue and Argyle Street, however I am relying primarily on my personal recollection of the events when giving this statement. I also have not listened to any 911 calls or dispatch tapes. While in my patrol car prior to and during this incident, I was only monitoring Hamden Police transmissions.

At approximately 0419 hours I was in my patrol vehicle in the parking lot of ALK Liquors on Dixwell Avenue meeting with Officer Keron Bryce who was parked next to me in his patrol vehicle. I heard police dispatch call Officer Bryce and me over the radio. The dispatcher told us to respond to Go On Gas located at 144 Arch Street in Hamden. The dispatcher reported that a street robbery with a firearm had just occurred at that location. To the best of my recollection, the dispatcher advised us that a black male with dreadlocks had just robbed a deliveryman and that a firearm was involved. I also recall dispatch telling us that the complainant reported that the black male got into a red vehicle bearing CT registration AK-63322 with a female passenger last seen leaving the area headed towards Dixwell Avenue.

Officer Bryce was the primary unit assigned and I was the backup officer. I left the parking lot of ALK Liquors and headed southbound on Dixwell Avenue towards the area. As I was driving, I believe it was Officer Bryce who transmitted over the police radio that the registration of the suspect vehicle came back to a red Honda Civic from an address located in West Haven, CT. As Officer Bryce drove to Go On Gas, I continued to By affixing my signature to this statement, I acknowledge that I have read it or have had it read to me and it is true to the best of my knowledge and belief.

Witness: D. B. Connolly #431
Detective Connolly #431

Signature: Devin C. Eaton
Devin C. Eaton

Witness: _____

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein.

I notarized, endorse here: Det. Meier #796
Detective Meier #796

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STATEMENT OF Devin Eaton (Cont.)

travel southbound on Dixwell Avenue into New Haven in an attempt to locate the Honda. I traveled south on Dixwell Avenue searching for the vehicle because I believed that it was likely that the vehicle would travel through New Haven to get back to West Haven. I went as far south as the intersection of Dixwell Avenue and Webster Street in New Haven but did not locate the Honda. I then turned around on Webster Street and began traveling northbound on Dixwell Avenue heading back into Hamden. I turned left onto Arch Street headed towards Go On Gas with the intention of speaking with Officer Bryce to obtain more information. As I was pulling into the parking lot of Go On Gas I saw Officer Bryce speaking with who I assumed to be the complainant inside the store. It did not appear Officer Bryce had completed his interview so I decided to continue with my search of the area for the Honda.

I exited the Go On Gas lot heading east on Arch Street and took a right onto Dixwell Avenue and began traveling south. As I was passing the intersection of Dixwell Avenue and what I later learned was Argyle Street in New Haven, I looked to my left and saw a small red sedan parked, nose in, in a private driveway on Argyle Street. The vehicle had its lights on and appeared to be running. I conducted a U-turn on Dixwell Avenue and traveled back to where I had seen the vehicle. I looked up at the street sign and saw that it was Argyle Street. As I turned right onto Argyle Street I saw the vehicle traveling very slowly on Argyle Street towards Dixwell Avenue. As I was traveling past the vehicle, I saw that it was being operated by a black male with dreadlocks and that there was a black female sitting in the front passenger seat. I could also see that the vehicle was a red colored Honda Civic, but at this point I was not certain this was the vehicle involved in the robbery because I could not see the vehicle's registration. I did not want to notify dispatch until I knew that I had the correct vehicle.

I did not have my patrol vehicle's overhead emergency lights or siren activated but the vehicle appeared to come to a stop as I was traveling past it. I don't know why the vehicle came to a stop, but I thought that the operator was either going to engage me in pursuit, get out and try to run, or get out and shoot me. I stopped my patrol vehicle in the area of the rear of the red Honda to verify that the Honda's registration matched the registration that was given to me by dispatch. Now that I realized this was the vehicle from the robbery, I felt I needed to immediately get out of my car to maintain a visual on the operator, to control the situation and to ensure he wasn't going to shoot me. At this time the driver's door of my patrol vehicle was approximately 10 to 12 feet away from the driver's side door of the Honda.

I opened my driver's side door. Based on the fact that the operator was reported to be in possession of a firearm, I unholstered my service weapon and exited my patrol vehicle. After I exited the vehicle with my service weapon pointed in the direction of the operator, I ordered him to show me his hands. I couldn't tell whether the window of the Honda was open or closed but I thought the operator would put his hands either up or through the window. It was my intention to get closer to the Honda's driver's side door so that I could more

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Witness: Det. B. G. #31
Detective Connolly #431

Signature: Devin E. Eaton
Devin E. Eaton

Witness: _____

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein.

I notarized, endorse here: Det. Meler #796
Detective Meler #796

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STATEMENT OF Devin Eaton (Cont.)

clearly see into the vehicle and see if the operator was holding a weapon. Immediately after I exited my patrol vehicle and ordered the operator to show me his hands, I saw the driver's door of the Honda unexpectedly swing open. The operator then began to suddenly exit the vehicle. As he was doing so, I could see that he was not holding anything in his left hand but as he began to turn towards me, I saw the operator begin to raise his right arm up and it appeared that he was holding an object in his right hand, which I believed to be a gun. I was alone, had not yet radioed for back-up, believed that the operator was in possession of a firearm and based on his close proximity to me and his sudden and aggressive actions when exiting his vehicle, I was afraid that the operator was about to shoot me and cause me serious bodily injury or death. I then discharged my duty weapon and began to move towards the rear of the Honda for cover. I saw the operator dive back into the driver side of the car, and I heard the sound of gunshots as I was moving around to the rear of the Honda and perceived the gunshots to be coming from the operator. When I got to the passenger side of the vehicle I discharged my duty weapon at the robbery suspect again. I could not see the passenger. I then lost sight of the operator, so I stopped firing and moved to a position of cover and concealment on Argyle Street away from the Honda. I do not recall specifically how many times I discharged my duty weapon, however, all of the shots were fired within several seconds.

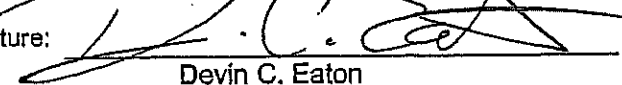
Once I was in a secure location, I notified dispatch of my location, that shots had been fired and that it involved the vehicle from the robbery. This was the first time that I saw another police vehicle that appeared to be stopped in front of the Honda. I could not identify which department the vehicle was associated with but I recall seeing a uniformed police officer running across Dixwell Avenue away from the police vehicle. Believing I was in the other officer's line of fire in the event that he did fire, and so I could get a better view of the scene, I moved to another location behind a parked vehicle on Argyle Street and waited for back-up officers to arrive.

I saw Officer William Pesanelli arrive and take a position in the area of the passenger side of the Honda. I radioed to Officer Pesanelli to call out what he saw and I believe he responded by saying the passenger had been shot. I then began to approach the vehicle where I saw Officer Steve DeGrand near the front driver's side of the vehicle. Officer DeGrand ordered the driver to get out of the car and to keep his hands up. I took hold of the operator's left arm and directed him out of the vehicle and onto the ground at which time I handcuffed him. The operator was searched and placed in the rear of my police vehicle directly behind the driver's side seat.

A short time later my supervisor, Sergeant Nate Youngberg, arrived and I told him what happened. Thereafter, LT Tim Wydra arrived and I advised him what had occurred. He later told me to sit in the supervisor's patrol vehicle until AMR arrived and I could be medically evaluated. I was then transported to Yale New Haven Hospital by Officer Luis Rivera for treatment and evaluation. I was not physically injured during this incident.

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

Witness: 
Detective Connolly #431

Signature: 
Devin C. Eaton

Witness: _____

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein.

I notarized, endorse here: 
Detective Meier #796

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STATEMENT OF Devin Eaton (Cont.)

Based upon my recollection, I have never had any prior contact with the operator or the passenger of the Honda, either professionally or personally.

[A large diagonal line is drawn across the page, crossing out the main body of the statement.]

D DCE

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

Witness: Det 3 [Signature] 431
Detective Connolly #431

Signature: [Signature]
Devin C. Eaton

Witness: _____

Personally appeared the signer of the foregoing statement and made oath before me to the truth of the matters contained therein.

I notarized, endorse here: [Signature]
Detective Meier #796